ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. lix.

An Act to repeal Two Acts made in the Forty-third and Forty-ninth Years of His late Majesty, for paving the Town of *Worthing*, in the County of *Sussex*, and establishing a Market therein, and for making other Provisions in lieu thereof; for erecting Groyns, for laying a Duty on Coals imported into the said Town, and for other Purposes relating to the Improvement of the said Town.

[28th *May* 1821.]

WHEREAS by an Act made in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, lighting, cleansing, watching, and improving the Streets, Passages, and Places within the Town of* Worthing, *in the County of* Sussex; *for removing and preventing Annoyances and Obstructions therein, and for establishing an effective Police in the said Town:* And whereas by another Act made in the Forty-ninth Year of the Reign of His said late Majesty, intituled *An Act for amending an Act of the Forty-third Year of the Reign of His present Majesty, for paving and improving the Town of* Worthing, *in the County of* Sussex, *and for building a Market House and establishing a Market in the said Town*, certain Powers were given and granted to certain Persons therein

43 G. 3. c. 59.

49 G. 3. c. 114.

therein named Commissioners for the several Purposes contained in the said Acts respectively: And whereas the Commissioners nominated and appointed under and by virtue of the said Acts, or one of them, have, from Time to Time in the due Execution of the same, found the Powers therein granted very deficient, and inadequate to answer the Purposes required by the said Acts respectively: And whereas the Sums of Money raised by virtue of the Rates or Assessments made in pursuance of the said first recited Act, are not sufficient to pay the annual Interest due on the Sums of Money borrowed upon the Credit of the said Rates or Assessments, and other the incidental Expences attending the carrying of the same Act into Execution; and the Tolls or Profits arising from the Market erected by virtue of the said last recited Act are not near adequate to pay the Interest due on the Money borrowed upon the Credit of the said Market and the Tolls or Profits thereof, and other the incidental Expences attending the same Market; and the said Commissioners are considerably in Arrear in paying the Interest due on the Monies borrowed on the Credit of the said recited Acts respectively; wherefore it is necessary that the said Acts should be repealed, and other Powers, Regulations, and Provisions granted in lieu thereof: And whereas it would be a great Benefit to the Inhabitants of and Visitors resorting to the said Town, if Power was given for building and repairing Groyns, Sea Defences, and other Works upon the Sea Beach, for the Protection of the said Town from the Encroachments of the Sea; for increasing the Revenue of the said Town by imposing a Duty on Coal, Coke, Culm, Cinders, and Charcoal landed or brought and consumed therein; and for preventing Nuisances and Annoyances, and regulating Hackney Coaches, Chaises, Sedan Chairs, Flies, Bathing Machines, Carts, or Carriages, and the Owners and Drivers thereof within the said Town; but as these several Objects cannot be obtained without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said recited Acts, and all Matters and Things therein respectively contained, shall be and the same are hereby repealed.

Recited Acts repealed.

Appointment of Commissioners.

II. And be it further enacted, That *John Atkins*, Sir *Charles Merrick Burrell* Baronet, *Walter Burrell*, *Edward Barker*, *Thomas Bushby*, *Henry Botting*, *Thomas Burden*, *Ambrose Cartwright*, *John Copping*, *Frederick Cooper*, *George Deadman*, *William Davison* Clerk, *Edward Evershed*, *John Fuller*, *Thomas Fuller*, *Thomas Henty*, *James Hopkins*, *John Hickox*, *Edward Hide*, *William Holcombe*, *James Heather*, *James Hart*, General Sir *Richard Jones* K.C.B., *John Joanes*, *James Marten Lloyd*, *Henry Lane*, *Richard Lindup*, *Henry Lindup*, *William Margesson*, *Michael Morrah*, *George Mant*, *William Munday*, *Douglas Miller*, *John Newland*, *Richard Newland*, *Harry Newland*, *Richard Penfold*, *Edward Penfold*, *George Porter*, *Stephen William Poyntz*, *Henry Phillips*, *George Parsons*, *Henry Patrick*, *Thomas Palmer*, *John Rice*, *John Rodgers*, *William Westbrooke*

Westbrooke Richardson, Sir *Timothy Shelley* Baronet, *Miles Stringer*, *William Stafford*, *John Snelling*, *Edward Stanford*, *Frank Stubbs*, *John Shearsmith*, *John Weller Smith*, *William Tribe*, *Thomas Trotter*, *Charles Viner*, *Peter Wood* Clerk, *William Wicks*, *John Whitmore*, *William Whitter*, *John Wakefield*, and *Harry Winton*, shall be and they are hereby constituted and appointed Commissioners for putting this Act into Execution.

The Limits of the Town, for the Purposes of this Act, to be co-extensive with the Hamlet.

III. And be it further enacted, That for the Purposes of this Act the said Town of *Worthing* shall be deemed and taken to be co-extensive with the Hamlet of *Worthing* in the County of *Sussex* aforesaid, and the said Hamlet shall henceforth be and be called and described the Town of *Worthing*: Provided always, that the said Town shall nevertheless continue to be Part of the Parish of *Broadwater*, in the County of *Sussex*, and be subject to and charged with all Rates, Taxes, Tythes, and other Payments whatsoever, as Part of the said Parish, in like Manner as before the making and passing of this Act.

Commissioners to take an Oath.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall at some Meeting of the said Commissioners have taken the Oath or Affirmation (if one of the People commonly called *Quakers*) next following, before any One or more of the said Commissioners, who is and are hereby authorized and required to administer the same; which Oath or Affirmation shall be in the Words or to the Effect following; that is to say,

Oath.

'I *A. B.* do swear [*or*, affirm, *as the Case may be*] That I am a Housekeeper, paying Scot and Lot within the Town of *Worthing*, in the County of *Sussex*, and am truly and *bonâ fide* an Occupier or Owner of a Messuage, Land, Tenement, or Hereditaments of the annual Rent or Value of Forty Pounds; or that I am in my own Right, or in Right of my Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of a Messuage, Land, Tenement, or Hereditaments situated within the said Town of *Worthing*, of the annual Rent or Value of Forty Pounds above Reprizes or Incumbrances; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*]. So help me GOD.'

Penalty on Persons acting if not qualified.

And if any Person or Persons not being so qualified shall nevertheless presume to act in the Execution hereof, every such Person shall for every such Offence forfeit and pay the Sum of One hundred 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, Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other

All Acts of Commissioners, though not duly qualified, to be valid until Conviction.

other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall notwithstanding such Conviction be as good, valid, and effectual, as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act: Provided always nevertheless, that it shall be lawful for such of the said Commissioners who are or shall be in the Commission of the Peace for the said County of *Sussex*, to act as Justices of the Peace in or relating to the Execution of this Act, notwithstanding their being Commissioners under this Act.

Commissioners being Justices of the Peace, may act as such in the Execution of this Act.

Election of Commissioners.

V. And be it further enacted, That in case of the Death of any of the said Commissioners or the Refusal of any or either of them to act as Commissioners, under this Act, or the Removal from the said Town of any or either of them living therein and selling his or their Property in the said Town, or if any or either of them shall become Bankrupts or Bankrupt, and a Commission or Commissions of Bankrupt shall issue thereupon, and he or they shall be found and declared Bankrupts or Bankrupt, or shall become Insolvent, and take the Benefit of any Act now made or to be made for the Relief of Insolvent Debtors, it shall be lawful for the surviving or remaining Commissioners, and they are hereby required from Time to Time, within Six Months next after such Death, Refusal to act, Removal, Bankruptcy or Insolvency, to cause Notice to be given by affixing the same in Ten Public Places in *Worthing* aforesaid, of the Time of a Meeting to be held at the *Royal George Inn* in the said Town, or some other convenient Place within the said Town, for the Purpose of electing and appointing a new Commissioner or Commissioners in the Room of the Commissioner or Commissioners so dying, refusing to act, removing, becoming Bankrupt or Insolvent, and such Meeting shall be appointed to be held within the Space of Ten Days from the Time of giving such Notice; and the Majority of Inhabitants of the said Town, who shall occupy Houses respectively assessed to the House and Window Duties, at the Rent or Value of Twenty Pounds a Year or upwards, paying Scot and Lot, together with the surviving or remaining Commissioners, shall and may elect and appoint One or more fit Person or Persons, being an Owner or Owners, or Occupier or Occupiers of a Messuage, Land, Tenement, or Hereditaments of the Annual Rent or Value of Forty Pounds, or being in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of any Messuage, Land, Tenement, or Hereditaments, situated within the said Town, of the clear yearly Rent or Value of Forty Pounds above Reprises or Incumbrances, to be a Commissioner or Commissioners in the Room of the Commissioner or Commissioners so dying, refusing to act, removing, or becoming Bankrupt or Insolvent; and the Person or Persons so from Time to Time to be elected and appointed shall have the same Power and Authority to act in the Execution of this Act as the Commissioner or Commissioners in whose Room or Stead he or they shall be so elected and appointed.

VI. And

First Meeting.

VI. And be it further enacted, That the said Commissioners, or any Seven or more of them, shall on the Second *Monday* next after the passing of this Act, meet together between the Hours of Ten and Eleven of the Clock of the Forenoon of that Day, at the House commonly called or known by the Name of the *Royal George Inn*, within the said Town, when, if Seven or more of the said Commissioners shall be there assembled (but not otherwise), it shall and may be lawful for them, and they are hereby required to proceed in the Execution of this Act; and that afterwards a General Meeting of the Commissioners shall be held for the same Purpose on the First *Monday* in every Month between the Hours and at the Place aforesaid, unless some other Time or Place within the said Town shall be appointed by the Commissioners or any Seven or more of them; and if at the Time when any such Meeting shall be appointed as aforesaid, there shall not be Seven or more Commissioners then and there present, then each and every such Meeting shall stand and be adjourned to the First *Monday* in the following Month on which a Meeting in pursuance of this Act would otherwise have been held; and at all such Meetings the said Commissioners shall vote by Ballot, in case the same is desired by any Five or more of the said Commissioners then present.

Chairman to be appointed at every Meeting.

VII. And be it further enacted, That it shall and may be lawful to and for the Commissioners appointed by virtue of this Act, and they are hereby required at each and every such Meeting as aforesaid, to nominate and appoint a fit and proper Person, being a Commissioner under this Act, to preside and act as Chairman at such and during the Time of such Meeting; provided nevertheless, that if such Chairman so appointed shall leave or quit such Meeting held in pursuance of this Act before the Adjournment of the same, then and in such Case the remaining Commissioners present at such Meeting, provided there shall not be a less Number present than is required by this Act, shall and may, and they are hereby required to nominate and appoint another Chairman, being a Commissioner present at such Meeting by virtue of this Act, to replace and preside at such Meeting, instead of the former Chairman so quitting or leaving such Meeting as aforesaid, during the Remainder of the Time of such Meeting, till the same shall be adjourned; and when it shall happen that there are an equal Number of Votes on each Side (including the Chairman's Vote), on any Question, Matter, or Thing in Debate before the said Commissioners at any Meeting held in pursuance of this Act, then and in every such Case the Chairman presiding at such Meeting shall give the casting Vote, any thing contained to the contrary in this Act notwithstanding; and at every such Meeting the Commissioners shall pay and defray their own Expences, except the Expences of hiring a Room to hold their Meetings in, which shall be defrayed out of the Monies to arise by virtue of this Act.

Provision for calling a Special Meeting of the Commissioners.

VIII. Provided nevertheless, and be it further enacted, That if there be any particular Occasion to hold a Meeting before the Time at which any Meeting is hereby required, or shall be so as aforesaid appointed to be held, then and in such Case it shall be lawful for the

the said Commissioners or any Seven or more of them, or their Clerk for the Time being, and they or he are and is hereby required to call a Special Meeting, of which Ten Days previous Notice shall be given in the same Manner as is herein-after mentioned in the Case and for the Purpose of calling a Meeting to revoke, suspend, or alter a former Order, Rule, Resolution, Regulation, Act, or Proceeding; and in like Manner no Meeting for the Execution of this Act shall be held until after the Day expressed in the Notice for such Special Meeting.

No Act valid, unless Seven Commissioners present at a Meeting.

IX. And be it further enacted, That no Act of the said Commissioners shall be legal or valid, unless the same be done at some General or Special Meeting to be held in pursuance of this Act, and unless at every such Meeting there shall be at least Seven Commissioners present, (except as herein-after mentioned), and all Acts, Orders, and Directions of the major Part of such Commissioners, present at such Meeting as aforesaid, shall have the same Force, Power, and Effect as if the same were made or done by all the Commissioners for the Time being: Provided always, that the said Commissioners, or any Five or more of them, assembled at any General or Special Meeting held in pursuance of this Act, may, if necessary, adjourn such Meeting from Time to Time to the same or any other Place within the said Town which they shall think convenient, and afterwards meet thereat to put this Act in Execution.

Commissioners to be disqualified during such Time as they are concerned in Contracts, &c.

X. Provided also, and be it further enacted, That no Person appointed a Commissioner by virtue of this Act shall be qualified to act, or be capable of acting as a Commissioner, or of attending any Meeting to be held in pursuance and in execution of this Act, during such Time as he shall hold or enjoy any Office or Place of Profit under the same, or shall be directly or indirectly concerned or interested in any Manner whatsoever, or shall in anywise be personally or beneficially interested in any Contract made, done, or executed under or by virtue of this Act, in any Manner whatsoever, (other than as a Creditor on the Rates or Assessments, Tolls, or Profits and Duties, herein-after mentioned), but every such Commissioner shall, in any or either of such Cases, be disqualified to act as a Commissioner, or to attend any Meeting, until he shall have relinquished such Office or Place of Profit, or completed such Contract or Work, and until the next General Meeting after his Accounts for the same have been examined and allowed at a General Meeting held in pursuance of this Act, upon pain of forfeiting for every such Offence the Sum of One hundred Pounds, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlance shall be granted or allowed: Provided always, that nothing herein contained shall extend to prevent the Attendance of any Officer of the said Commissioners at any such Meeting, if required so to do by the said Commissioners.

No Resolution of a former Meeting to be

XI. And be it further enacted, That no Order, Rule, Resolution, Regulation, Act, or Proceeding made, done, allowed, or carried into Effect at any Meeting held in pursuance of this Act, shall

be altered or suspended, revoked, rescinded, annulled, or disallowed at any subsequent Meeting, unless at a Meeting to be held for that express Purpose, nor unless Notice specifying the Revocation, Suspension, or Alteration intended to be made, signed by the Clerk to the said Commissioners, shall be given to or left at the respective Places of Abode of the said Commissioners, having a Residence in *Worthing* or within Three Miles thereof, at least Ten Days previous to such subsequent Meeting, nor unless a Majority of the said Commissioners present at such subsequent Meeting shall decide in Favour of such Suspension, Revocation, or Alteration, and a greater Number of Commissioners shall be present at such subsequent Meeting than were present at the Meeting when such Order, Rule, Resolution, Regulation, Act, or Proceeding was had or made.

rescinded, unless at a Special Meeting.

XII. And be it further enacted, That in all Cases where any Justice or Justices of the Peace are hereby authorized to examine any Person or Persons on Oath, it shall be lawful for such Justices and they are hereby required and empowered to administer such Oath.

Power of administering Oaths, &c.

XIII. And be it further enacted, That the said Commissioners shall and may and they are hereby authorized and required, at their first Meeting and at any subsequent Meeting, by Writing under their Hands to elect and appoint a Treasurer and Clerk, and also a Collector or Collectors of the Rates or Assessments, Tolls or Profits and Duties to be raised and levied, and of the other Monies to be received by virtue of this Act; and also all Surveyors, Scavengers, Rakers, Cleansers; and Lighters of Lamps, Beadles, Criers, Watchmen, Market Looker or Lookers, and such other Officer or Officers, Deputies and Assistants, for the Execution of this Act, as they shall from Time to Time think proper, and from Time to Time to remove, suspend, or displace all or any of such Officers as they shall see Occasion, and appoint others in the Place of such of them as shall be so removed, suspended, or displaced, or shall die or resign their Offices; and also from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages or Salaries, and make such Allowances to Officers and all other Persons by them the said Commissioners employed in the Execution of this Act, as they shall think reasonable or proper; and the said Commissioners shall and are hereby required to take such Security from every such Treasurer, Clerk, Collector, and other Officers so to be appointed as aforesaid, for the due Execution of their respective Offices or Duties, as the Commissioners shall think proper; and every such Officer and Person, so to be appointed as aforesaid, shall under his Hand upon Demand, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to such Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Monies, Matters, and Things received and committed to their Charge by virtue and for the Purposes of this Act, and how much of such Monies hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and also the Books, Papers, and Writings, in their respective Custody or Power, relating to the Proceedings to be had

For appointing Officers.

Commissioners to take Security from Officers, &c.

under

under this Act, and shall pay all such Monies as appear upon Balance of their Accounts to the Treasurer appointed by the said Commissioners, or to such Person or Persons and at such Time and Place as the said Commissioners shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render such Accounts, or to produce and deliver up the Vouchers relating to the same, and the Books, Papers, and Writings as aforesaid, or to make Payment as aforesaid for the Space of Eight Days after being thereunto required as aforesaid, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to bring or cause to be brought an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against the Officer or Officers, Person or Persons making such Default as aforesaid, for the Recovery of the Monies which shall be in the Hands of such Officer or Officers, Person or Persons respectively, with full Costs of Suit; or if Complaint shall be made by the said Commissioners, or by such Person or Persons as they shall appoint to make Complaint of any such Default as aforesaid, to any Justice of the Peace for the County or Place wherein the Party making such Default shall be and reside, such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause the said Officer or Officers, Person or Persons so making or having made Default, to be brought before him, and upon his or their appearing (or not appearing, except for some special Cause to be allowed of by such Justice as a sufficient Excuse), to hear and determine the Matter of Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of one or more credible Witness or Witnesses upon Oath (or Affirmation as aforesaid), it shall appear to such Justice that any of the Monies, that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, or unaccounted for, then such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to order the Payment thereof, and upon Nonpayment thereof, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively, offending or making Default as aforesaid; 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, and the other Expences attending the requiring or compelling such Payment as aforesaid, or in case of Refusal to account as aforesaid, or that it shall appear to such Justice by the Confession of the Party so offending or making Default as aforesaid, or by the Testimony of any credible Witness or Witnesses upon Oath (or Affirmation as aforesaid), that any Books, Papers, or Writings relating to the Execution of this Act, or to the Proceedings to be had under the same, shall be in the Custody or Power of any such Officer or Person, and he shall refuse to deliver up the same as aforesaid, then and in any of the Cases aforesaid, such Justice shall commit every such Offender to the Common Gaol or House of Correction of the County or Place where such Offender shall be and reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with

with the said Commissioners, and shall have paid such Composition in such Manner as they shall appoint, or until such Person shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof: Provided always, that no Person who shall be committed for want of sufficient Distress shall be committed for any longer Space of Time than Twelve Calendar Months.

Rates, &c. to be paid to Collectors.

XIV. And be it further enacted, That every Person who is hereby made liable to pay the Rates or Assessments, Tolls or Profits and Duties hereby directed and required to be levied and raised, or to pay any Sum of Money which is under this Act to be applied for the Purposes thereof, shall, and they are hereby required to pay the same to such Collector or Collectors or other Person or Persons who shall be so appointed to collect and receive the same in pursuance of this Act, which Collector or Collectors, or other Person or Persons, shall and he is hereby required to pay over to the Treasurer to the said Commissioners, from Time to Time, all the Money he shall so receive above the Sum of Ten Pounds, upon pain of forfeiting to the said Commissioners any Sum not exceeding Forty Shillings.

Officers under former Act to continue until removed.

XV. Provided always, and be it further enacted, That the Treasurer, Clerk, and Collector appointed by virtue and in pursuance of the said recited Acts, or either of them, shall hold and enjoy their several and respective Offices and Employments, together with the several and respective Salaries, Gratuities, and Allowances thereto annexed, until he or they shall be removed therefrom respectively by the said Commissioners; and that the Surveyors, Rakers, Scavengers, Lighters of Lamps, Beadles, Criers, Watchmen, and all other Servants and Officers, (save and except the Treasurer, Clerk, and Collector as aforesaid), appointed by virtue and in pursuance of the said recited Acts, or either of them, shall hold and enjoy their several Offices, together with the several and respective Salaries, Gratuities, and Allowances thereto annexed, until the First *Monday* in the Month of *March* next after the passing of this Act; and every such Treasurer, Clerk, Collector, Surveyors, Rakers, Scavengers, Lighters of Lamps, Beadles, Criers, Watchmen, and other Servants and Officers shall be subject to the like Pains and Penalties, and Powers of Removal, and to the like Rules and Regulations as if he or they had been nominated or appointed by virtue of this Act, and all future Surveyors, Rakers, Scavengers, Lighters of Lamps, Beadles, Watchmen, Criers, and all other Servants, (save and except the Treasurer, Clerk, and Collector as aforesaid), to be appointed by virtue of this Act, shall be appointed annually at a Meeting of the said Commissioners to be held on the first *Monday* in the Month of *March* in every Year.

No Person to act as a Town Crier, unless appointed by the Commissioners.

XVI. And be it further enacted, That no Person or Persons whomsoever, except such Crier or Criers already appointed or to be appointed by the Commissioners acting under this Act, shall at any Time act as a Crier in the said Town of *Worthing*, upon Pain of forfeiting, for every such Offence, a Sum not exceeding Forty Shillings for every Time any such Person shall so act as a Crier.

Commissioners may appoint Officers occasionally, in case of Death or Removal.

XVII. Provided always, and be it enacted, That as often as any Collector or Receiver of the Monies to be raised by virtue of this Act shall die, or be incapable or neglect to perform his Duty, it shall be lawful for the said Commissioners, or any Seven or more of them, though not assembled at a Meeting pursuant to this Act, by any Writing under their Hands, to appoint another Person to collect the same, who shall give such Security for the due Execution of his Office during his Continuance therein as the said Commissioners shall think proper, until the said Commissioners shall, at a Meeting to be holden in pursuance of this Act, appoint a Collector or Receiver of such Monies; any thing herein contained to the contrary notwithstanding.

Penalty on Officers taking any Fee or Reward besides their Salary.

XVIII. And be it further enacted, That if any Person who shall be employed as Treasurer, Clerk, Collector, Receiver, Surveyor, or any other Officer or Servant, who shall be anywise employed by the said Commissioners in putting this Act or any of the Powers thereof in Execution, shall exact, take, or accept any Fee, Profit, or Reward whatsoever, (other than such Salaries, Allowances, and Rewards as shall be appointed, allowed, and approved of by the said Commissioners,) for or on account of any thing done or to be done by virtue of this Act, or shall anywise be directly or indirectly concerned or interested in any Sale, Purchase, Bargain, or Contract made or to be made by or by the Order of the said Commissioners, every such Person so offending shall be incapable of ever serving or being employed in any Matter under this Act, and shall over and above forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, with full Costs of Suit, in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Persons who have acted under the present Acts to account for Monies and deliver up Books.

XIX. And be it further enacted, That all and every Person and Persons acting or who have acted under the said recited Acts, or either of them, who shall have in his, her, or their Custody, Power or Possession any Money collected by virtue of the said recited Acts, or either of them, or any Books, Papers, or Writings relating to the Execution of the said recited Acts, or either of them, shall forthwith pay and deliver up the same to the said Commissioners, or to such other Person or Persons as they shall appoint to receive the same, in the like Manner and under the like Penalties and Forfeitures as is hereinbefore directed with respect to any Officer or Person appointed under or by virtue of this Act.

Books to be kept of Proceedings.

XX. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, in which they shall, either by themselves or by their Clerk for the Time being, cause fair and regular Entries and Accounts to be made of the several Meetings held in pursuance of this Act, and of the Commissioners present thereat respectively, and of the Nomination of all Officers and Persons to act in the Execution thereof, and of all Acts, Orders, Rules, Resolutions, Regulations, Proceedings, Matters, and Things relative to the Execution of this Act, and also an Account of all Monies to

be assessed or raised, and to be received or payable by virtue hereof, and of the Payment and Application of the same, and of all Contracts to be made by any Person or Persons by virtue or in pursuance of this Act; all which said Accounts shall be examined, adjusted, and settled by the said Commissioners assembled at any Meeting to be held in pursuance of this Act, yearly at least, or oftener; and the Chairman of such Commissioners assembled as aforesaid so examining, adjusting, or settling such Accounts, and also their Clerk for the Time being, shall subscribe their Names to the same; and the Chairman of such Commissioners assembled as aforesaid, and their said Clerk, shall also subscribe their Names at the End of the Proceedings at every such Meeting; and all Entries in their Books of such Proceedings, being signed by the Chairman of the Commissioners assembled thereat, and making or ordering the same by virtue or in pursuance of this Act, and by their Clerk, shall be deemed Originals, and the same, or true and attested Copies thereof, shall be admitted to be read in Evidence in any Court whatsoever, in all Causes, Suits, or Actions, and upon all Occasions whatsoever touching any thing done in pursuance or by virtue of this Act; and such Books shall be kept by the Clerk for the Time being to the Commissioners, or by such other Person or Persons and at such Place as the said Commissioners shall direct; and the same shall respectively at all convenient and seasonable Times, without Fee or Reward, be open and liable to the Inspection of the said Commissioners, and of all Persons rated or assessed for the Purposes of this Act, or otherwise affected thereby.

Clerk restrained from acting as Treasurer, and vice versâ.

XXI. Provided always, 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 may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer, shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to the Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance shall be allowed.

Accounts to be kept of Receipts and Disbursements.

XXII. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on Account of this Act, and of the several Articles, Matters, and Things for

for which any Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners or any Creditor or Creditors on the Rates or Assessments, and Tolls or Profits and Duties granted by the said Acts or this Act, without Fee or Reward, and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Commissioners or such Creditors or any of them to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein-after directed.

Actions to be in the Name of the Treasurer;

XXIII. And be it further enacted, That the said Commissioners shall and may sue and be sued in the Name of one of the Commissioners, or of their Treasurer for the Time being; and that all Actions or Suits that it may be necessary to bring for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act, or for or in respect of any other Matter or Thing relating to this Act, shall be brought in the Name of one of the said Commissioners, or of their said Treasurer; and that no Action or Suit which may be brought, commenced, or prosecuted by or against such Commissioners, or any of them, by virtue or on account of this Act, in the Name of any one of them, or of their Treasurer, shall abate or be discontinued by the Death, Suspension, or Removal of such Commissioner or Treasurer, or by any Act or Default of such Commissioner or Treasurer done or suffered without the Consent or Direction of the Commissioners for the Time being; but that one of the said Commissioners, or the Treasurer to the Commissioners for the Time being, shall always be deemed Plaintiff or Defendant in such Action or Suit (as the Case may be); but the said Commissioner or Treasurer, notwithstanding his being Plaintiff or Defendant in such Action or Suit as aforesaid, shall be competent to give Evidence in the same, and shall, if necessary and required, be admitted and received as a Witness for that Purpose: Provided always, that every such Commissioner or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such reasonable Costs, Charges, and Expences as he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and shall not be personally liable or answerable for the Payment of the same, or any Part of them, unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or unless it shall have been brought or defended without the Order or Direction of the said Commissioners.

who shall be reimbursed his Expences.

Committee may build a Room for holding Meetings.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at a Special Meeting, whenever they shall deem it necessary and expedient to build and erect, or cause to be built and erected, any Room or Building, with such Offices annexed thereto as they shall think necessary, for the Purpose of holding their Meetings, and for the Convenience and Accommoda-

tion

tion of the Officers to be appointed by them, and for carrying this Act into Execution; and for that Purpose to treat, contract, and agree for the absolute Purchase of any Piece or Parcel of Land or Ground in the said Town, not exceeding in Value Five hundred Pounds, with any Buildings erected thereon; and upon Payment of the Price or Consideration out of the Rates or Assessments and Tolls or Profits and Duties to be raised and levied by virtue of this Act, the same shall be held by the said Commissioners and their Successors for the Use of the said Town, without incurring any of the Penalties or Forfeitures of Mortmain; and that when such Purchase shall be completed, it shall be lawful for the said Commissioners to erect and build a Room or Building, and Offices as aforesaid, upon the said Land or Ground, in such Manner as they shall judge necessary and proper: Provided always, that the Money to be paid for such Land or Ground and Premises, and the Expences of erecting such Room or Building, shall not exceed the Sum of One thousand Pounds.

New Pavements to be made at the Charges of Owners or Occupiers of Houses.

XXV. And be it further enacted, That from and immediately after the passing of this Act, it shall and may be lawful to and for the said Commissioners and they are hereby required at any Meeting to be by them held under this Act, to cause all and every the Pavements now being in any of the public Streets, Lanes, Ways, Passages, and Places within the said Town, as well Footways as Horse or Carriage Ways, to be repaired and amended in such Manner, with such Materials, and with such Drains, Gutters, Sinks, or Watercourses, and with such Grate or Gratings, on, from, or out of such Ways, over and into such Gutters, Sinks, Drains, or Watercourses, as the said Commissioners shall think proper to direct; and also to cause all such Parts of the said public Streets, Lanes, Ways, Passages, and Places within the said Town, which are now built, but not paved, and all such other public Streets, Lanes, Ways, Passages, and Places within the said Town, which are now making or building, or may hereafter be made or built upon, to be paved in such Manner, and with such Gutters, Sinks, Drains, or Watercourses, as to them the said Commissioners shall seem meet and necessary; and the Charges of repairing the present public Pavement in the said Town shall be defrayed by the said Commissioners out of the Money arising by virtue of this Act, but the Charges or Expences attending or in any Manner relating to such new Pavements shall be paid and reimbursed to the said Commissioners by the Owners or Occupiers of the Houses, Buildings, Ground, or Land within the said Streets, Lanes, Ways, Passages, or Places so to be new paved as aforesaid, each such Owner or Occupier paying an equal Share or Proportion thereof, according as such new Pavement is or shall be either before, behind, or at the side of his, her, or their House or Houses, Buildings, Ground, or Land as aforesaid; the said Share to be ascertained by the Surveyor or Surveyors of the said Commissioners to be appointed under and by virtue and in pursuance of this Act; and if any such Owner or Occupier shall at any Time neglect or refuse to pay such Charges and Expences, the same shall and may be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, in like Manner as the Rates herein-after directed and required to be raised and levied, are directed to be recovered, the

Overplus (if any) of the Monies to arise thereby, after deducting such Charges and Expences as aforesaid; and the Costs and Expences attending such Distress and Sale, being returned to such Owner or Occupier.

Notice to be given before paving by Commissioners to Occupiers of Houses requiring them to pave.

XXVI. Provided always, and be it further enacted, That before the said Commissioners shall cause such Parts of the said public Streets, Lanes, Ways, Passages, and Places within the said Town, which are now built, but not paved, and all such other public Streets, Lanes, Ways, Passages, and Places within the said Town which are now making or building, or may hereafter be made or built upon, to be paved in such Manner and with such Gutters, Sinks, Drains, or Watercourses, as to them the said Commissioners shall seem meet and necessary as aforesaid, they shall, in the First Place, cause their Surveyor to give or leave a Notice in Writing under his Hand, to the Owner or Occupier of any House, Building, Ground, Land, or Hereditaments within the said Streets, Lanes, Ways, Passages, or Places so to be paved as aforesaid, requiring him, her, or them to pave either before, behind, or at the Side of his, her, or their House, Building, Ground, Land, or Hereditaments (as the Case may be); and in case any such Owner or Occupier shall neglect or refuse, for the Space of Two Months next after the Receipt of such Notice, to pave before, behind, or at the Side of his, her, or their House, Building, Ground, Land, or Hereditaments as aforesaid, that then and in such Case it shall and may be lawful to and for the said Commissioners, and they are hereby required to make such Pavement, and to recover the Costs, Charges, and Expences thereof from such Owner or Occupier in case of Refusal to pay the same, in such Manner as herein-before is mentioned.

Occupiers may retain Expences from Rent.

XXVII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Occupier or Occupiers to retain and deduct out of his, her, or their Rent or Rents, all his or their Costs, Charges, and Expences, which he or they shall bear, pay, or be put unto in respect of any such first or new Pavement to be made as aforesaid.

Property of Pavements, Lamps, &c. vested in Commissioners.

XXVIII. And be it further enacted, That from and after the passing of this Act, the Property of and in all the present and future Pavements in the said public Streets, Lanes, Ways, Passages, and Places within the said Town, and of all Lamps and Lamp Irons, and Posts and other Things thereto belonging in all or any of the Streets, Lanes, Ways, Passages, and Places in the said Town already erected and fixed by virtue of the said recited Acts or one of them, or which shall or may be erected and fixed by virtue of this Act, and of and in all Groyns, Sea Defences, or other Works that shall or may be erected or built, or made by the said Commissioners within the said Town, and of and in all Materials, Implements, and Things of what Nature or Kind soever, which shall be made use of, or which shall or may be purchased, gotten, or intended to be used for the Purposes of this Act, and of all the Filth or Soil of and in the said public Streets, Lanes, Ways, Passages and Places now or hereafter to be paved, repaired, raised, lowered, or altered, and of all the Cesspools,

Bunnices, Watercourses, and Sewers now made or hereafter to be made in the said Streets, Lanes, Ways, Passages, and Places, and of all the Ashes, Cinders, Filth, and Rubbish to be taken and carried away from all and every the Houses in all and every the Streets, Lanes, Ways, Passages, and Places, whether private or public, within the said Town, shall belong to, and be the Property of, and the same are hereby vested in the said Commissioners, and they are hereby authorized and empowered to sell or dispose of the same, as they shall think proper, and to bring or cause to be brought any Action or Actions, or to prefer or order and direct the preferring any Bill or Bills of Indictment, as the Case shall or may require, against any Person or Persons who shall or may withhold, break up, damage, detain, spoil, injure, destroy, take, carry away, or steal the same, or any Part or Parts thereof, or disturb them or their Officers or Servants in Possession thereof, in all which Actions or Bills of Indictment it shall be sufficient to state generally, that such Pavements, Lamps, Lamp Posts, and other Materials, Articles, or Things are the Property of the Treasurer for the Time being to the said Commissioners.

Provision as to vacant Ground.

XXIX. Provided always nevertheless, and be it further enacted, That if the said Commissioners shall (as they are hereby authorized to do) cause any public Street, Lane, Way, Passage, or Place, within the said Town, to be paved as aforesaid, before the same is completely made or built upon, that then and in such Case the Owner or Occupier of any Ground abutting or adjoining to such Street, Lane, Way, Passage, or Place, not built upon nor attached to any House or Building, shall not be liable to pay any Part of the Expences and Charges of such Pavement, until such Ground be built upon, or attached to some House or Building, when and not before such Owner or Occupier shall be liable to pay such and the same Expences and Charges, and recoverable in the like Manner as he would have been subject to, if the said Ground had been built upon at the Time of making such Pavement as aforesaid: Provided also, that all future Charges which may necessarily be incurred in or about the repairing, altering, or amending the said Pavements shall be paid and borne by the said Commissioners, by and out of the Rates and Assessments and Tolls or Profits herein-after directed to be raised and levied: Provided further, that if it shall appear to the said Commissioners at any Meeting that any Person or Persons, who by virtue of this Act shall at any Time become liable to pay any Part of the Charges or Expences for the making of any such new Pavements as aforesaid, is unable to pay the same, it shall and may be lawful to and for the said Commissioners at such Meeting to excuse such Person from such Payments, or any Part thereof, and in that Case the same shall be paid by and out of the said Rates or Assessments, and Tolls or Profits.

Future Expences of Pavements to be paid out of Rates.

Commissioners may excuse Persons unable to pay.

Surveyors of the High ways to contribute to the Repair of certain Streets.

XXX. And be it further enacted, That when and as soon as any of the Streets, Lanes, Ways, Passages, and Places within the said Town, which before the passing of the said recited Acts were repairable by the Surveyors of the Highways of the said Parish of *Broadwater*, shall be repaired and amended by the said Commissioners, the said Surveyors

veyors shall yearly and every Year thereafter, so long as the said Streets, Lanes, Ways, Passages, and Places shall be kept, repaired, and amended by the said Commissioners, pay or cause to be paid to the said Commissioners a proportionable Part, according to the respective Lengths of such Streets, Lanes, Ways, Passages, or Places, and of the other Parts of the Highways in the said Parish, of the Highway Rate annually raised in the said Parish; and that if the Surveyors of the said Parish and the said Commissioners shall not agree as to such proportionable Part so to be paid, it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Sussex*, and they are hereby required and empowered, upon Application made to them by the said Commissioners, or any Seven or more of them, or by the said Surveyors, to adjudge and determine what Part or Proportion of the Highway Rate of the said Parish of *Broadwater* shall be paid to the said Commissioners for or on account of their so repairing and amending the said Streets, Lanes, Ways, Passages, or Places; and the said Surveyors for the Time being are hereby ordered and directed to pay to the said Commissioners, or their Treasurer for the Time being, such Sum or Sums of Money as the said Justices shall so direct to be paid as aforesaid; but if the said Commissioners or Surveyors respectively shall at any Time hereafter be dissatisfied with the Determination or Judgment made by the said Justices, it shall and may be lawful to and for the said Commissioners or Surveyors respectively, within Six Calendar Months next after such Determination or Judgment shall be made as aforesaid, to appeal to the Justices of the Peace at the General Quarter Sessions to be holden in and for the Western Division of the said County of *Sussex*, or any Adjournment thereof, (at which not less than Three Justices shall be present) against such Determination or Judgment, such Appellants first giving or causing to be given Ten Days Notice at least in Writing to the Respondents or Party appealed against of their Intention to bring such Appeal; and the said Justices in Sessions, on due Proof of such Notice being given as aforesaid, shall hear, ascertain, and finally determine the Amount of Repairs done by the said Commissioners, and the proportionate Part of the Highway Rates, which ought to be paid by the said Surveyors to the said Commissioners, and all Arrears due thereon, and shall award such Costs to the Appellants or Respondents as the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment thereof shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Commissioners may contract for paving, lighting, &c.

XXXI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any of their Meetings, to contract and agree with any Person or Persons for paving, repairing, raising, lowering, or altering all or any of the said Streets, Lanes, Ways, Passages, and Places, or any Part or Parts thereof, and for building or repairing such Groyns, Sea Defences, or other Works as the said Commissioners shall think fit to be built or made, or for any other Matter or Thing required to be done in pursuance of this Act, and also for a sufficient Number of Lamps necessary to be fixed and set up in the said Town of *Worthing*, and Lamp Irons, Posts, and other Materials necessary or convenient for fixing the same from Time

Time to Time, and for providing and furnishing the same Lamps with all Requisites, and for lighting, supporting, amending and repairing the same.

Commissioners must advertise for Contracts for the Performance of Works to be done by virtue of this Act.

XXXII. Provided always, and be it further enacted, That before the said Commissioners shall make any Order for the doing or performing of any Work or Business, the purchasing any Materials, Goods, Wares, or Merchandize, where such Work, or such Materials, Goods, Wares, or Merchandize, shall be reasonably supposed to amount to the Sum of Ten Pounds, such Work or Materials, Goods, Wares, or Merchandize shall be advertised to be done or furnished by Contract, in the Manner herein-after mentioned; and it shall not be lawful for the said Commissioners to employ, order, or direct, or contract or agree with any Person or Persons to do such Work or Business, or furnish such Materials, Goods, Wares, or Merchandize, until after the same shall have been so advertised, and no good and sufficient Tender made for the same: Provided also, that it shall and may be lawful to and for the said Commissioners at any such Meeting to contract and agree with any Person or Persons whatsoever, for the paving, amending, or keeping in repair the Pavement of, and also for cleansing and lighting the said Town, or any Part or Parts thereof, and also for making, building, erecting, amending, adding to, or repairing any Groyns, Sea Defences, or other Works that shall or may be erected, built, and made, and for the doing or performing any other necessary Work or Business, Matter or Thing whatsoever, or for the Purchase, Sale, or Delivery of any Materials, Goods, Wares, or Merchandize whatsoever, by this Act authorized or required to be done or performed, purchased, sold, or delivered by or to the said Commissioners, in pursuance of and in the Execution of this Act; which Contract or Contracts so to be made and entered into as aforesaid, shall be reduced into Writing in one of the Books of the said Commissioners, and be signed, not only by the Chairman on Behalf of the Commissioners present at such Meeting, but also by the Person or Persons contracting with them as aforesaid, or some other Person on his or their Behalf, and shall specify the particular Work, Matters, or Things meant to be contracted for, the Prices to be paid for the same, and the Time or Times when the same are to be paid, the Kinds or Sorts of Materials, Goods, Wares, or Merchandize, and the Penalties to be incurred in case of any Breach or Non-performance of such Contract: Provided also, that Fourteen Days Notice at the least previous to such Meeting for making and entering into such Contract or Contracts as aforesaid, shall be published in One of the weekly Papers circulated in the County of *Sussex*, or in such other Manner as the said Commissioners shall direct or appoint, in which Notice shall be specified the Subject or Matter to be contracted for at such Meeting, that Persons may tender Proposals for the same: And provided also, that the Person or Persons offering or tendering the lowest Price or Prices for the same, and being of sufficient Knowledge, Skill, and Integrity, in the Judgment of the said Commissioners at such Meeting, and giving sufficient Security for the due and faithful Performance of such Contract or Contracts, shall always be preferred and be entitled to have, do, perform, and execute such Contract or Contracts; and the said Commissioners

are hereby authorized and required to take of and from every such Person and Persons so contracting sufficient Sureties for the Performance thereof.

Commissioners may bring Actions in default of Contracts being performed.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby directed to cause any Works, Matters, or Things, to be done in pursuance of any Contracts to be entered into as herein-before is mentioned, to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall from Time to Time appoint, and in case the same shall not be well and sufficiently performed according to the true Intent and Meaning of such Contract or Contracts, or shall not be finished or completed at or within the Time or Times to be by such Contract or Contracts limited for completing the same, the said Commissioners shall and may bring an Action or Suit in any of His Majesty's Courts of Record at *Westminster*, against any Person or Persons so contracting and neglecting to perform and complete such Contract or Contracts accordingly, for any Penalty or Damage which shall be contained or expressed in such Contract or Contracts, or suffered or sustained on Account of the Non-performance thereof, and upon proving the signing of the said Contract or Contracts, and that such Works, Matters, or Things have not been so performed, finished, or completed as aforesaid, the Plaintiff shall be entitled to and shall recover such Penalty or Damage with full Costs of Suit.

Power to Commissioners to provide Lamps, &c. and Penalties for breaking or injuring them.

XXXIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby directed and empowered from Time to Time, as Occasion may require, to provide Lamp Irons or Lamp Posts, to be set up or affixed into, upon, or against the Ground adjoining to, or the Walls, Palisadoes, or Iron Rails, or any other Part of any of the Houses, Tenements, or Buildings, already built or building, or which shall at any Time hereafter be built within the said Town, or in such other Manner, and at such Distance as they shall think proper and convenient, and also to cause Lamps of such Sizes and Sorts to be provided and affixed to, in, or upon such Lamp Irons or Lamp Posts, and to alter, take down, and remove any of the present or future Lamp Irons, Posts, or Lamps, which have been or shall or may be purchased, affixed, or provided, in virtue of or for the Purposes of the first recited Act or of this Act as aforesaid, and to do all such Matters and Things as they shall from Time to Time think proper, convenient, and necessary for the well and effectually lighting of the said Town, and also to cause such Lamps to be lighted at such Time or Times, and to be kept lighted during the Whole or such Part of the Night as they the said Commissioners shall think proper; and if any Person or Persons shall wilfully deface, break, throw down, displace, take away, damage, injure, or spoil any of the Lamp Irons, Lamp Posts, or Lamps within the said Town, already put up, or which shall or may be put up by virtue of this Act, or by any Person or Persons at his or their own Expence, or wilfully damage or injure any of the Posts, Irons, or other Furniture thereof, or Materials belonging thereto, or extinguish the Lights of any such Lamp

or

or Lamps, it shall and may be lawful to and for any Person whatsoever, who shall see such Offence committed, to seize, as also for any other Person or Persons to assist in seizing the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them to the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace of the said County of *Sussex*, and such Justice shall proceed to examine upon Oath any credible Witness or Witnesses who shall appear or be produced to give Information touching such Offence, (which Oath the said Justice is hereby authorized and required to administer), and if the Party or Parties accused shall be convicted of such Offence, either by his, her, or their own Confession, or upon such Oath as aforesaid, he, she, or they so convicted shall forfeit and pay the Sum of Forty Shillings for each such Lamp so broken, or Lamp Iron, Lamp Post, or Furniture thereof so broken, defaced, thrown down, displaced, taken away, or damaged, or for every Light so extinguished as aforesaid, and moreover shall make full Satisfaction to the said Commissioners, or to such Person as they shall appoint to receive the same, for the Damages so done by him, her, or them as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeiture and make such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the House of Correction of the said County, there to be kept to hard Labour for any Space of Time not exceeding Thirty Days, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture or Satisfaction shall be sooner paid or given.

Punishing Persons damaging Lamps, &c.

XXXV. Provided always, and be it enacted, That in case any Person or Persons shall accidentally break, throw down, or otherwise injure or damage any of the said Lamps, or the Irons, Posts, or the Furniture thereof, and shall not immediately upon Demand make Satisfaction to the said Commissioners or to any other Owner or Owners thereof, as the Case may be, for the Damages done thereto, then and in any of the said Cases, it shall and may be lawful for any Justice of the Peace for the said County of *Sussex*, upon Proof thereof made by the Oath (or Affirmation being a *Quaker*) of One or more credible Witness or Witnesses, or by the Confession of the Party, to award to the said Commissioners, or to such Owner or Owners (as the Case may be), such Sum of Money as a Satisfaction for such Damage, and also for all Expences which shall be incurred by the said Commissioners, or such other Owner or Owners (as the Case may be), in obtaining such Sum of Money as such Satisfaction as aforesaid, as such Justice shall think reasonable; and in case of Refusal or Neglect of the Party or Parties to pay the Sum or Sums of Money so awarded within Three Days next after Demand thereof, to cause the same to be levied by Distress and Sale of his, her, or their Goods and Chattels, and the Surplus (if any) arising by such Distress and Sale to be paid to him, her, or them.

XXXVI. And

Commissioners empowered to cause the Streets, &c. to be lighted with Oil or Gas.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, to cause such Part and Parts of the said Town as they shall think proper to be lighted, either with Oil Lamps, or by Means of Gas, or inflammable Air, as the said Commissioners or any Seven or more of them shall think fit; and in case it shall be determined by the said Commissioners or any Seven or more of them, to cause the said Town to be lighted by Means of Gas or inflammable Air, then it shall be lawful for the said Commissioners, or any Seven or more of them, from Time to Time to contract and agree with any Body or Bodies Corporate, Company or Companies of Proprietors, or other Person or Persons, to light the same by Means of Gas or inflammable Air, in such Manner, and upon and under such Terms and Conditions, Stipulations and Agreements, as the said Commissioners or any Seven or more of them shall think proper, and to cause to be erected Gasometers, Pillars, and all other Apparatus to produce, conduct, supply, and receive such Gas or inflammable Air, in such Manner as shall be thought expedient and necessary.

Power to break up the Pavement, &c.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, in case it shall be determined to light the said Town with Gas, as herein-before is mentioned, to cause or authorize to be broken the Soil or Pavement of any of the Streets, Lanes, Ways, Passages, or Places in the said Town, and to be dug and sunk, made and constructed, Trenches and Pipes, and Stop Cocks, Plugs or Branches therefrom, and all other Works and Machinery to be laid down and made for conveying the Gas or inflammable Air for the Purpose of lighting the said Town, and from Time to Time to permit and suffer such Pipes, Stop Cocks, Plugs, or Branches, Works and Machinery, to be altered, varied, and repaired.

Ingredients used in manufacturing Gas not to be conveyed into any Pond. &c.

XXXVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to carry or convey, or cause to be carried or conveyed, to or into any Pond, Ditch, Brook, or Canal or Stream, any Washings or Liquids, or any Lime or other Ingredient, Matter, or Thing whatsoever, which shall arise or be produced in the manufacturing or producing the said Gas, or in or by the Prosecution of any of the Gas Works.

This Act not to prevent any Person from proceeding against the Commissioners for a Nuisance, &c.

XXXIX. Provided also, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent any Person or Persons from proceeding by Indictment or otherwise, against the said Commissioners, or against any of their Officers, Servants, or Workmen, as and for a Nuisance, in respect of any Works of the said Commissioners, or the Means which shall be by them used in obtaining, making, or preparing the said Gas or inflammable Air, or in using the same.

Workmen, in laying Pipes for Gas Lights, to

XL. Provided always, and be it further enacted, That the Workmen employed in laying down, altering, or repairing any such Pipes, Plugs, Cocks, or Branches, shall fill in the Trenches and

make good the Pavements and Roads, and carry away the Rubbish occasioned thereby, and shall repair any Damage arising from any such Works as may be made, without the least Delay, and shall in the meantime guard the Place or Places where any Ground shall be opened, by placing and setting up Lamps or Lights during the Night, and in such manner as to prevent Accidents to Passengers, Cattle, and Carriages, as the said Commissioners, or any Seven or more of them, shall from Time to Time direct, under the Penalty of any Sum not exceeding Ten Pounds, to be recovered and recoverable by such Ways and Means as are by this Act provided for Recovery of the Penalties which shall become payable by virtue hereof.

make good the Pavements.

XLI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners in pursuance of this Act, the said Commissioners shall, at their own Expence, immediately after receiving Notice, given to any one or more of them, either by Parole or in Writing, of any such Escape of Gas, by any Person or Persons residing within the said Town, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners shall not, within Thirty-six Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, that then and in every such Case, the said Commissioners shall for every such Offence forfeit and pay the Penalty or Sum of Five Pounds for each and every Day after the Expiration of Thirty-six Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before any One or more Justice or Justices of the Peace for the said County of *Sussex*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of any one of the said Commissioners, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like manner, and subject to the like Provisions, as are herein directed, touching other Penalties by this Act imposed.

For preventing the Escape of Gas.

XLII. And be it further enacted, That no Person or Persons whomsoever shall throw, cast, or lay, or cause to be thrown, cast, or lain, any Dust, Dirt, Dung, Ashes, or other Filth whatsoever, in the said Streets, Lanes, Ways, Passages, or Places (except the Dirt, Ashes, and Filth to be collected and put together or placed as is hereinafter mentioned), on pain of forfeiting or paying for every such Offence any Sum not exceeding Twenty Shillings, nor shall throw or cast any such Dirt, Dust, Dung, Ashes, or other Filth whatsoever, into any of the Sewers, Drains, Sinks, or Watercourses within the same, upon pain of forfeiting and paying for every such last mentioned Offence, any Sum not exceeding Forty Shillings; but every Person or Persons shall, and he, she, and they are hereby required to keep or cause to be kept the same in their respective Houses, Cellars, or Yards, until such Times as the Scavenger or Scavengers, or

Persons not to throw Dirt into the Streets.

other Person or Persons appointed to take away the same as aforesaid, shall come by or near their Houses or Doors with a Cart or other Carriage for the Purpose of carrying away the same.

Penalty not to extend to Rubbish or Dirt occasioned by building or repairing Houses.

XLIII. Provided always, and be it further enacted, That no Person shall be subject to any Penalty as aforesaid, for or on account of any Rubbish or Dirt laid or left in such Streets, Lanes, Ways, Passages, or Places as aforesaid, occasioned by the building, pulling down, altering, or repairing his or her House or other Building, nor for making any Lime into Mortar to be used in or for the Purpose of building, altering, or repairing the same, in case there be full and sufficient Space (in the Opinion of the Commissioners or their Surveyor for the Time being) left in or at the Side of the Street, Lane, Way, Passage or Place where such Rubbish, Dirt, Lime, or Mortar shall lie or be placed, for Carriages to pass and repass, and a sufficient Way kept clear for Foot Passengers, and so as sufficient Light be, at the Expence of such Person as aforesaid, set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed between the Hours of Sunset and Sunrise, to prevent any Mischief happening to Passengers or Cattle, or so as (if the Commissioners shall think proper and so direct) the same be inclosed and fenced about in such Manner and within such Time as they in any Notice to be by their Order given to or left with such Person or Persons shall direct, or the same shall be removed, at his or her own Expence, within a Time to be expressed in a Notice to be in like Manner given to or left to remove the same.

Certain Acts not to be committed in the Streets.

XLIV. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot-pavements in any of the present or any future public Streets, Lanes, Ways, Passages, and Places in the said Town, run, draw, drive, or carry thereon any Truck, Wheel, Sledge, Wheelbarrow, Bier, Hand-barrow, or Carriage whatsoever, or shall leave or place any Goods, Wares, or Merchandize thereon for Sale or otherwise, or shall roll any Cask or Tub, other than for the necessary loading or unloading thereof, in, upon, from, or out of any Cart, Waggon or Carriage, or shall thereon wilfully ride, lead, or drive any Cattle of any Kind, or any Beast, whether loaded with Coal, Vegetables, or other Goods or Wares for Sale, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon, or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever across any of the said Footways or Foot-pavements, or set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall on or in the said Footways or Foot-pavements, or erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, so as in any way to cause any Obstruction or Impediment in the said Foot-way or on the said Foot-pavements; or shall in any of such Streets, Lanes, Ways, Passages, or Places as aforesaid, burn, dress, or cleanse any Cork, or shall hoop, fire, cleanse, or scald any Cask, or empty any of the Contents of any Cask therein, or shall hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, (except for the Purpose of rebuilding, altering, or repairing any House or Building in the Manner herein mentioned, or for any of the

the Purposes by this Act required or authorized to be done, in which Cases the same shall, if the Commissioners think proper and direct, be fenced and inclosed in Manner herein mentioned); or shall wash, clean, make, or repair any Coach, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or any other Part thereof, in any of such Streets, Lanes, Ways, Passages or Places, (except such Carriage may want immediate repairing from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall shoe or (except in Cases of Accident) bleed, or shall turn loose any Horse, Ass, or other Beast therein, or if the Driver of any Waggon, Cart, Sledge, or other Carriage, shall, in any of the said Streets, Lanes, Ways, Passages, or Places, ride on the Shafts, or any Part of such Waggon, Cart, Sledge, or other Carriage, without Reins, or any of the Horses or Cattle drawing the same, or shall in any of the said Streets, Lanes, Ways, Passages, or Places, shew or expose to Sale or otherwise any Stallion or Stone Horse, or expose to Sale any Horse, Ass, Cattle, or other Beast, or ride, drive, or lead the same in any Waggon, Cart, Sledge or other Carriage for the Purpose of breaking in the same, or permit or suffer any Horse, Mare, Gelding, Poney, Ass, or Mule, to stand or be exposed for hire in any Part of the Streets, Lanes, Ways, Passages, and Places within the said Town, except in such Place or Places as the said Commissioners shall from Time to Time direct and appoint, or suffer any Mastiff or Bull Dog to go unmuzzled in any of the said Streets, Lanes, Ways, Passages or Places, or shall hang out or expose or cause to be hung out or exposed any Linen Clothes, or other Articles or Things whatsoever, to dry or air in any Part of the said Streets, Lanes, Ways, Passages, or Places of and within the said Town, or shall make or assist in making any Bonfire, or let off or fire any Guns, Pistols, (except in Self-defence) Crackers, Squibs, or other Fireworks, or combustible Materials whatsoever; or if any Person shall sift, throw, cast, or lay any Ashes (except in the Time of Frost only, and to prevent Accidents), or any Dust, Muck, Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion, or any other offensive Matter or Thing in any of the said Streets, Lanes, Ways, Passages, or Places, in such Manner as to become a Nuisance, or shall sell or assist in selling, by Auction or Private Sale, any Cattle, Goods, Wares, Merchandize, or Thing or Things whatsoever, without Leave of the Commissioners for that Purpose had and obtained, or hang up, place, or expose to Sale, or cause or permit to be hanged up, placed or exposed to Sale, any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butchers' Meat, or other Matter or Thing in or upon, or so as to project over or upon the Footway or Carriage-way of any such Streets, Lanes, Ways, Passages or Places, or beyond the Line, or on the Outside of the Window or Windows of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage, or bait or cause to be baited any Bull or other Animal, or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner, or play at Football, or at any other Game, to the Annoyance of any Passenger or Passengers, or shall wilfully break, aid, or abet, or assist in wilfully breaking any Glass

Glass or Window Panes or Windows in or belonging to any Dwelling House or Building, or shall obstruct or incommode, hinder or prevent the free Passage of any Footway or Causeway, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, or going thereon within the said Town, or shall incommode the Inhabitants by any other Nuisance; or shall kill or slaughter, or shall singe, scald, dress, or cut up any Animal, either wholly or in part, in any of such Streets, Lanes, Ways, Passages, or Places, the same shall be respectively considered as an Offence or Offences against this Act, and every Person so offending, in any of the Matters aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful to and for any Constable or other Peace Officer, or any one of the said Commissioners or any Officer or other Person acting by or under their Authority by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said Town, in order to his, her, or their Conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend or be construed to extend so as to prevent or hinder any Person or Persons from selling or exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, in the Market Place within the said Town.

Beasts wandering in the Streets may be impounded.

XLV. And be it further enacted, That if any Horse, Beast, or other Animal shall at any Time be found wandering about any of the said Streets, Lanes, Ways, Passages, or Places now made, or hereafter to be made or built within the said Town of *Worthing*, it shall be lawful for any Officer or Officers to be appointed by the said Commissioners, or for any of the Inhabitants of the same Town, to impound such Horse, Beast, or other Animal in such Place as the said Commissioners shall appoint, and the same there to detain until the Owner or Owners thereof shall, for each Beast or other Animal so impounded, pay a Sum of Money not exceeding Five Shillings to the Treasurer for the Time being to the Commissioners, towards the Purposes of this Act, and also the Sum of One Shilling to the Person impounding the same, besides the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sums, Charges, and Expences shall not be paid within Seven Days after such impounding, it shall be lawful for such Person as shall be appointed by the said Commissioners for that Purpose, to sell or cause such Horse or other Beast to be sold; and the Money arising from such Sale, after deducting the said Sums, and the Charges and Expences aforesaid, and of such Sale, shall be paid to the said Treasurer, to be by him paid to the Person whose Property the Beast or other Animal so sold shall appear to have been, when the same shall be demanded.

Carts, Carriages, &c. not to be left in the Street.

XLVI. And be it further enacted, That if any Waggon, Cart, Sledge, or Dray, or any other such Carriage, shall at any Time be left, or suffered to be or remain, stay, stand, or continue, either with or without Horses or other Cattle, in any of the public Streets, Lanes, Ways, Passages, or Places already made or built, or which shall hereafter be made or built

built within the said Town, for any longer Time than shall be necessary for the loading or unloading thereof, or shall be set, placed, or left, or stand or be upon any Part of the Foot Pavement or Crossings of any such Street, Lane, Way, Passage, or Place, or shall stand, be set, or placed athwart or across any Part of any such Street, Lane, Way, Passage, or Place, (although for the Purpose of loading or unloading the same), so that there shall not be sufficient Room left for another Carriage to pass; or if any Common Stage Waggon or Cart shall be left to stand or continue in any of the said Streets, Lanes, Ways, Passages, or Places, longer than shall be necessary for the Purpose of loading or unloading thereof; or if any Stage Coach, Post Chaise, or other Carriage let to hire, or any other Carriage whatsoever, (except Hackney Coaches and other Carriages which may ply or stand for Hire under and by virtue of this Act), shall be suffered to stand in any such Streets, Lanes, Ways, Passages, or Places for a longer Time than shall be necessary for taking up and setting down Passengers or Travellers, or for Loading and Delivering of Luggage or Parcels; or if any Timber, Stone, or other weighty or heavy Article or Material whatsoever be drawn in any of such Streets, Lanes, Ways, Passages, or Places, without the same being placed upon a Sledge or Carriage proper for that Purpose; or if any Timber or Wood of the Length of Twenty Feet or more shall be carried upon any Carriage in or through the same without being attended by One or more Person or Persons besides the Carter, in order to prevent such Timber or Load from doing any Injury, either personally or otherwise, to any Person or Persons whomsoever; or if any Goods, Wares, or Merchandize, Materials or Things, of what Nature or Kind soever, shall be or remain in such Street, Lane, Way, Passage, or Place for a greater Space of Time than shall be necessary for the housing or removing thereof, (except in such Cases as are herein provided for), then and in every such Case the Owner or Driver of any such Carriage as aforesaid, and the Owner of such Goods, Wares, Merchandize, Materials, or Things as aforesaid, or the Person or Persons causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and any Inhabitant of the said Town, or any other Person or Persons, shall and may, either in the Day or by Night, seize or cause to be seized any such Cart, Waggon, Dray, Sledge, Coach, Chaise, or other Carriage so suffered to be and remain, stay, stand, or continue as aforesaid, together with the Horse or Horses or Cattle in or drawing the same, or the Goods, Wares, Merchandize, Materials, or other Things aforesaid, and remove the same, or cause the same to be removed to such Place to be appointed as aforesaid, there to be kept and detained until the Owner or Owners thereof shall claim the same, and pay to the Person or Persons in whose Custody the same shall then be the Sum so forfeited, together with the Charges of removing and keeping the same; and in case the same shall not be claimed, and the said Forfeiture and Charges paid within the Space of Twenty-four Hours next after such Seizure, it shall and may be lawful to and for the said Commissioners to cause the same to be appraised and sold, and the Money arising therefrom to be applied as herein-before directed.

Direction for emptying Privies.

XLVII. And be it further enacted, That no Necessary House or Privy within the said Town shall be emptied at any other Time than between the Hours of Twelve of the Clock at Night, and Five of the Clock in the Morning; and if any Person or Persons whomsoever shall begin or attempt to empty any Necessary House or Privy, or take away any noisome or offensive Materials from any House, Building, or Place, within the said Town, at any other Time than as aforesaid, or shall throw or cast the same, or any Part thereof, in or near any of the Streets, Lanes, Ways, Passages, or Places, or shall pour or put any Night Soil, or noisome or offensive Materials, into the Sewers, Channels, or Drains, or leave or cause the same to be left above One Foot from that Part of the Sea Shore between High and Low Water Mark called the *Stones Foot*, so that the same shall become offensive to any of the Inhabitants of the said Town, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, over and above the Expence that shall or may be incurred by the said Commissioners in removing the same.

Lights to be fixed for preventing Accidents.

XLVIII. And be it further enacted, That if any Stones, Timber, Mortar, Rubbish, Materials, or other Things, shall be laid or placed in, or any Hole or Opening shall be made in any of the public Streets, Lanes, Ways, Passages, or Places, already made or built, or which shall hereafter be made or built, within the said Town of *Worthing* as aforesaid, for any Purpose whatsoever, though not prohibited by or contrary to the true Intent and Meaning of this Act, the Owner of such Stones, Materials, or other Things, or Person or Persons causing such Hole or Opening to be made, shall at his, her, or their Expence cause a Light to be affixed in or near the same respectively, for securing Passengers and Cattle from Accidents, every Night from Sun-setting to Sun-rising, during the Time such Stones or other Materials, Hole or Opening shall remain, and also, if the Commissioners shall think proper and direct, shall at his, her, or their Expence cause such Stones, Materials, or other Things, Hole or Opening, or either, as the Case may be, to be fenced and inclosed in such Manner and for such Time as the Commissioners shall think proper; and the Commissioners, on Default being made in affixing such Light, or making any Fence or Inclosure, are hereby empowered to cause such Light to be put up, and to fence and inclose such Stones, Materials, and other Things, and continue the same so fenced and inclosed, and charge such Owners or other Person or Persons as aforesaid with the Expences thereof respectively, and to recover such Expences, on Refusal to pay the same to the Commissioners, and the Expences attending such Recovery, in the same Manner as is mentioned in the Case of Fences and Inclosures to be made on taking down or altering any House or Building as herein is mentioned.

Cellar Windows not to be left open.

XLIX. And be it further enacted, That if any Cellar Window or Windows shall be left open in the Evening or in the Night, without the same being sufficiently lighted to prevent Accidents happening therefrom, the Occupier or Occupiers of such House or Cellar shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Water to be conveyed from the Tops of the Houses.

L. And be it further enacted, That from and after the passing of this Act, the Water from the Roof or from any other Part of any House and other Building now erected and built, erecting or building, or which shall or may at any Time hereafter be erected or built in any of the present or future public Streets, Lanes, Ways, Passages, and Places within the said Town, which would come or drop on any Foot Pavement or Carriage Way within the said Town, so as to become a Nuisance or Annoyance to the Inhabitants thereof, shall be conveyed from the Tops or Sides of such House or other Building in such Manner and by such Means as the said Commissioners shall, by Notice in Writing to the Owner or Occupier of such House or Building, direct; and all Spouts or Water Pipes hanging or projecting over the said Ways shall, within Seven Days after Notice has for the Purpose been left at or upon the Premises, by the Clerk of the said Commissioners for the Time being, be taken down, removed or altered, by and at the Expence of the Owner thereof, in such Manner as the said Commissioners shall from Time to Time order or direct; and in case the Owner thereof shall refuse or neglect to obey, observe, and perform the Orders and Directions of the said Commissioners in that Behalf, or wilfully act contrary thereto, then and in such Case it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required forthwith to take down, remove, or alter the same, as to them shall seem proper, necessary, or convenient; and the Charges and Expences attending the same shall and may be recovered by the said Commissioners of and from the Owner thereof, in the same mannner as the Penalties or Forfeitures inflicted by this Act are hereby directed to be recovered on Non-payment thereof.

Names of the Streets to be set up, and Houses numbered.

LI. And be it further enacted, That the said Commissioners shall and may, and they are hereby required to cause to be placed on some conspicuous Part of some House or Building, at or near each End, Corner, or Entrance of the several Public Streets, Lanes, Ways, Passages, and Places already made or built, or which shall hereafter be made or built within the said Town, the Name of or by which every such Street, Lane, Way, Passage, or Place is usually or shall be called or known; and also shall and may cause any House, Shop, Warehouse, or Building in the same Streets, Lanes, Ways, Passages, and Places, to be marked and numbered in such Manner as they shall think proper for distinguishing the same; and if any Person shall destroy, pull down, injure, obliterate, or deface any such Mark or Number, or the Names of the same Streets, Lanes, Ways, Passages, and Places, or any of them, or any Part thereof, or cause or procure the same to be done, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Scavenger's Duty.

LII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any of the said Meetings, to employ or contract and agree with any Person or Persons to be and act as Scavenger or Scavengers within the said Town of *Worthing*, to sweep and cleanse the same, and the Person or Persons employed or contracting to act as Scavenger or Scavengers, shall on the

Wednesday

Wednesday and *Saturday* in every Week, between the Hours of Seven of the Clock in the Morning, and Twelve of the Clock at Noon of those Days respectively, and upon such other Days, and at such other Hours as the Commissioners aforesaid shall from Time to Time appoint, sweep and collect together, and immediately or as soon afterwards as possible take and carry away and remove all Dirt, Dust, Filth, or Rubbish, in and from such Streets, Lanes, Ways, Passages, and Places, and shall also bring or cause to be brought a Cart or other proper Carriage into such Streets, Lanes, Ways, Passages, and Places where such Cart or other Carriage can pass, and shall at his Approach with such Cart or other Carriage, and not before, by sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place into which such Cart or Carriage cannot pass, and abide and stay a convenient Time in or near the same Places respectively, so that the Inhabitants or Persons concerned may bring forth their Dust, Dirt, Ashes, and other Filth, (except Filth from any Privy or Necessary House) to the Door of their respective Houses and Premises, and there leave the same in some convenient Place near their Doors, from whence the said Scavenger or Scavengers, or other Person or Persons as aforesaid, shall immediately take and put into such Cart or Carriage all such Dust, Dirt, Ashes, and Filth (except as aforesaid), or otherwise the said Scavenger or Scavengers shall, if required, come into such Part of their respective Houses and Premises where such Dust, Dirt, Ashes, and other Filth as aforesaid shall be kept, and take the same from thence, and the said Dust, Dirt, Ashes, and other Filth, as well as all such Dust, Dirt, Ashes, and other Filth as shall be swept up and collected together, (except as aforesaid), the said Scavenger or Scavengers, or other Officer appointed for that Purpose, shall then immediately, or as soon as may be, carry away or cause to be carried away to the Place or Places to be appointed by the said Commissioners for depositing the same, upon pain of forfeiting any Sum not exceeding Forty Shillings for every such Offence or Neglect; and every Person acting as such Scavenger or Scavengers for the Time being, shall cause the Words "Scavenger's Cart" to be painted, together with his or their Name or Names, and Number or Numbers in large Roman Letters, on the Front or other conspicuous Place of their Carts or Carriages used for the Purposes aforesaid, on pain of forfeiting any Sum not exceeding Five Pounds for every such Neglect therein; and if any such Scavenger or Scavengers, or other Person or Persons acting as such, or employed as aforesaid, shall sweep or throw any Dust, Dirt, Dung, Ashes, or Filth, into the Sewers, Drains, Sinks, or Watercourses within the said Town of *Worthing*, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

For preventing People from going about to collect Ashes.

LIII. And be it further enacted, That if any Person or Persons, other than the Person or Persons so employed by or contracting with the said Commissioners for cleansing the Streets, Lanes, Ways, Passages, and Places within the said Town, or those employed under such Contractor or Contractors, shall on any Pretence whatsoever go about to purchase, collect, or gather, or shall ask for, receive, or carry

carry away any Dust, Dirt, Ashes, or other Filth from any House or other Premises within the said Town, it shall be lawful for any Justice or Justices of the Peace for the said County of *Sussex*, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who shall see such Offence committed, to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Mules, Cattle, Carts, Trucks, Wheelbarrows, and other Carriages or Implements made use of for carrying away the same, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice or Justices, and such Justice or Justices shall, and he and they is and are hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, or any Witness or Witnesses who shall appear to give Information touching such Offence; and if the Party or Parties shall be convicted of going about to purchase, collect, or gather, or asking for, receiving, or carrying away any Dust, Dirt, Ashes, or other Filth from any House or other Premises within the said Town, not being the Person or Persons so employed by or contracting with the said Commissioners, or acting under his or their Authority, he, she, or they shall for every such Offence forfeit and pay any Sum not exceeding Fifty Shillings, one Moiety of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend the Offender or Offenders, and the other Moiety to the Purposes of this Act; and if such Offender or Offenders shall not immediately on Conviction pay the said Penalty or Penalties, such Justice or Justices is and are hereby required to direct such Horses, Mules, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which have been so seized, to be appraised and sold, and after deducting out of the Money to arise by such Sale the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Overplus thereof shall be returned (on Demand) to the Party or Parties whose Horses or other Things shall be appraised and sold; and in case there shall have been no such Seizure as aforesaid, or if the Horses, Mules, Asses, Cattle, or other Things which shall be so appraised and sold shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges and Expences, then if such Offender or Offenders shall not immediately upon Conviction pay the said Penalty or Penalties, Charges and Expences, which shall remain over and above the Produce of the Horses, Mules, Asses, Cattle, and other Things so seized and sold, such Justice or Justices is and are hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction of the said County, there to be kept to hard Labour for any Time not exceeding Twenty-eight Days, unless such Penalty or Penalties be sooner paid and satisfied: Provided always, that nothing herein contained shall extend to prevent any Person or Persons from preserving and keeping any Dirt, Dust, Dung, Ashes, Manure, Muck, Filth, or Rubbish within his, her, or their Houses, Yards, Gardens, or Grounds, for their own Use and Benefit, so as such Dirt, Dust, Dung, Ashes, Manure, Muck, Filth, or Rubbish be not laid down or placed in any of such Streets,

Persons to be at liberty to keep or dispose of Dust, &c. for their own Use.

Streets, Lanes, Ways, Passages, or Places as aforesaid, for any longer Time than shall be necessary for loading and carrying away the same, or be suffered to annoy any of the Inhabitants of the said Town as aforesaid; but in case any Person so reserving such Dirt, Dust, Ashes, Manure, Muck, Filth, or Rubbish shall thereby annoy any of the Inhabitants, or shall permit or suffer the same to remain for any longer Time than from Sunrising in the Morning to Sunsetting in the Evening, before the same shall be carried away or removed, such Person shall forfeit and pay any Sum not exceeding Ten Shillings a Day, for every Day that such Annoyance shall be suffered to remain.

Foot Pavements to be swept.

LIV. And be it further enacted, That the respective Owners and Occupiers of Houses or other Buildings, or Ground or Land, in the Public Streets, Lanes, Ways, Passages, or Places already made or built, or which shall hereafter be made or built within the said Town, shall and they are hereby required, from and immediately after the passing of this Act, to cause to be well and sufficiently swept and cleansed the Footways or Foot Pavements before, behind, and on the Sides of the same, (as the Situation thereof shall require), every Morning in the Year before Ten of the Clock in the Forenoon of each Day; and also shall cause the Dirt and Soil arising from such sweeping and cleansing to be collected and put together, without obstructing the Way, or Road, or Sewers, or creating any Nuisance or Annoyance thereby, in order that the same may be ready for the loading and taking away thereof by the Scavenger or Scavengers, or other Person or Persons employed in cleansing such Streets, Lanes, Ways, Passages, and Places, upon pain of forfeiting and paying respectively for every Neglect therein, or Nuisance or Annoyance occasioned thereby, a Sum not exceeding Five Shillings.

Streets to be watered.

LV. And be it further enacted, That the said Commissioners shall have full Power and Authority to cause the said Streets, Lanes, Ways, Passages, and Places to be watered as often as they shall think fit; and also cause any Well or Wells to be dug and sunk, and any Pump or Pumps to be erected in such Places as they shall think proper within the Streets, Lanes, Ways, Passages, and Places, for the Purpose of watering the same, or for any other Purpose, and to cause the same to be removed or altered, and the Expences thereof to be defrayed out of the Monies to be raised by virtue of this Act.

Enabling the Commissioners to provide a Fire Engine.

LVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, to purchase One or more Engine or Engines for the extinguishing of Fire, and such Number of Water Buckets for the Supply of such Engine or Engines, as they shall think fit; and to erect and build, or purchase or rent, a proper Place for keeping such Engine or Engines, and Buckets, and also from Time to Time to appoint some proper Person or Persons to look after and manage such Engine or Engines, and Buckets, with such Wages or Salary as they the said Commissioners shall think fit; and the Costs, Charges, and Expences of purchasing such Engine or Engines, and Buckets, of providing

providing a proper Place for the same, and of every Matter and Thing relating thereto, and also the Wages or Salary of the Person or Persons looking after and managing such Engine or Engines and Buckets, shall be paid, borne, and defrayed out of the Monies to be raised by virtue of this Act.

Penalty on Persons altering Pavements without the Consent of the Commissioners.

LVII. And be it further enacted, That if any Person or Persons shall raise, sink, or alter any Pavement already made or to be made in pursuance of this Act, in any of the said Streets, Lanes, Ways, Passages, or Places, or any Part thereof, without the Consent of the said Commissioners in Writing, to be signed by the Clerk of the said Commissioners for the Time being, at some public Meeting to be held in pursuance of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Forty Shillings over and above the Charges and Expences of reinstating such Pavement.

Penalty on Persons interrupting Workmen.

LVIII. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the Commissioners, or any Surveyor or Surveyors, Watchmen, Beadles, or other Officer or Officers, Workmen, Person or Persons whomsoever, who is, are, or shall be employed by virtue of this Act, in the Performance or Execution of their Duty, or of any of the Matters and Things to be done by virtue or in pursuance hereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings over and above such Penalties as are inflicted on any of the said Offences, by any other Law or Statute now in force.

Appointment of Constables.

LIX. And be it further enacted, That it shall and may be lawful to and for his Grace the Duke of *Norfolk*, or the Lord or Lords of the Hundred of *Brightford* for the Time being, from Time to Time and at all Times hereafter, at his Court Leet to be holden for the said Hundred of *Brightford*, (within which the said Town of *Worthing* is situate), and he and they is and are hereby required to appoint and elect one or more Inhabitant or Inhabitants of the said Town of *Worthing*, (being first nominated by the Jury of the said Court, which they are hereby required to do), to be a Constable or Constables, Headborough or Headboroughs for the said Town of *Worthing*, in such and the same Manner as the other Peace Officers within the said Hundred are elected and appointed, and to swear such Officer or Officers so to be elected, or cause them to be sworn, in such and the same Manner as the other Peace Officers within the said Hundred are sworn; and that such Officer or Officers so to be appointed and sworn, shall have all such Powers, Privileges, Protections, and Advantages as any Peace Officer duly appointed has by virtue of any Law or Statute now in being, or in anywise relating thereto.

Act not to affect Right of the Lord of the Manor of Broadwater, to appoint a Headborough.

LX. Provided always, and it is hereby further enacted, That nothing in this Act contained shall be deemed or construed to extend to abridge, diminish, take away, or impede the Exercise of any Franchise, Privilege, or Right whatsoever, which the Lord of the Manor of *Broadwater* in the said County of *Sussex* now has to appoint a Headborough for the Parishes of *Broadwater* and *Durrington* in the said County,

County, at the Court Leet to be holden by him or his Steward for the said Manor.

Watchmen and Beadles.

LXI. And be it further enacted, That the said Commissioners shall and may, and they are hereby authorized and required, from Time to Time to order, nominate, and appoint such and so many Watchmen, Beadles, Patroles, and Persons as they shall judge proper or necessary to be kept or employed in or about the patroling, guarding, and watching the Streets, Lanes, Ways, Passages, and Places within the said Town, and shall likewise direct and appoint how and where the several Watchmen, Beadles, Patroles, and Persons shall be stationed, and in what Manner they shall be armed, how often they shall go their Rounds, how long they shall continue upon Duty, and what Wages shall be allowed to such Watchmen, Beadles, Patroles, and Persons for their Service; and shall and may also erect and provide proper Places, Boxes, or Watchhouses for the Reception of such Watchmen, Beadles, Patroles, and Persons as aforesaid, and shall make all such Orders and Regulations as the Nature of the respective Services shall to the said Commissioners appear to require, and as shall be necessary for preserving and maintaining Peace and Order, and an effective Police within, and the Safety of the Inhabitants of the said Town; and shall cause all such Orders and Regulations as shall be made by them, from Time to Time, for the better Direction and Government of such Watchmen, Beadles, Patroles, and Persons, and for the other Purposes last-mentioned, to be printed, and Copies of them signed by the Commissioners or their Clerk for the Time being, to be affixed in the Market of the said Town; and it shall be lawful for such Watchmen, Beadles, Patroles, and Persons, and they are hereby authorized and required to keep Watch and Ward within the said Town as aforesaid, and to arrest, apprehend, and detain in the Watch House, or some other convenient Place of Security within the said Town to be provided and appointed by the Commissioners, all Felons, Malefactors, Disturbers of the public Peace, disorderly Persons, Vagrants, Beggars, and all such other Persons as shall be found misbehaving themselves, and shall take them within Twenty-four Hours (or as soon after as conveniently may be) before any One of His Majesty's Justices of the Peace acting in and for the said County of *Sussex*, to be examined and dealt with according to Law; and the said Beadles shall, as often in every Night as shall be ordered by the Commissioners, go about their respective Districts and Rounds to take Notice whether all the Watchmen, Patroles, and Persons perform their Duty in their several Stations, according to such Orders and Regulations as shall be made and provided by the Commissioners; and in case any Watchman, Patrole, or Person shall misbehave himself, or neglect his Duty, the said Beadles shall as soon as conveniently may be give Notice thereof to the Clerk for the Time being to the Commissioners, who is hereby authorized to suspend such Watchman, Patrole, or Person from the Execution of his Office, and appoint another Person to officiate therein until the next Meeting of the Commissioners, when the said Clerk shall acquaint the Commissioners assembled at such Meeting with the Complaint against such Watchman, Patrole, or Person, in order that they may proceed to the Examination of the Offence or

Transcripts of Regulations of Beadles, &c. to be signed by the Commissioners.

Charge, and such Watchman, Patrole, or Person moreover shall be subject and liable to such Penalty for every such Neglect or Misbehaviour as is next herein-after expressed:

Penalty on Beadles and others neglecting their Duty.

LXII. And be it further enacted, That if such Watchmen, Beadles, Patroles, and Persons, or any of them, shall not observe, perform, and keep the Orders, Rules, and Regulations which shall be made for the Purposes aforesaid by the Commissioners, or shall in any Manner neglect their Duty, or misbehave themselves, every Person so offending shall forfeit and pay for every such Neglect or Offence any Sum not exceeding Forty Shillings, and also, if the Commissioners shall think proper, shall be immediately discharged from his or their respective Office or Employment.

Penalty on Publicans harbouring Watchmen during their Hours of Duty.

LXIII. And be it further enacted, That if any Victualler, Publican, or other Person selling Spirituous or other Liquors, shall entertain or harbour in his, her, or their House or Habitation, or Shop, any Watchman, Beadle, Patrole, or Person to be appointed under this Act, during any of the Hours or Times appointed for such Watchman, Beadle, Patrole, or Person to be on Duty by virtue or in pursuance of this Act, then every such Victualler, Publican, or other Person shall forfeit any Sum not exceeding Five Pounds for every such Offence.

Commissioners may make Sewers, Drains, &c.

LXIV. And be it further enacted, That the said Commissioners shall and may cause such and so many new Sewers, Drains, and Vaults, as they may think sufficient and necessary, to be dug and made in, along, or across any of the said Streets, Lanes, Ways, Passages, and Places, and also any of the Sewers, Drains, and Vaults which now are or hereafter shall be made within the said Streets, Lanes, Ways, Passages, and Places, to be enlarged widened, raised, altered, removed, repaired, cleansed or scoured, when and as often as to them the said Commissioners shall seem meet, and for any of the said Purposes shall and may from Time to Time cause to be dug, carted, and carried out of or brought into the said Streets, Lanes, Ways, Passages, and Places, or any of them, such Gravel, Stones, Bricks, and other Materials as they shall judge necessary; and also shall and may cause such and so many Grates or Openings to be made therein for the conveying and carrying off the Filth, foul and other Waters, from the Houses built or to be built in or adjoining to such Streets, Lanes, Ways, Passages, or Places, into the said Sewers, Drains, and Vaults, as the said Commissioners shall and may think necessary and expedient for that Purpose; and the said Commissioners shall also have full Power, Liberty, and Authority to purchase such Ground as shall be necessary for making and enlarging such Sewers, Drains, and Vaults, they the said Commissioners first paying or tendering in Manner herein-after mentioned, to the several Persons or Corporations interested in such Ground so to be purchased, such Monies as shall be agreed upon, or in case of Refusal to agree by the Parties so interested in such Ground, then such and so much Monies as shall be assessed as a Recompence to him or them, in the Manner herein-after laid down for the assessing or ascertaining the Value of the Houses, Lands, Tenements, and Hereditaments to be purchased by the said Com-

Commissioners for the Purpose of widening or improving the said Streets, Lanes, Ways, Passages, and Places as herein-after mentioned; and all Costs, Charges and Expences in and about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers, Drains, and Vaults, shall be borne and defrayed out of the Monies to be raised by the Rates or Assessments and Tolls or Profits to be raised by virtue of this Act.

Private Drains to be cleansed.

LXV. And be it further enacted, That all private Drains which now are or which shall hereafter be made within any of the Public Streets, Lanes, Ways, Passages, or Places within the said Town of *Worthing*, and which do or shall run into any of the public Sewers, Drains, or Vaults, shall be repaired and cleansed under the Inspection and Direction of the Surveyor or other proper Officer to the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers, of the Lands or Tenements to which the said private Drains do and shall respectively belong; but the Surveyor or other Officer shall not at any Time enter upon any Person's private Property, to inspect such Matters and Things without first giving Three Hours Notice.

Penthouses, Signs, and other Things projecting into the Streets, or which are inconvenient, to be removed.

LXVI. And be it further enacted, That from and after the Commencement of this Act, all Penthouses, Bow Windows, Shutters, Signs, Sign Posts, Shew Boards, Pales, Rails, Grates, Steps, and Projections, whatsoever, as in the Judgment of the Commissioners shall be inconvenient to or incommode Passengers upon any of the present or future Footways or Carriage Ways of such Streets, Lanes, Ways, Passages, or Places, shall, within Ten Days after a Day to be expressed in a Notice to be for that Purpose given to or left with the Owner or Occupier of the Houses or other Buildings or Lands, to whom such Matters and Things aforesaid, or any of them, shall respectively belong, be taken down, filled up, removed, or altered, by or at the Expence of the Owner or Owners thereof, under the Inspection and Direction of the Surveyor or other proper Officer of the said Commissioners; and in case the respective Owners shall neglect or refuse to obey such Notices, and to observe and perform the several Matters and Things hereby respectively required to be done within the Time aforesaid, then such Owner shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Shillings for every Week the same shall so remain undone; and then it shall and may be lawful for the said Commissioners to cause the same to be taken down, filled up, removed, altered, and fixed in the Manner and for the Purposes aforesaid, and shall return or cause to be returned to the respective Owners thereof, or to be left on the Spot from whence the same shall be so respectively removed, or as near thereto as conveniently may be for such Owners, so much of such Matters and Things as aforesaid as shall not be affixed or set up, or otherwise made use of in the Alterations directed by this Act; and the Charges and Expences attending the same shall be recovered of the Owners thereof respectively, in the Manner the Penalties and Forfeitures inflicted by this Act are hereby directed to be recovered on Nonpayment; and if such Owners shall cause such Matters and Things to be placed, erected, built,

built, or made contrary to the Directions of this Act, every such Owner, for every Week he shall so offend, shall forfeit and pay any Sum not exceeding Ten Shillings, or otherwise it shall be lawful for the said Commissioners as aforesaid to order the same to be taken down, filled up, removed, or altered in such Manner as they shall think proper, first giving Notice to the Owner or other Person offending therein; and the Charges and Expences attending the same shall or may be recovered of the Person or Persons so offending in the same Manner as is last herein-before directed: Provided that nothing herein contained shall extend to Projections made or to be made in the Nature of Bow Windows, in any of the present or future Streets, Lanes, Ways, Passages or Places in the said Town of *Worthing*, in case such Projections do not advance beyond the Areas of the respective Houses: Provided always, that in case such Occupier or Occupiers shall be required to make such Alterations, Matters, and Things aforesaid, and such Alterations, Matters, and Things not being occasioned by him or them, then it shall be lawful for him or them to deduct the Costs, Charges, and Expences of making the same out of his, her, or their next Rent; and the Landlord and Landlords is and are hereby required to allow the same accordingly.

Persons having greater Estate than 21 Years deemed Owners.

LXVII. Provided also, and be it further enacted, That in all Cases where any such Alterations as aforesaid shall be made to any House or Building wherein any Person or Persons shall have any greater Estate, Term, or Interest, than for Twenty-one Years, such Person or Persons shall be and be deemed the Owner or Owners of such House or Building, for the Purpose of such Alterations being made as aforesaid; any thing herein contained or any Law or Custom to the contrary notwithstanding.

Regulations as to new Buildings.

LXVIII. And be it further enacted, That all Houses and Buildings hereafter to be built or new fronted in any of the present or future public Streets, Lanes, Ways, Passages, and Places shall be made to rise perpendicularly from the Foundation thereof, (except Shop Windows which shall be allowed by and with the Consent of the Commissioners, and not otherwise, to project to any Distance not exceeding Thirty Inches, provided the same be properly supported by Brackets); and if any Person or Persons shall at any Time build or new front any House or other Building within any of the said present or future public Streets, Lanes, Ways, and Places in the said Town, or cause the same to be done otherwise than rising perpendicularly from the Foundations, except Shop Windows as aforesaid, it shall and may be lawful for any Seven of the Commissioners, by Writing under their Hands, to cause the same to be pulled down and removed by such Person or Persons as they shall direct or appoint; and the Costs and Charges thereof shall be paid and reimbursed to the said Commissioners or their Order by the Owner or Owners of such Houses or Buildings; and in default of Payment thereof upon Demand, the same may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered: Provided always, that in such Regulations of the Fronts of new Buildings to be made as aforesaid, it shall be lawful for the said Commissioners when any such new Buildings shall be made as aforesaid, to admit at their Discretion

Discretion the said new Buildings to be advanced in the Front thereof, so as to be on a Line with other adjoining Buildings.

Tenants to give Notice to Landlords.

LXIX. And be it further enacted, That all Notices hereby directed to be given to the Owners or Occupiers respecting any Matter or Thing to be done under or by virtue of this Act, shall express the Alterations or Matters required to be done by the said Commissioners; and where such Notice shall be given to the Occupier or Occupiers, the same shall require such Occupier or Occupiers to give immediate Notice thereof to the Owner or Owners; and if such Occupier or Occupiers shall neglect or refuse, on receiving such Notice or Notices, to give proper Intimation thereof within Three Days to his, her, or their Landlord or Landlords, or to his, her, or their known Agent or Agents, then such Occupier or Occupiers shall be subject to and shall pay all and every the Penalties and Forfeitures to be incurred by such Owner or Owners, by reason or means of the Non-observance or Non-performance of the Matters and Things required to be done by such Notice or Notices.

Tenants paying the Expences of Alterations may retain the same out of their Rent.

LXX. Provided also, and it is hereby further enacted, That it shall be lawful for the Tenant or Occupier of the Premises to pay all such Penalties, Costs, and Expences so incurred by the Owner or Owners thereof as aforesaid, and to retain or deduct the same out of the Rent which shall or may be due from such Tenant or Occupier to such Owner or Landlord.

New Houses to have Party Walls.

LXXI. And be it further enacted, That from and after the passing of this Act no House or other Building shall be erected in the said Town, unless the same shall have on each End thereof adjoining any other House or Building, a Party Wall Nine Inches thick, made substantially of Brick or Stone, with no other Timber in it than what shall be necessary for binding the same; and every Person acting contrary hereto shall for such Offence forfeit and pay any Sum not exceeding Twenty Pounds for every Week such Offence shall be continued.

No Buildings in future to be covered with Thatch.

LXXII. And be it further enacted, That no House, Outhouse, or other Building which after the passing of this Act shall be built or erected, rebuilt or new covered, in the public Streets, Lanes, Ways, Passages, and Places now made or hereafter to be made within the said Town, shall be covered with Thatch; and if any Person or Persons shall at any Time or Times cover, or cause to be covered, any House, Outhouse, Building, or Erection, or any Part thereof within the said Town, with Thatch, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and any further Sum not exceeding Twenty Shillings for every Day such Offence shall continue; and it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to order and cause any Straw or Thatch, which shall be placed on any House or other Building within the said Town, to be taken down and removed in such Manner as to them shall seem meet; and the Person or Persons so ordered by the said Commissioners shall and may take down and remove the same accordingly, upon giving

Notice or Warning to the Owner or Occupier of such House, Out-house, or other Building or Erection to take down the same; and One Moiety of the said respective Penalties shall be paid to the Informer: Provided always, that nothing herein contained shall extend to any Slaughter House or Brewhouse, or to any Barns, Stables, or Out-buildings used with any Farm in the Town of *Worthing*, and which at the Time of the passing of this Act shall be covered with Thatch.

Commissioners may dig Gravel, &c.

LXXIII. And be it further enacted, That the said Commissioners, or their Surveyor, or such other Person or Persons as they or he shall employ or appoint, having an Order in Writing under the Hands of the said Commissioners for that Purpose, may, and are hereby empowered to cut, dig, take, and carry away Stones, Gravel, Chalk, Sand, or other Materials, proper for any of the Purposes of this Act, out of and from any Waste Ground or Common, or from the Sea Beach, within the said Town of *Worthing*, or in the Parish of *Broadwater*, in the said County, without paying any thing for the same; such Surveyors or other Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to Passengers or Cattle, and so that the Lands adjoining to such Sea Beach may not be injured: Provided always, that nothing herein contained shall extend to interfere with the private Property of any Person whomsoever.

Certain Streets to be deemed public Highways.

LXXIV. And be it further enacted, That from and after the passing of this Act, the Streets, Roads, or Lanes within the said Town of *Worthing* called *North Street*, *High Street*, *Market Street*, *Ann Street*, *East Lane*, *Warwick Street*, *South Place*, *Chapel Road*, *South Street*, *Montague Street*, *West Street*, *Chapel Street*, the Road leading from the East End of *Montague Street* through *South Street* past the Chapel of Ease into *North Street*, and the Road leading from the Parish of *Heene* in the said County, by the Sea Beach, to *Warwick Buildings* in the said Town, shall be considered and deemed to be Public Highways.

Streets, &c. built on private Ground to be considered as public.

LXXV. And be it further enacted, That all and every the Streets, Lanes, Ways, Passages, and Places now made or built, or hereafter to be made or built within the Limits of the said Town of *Worthing*, notwithstanding the Ground thereof may be the private Property of Individuals, by and with the Consent and Approbation of the Owner or Owners of such Streets, Lanes, Ways, Passages, and Places, or Two Thirds in Number and Value of such Owners, to be signified to the Commissioners by some Writing under his, her, or their Hand or Hands, shall and may by Notice, which the said Commissioners or their Clerk for the Time being are or is in such Case required to publish Three Times in some one Weekly Newspaper usually circulated in the said County of *Sussex*, be declared Public Streets, Lanes, Ways, Passages, and Places; and from and after such Notice given, the said Streets, Lanes, Ways, Passages, and Places shall be considered and be Public Streets, Lanes, Ways, Passages, and Places to all Intents and Purposes, and shall be subject and entitled to all

the Powers, Regulations, Benefits, and Advantages contained in this Act.

Commissioners may purchase Houses, Land, &c. to widen Streets.

LXXVI. And be it further enacted, That if any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, shall project over any of the Footways of any of the public Streets, Lanes, Ways, Passages, or Places within the said Town, or that by taking down the same, or any Part thereof, or taking in any Piece or Parcel of Ground, the said Streets, Lanes, Ways, Passages, and Places may be altered, widened, or improved, it shall and may be lawful to and for the said Commissioners to treat and agree with the several Owners and Occupiers, and all Persons whatsoever interested, for the Purchase of, and to purchase such Houses, Buildings, Lands, Tenements, or Hereditaments, and to pay for the same such Sum and Sums of Money as shall be agreed upon by the said Commissioners and the Person interested therein, out of the Money to arise by the Rates or Assessments and Tolls or Profits herein-after directed to be levied, and to take down such Houses or Buildings, and throw the Scites thereof, and also such Piece or Parcel of Ground so to be purchased as they the said Commissioners shall think proper, into the said Streets, Lanes, Ways, Passages and Places: Provided always, that no Person or Persons shall, by virtue of this Act, or any of the Powers herein contained, be compelled or compellable to treat for, sell, part with, dispose of, or convey to the said Commissioners, or to any other Person or Persons whomsoever, any Houses, Buildings, Lands, or Hereditaments within the said Town, which are or shall be of the Value of Four hundred Pounds and upwards, unless the Owner or Owners of such Houses, Buildings, Lands, or Hereditaments shall, by Writing under his, her, or their Hand or Hands, consent to sell and dispose of the same.

Incapacitated Persons may sell to Commissioners.

LXXVII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors or Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for or on Behalf of themselves their Heirs and Successors, but also for or on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Coverts, and to and for all Femes Coverts who are or shall be seized in their own Right, and to and for all and every Person or Persons whomsoever, who are or shall be seized or possessed of or interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for the Purposes aforesaid, or for any other of the Purposes of this Act, to treat, contract, and agree with the said Commissioners for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all their, his, or her Estate, Right, Title, and Interest whatsoever of in and to the same, to the said Commissioners, or to such Persons and their Heirs for ever, as the said Commissioners shall direct, in Trust for them the said Commissioners for any of the Purposes of this Act; and that 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

or Recoveries, or other Conveyances and 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 and 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 claiming or to claim by, from, or under them, 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 Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons as aforesaid are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

On Refusal to sell, Value to be settled by a Jury.

LXXVIII. And be it further enacted, That if any Body Politic or Corporate or Collegiate, Corporations Aggregate or Sole, Feme Covert, Owner or Owners, or Occupier or Occupiers, or other Person or Persons whomsoever, in or by this Act empowered and qualified to treat, contract, or agree to sell, convey, and dispose of any Houses, Buildings, Lands, Tenements, or Hereditaments, which the said Commissioners may be enabled by this Act to treat for and purchase, or any Interest therein, or any other Person or Persons whomsoever, for the Space of Twenty-one Days after Notice in Writing signed by the said Commissioners, or their Clerk for the Time being, and given to the principal Officer or Officers of such Body Politic, Corporate or Collegiate, or to such Trustee or Trustees, or other Person or Persons respectively, or left at his, her, or their respective Place or Places of Abode, or at the House of the Tenant or Tenants, Occupier or Occupiers of such Houses, Buildings, Lands, Tenements, or Hereditaments, shall neglect or refuse to treat, or shall not agree with the said Commissioners, or by reason of Absence or otherwise shall be prevented from treating and agreeing, or shall decline or refuse to sell, convey, and dispose of the Premises, whereof or wherein or whereunto they respectively shall be so seised, possessed, interested, or entitled as aforesaid, or their respective Rights, Titles, Claims, or Interests into or upon the same, or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate for the Purposes and according to the Tenor, true Intent, and Meaning of this Act, or shall not produce or make out a clear Title to the Premises they are in Possession of, or the Interest they claim therein, to the Satisfaction of the said Commissioners, or if any Difference or Dispute shall arise touching such Purchase or Purchases, then and in any of such Cases it shall and may be lawful to and for the said Commissioners, before any General Quarter Sessions of the Peace to be holden in and for the Western Division of said County of *Sussex*, or any Adjournment thereof, to give or cause to be given to the principal Officer or Officers of Bodies Politic, Corporate, Ecclesiastical or Civil, or to such Feme Covert, Owner or Owners, or other Person or Persons, or to leave or cause to be left at the House of the Tenant in Possession of the Houses, Buildings, Lands, or Hereditaments intended to be so purchased, Fourteen Days Notice in Writing, denoting and particularly describing the same, and purporting that the Value of such Houses, Lands, or Hereditaments will be adjudged and settled by a Jury at the

the said Sessions, or any Adjournment thereof; and the Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been so given or left, are hereby authorized and required to charge a Jury to be impannelled and returned by the Sheriff of the said County, without Fee or Reward, consisting of Twelve honest, substantial, and disinterested Persons duly qualified to serve on Juries upon the Trial of Issues at Law, and cause them to be sworn well and truly, upon their Oaths, to assess the Value of the Houses, Buildings, Lands, or Hereditaments comprised in the said Notice, and the Damages and Recompence to be given for the same, to the respective Owner or Owners thereof, according to their respective Interests therein, which Oath the said Justices are hereby required to administer to such Jury, and to which said Jury the said Commissioners, and all Parties interested in the said Lands or Hereditaments, shall have their lawful Challenges; and the said Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given, concerning the Nature, Quantity, or Value of the said Lands or Hereditaments, shall by their Verdict assess the Value, Recompence, and Satisfaction to be paid or made for the said Lands or Hereditaments, and shall ascertain the proportionable Sum or Sums to be paid to every Person or Persons according to their respective Interests therein; which Verdict of the said Jury, and the Judgment of the said Justices upon the same, shall be final, binding, and conclusive to the said Commissioners, and to all Persons and Parties interested in the said Lands or Hereditaments; and such Verdicts, and the Judgments of the Justices thereupon, shall be fairly entered and kept among the Records of the Quarter Sessions for the County of *Sussex*; and the same, or true Copies thereof, shall be taken to be good and sufficient Evidence and Proof in any Court of Law or Equity whatsoever, and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying One Shilling for every One hundred Words, and so in Proportion for any greater or less Number of Words.

Expences of the Jury, &c. by whom borne.

LXXIX. And be it further enacted, That in case any such Verdict shall be given for a greater Sum than shall have been offered by or on the Behalf of the said Commissioners before the summoning of any Jury for the Purposes aforesaid, that then all the Costs, Charges, and Expences of such Jury, and the Witnesses attending in consequence thereof, and of taking such Inquest, shall be paid by the Commissioners out of the Monies to arise by virtue of this Act; but if such Verdict shall be given for no more or for a less Sum than shall have been so previously offered by or on the Behalf of the said Commissioners, then and in every such Case such Expences, Costs, and Charges shall be paid by the Owners of or Persons interested in the said Premises in question; all which said Costs, Charges, and Expences having been ascertained, taxed, and allowed by one of the Prothonotaries of His Majesty's Court of Common Pleas at *Westminster*, (who is hereby required to examine, tax, and allow the same accordingly) shall and may be deducted out of the Money so assessed by such Verdict, as so much Money advanced to and for the Use of such Person or Persons, and the Tender or Payment of the Remainder of such Monies shall be deemed and taken to all Intents and Pur-

poses to be a Payment or Tender of the whole Sum or Sums of Money so assessed as aforesaid: Provided always, that when by reason of Absence any Person shall be prevented from treating with the said Commissioners, the whole of such Costs, Charges, and Expences shall be borne and paid by the said Commissioners: Provided always, that in case the Sum or Sums so assessed by such Verdict, and ordered and adjudged by such Justices to be paid, as a Satisfaction to the Owners, Occupiers, or others, for their respective Interests in the said Premises, shall not be paid or tendered according to the true Intent and Meaning of this Act, within Six Calendar Months next after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury, and the Judgment of the said Justices thereupon, shall not be binding upon the said Parties; any thing herein-before contained to the contrary thereof notwithstanding.

If Monies awarded by a Jury be not paid within Six Months, Verdict not to be binding.

LXXX. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, if the same 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 *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 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 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 Messuages, 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 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 Court of Chancery, 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 in 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

Application of Compensation when amounting to 200*l.*

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, in case such Purchase or Settlement were made.

Application when the Compensation is less than 200*l.* and exceeds 20*l.*

LXXXI. Provided always, and be it further enacted, That if any Money so agreed or assessed 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 Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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 entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, 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 Trustees, to be nominated by the Person or Persons making such Option, and approved of by Seven or more of the Commissioners acting in the Execution of 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 shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when the Money is less than 20*l.*

LXXXII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-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 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 or Lunacy, then 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.

LXXXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be so ordered to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or shall refuse to execute such Conveyance or Conveyances, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid 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 for the said Commissioners to order the said Sum or Sums of Money so awarded to be paid into the Bank of *England*, in the Name and with

with the Privity of the Accountant General of the said 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, 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, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Titles or Interests, 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.

Respecting disputed Titles.

LXXXIV. 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, or of any Estate, Right, or Interest, in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Monies, or to 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 or 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.

The Court of Chancery may direct the Payment of Expences.

LXXXV. 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 said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled 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

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, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Possession to be delivered up.

LXXXVI. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in Possession of any Houses or Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by virtue of this Act by the said Commissioners, or any Part thereof, shall, at the End of Twelve Calendar Months next after Notice shall be given to him, her, or them for that Purpose, under the Hands of Five or more of the said Commissioners, peaceably and quietly deliver up the Possession of the said Premises to such Person or Persons as shall be authorized by the said Commissioners to take Possession thereof; they the said Commissioners making such Satisfaction to every such Person or Persons, Bodies Politic, Corporate or Collegiate, in case he, she, or they 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 or Compensation shall be settled and ascertained by a Jury in manner herein-before mentioned, and in case any such Person, or Body Politic, Corporate or Collegiate, shall refuse to give up such Possession as aforesaid, it shall and may be lawful to and for the Sheriff of the said County to issue his Precept or Warrant, signed by him, to the Constable of and for the said Town, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same, and the said Constable is hereby required to deliver such Possession accordingly, and to levy such Costs as shall accrue upon the issuing or Execution of such Precept or Warrant on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Commissioners may at any Time sell any Houses, &c. which appear to be no longer necessary for the Purposes of this Act.

LXXXVII. Provided always, and be it further enacted, That if it shall at any Time or Times appear to the said Commissioners that any Houses, Buildings, Lands, Tenements, or Hereditaments whatsoever, which by any means became vested in them for the Purposes of this Act, are no longer necessary for such Purposes, it shall and may be lawful to and for the said Commissioners, at any Time or Times, to let, sell, or dispose of such Lands, Houses, Tenements, or Hereditaments, or any Part thereof, to any Person or Persons, to and for such Use and Uses as they shall think proper.

Owners of the Property to have the first Offer.

LXXXVIII. Provided always, and be it further enacted, That in case the said Commissioners shall think proper to sell and dispose of any Piece or Pieces of Ground not wanted for the Purposes of this Act, they shall first offer the same for Sale to the Person or Persons of whom the same shall have been purchased; and if such Person or Persons respectively 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 Masters Extraordinary of the High Court of Chancery, or before one of His Majesty's Justices of the Peace for the County where the Lands shall be situate, 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 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 and not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in Manner hereby directed with respect to disputed Value of Premises to be purchased by the said Commissioners, and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as are hereby 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 Commissioners 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.

Rate not to exceed 3s. 6d. in the Pound.

LXXXIX. And be it further enacted, That for raising Money for defraying the several Charges and Expences attending the preparing, soliciting, and obtaining this Act, and of paving, cleansing, watching, lighting, and groyning the said Town as aforesaid, and all other the Charges and Expences incidental to and attending the Execution of this Act, and for paying the Interest, and repaying and discharging the Monies heretofore borrowed upon the Credit of the Rates or Assessments, for paving, lighting, and cleansing the said Town, directed to be raised and levied by virtue of the said first recited Act, and for paying the Interest, and re-paying and discharging the Monies to be borrowed upon the Credit of the Rates or Assessments, and upon the Tolls or Profits of the Market, directed to be raised and levied by virtue of this Act, it shall and may be lawful to and for the said Commissioners assembled at any Meeting to be held by virtue or in pursuance of this Act, and they are hereby authorized and required, once or oftener in every Year, as they shall see Occasion, to cause such Sum of Money to be raised by a Rate or Assessment upon the several Tenants or Occupiers of Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coachhouses, Brewhouses, Granaries, Malthouses, and all other Buildings which are already made or built, or shall hereafter be made or built within the said Town, according to the annual Rent or Value of the same respectively, not exceeding in any one Year the Sum of Three Shillings and Sixpence in the Pound upon such Annual Rent or Value, such Annual Rent or Value to be from Time to Time settled, ascertained, and fixed according to the re-

spective Rents or Value at which such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coachhouses, Brewhouses, Granaries, Malthouses, and other Buildings, are or shall be rated or taxed for the Relief of the Poor of the said Parish of *Broadwater*; but if in any such Poor Rates any Person or Persons shall be omitted to be rated, then the Name or Names of such Person or Persons so omitted shall be added to the Rate or Assessment hereby directed to be made, and he, she, or they shall be rated and assessed proportionably with other Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coachhouses, Brewhouses, Granaries, Malthouses, and other Buildings, rated and assessed in the said Town; and where any such Premises lie intermixed and are jointly held with any other Premises that shall not be rated in pursuance of this Act, then the same shall be rated and assessed in proportion as the whole Premises are rated in any such Poor Rates; and in case of any such Omission as aforesaid, then proportionably as before mentioned; and for the Purposes aforesaid, or any of them, it shall be lawful for the Commissioners yearly and every Year, or as often as they shall see Occasion, and they are hereby empowered and required to make such Rate or Rates, Assessment or Assessments; and the first Year for which such Rates or Assessments shall be made, shall commence and be computed from and after the Twenty-fourth Day of *June* One thousand eight hundred and twenty-one, and the Money so to be raised and assessed shall from Time to Time be paid by such several Tenants or Occupiers as aforesaid, and they are hereby required to pay the same to the Collector or Collectors to be appointed by the Commissioners as aforesaid; but no Rate or Assessment to be made in pursuance of this Act shall be valid until the same shall be allowed and signed by Seven Commissioners at the least; and that after such Rate or Assessment shall be made and allowed, and signed as aforesaid, the Money thereby made payable shall be collected and received by the Collector or Collectors to be appointed as aforesaid as soon as may be, of and from the respective Persons who shall be so rated or assessed; and the Commissioners shall from Time to Time upon such Rate or Assessment being made, allowed, and signed as aforesaid, issue their Orders to the said Collector or Collectors, requiring him or them to collect and receive the respective Sums of Money made payable by such Rate or Assessment, and such Collector and Collectors is and are hereby authorized and required to collect and receive the same accordingly; and also Once at least in every Month, or oftener if directed so to do by the Commissioners, to pay the Money so to be collected and received by him or them by virtue of this Act, to the Treasurer for the Time being to the Commissioners, or to such Person or Persons as the Commissioners shall appoint to receive the same, to be applied to and for the Uses and Purposes herein-before mentioned; and all and every such Collector and Collectors shall and is and are hereby required at the Time of making every such Payment of the Money so respectively collected as aforesaid, to deliver to the Person or Persons empowered to receive the same, a true and exact Account of all Sums of Money received by them respectively, and also of such Sums of Money, Rates, or Assessments (if any) which shall remain uncollected, together with the Reasons why the same have or had not been collected, to the End that it may appear whether such Non-payment or Non-collection

collection happened through Insolvency of the Person rated, or through the Default of the Collector or Collectors; and if any Person who shall be so appointed and shall accept the Office of Collector, shall wilfully make Default in the Performance of the Duty of his said Office, or collect more than the Sums which have been so rated and assessed as aforesaid, or otherwise misbehave himself therein, he shall for every such Neglect, Default, or Misbehaviour, forfeit and pay any Sum not exceeding Twenty Pounds, and also be discharged from his said Office, if the Commissioners shall think fit.

Number of Commissioners for levying Rates.

XC. Provided always, and be it further enacted, That no Rate or Assessment exceeding Two Shillings and Sixpence in the Pound shall be made upon such Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coachhouses, Brewhouses, Granaries, Malthouses, and Buildings, without the Concurrence of Four-fifths in Number of the Commissioners present at a Meeting specially called in manner in this Act directed, for the express Purpose of making of any such greater Rate or Assessment, and that such greater Rate or Assessment shall not continue longer than One Year, unless it shall be so ordered at another Special Meeting to be called in manner aforesaid.

Commissioners may order Parish Books to be produced, and Copies thereof made.

XCI. And, in order to ascertain the Rates and Assessments to be made by virtue of this Act, be it further enacted, That the Commissioners shall and may, and they are hereby authorized and empowered to cause any of the Books of Assessment of Rates towards the Relief of the Poor of the said Parish of *Broadwater* to be brought before them, and to take Copies of such Books, or any Part thereof, without Fee or Reward; and if any Person or Persons in whose Custody or Power any of the said Books shall be, shall refuse or neglect to attend the Commissioners with such Book or Books, or to permit them to take Copies thereof, then and in every such Case such Person who shall so refuse or neglect, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

If Commissioners make the Rate improperly, Commissioners may amend or alter the old Rates.

XCII. And be it further enacted, That if the Commissioners shall at any Time or Times hereafter, in any Rates or Assessments by them to be made by virtue or in pursuance of this Act, neglect or omit to rate or assess any Person or Persons liable to pay, or to be charged with such Rates or Assessments, or shall in such Assessments under-rate any such Person or Persons liable to pay such Rates or Assessments, then and in every such Case it shall be lawful for the Commissioners to rate and assess in the said Rates or Assessments such Person or Persons so omitted to be rated and assessed, and to raise such Person or Persons so under-rated, or amend such Rates or Assessments as aforesaid; and that the Commissioners shall and may, and they are hereby empowered to strike out the Name or Names of any Person or Persons whom they shall determine not to be liable to the Payment of the Rates hereby directed to be made, and that all such Additions to, or Alterations in the old or former Rates or Assessments, shall be valid and effectual to all Intents and Purposes whatsoever, as if the same had been Part of the original or old or former Rates or Assessments; any Statute, Law, Usage, or Custom to the contrary in anywise notwithstanding.

XCIII. And

Tenants to pay the Rates.

XCIII. And be it further enacted, That if the Tenant or Occupier of any Houses, Warehouses, Shop, Cellar, Vault, Stable, Coachhouse, Brewhouse, Granary, Malthouse, or other Building, upon or in respect of which any Rate or Assessment shall be charged or imposed by virtue of this Act, shall at any Time neglect or refuse to pay the Rates or Sums of Money which shall be so rated and assessed as aforesaid, for the Space of Fourteen Days next after Demand made thereof, by Notice in Writing under the Hands or Hand of the Collectors or Collector of the said Rates, to be delivered to such Tenant or Occupier, or left at his or her Dwelling House, or usual or last Place of Abode, or at the Tenement occupied, then upon Proof thereof, upon Oath before any Justice of the Peace for the said County of *Sussex*, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of every such Tenant or Occupier, by Warrant under the Hand and Seal of any such Justice, rendering the Overplus (if any) after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Costs and Charges attending the Recovery thereof, to the Owners of such Goods and Chattels upon Demand.

How Rates to be paid by Tenants quitting or entering.

XCIV. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Warehouse, Shop, Cellar, Vault, Stable, Coach House, Brewhouse, Granary, Malthouse, or other Building, which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay such Rates or Assessments in Proportion to the Time he or she occupied the same, in like Manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person shall come into or occupy any such House, Warehouse, Shop, Cellar, Vault, Stable, Coach House, Brewhouse, Granary, Malthouse, or other Building, as aforesaid, out of or from which any other Person who shall have been rated or assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment was or were empty or unoccupied, the same shall, for and in respect of his, her, or their Occupation thereof, be liable to any such Rate or Assessment, in proportion to the Time he or she shall occupy the same, in the same Manner as if he or she had been originally rated or assessed for such House, Warehouse, Shop, Cellar, Vault, Stable, Coach House, Brewhouse, Granary, Malthouse, or other Building, which said respective Proportions, in case of Dispute, shall be settled and ascertained by the Commissioners in such Manner as they shall judge reasonable; and in case any Person who having been so rated and assessed as aforesaid shall quit his or her House, Warehouse, Shop, Cellar, Vault, Stable, Coach House, Brewhouse, Granary, Malthouse, or other Building, before he or she shall have paid such Rates or Rate, or proportionable Part or Parts thereof by him or her due and payable, and shall afterwards refuse and neglect to pay the same when demanded, it shall and may be lawful for the said Collector and Collectors, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Sussex*, countersigned or indorsed by any Justice of the Peace for the County, Riding, Division, Liberty, Town.

Persons removing.

Town, or Place where such Person shall remove to or reside, or where any Goods or Chattels of such Person shall be found, (which Warrant such Justice is hereby required to grant upon Proof made of the Sum so due before him upon Oath of a credible Witness or Witnesses, and such Justice of the County, Riding, Liberty, Town or Place where such Person shall remove to or reside, is hereby authorized to countersign or indorse), to levy such Rate or Rates, or proportionable Part or Parts thereof, by Distress and Sale of the Goods and Chattels of such Person, rendering the Overplus, and the Goods and Chattels remaining (if any) after the Payment of the Money due, in respect of such unpaid Rate or Rates, or proportionable Part or Parts, and all Expences relating to the Recovery thereof, unto the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Rates where Houses are let to several Tenants.

XCV. And be it further enacted, That every Person being a Landlord or Tenant who shall let his or her House in separate Apartments, or ready furnished to a Lodger or Lodgers, or for any less Term than a Year, shall, for the several Purposes of this Act be deemed and taken to be the Occupier thereof, and may be rated and assessed accordingly.

Persons excused from Poor Rates not to be rated.
Lands and Buildings used for Husbandry only excepted.

XCVI. Provided always, and be it further enacted, That no Rate or Assessment shall by virtue of this Act be charged or made payable by any Person who by Reason of his or her Poverty only is or shall be excused from paying any Rate made for the Relief of the Poor; nor shall any Person be charged or rated in or by such Rate or Assessment as aforesaid for or on account of any Gate-room, Yard, Close, Barn, Stable, or other Building used for the Purposes of Husbandry only, nor for any Arable, Meadow, or Pasture Land within the said Town.

Empty Houses exempted.

XCVII. Provided also, and be it further enacted, That no House, Warehouse, Building, Tenement, or Hereditament hereby made liable to be rated or assessed, shall be charged or chargeable with any Rate or Assessment as aforesaid, during the Time the same shall be empty or unoccupied, and without any Furniture therein, in case the same shall be empty and unoccupied for the Space of one whole Year preceding the making of such Rate or Assessment.

Persons aggrieved by Rates may apply to the Commissioners.

XCVIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment, Rates or Assessments, which shall be made in pursuance of this Act, such Person or Persons shall and may first apply for Relief to the Commissioners at the first Meeting to be holden next after Demand shall be made of such Rate or Assessment, and the Commissioners are hereby authorized and empowered, if they shall think the Person or Persons aggrieved, to grant such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons so applying to such Commissioners shall not be satisfied with their Order or Determination, or such Application shall not be attended to by the Commissioners at such first Meeting as aforesaid, then

then such Person or Persons shall nevertheless be obliged to pay such Rate, and then, and not before, may appeal in the Manner hereinafter mentioned to the General Quarter Sessions of the Peace to be holden in and for the said County of *Sussex* for Relief in the Premises.

This Act not to make void Agreements between Landlord and Tenant.

XCIX. Provided always, and be it further enacted, That nothing herein-before contained shall extend, or be deemed or taken to alter or make void any Contract, Covenant, or Agreement between any Lessors and Lessees, Landlords and Tenants touching or concerning the Payment of any Taxes or Assessments by them respectively, for or in respect of any Messuages, Buildings, or Lands within the said Town of *Worthing*, (save and except the Rates and Assessments to be raised by virtue of this Act).

Rates assessed under former Act to be levied until the whole are collected.

C. And be it further enacted, That each and every Rate and Assessment ordered or directed to be assessed, collected, and levied by and under the Authority of the said recited Act of the Forty-third Year of the Reign of King *George* the Third, shall and may be collected and levied by such Ways and Means, and under such Restrictions and Regulations as the Rates and Assessments to be made under or by the Authority of this Act are directed to be collected, any thing herein contained to the contrary thereof in anywise notwithstanding.

Market Duties and Tolls vested in Commissioners, and all Contracts or Conveyances made by or to former Commissioners rendered valid.

CI. And whereas the Commissioners who acted in the Execution of the said recited Act of the Forty-ninth Year of the Reign of His late Majesty did, by virtue of the Powers and Authorities thereby given to them, purchase a Plot or Piece of Ground within the said Town for the Purposes of establishing a Market, and set up, erect, and build divers Sheds, Stands, Stalls, Tables, or Standings, and other Buildings and Erections in the said Market, and for the Purpose of paying such Purchase Monies and the other necessary Charges and Expences attending the establishing such Market, borrowed certain Sums of Money upon the Security of the Tolls or Profits thereof, all which Money, with an Arrear of Interest thereon, is now due and unpaid; be it therefore further enacted, That all the Estate, Right, Title, Property, and Interest of the said Commissioners acting in the Execution of the said recited Act, or of any other Person or Persons whomsoever, of, in, or to the said Market, the said Plot or Piece of Ground purchased as aforesaid for the Purposes thereof, and the said Sheds, Stands, Stalls, Tables, or Standings, and other Buildings and Erections set up, erected, and built thereon or therein as aforesaid, with their and every of their Appurtenances, and the Tolls or Profits of the said Market, and all Arrears thereof, shall from and after the Commencement of this Act be and are hereby vested in, transferred, and conveyed to the Commissioners hereby appointed for carrying this Act into Execution, and their Successors as such for ever, to all Intents and Purposes whatsoever: Provided always, that all Securities, Grants, Conveyances, or Leases made or granted by the said Commissioners acting under the said recited Act of the Forty-ninth Year of the Reign of His late Majesty, or by any Person or Persons, Body or Bodies Politic or Corporate, or any others whomsoever,

soever, to the said Commissioners, by or to any Officer or Officers acting under the Authority of the said recited Act, shall be as valid and effectual to all Intents and Purposes whatsoever, according to the Tenor thereof, as if the same had been made or granted by or under the Authority of this Act; any thing herein contained to the contrary thereof in anywise notwithstanding.

The Market to be continued.

CII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to continue the Market for the Sale of all Kinds of Flesh or other raw Victuals, Fish, live or dead Poultry, Butter, Herbs, Roots, Fruit, or Garden Stuff, established by virtue of the said recited Act of the Forty-ninth Year of His late Majesty, and to cause, order, and appoint the same to be held daily and every Day, or less frequently, as to them shall appear necessary for the Convenience and Accommodation of the Inhabitants of the said Town, and of all other Persons resorting thereto.

To prevent selling on the Sea Beach.

CIII. And whereas divers Persons have of late erected and built Huts, Sheds, Stalls, Stands, Tables, and Buildings on the Sea Beach within the said Town of *Worthing*, for the Purpose of selling Fish, Fruit, Vegetables, and other Matters and Things, which ought to be sold in the said Market, to the great Injury of the same, and the Tolls or Profits thereof; be it therefore enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever, to sell or offer or expose to sale in any Hut, Shed, Stand, Stall, Table, or Building, or otherwise, on the Sea Beach in *Worthing* aforesaid, any Manner of Fish, Fruit, Vegetables, and other Matters and Things which ought to be sold in the said Market; and every Person who shall so sell or offer or expose to sale any of the said Matters or Things in any Hut, Shed, Stand, Stall, Table, or Building, or otherwise, on the Sea Beach in *Worthing* aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that nothing herein-before contained shall extend or be construed to extend to prevent any Fishermen selling or offering for Sale in Bulk, as heretofore has been usual and accustomed, their Fish upon the Beach of the said Sea Shore, or subject them to any Penalties or Forfeitures for so selling their Fish.

For preventing Encroachments on the Market.

CIV. And for preventing any Encroachments which may hereafter be made on the said Market, be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons to sell, or offer or expose to sale, any Manner of Flesh, or other raw Victuals, Fish, live or dead Poultry, Butter, Herbs, Roots, Fruit, or Garden Stuff, or any other Sort of Provision which is usually sold in public Markets, or any live Hogs, Pigs, or Pigeons in any other Place whatsoever than the said Market within the said Town; and every Person who shall so sell or offer or expose to sale, any of the said Matters or Things out of the said Market within the said Town, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and every Person inhabiting within the said Town who shall buy any such Matters or Things so offered or exposed to Sale within the said Town, but

out

out of the said Market, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, except on the Days when such Market shall not be held as aforesaid: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any of the Inhabitants of the said Town from selling in his, her, or their Houses and Shops, used therewith in his, her, or their Occupation, Poultry, Butchers' Meat, and Butter, or any Herbs, Roots, Vegetables, Fruit, or Garden Stuff, or any other Sort of Provision, or any live Hogs, Pigs, or Pigeons.

Weighing House to be built.

CV. And be it further enacted, That it shall be lawful for the said Commissioners to erect and appoint a certain public Weighing House or Place in or near the said Market so erected and established as aforesaid, for weighing such Meat, Goods, Articles, and Things as shall be bought or sold by Weight in the same Market, and they shall and are hereby required to keep good and sufficient Standard Weights, Scales, Steelyards, and Measures, and to appoint the Clerk or Clerks of the same Market, or some other Person or Persons to attend the same on every Market Day, during the Time the same Market shall be holden, continue, and endure; and that all and every the Person and Persons selling Meat or other Things by Weight or Measure in the same Market, shall weigh and measure the same in or by the said Weights, Measures, Scales, or Steelyards as aforesaid, if required by the Buyer or Buyers thereof to be so weighed or measured; and that in case any Person or Persons shall refuse to weigh and measure as aforesaid, he, she, or they shall forfeit and pay for every such Offence a Sum of Money not exceeding Forty Shillings.

Tolls to be collected by Persons appointed by Commissioners.

CVI. And be it further enacted, That from and after the passing of this Act there shall be paid to the said Commissioners, or to the Person or Persons by them appointed to receive the same, by all and every the Person or Persons holding, using, or occupying any Stall, Shed, Table, or Standing, or selling, or offering or exposing to Sale any Butchers' Meat, or other Goods, Articles, or Things as aforesaid, brought into the said Market so erected and established as aforesaid, the several Tolls or Sums following; *videlicet*,

For every Stall, Shed, or Table used by a Butcher for selling Flesh Meat, being actually his own Property, *per* Day, One Shilling:
For each Stall, Shed, or Table used by a Person for exposing to Sale Cheese, Bacon, or Pickled Pork, *per* Day, One Shilling:
For every Basket, Parcel, or Quantity of Butter, not exceeding Twelve Pounds, Two-pence:
For Ditto, exceeding Twelve Pounds, and not exceeding One and a Half Dozen Pounds, Three-pence:
For every Basket, Parcel, or Quantity of Butter exceeding One and a Half Dozen Pounds, and not exceeding Two Dozen Pounds, Four-pence:
For Ditto, exceeding Two Dozen Pounds, *per* Dozen One Penny:
For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls and Rabbits, not exceeding Half a Dozen, Three-pence:
For Ditto, not exceeding One Dozen, Sixpence:

For

For Ditto, not exceeding Two Dozen, Nine-pence:
For Ditto, not exceeding Three Dozen, One Shilling:
For Ditto, not exceeding Four Dozen, One Shilling and Three-pence:
And for every Dozen exceeding Four Dozen, Three-pence:
For every Turkey or Goose, Two-pence:
For every Half Dozen, or under One Dozen, of Pigeons, Two-pence:
For One Dozen, and not exceeding Two and a Half Dozen, Four-pence:
Not exceeding Two Dozen Sixpence:
And for every Dozen exceeding Two Dozen, *per* Dozen, Two-pence:
For every Basket, Parcel, or Quantity of Eggs under Two Dozen, Two-pence:
For every Dozen above Two Dozen One Penny:
Every Person selling Fish, except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Cockles, or Muscles, to pay for each Basket, Hamper, Parcel, or Quantity, not containing more than Two Gallons, Four-pence:
For every Basket, Hamper, Parcel, or Quantity, not containing more than Half a Bushel, Eight-pence:
For every Basket, Hamper, Parcel, or Quantity, not containing more than One Bushel, One Shilling and Three-pence:
For every Basket, Hamper, Parcel, or Quantity containing more than One Bushel, Two Shillings:
For every Gallon of Cockles or Muscles, One Penny:
For every Basket, Parcel, or Quantity of Fruit, *videlicet*, Apples, Pears, Cherries, Currants, Gooseberries, Strawberries, Raspberries, Peaches, Nectarines, Apricots, Plums of every Description, and all and every other Sort of Fruit, not exceeding Half a Bushel, Two-pence:
For Ditto, not exceeding a Bushel, Three-pence:
For Ditto, if exceeding a Bushel, *per* Bushel, One Penny:
For every Basket, Parcel, or Quantity of Roots, *videlicet*, Potatoes, Turnips, Carrots, Parsnips, Onions, not exceeding a Bushel, Two-pence:
For every Basket or Quantity of other Vegetables, not exceeding a Bushel, One Penny Halfpenny:
For every Basket, Parcel, or Quantity of Roots or Vegetables exceeding a Bushel, *per* Bushel, One Penny:
For every live or dead Sucking Pig, Two-pence:
For Lobsters and Crawfish, not exceeding in Weight Half a Dozen Pounds, Three-pence:
For Ditto, not exceeding in Weight a Dozen Pounds, Four-pence:
For every Half Dozen Pounds of Ditto above One Dozen Pounds, Three-pence:
For Crabs, not exceeding in Weight Half a Dozen Pounds, One Penny:
For Ditto, not exceeding in Weight One Dozen Pounds, One Penny Halfpenny:
For every Half Dozen Pounds above One Dozen Pounds, One Penny:
For every Hundred of Prawns, Two-pence:
For every Hundred of Shrimps, One Halfpenny:
For every dead Hog or Porker, Four-pence:

For fresh Pork, not exceeding in Weight Half a Dozen Pounds, One Penny:

For Ditto, not exceeding One Dozen Pounds, Two-pence:

For Ditto, not exceeding a Dozen Pounds above One Dozen Pounds, One Penny:

And for every Person having or using a Stall, Shed, or Table for selling any Articles or Things which are not included in this Table, or for selling any Article or Thing for which he or she can claim a legal Exemption from Toll, to pay for such Stall, Shed, or Table, *per* Day, One Shilling.

Penalties on evading Tolls.

CVII. And be it further enacted, That the said Commissioners shall set up and maintain in some conspicuous Part of the same Market, a Table of the said Tolls to be taken by virtue of this Act; and in case any Person holding, using, or in any Manner occupying any of the said Sheds, Stalls, Stands, or Tables, or selling or exposing to Sale any Butcher's Meat, or any other Goods or Articles as aforesaid in the said Market, shall refuse to pay the several Sums or Tolls aforesaid, or any or either of them, or any Part thereof, then and in such Case and as often as it shall so happen, it shall be lawful for the said Commissioners, or the Person or Persons by them to be appointed to receive such Tolls, to levy the same by Distress and Sale of all or any of the Goods, Articles, and Things so exposed to Sale, and the said Distress and Sale so to be taken to sell immediately, rendering the Overplus, if any be, after deducting the Expence of such Distress and Sale, to the Person or Persons whose Property such Cattle, Goods, Chattels, or other Things, were at the Time of every such Distress; and in case any Dispute or Difference shall or may arise touching the same, such Dispute or Difference shall and may be settled and determined by any one or more Justice or Justices of the Peace for the said County of *Sussex*, who shall and is or are hereby empowered, by Warrant under his or their Hand and Seal, or Hands and Seals, to summon the Parties to appear before him or them, and to hear or determine the Matter of every such Complaint upon Oath, and to make such Order therein and award such Costs to either Party as to him or them shall in his or their Discretion seem meet, and by Warrant under his or their Hand and Seal or Hands and Seals to cause the Costs which shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale.

Commissioners may make Bye Laws.

CVIII. And be it further enacted, That it shall be lawful for the said Commissioners at any Meeting to be held in pursuance of this Act, from Time to Time to make such Rules, Orders, Regulations, and Bye Laws for the better Regulation of the said Market, (not repugnant to any thing in this Act contained, or contrary to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*) as the Nature of each particular Circumstance shall require; and from Time to Time to alter, vary, revoke, or make void any of such Rules, Orders, Regulations, and Bye Laws, which

which Rules, Orders, Regulations, and Bye Laws, so as aforesaid to be from Time to Time made, shall be printed and affixed on the said Market House, and shall be valid and effectual to all Intents and Purposes; and all and every Officer and Officers to be appointed as herein is mentioned shall observe and obey the same in all Things touching their respective Offices, on Pain of forfeiting any Sum not exceeding Forty Shillings for every Default in the due Observance thereof: Provided always, that all such Rules, Orders, Regulations, and Bye Laws, and all Convictions for any Penalties or Forfeitures imposed by virtue thereof, shall be liable to appeal to the Justices of the next General Quarter Sessions of the Peace from the said Commissioners, in like Manner as is herein-after provided or mentioned with respect to any other Matter of Appeal; but no such Rules, Orders, Regulations, and Bye Laws shall have any Force until Fourteen Days after the same shall have been fairly written out or printed, and signed by the Clerk to the said Commissioners, and set up or fixed at some conspicuous Place within the said Market, and renewed from Time to Time as often as the same shall be defaced, obliterated, or destroyed, and inserted once at least in some one weekly Newspaper usually circulated in the said County of *Sussex*.

Power for Commissioners to let Tolls.

CIX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, upon Ten Days Notice thereof signed by the Clerk to the said Commissioners, being set or fixed up in some public Part of the said Market, and inserted in some one Newspaper usually circulated in the said County of *Sussex*, from Time to Time, by Writing under their Hands and Seals, to let to farm the Tolls arising from the said Market to any Person or Persons who shall be willing to take or farm the same, from Year to Year, or for any Term not exceeding Three Years at any one Letting, upon public Bidding to the highest Bidder and for the best Price that can be gotten for the same, and under such Covenants, and with such Securities for the Payment thereof, as the said Commissioners shall think fit; which Rent or Money so to be paid for the said Tolls shall be applied and disposed of as the said Tolls are by this Act directed to be applied and disposed of.

When the Monies are paid off the Tolls to be lowered.

CX. And be it further enacted, That when and as soon as the principal Monies already borrowed and taken up at Interest upon or by virtue of the said recited Act of the Forty-ninth Year of the Reign of His late Majesty, and also the Monies borrowed and to be borrowed by virtue of this Act upon the Credit of the Rates or Assessments, Tolls or Profits, and Duties to be raised and levied in pursuance of this Act, shall have been discharged and paid off, then the said Commissioners shall and they are hereby required, within Twenty Days next after the same shall have been so discharged and paid off, to reduce, lower, and abate the said Tolls or Profits arising and payable as aforesaid to One-fourth Part of the Amount or Rate at which the same are directed to be paid in and by this Act; and the said Commissioners shall immediately upon every such Reduction or Abatement of the said Tolls or Profits, cause a Notice thereof, signed by their Clerk, to be set up and fixed at some

some public Part within the said Market, with a Table of the Tolls so reduced and abated.

An Account to be stated by the Commissioners annually, and filed with the Clerk of the Peace.

CXI. And be it further enacted, That some Time between the First Day of *August* and the First Day of *September* in every Year, the said Commissioners shall cause a fair and just Account to be made out of all Monies received and paid by them, or by their Order or Direction, by virtue or in pursuance of this Act, and how, and to or from whom and for what Purpose the same shall have been received, paid, or expended; and a Copy of every such Account shall be signed by the said Commissioners, or any Five or more of them, and filed annually with the Clerk of the Peace at the *Michaelmas* General Quarter Sessions of the Peace to be held in and for the County of *Sussex*, to the End that all Persons at all seasonable Times may have Liberty to peruse and inspect the same, and to take Copies and Extracts therefrom at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and after the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and if the Clerk to the said Commissioners shall refuse or neglect to file such Account as aforesaid, he shall for every Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who will sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be granted or allowed.

Power of Commissioners to reduce Tolls.

CXII. Provided always, and be it further enacted, That notwithstanding the Principal Monies already borrowed and taken up at Interest by virtue of the said recited Act of the Forty-ninth Year of the Reign of His late Majesty, or any Part thereof, and also the Monies to be borrowed by virtue of this Act upon the Credit of the Rates or Assessments, and Tolls or Profits, to be raised and levied in pursuance of this Act, or any Part thereof, shall remain unpaid, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, at any Meeting to be held in pursuance of this Act, from Time to Time, if they shall see Occasion or think fit, (with the Consent and Approbation of the major Part in value of the Person or Persons to whom any Sum or Sums of Money shall be then due and owing upon Security of the Tolls arising from the said Market), from Time to Time to reduce, lower, and abate the said Tolls hereby made payable as aforesaid, in such Proportions as to the said Commissioners shall seem expedient; and after the said Tolls shall have been so reduced and abated, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered (by and with the Consent and Approbation of the Justices of the Peace assembled at any General Quarter Sessions to be holden for the Western Division of the County of *Sussex*, such Consent and Approbation to be signed by an Order of Court to be made at such General Quarter Sessions from Time to Time), to augment and raise the said Tolls so reduced and abated to any Sums not exceeding the

the Amount of the Tolls fixed and made payable in and by this Act; and the said Commissioners shall immediately upon every such Augmentation of the said Tolls cause a Notice thereof, signed by their Clerk, to be set up and fixed in some public Part within the said Market, with a Table of the Tolls so augmented and raised.

Old Tolls to be payable until new ones are formed.

CXIII. And whereas the Commissioners acting under the said recited Act of the Forty-ninth Year of the Reign of His late Majesty did, upon the opening of the said Market, lower and abate the Tolls thereof, and did cause a Table of the Tolls so lowered and abated to be set up in the said Market, and which said Tolls so lowered and abated have been ever since and still are continued to be paid and received as the Tolls of the said Market; be it therefore enacted, That the said Tolls so lowered and abated as aforesaid, shall from and after the passing of this Act continue to be paid and received as the said Tolls of the said Market, until such Time as the Commissioners, acting under the Authority of this Act, shall think it expedient to augment and raise the said Tolls so reduced and abated in the Manner authorized by this Act; any thing herein contained to the contrary notwithstanding.

The Sum of 4,101*l.* lent upon the Credit of the first recited Act to be charged on the several Rates or Assessments to be raised by this Act; and the Sum of 3,765 *l.* lent upon the Credit of the last recited Act to be charged on the several Tolls or Profits to be raised by this Act.

CXIV. And whereas certain Sums of Money, amounting in the Whole to the Sum of Four thousand one hundred and one Pounds, were heretofore lent and advanced, and now remain due and owing, with a considerable Arrear of Interest thereon, upon the Credit of the Rates or Assessments directed to be levied for the paving, lighting, and cleansing of the said Town, by the said recited Act of the Forty-third Year of the Reign of His late Majesty; and also certain other Sums of Money, amounting in the Whole to the Sum of Three thousand seven hundred and sixty-five Pounds, were heretofore lent and advanced, and now remain due, with a considerable Arrear of Interest thereon, upon the Credit of the Tolls or Profits directed to be levied by the said recited Act of the Forty-ninth Year of the Reign of His late Majesty; be it therefore enacted, That from and after the passing of this Act the said Sum of Four thousand one hundred and one Pounds shall become a Charge upon the several Rates or Assessments to be raised by virtue of this Act, in like Manner as the said Monies were charged or chargeable upon the Rates or Assessments directed to be raised and levied by the said first-recited Act; and the said Sum of Three thousand seven hundred and sixty-five Pounds shall become a Charge upon the several Rates or Assessments and Tolls or Profits of the said Market, to be raised by virtue of this Act, in like Manner as the said Monies were respectively charged or chargeable upon the Tolls or Profits of the said Market directed to be raised and levied by the said last-recited Act; and that the Arrears of Interest on the said Sums of Four thousand one hundred and one Pounds, and Three thousand seven hundred and sixty-five Pounds, shall be a Charge upon the Rates and Assessments and Tolls or Profits authorized to be raised, levied, and received by virtue of this Act.

Commissioners empowered to borrow 1,200*l.* on the Paving Rates and Market Tolls.

CXV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time as soon after the passing of this Act as they shall judge it necessary, to borrow and take up at Interest any Sum or Sums of Money not exceeding One thousand two hundred Pounds, in addition to the Sum of Seven thousand eight hundred and sixty-six Pounds, already borrowed under and by virtue of the said recited Acts (making in the Whole the Sum of Nine thousand and sixty-six Pounds), upon the Credit of the Rates or Assessments, and Tolls or Profits, to be made, raised, and levied by this Act) for the Purposes thereof, and by any Writing or Writings under their Hands and Seals, upon Vellum or Parchment signed by the Commissioners, to assign the said Rates or Assessments, and Tolls or Profits, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so borrowed, with lawful Interest for the same, which Interest shall be paid Half-yearly by the Treasurer for the Time being to the Commissioners, out of the Rates and Assessments, and Tolls or Profits, to arise or to be levied by virtue of this Act; and all and every Sum and Sums of Money so to be advanced, and the Interest thereof, shall and are hereby charged upon, and shall be paid and payable from Time to Time, free from all Charges, Taxes, and Deductions, out of the Rates or Assessments, and Tolls or Profits hereby authorized or directed to be made, raised, and levied as aforesaid, and of all Charges, Taxes, and Deductions whatsoever, of the same Principal Money or the Interest thereof; and all Persons who shall be possessed of the said Securities, shall be Creditors on the said Rates or Assessments, and Tolls or Profits, in equal Degree, without Preference in respect to the Time of his, her, or their advancing Money thereon or otherwise howsoever; and every such Grant, Assignment, or Security shall be in the Form or to the Effect following, (that is to say),

'BY virtue of an Act of Parliament made in the Second Year of the Reign of King *George* the Fourth, intituled, [*here set forth the Title of this Act*], We of the Commissioners appointed by virtue of the said Act, in Consideration of the Sum of advanced and paid by to the Treasurer appointed in pursuance of the said Act, upon the Credit and for the Purposes of the said Act, do grant and assign unto the said his Executors Administrators, and Assigns, such Proportion of the Rates or Assessments, and Tolls or Profits arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the same Act, to be had and holden from this Day of in the Year of our Lord , until the said Sum of with Interest at *per Centum per Annum* for the same, shall be paid and satisfied. In witness whereof we have hereunto set our Hands and Seals this Day of .'

And every such Grant or Mortgage shall be good and effectual in the Law.

CXVI. And

Commissioners to give Mortgages for Arrears of Interest.

CXVI. And whereas there is now due and owing to the several Creditors of the Rates and Assessments under the said recited Act of the Forty-third Year of the Reign of His late Majesty, a large Arrear of Interest upon the Securities granted under the said Act: And whereas there is also due and owing to the several Creditors of the Tolls or Profits levied under the said recited Act of the Forty-ninth Year of the Reign of His late Majesty, a large Arrear of Interest upon the several Securities granted under the said last-recited Act; be it therefore enacted, That it shall be lawful for the said Commissioners to grant to all or such of the said Creditors as shall require the same, Mortgages on the Rates or Assessments, and Tolls or Profits, to be raised, collected, and levied by virtue of this Act, for the said Arrears of Interest so due and owing to them respectively as aforesaid; and the Mortgages so granted shall be deemed, considered, and taken for and in lieu of and as part of the Monies authorized to be borrowed by virtue of this Act, upon the Credit of the Rates or Assessments, and Tolls or Profits, to be raised or levied in pursuance thereof.

Notice to be given before Money borrowed.

CXVII. Provided nevertheless, and be it further enacted, That before any such Money shall be so borrowed at Interest as herein-before mentioned, Twenty-one Days Notice, signifying the Intention of borrowing such Money at Interest as aforesaid, shall be given and published as in the Manner first herein-before mentioned.

Securities may be transferred.

CXVIII. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any Securities granted by this Act, or either of the said recited Acts, and his, her, or their Executors, Administrators, and Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands respectively, to assign or transfer such Securities to any Person or Persons whomsoever, and so *toties quoties*; and the Person or Persons to whom such Assignment or Transfer shall be made, or the Person or Persons for the Time being entitled to such Securities, may in like Manner assign or transfer the same; and every such Assignment or Transfer shall entitle the Person or Persons to whom they shall respectively be made, or who shall be for the Time being entitled thereto, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred; and every such Assignment or Transfer shall be in the Words or to the Effect following; that is to say,

Form of Transfer of Securities borrowed under the said Act.

'I (*or*, we) being entitled to the Sum of
'with Interest after the Rate of payable to me (*or*, us)
'my (*or*, our) Executors, Administrators, or Assigns, by virtue of a
'Mortgage (*or* Assignment), bearing Date the Day of
'under the Hands and Seals of of the Commissioners
'acting in the Execution of a certain Act of Parliament, made in
'the Forty-third or the Forty-ninth Year of His late Majesty, or in
'the Second Year of the Reign of His present Majesty King *George*
'the Fourth, (*whichever it may be*), intituled [*here set forth the Title*
'*of the Act, whichever it may be,*] out of the Rates or Assessments,
'or Tolls or Profits, or Rates or Assessments, and Tolls or Profits
'granted by the said Act, do hereby transfer all my (*or*, our) Right

'and

'and Title in and to the same, and the Money now due or to grow 'due thereon, unto his Executors, Administrators, and 'Assigns, subject to such Right of Redemption of the same Sum and 'Interest as by the said Act the same is liable or made subject to. 'Dated this Day of in the Year of our Lord '

Mortgages may be redeemed by Commissioners.

CXIX. Provided always, and be it further enacted, That every Grant, Assignment, or Mortgage, which shall be made by virtue of this Act, for any Sum of Money which shall be borrowed by the Commissioners on the Credit of the said Rates or Assessments, and Tolls or Profits, as herein-before is mentioned, shall be made liable or subject to and may be redeemed by the Commissioners, at such Times, in such Manner as the Commissioners shall think fit, Three Calendar Months previous Notice having been given to the Person or Persons entitled to such Sum lent on the Credit of such Rates or Assessments, and Tolls or Profits, by the Commissioners, of their Intention of redeeming the same, and full Payment of the Principal Sum so borrowed, and Interest after the Rate at which the same shall be borrowed, being made to such Person or Persons: Provided also, that every Grant, Assignment, or Mortgage which has been made by virtue of the said recited Acts or either of them, shall be subject to Redemption in the same and like Manner as every Grant, Assignment, or Mortgage, which shall or may be made by virtue of this Act, is or shall be made subject or liable to.

Interest of Mortgages how to be recovered.

CXX. And be it further enacted, That in case the Interest for the said Mortgages or any Part thereof shall be behind and unpaid by the Space of Forty Days, next after the same shall become due and payable as aforesaid, and shall have been demanded of the Treasurer for the Time being, or in case there is no Treasurer, of any Two or more of the Commissioners, then it shall and may be lawful for the Commissioners, and they are hereby required, on Application to them made by any Creditor or Creditors whose Interest shall be so in Arrear, by an Order under their Hands and Seals, to appoint One or more Person or Persons to receive the Whole or any Part or Parts of the said Rates or Assessments, and Tolls or Profits; and that the Money so to be received by such Person or Persons shall be so received to and for the Use and Benefit of the Person or Persons to whom such Interest in Arrear shall be due, and shall be paid to him, her, or them accordingly; and when the Interest so in Arrear, as well as the Interest which shall incur and grow due whilst the Person or Persons so to be appointed as aforesaid shall be in the Receipt of such Rates or Assessments, and Tolls or Profits, together with the Costs and Charges of recovering, receiving, and paying over the same in Manner aforesaid, shall be fully satisfied and paid, the Power and Authority of such Receiver or Receivers for the Purposes aforesaid, shall cease and be at an End, or otherwise, if such Creditor shall think proper, such Interest so due and in Arrear as aforesaid, shall and may be sued for and recovered by him, her, or them, with Costs of Suit, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*.

CXXI. And

Clerk to enter all Securities for Monies borrowed.

CXXI. And be it further enacted, That the Clerk for the Time being to the Commissioners shall, before any Interest on any Security shall be actually paid by the Treasurer, enter in a Book to be for that Purpose provided and kept, Copies of all Securities for Money borrowed on Mortgage by virtue or in pursuance of this Act, and Extracts or Memorials of all Assignments or Transfers thereof, and so much of such Wills as relate to Bequest of any such Security, expressing in Words at length the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Persons as shall from Time to Time be entitled to such Securities by Mortgage, and also an Account of all such Stocks or Securities which shall be purchased by or by the Order of the Commissioners, and in whose Names the same shall have been so purchased, and of every Transfer, Alteration, Sale, or other Disposition thereof; to which Book and Books the Person or Persons interested shall at all seasonable Times have Access, with free Liberty to inspect the same without Fee or Reward; and for the Entry of every such Transfer of the Grant or Assignment of the said Rates or Assessments and Tolls or Profits, the said Clerk shall be paid by the Person to whom such Transfer or Assignment shall be made, the Sum of Five Shillings and no more.

Application of Rates or Assessments and Tolls and Profits.

CXXII. And be it further enacted, That all and singular the Monies to be collected, raised, and levied by the said Rates or Assessments, shall be applied for the Purpose of paying and discharging all the Interest to become due on the several Securities granted in pursuance of the said first-recited Act; and that all and singular the Monies to be collected, levied, and received by the Tolls or Profits of the said Market, shall be applied for the Purpose of paying and discharging the Interest to become due on the several Securities granted in pursuance of the last-recited Act; and that after Payment of such respective Interest as aforesaid, the Surplus of the said Rates or Assessments, and Tolls and Profits, shall be applied for the Purpose of paying and discharging the Interest of any Monies that may be borrowed on the Rates or Assessments and Tolls or Profits to be raised and levied by virtue of this Act, and for the several other Purposes thereof, and shall from Time to Time be applied and disposed of accordingly; and the Treasurer for the Time being to the Commissioners shall and is hereby authorized and required to pay and apply all such Monies as he or they shall respectively receive by virtue hereof to such Person or Persons, and at such Time and Times as the said Commissioners shall from Time to Time by any Order or Orders under their Hands direct and appoint.

Power to erect Groyns.

CXXIII. And be it further enacted, That from and after the passing of this Act it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required from Time to Time as to them shall seem necessary and expedient, to make, erect, and build, or cause to be made, erected, and built any Number of Groyns, Sea Defences, or other Works whatsoever, which may appear to them necessary, requisite, or proper for the Protection of the Road situate in Front of the said Town adjoining the Sea Shore,

and leading from the Parish of *Heene*, in the said County of *Sussex*, to a Row of Houses called *Warwick Buildings* in the said Town, and also for the Protection of the Road called *East Lane* leading towards *Lancing* in the said County, and situate within the said Town or any Part or Parts of the said Roads respectively, from the Encroachments of the Sea; and also from Time to Time, and at all Times thereafter, when and as Occasion shall be and require, well and sufficiently amend, add to, maintain, and keep the said Groyns, Sea Defences, or other Works in such Repair as to them the said Commissioners shall seem expedient and proper.

Expences not to exceed 400*l.*

CXXIV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to lay out or expend any larger Sum in the whole than Four hundred Pounds in erecting, building, or repairing any such Groyns, Sea Defences, or other Works, within the Period of Three Years after the passing of this Act; and in case the said Sum of Four hundred Pounds shall have been laid out and expended in Manner aforesaid, within the said Period of Three Years, it shall and may be lawful to and for the said Commissioners to lay out and expend annually the further Sum of Twenty-five Pounds, if required, but no larger Sum, in repairing, adding to, or amending such Groyns, Sea Defences, or other Works to be made, erected, and built as aforesaid; and in case the said Sum of Four hundred Pounds shall not have been expended within the said Period of Three Years, it shall be lawful for the said Commissioners, at any Time thereafter in a subsequent Year, to lay out such remaining Part of the said Sum of Four hundred Pounds, as shall not have been so expended, together with the said annual Sum of Twenty-five Pounds as aforesaid, in the building, making, erecting, or keeping in repair any such Groyns, Sea Defences, or Works aforesaid.

Power to lay out further Sums if necessary.

CXXV. And whereas, notwithstanding the making of any such Groyns and Sea Defences, and other Works, and the Expenditure of such Sums as aforesaid thereon, and in the keeping the same in Repair, it may happen that through violent Storms and Tempests, and Breaches of the Sea in extraordinary high Tides, that Damage may be done thereto, which cannot be repaired for the Sum so allowed to be expended as aforesaid, and that other and additional Groyns or Sea Defences, or other Works, may be essential; be it therefore enacted, That it shall in any such Case be lawful for the said Commissioners to repair any such Damage, or make or erect any such additional Groyns, Sea Defences, or Works, as may be necessary, although the Expence thereof shall exceed the Sums before allowed to be expended thereon: Provided always, that no such Damage shall be repaired, or additional Groyns, Sea Defences, or Works erected or made by the said Commissioners, which may require any greater Expenditure than before allowed by this Act, unless with the Consent of Four-fifths in Value (according to the Rates or Assessments hereby authorized) of the Inhabitants or Owners of Property in the said Town of *Worthing*, assembled at a Meeting herein-after directed to be called; such Consent to be signified by the Signature of such Inhabitants approving of a Resolution and Order of the Commissioners for

for that Purpose; and the said Commissioners shall, before they shall incur any such additional Excess of Expenditure in any such Case as aforesaid, call a Meeting of the Inhabitants, giving Ten Days Notice thereof, and specifying the Purpose for which the same is called, and such Meeting shall be called in the Manner directed by this Act in relation to Public Meetings specially called under the Authority thereof.

Power to purchase a Town Clock.

CXXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, whenever they shall deem it necessary and expedient, to purchase a Town Clock, and keep the same in good Repair, and to erect and put up the said Clock in such Part of the said Town as they shall think proper: Provided always, that the Expence of purchasing and putting up such Clock shall not exceed the Sum of Two hundred Pounds.

Duty on Coals.

CXXVII. And whereas, in order to raise a sufficient Sum for effecting the Purposes of this Act, it is expedient that a Duty be charged on Coals, Culm, Coke, Cinders, and Charcoal, landed or brought into the said Town; be it therefore enacted, That from and immediately after the passing of this Act, there shall be paid to the said Commissioners, or to their Collector, or to such other Person or Persons as they shall from Time to Time appoint to collect and receive the same, any Rate or Duty which the said Commissioners shall think fit to order and direct, not exceeding the Sum of Three Shillings for every Chaldron of Thirty-six Bushels of Sea Coals, Culm, or other Coals, Coke, Cinders, and Charcoal, which shall or may be imported and landed in the said Town, or in any other Manner by Land Carriage or otherwise brought or delivered within the Limits of the said Town, and so in Proportion for any less Quantity than a Chaldron; such Rate or Duty to be paid in addition to all other Duties and Impositions payable in respect thereof by any Law or Statute now in force.

No Ship to leave the Port till the Master produces a Certificate that the Duty is paid.

CXXVIII. And to the Intent that the said Rate or Duty may be duly paid, be it further enacted, That no Collector, Customer, Collector of His Majesty's Customs, Comptroller, Receiver of Entries, or Ship's Surveyor, or Searcher, or other Officer of the Customs whatsoever, belonging to the Port or Harbour of *Shoreham*, in the said County of *Sussex*, (to which Port the said Town of *Worthing* doth belong and appertain) shall at any Time after the Commencement of this Act give or make out any Discharge, or make any Report outwards for any Ship or Vessel to sail from, leave, or go out of the said Port, until the Master or Owner, or other Person or Persons having the Rule, Government, or Command of any such Ship or Vessel shall produce a Certificate from the Collector or Collectors to be appointed in pursuance of this Act as aforesaid that the last-mentioned Rate or Duty granted by this Act as aforesaid hath been paid or secured to be paid; which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward to the Person requiring the same; and that any Collector, Customer, Collector of His Majesty's Customs, Comptroller, Surveyor, or other Officer of the Customs whatsoever, making Default in any of the

Premises

Premises enjoined by this Act, shall forfeit and pay any Sum not exceeding Ten Pounds, to be recovered and applied as hereafter mentioned.

Ship or Coals may be distrained for Payment of the Duty.

CXXIX. And, that the said Rate or Duty may be more effectually collected and levied, be it further enacted, That in case any Owner or Master, or other Person having the Rule, Government, or Command of any Ship or Vessel laden with or having on board Coals, Culm, Coke, Cinders, and Charcoal, charged and chargeable with the aforesaid Rate or Duty, shall refuse to pay the same, then and in such Case it shall and may be lawful to and for the said Commissioners, or such Person or Persons as they shall appoint, from Time to Time to go on board such Ship or Vessel to demand, collect, and receive the said Rate or Duty, and on Non-payment thereof to take and detain every such Ship or Vessel, with all her Tackle, Apparel, and Furniture, or any Part thereof, or all or any Part of the said Coals, Culm, Coke, Cinders, and Charcoal chargeable with the said Rate or Duty, either on board such Ship or Vessel or on Land, and the same to detain until he or they shall be fully paid the said Rate or Duty; and in case of any Neglect or Delay in Payment of the said Rate or Duty for the Space of Three Days after any Distress or Distresses so taken as aforesaid, then and in such Case it shall and may be lawful to and for the said Commissioners, and such Person or Persons as they shall appoint as aforesaid, to cause the same to be appraised, and afterwards to sell the said Distress and Distresses, and therewith to satisfy himself or themselves as well for and concerning the said Rate or Duty so neglected or delayed to be paid, and for which such Distress or Distresses shall be taken as aforesaid, as also for his or their reasonable Charges in taking, keeping, appraising, and selling such Distress, rendering to the Master or other Person having the Rule, Government, and Command of the Ship or Vessel, in, to, or from which such Distress shall be so taken or belong, the Overplus, if any there shall be.

Penalty for not paying the Duty on Coals brought by Land, and the same may be distrained.

CXXX. And be it further enacted, That in case any Sea-Coal, Culm, Coke, Cinders, or Charcoal, brought into and delivered within the said Town by Land, and the aforesaid Rate or Duty be not paid or tendered thereon at the House or Office of the Collector or Person appointed to receive the same, within Twenty-four Hours after the same shall have been brought into and delivered within the said Town as aforesaid, the Owner or Owners of such Coals, Culm, Coke, Cinders, or Charcoal, shall, in addition to the said Rate or Duty, forfeit and pay any Sum not exceeding Twenty Shillings for each and every Chaldron, and so in Proportion for a less Quantity than a Chaldron, of the said Coals, Culm, Coke, Cinders, or Charcoal, for which the said Rate or Duty shall not have been so paid; and the said Commissioners, or the said Collector, or other Person or Persons, are and is hereby authorized and empowered to seize and detain the said Coals, Culm, Coke, Cinders, or Charcoal, or any Part thereof, wheresoever the same may be found, within the Limits of the said Town, or on Non-payment of the said Rate or Duty, and the said Penalty, within the Space of Three Days after such Seizure, to sell the said Coal, Culm, Coke, Cinders, or Charcoal, or any Part thereof, by public

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lic Auction, and by and out of the Produce thereof to retain the said Rate or Duty and Penalties, and also the Charges and Expences of making and selling such Distress, and rendering the Overplus (if any) to the Owner or Owners of the said Coal, Culm, Coke, Cinders, or Charcoal, on Demand: Provided always, that nothing herein contained shall extend or be construed to extend to charge with the said Rate or Duty any Coals, Culm, Coke, Cinders, or Charcoal which shall not be discharged from any Ship or Vessel upon any Part of the Beach of the said Town, or housed, deposited, or delivered within the same, but only passing through the Limits thereof for or towards any Place whatsoever.

Not to extend to Coals passing through the Limits of the Town to other Places.

CXXXI. And be it further enacted, That from and after the passing of this Act, until some other Person or Persons is or are appointed by the said Commissioners to collect and receive the aforesaid Rate or Duty on Coals, Culm, Coke, Cinders, or Charcoal imported, landed, or brought into the said Town; and when and as often as no other Person or Persons is or are appointed by the said Commissioners for that Purpose, the principal Coast Officer of His Majesty's Customs for the Time being, residing within the Port of *Shoreham* in the said County, shall be the Collector of the said Rate or Duty, he first having the Approbation and Authority of the Lord High Treasurer, or the Commissioners of His Majesty's Treasury for the Time being, and he being allowed by the said Commissioners a reasonable Salary for his Service in that Behalf; and such Officer shall well and truly, when and as often as required thereto by the said Commissioners, account to the said Commissioners at any Meeting to be held under this Act; and shall, as far as regards such Collection, be considered as an Officer of the said Commissioners, subject and liable to all the Rules, Regulations, and Penalties herein-before provided, with respect to such Officer, as fully and effectually to all Intents and Purposes as if he had been appointed such Collector by the said Commissioners, by Writing or otherwise, under this Act.

Principal Coast Officer of the Customs residing in the Town to be Collector of the Coal Duty until another Person is appointed.

CXXXII. Provided always, and be it enacted, That in every Case where the Owner or Owners of any Coals, Culm, Coke, Cinders, or Charcoal, which shall have been landed or unloaded within the said Town, and which shall have paid the Rate or Duty hereby imposed, shall make it appear to the Satisfaction of the Treasurer to the said Commissioners that the same were so landed or unloaded for the Purpose of being forwarded to any other Place or Places, and not to be consumed within the said Town, it shall and may be lawful for the said Treasurer, and he is hereby directed and required, on Demand, to return and pay to such Owner or Owners a Drawback of the whole Rate or Duty paid for every Chaldron of Coals, Culm, Coke, Cinders, or Charcoal so landed or unloaded, and which shall have been forwarded to any other Place for Sale or Consumption.

Drawback of Duty on Coals consumed out of the Town.

CXXXIII. And be it further enacted, That if the said Treasurer shall refuse or neglect to return and pay on Demand to any Person or Persons entitled to the same the Drawback hereby directed to be allowed, or if any Person or Persons shall fraudulently obtain or endeavour to obtain the Allowance of the said Drawback, not being

Treasurer compelled to return the Drawback.

legally entitled to the same, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Coals not to be brought into the Town after Allowance of Drawback.

CXXXIV. And be it further enacted, That if any Person or Persons shall, after Allowance or Drawback made or paid by virtue of this Act, for the Coals, Culm, Coke, Cinders, or Charcoal, put on board or loaded as aforesaid, bring back, reland, unload, or deliver the said Coals, Culm, Coke, Cinders, or Charcoal, or any of them, in or to the said Town, then and in every such Case every Person so offending shall repay to the said Collector or Collectors, Receiver or Receivers, the Duties of all such Coals, Culm, Coke, Cinders, or Charcoal, as shall be brought back, relanded, unloaded, or delivered as aforesaid, and also forfeit and pay the Sum of Five Shillings for every Chaldron of Coals, Culm, Coke, Cinders, or Charcoal that shall be brought back, relanded, unloaded, or delivered in the said Town as aforesaid, and so in proportion for a greater or less Quantity than a Chaldron; one Moiety thereof to be to the Use of the Informer, and the other Moiety thereof to be paid to the said Commissioners to be applied for the Purposes of this Act.

Commissioners to appoint Coal Meters for the Town.

CXXXV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, at any General Meeting to be held in pursuance of this Act, to nominate and appoint any Number of Persons not exceeding Five to be Land Coal Meters for the said Town, and that when either of such Land Coal Meters shall die or be incapable of serving in such Office, or shall be dismissed or suspended therefrom, in every such Case it shall and may be lawful to and for the said Commissioners at any General Meeting to nominate and appoint any other Person as a Land Coal Meter in the Room and Stead of every such Land Coal Meter who shall die or be so dismissed or suspended, or be incapable of acting in the Execution of his Office; and that no Person shall be capable of acting as a Land Coal Meter in the Execution of this Act, until he shall have taken an Oath (which Oath the Chairman at any such Meeting of the said Commissioners is hereby authorized and required to administer), in Manner following; (that is to say),

Oath.

'I *A. B.* do swear, That I will honestly, truly, faithfully, and impartially to the best of my Skill and Judgment execute the Office of one of the Land Coal Meters for the Town of *Worthing*; and that I will truly and impartially inspect and measure, or see to be measured and loaded all such Coals, Culm, Coke, Cinders, or Charcoal, between Buyer and Seller, and execute such other Duties as are by Law required to be done by a Land Coal Meter, without Favour or Hatred to any Person whomsoever. So help me GOD.'

CXXXVI. Provided always, That every Land Coal Meter to be appointed under the Authority of this Act shall take or receive such Sum for all Coals, Culm, Coke, Cinders, or Charcoal, measured and inspected by him, as the said Commissioners shall direct, not exceeding the Sum of Fourpence for every Chaldron thereof, and so in proportion for a less Quantity than a Chaldron.

CXXXVII. And

Dimensions of Sacks to be used in the Coal Trade.

CXXXVII. And be it further enacted, That no Sack shall be made use of in the Delivery of Coals from any Wharf, Warehouse, Yard, or other Place within the said Town, except such Sack shall be made of Linen, and shall have been first sealed and marked with White Paint in Oil, at such Place and by such Person as the said Commissioners shall appoint; and every such Sack shall, at the Time of making and using, measure in the Inside thereof at least Four Feet and Two Inches in Length by Two Feet and One Inch in Breadth, and the Sum of Threepence and no more shall be paid for sealing and marking the same; and if any Vendor or Vendors of or Dealer or Dealers in, or Carrier or Carriers of Coals, shall use or cause to be used any Sack or Sacks for delivering or carrying Coals within the said Town in Sacks not sealed or marked as aforesaid, or of less Length or of less Breadth than the Dimensions aforesaid, then and in any such Case, every such Vendor of, or Dealer in, or Carrier of Coals, shall for every such Sack so unmarked or deficient in Length or Breadth forfeit and pay any Sum not exceeding Forty Shillings; and the Justice or Justices before whom such Conviction shall take place shall cause every such Sack found unmarked or deficient either in Length or in Breadth to be destroyed; and every Sack to be used as aforesaid shall contain Three Bushels.

What Bushel Measure to be made use of.

CXXXVIII. And be it further enacted, That no Bushel Measures shall be kept or made use of for or in the Admeasurement of any Coals sold within the said Town, which shall not be such Bushel Measure as is described in and by an Act made in the Twelfth Year of the Reign of Her late Majesty Queen *Anne*, intituled *An Act for speedy and effectual preserving of the Navigation of the River* Thames, *by stopping the Breach in the Levels of* Havering *and* Dagenham *in the County of* Essex, *and for ascertaining the Coal Measure;* and which shall not have been first stamped or marked by the proper Officer previously to the same being kept or used, for which the Sum of Sixpence and no more shall be paid; and that every such Bushel shall be fitted for Work, and used with Iron or Copper Hoops, and shall be stamped or marked with a Steel Instrument on the uppermost Iron or Copper Hoop, and that every such Bushel shall be kept without any Alteration or Diminution; and that in making use of such Bushel, all Coals shall be duly heaped up in such Bushel in the Form of a Cone, such Cone to be of the Height at least of Six Inches, and the Outside of the Bushel to be the Extremity of the Base of such Cone, and that each and every Chaldron of Coals shall consist of Thirty-six of such Bushels so heaped, and in proportion for any lesser Quantity; and if any Dealer or Dealers in or Vendor or Vendors of Coals, within the said Town as aforesaid, shall keep or make use of, or cause to be kept or made use of any Bushel in the Admeasurement of any Coals other than such Bushel as aforesaid, and so stamped as aforesaid, or shall permit his, her, or their Servant or Servants, or any other Person or Persons whomsoever so to do, then and in every such Case, such Dealer or Dealers in, Vendor or Vendors of Coals, so offending, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds; and if any Servant or Servants, or other Person or Persons acting by or under the Authority of any Dealer or Dealers, Vendor or Vendors, shall make use of in admeasuring of any Coals any Bushel other than

such

such Bushel as aforesaid stamped as aforesaid, or if any such Servant or Servants, or any other Person or Persons whomsoever, shall in any Manner decrease or diminish any such Bushel stamped as aforesaid, then and in every such Case, such Servant or Servants, or such other Person or Persons respectively, for every such Offence shall be committed to the House of Correction by any One or more Justice or Justices of the Peace of the said County, there to be kept to hard Labour for any Time not exceeding Three Calendar Months.

Regulation of Measures smaller than a Bushel.

CXXXIX. And be it further enacted, That all Measures less than such Bushel Measure as aforesaid, which shall be used by any Person or Persons dealing in Coals within the said Town, shall be fitted for Work and Use with Iron or Copper, and shall, previously to being used in the Admeasurement of Coals, be sealed or stamped as aforesaid, by the proper Officer with a Steel Instrument on the upper Iron or Copper Hoop, and that all such Measures, so sealed or stamped, shall be kept without any Alteration, and so used by such Dealers in or Vendors of Coals, as shall sell any less Quantity or Quantities of Coals than a Bushel; and if such Person or Persons shall diminish or make less any such Measure less than the Bushel, or make use of any Means or Device so as to prevent any such Measure from holding or containing as much as it would otherwise hold or contain in case such Means or Device had not been practised, or shall use or shall cause to be used any such Measure when any such Means or Device had been practised, or shall use or shall cause to be used any such Measure in the Admeasurement of Coals, not so sealed or stamped as aforesaid, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Carman to carry a Bushel Measure in his Cart.

CXL. And be it further enacted, That if any Carman or Driver of any Cart, Waggon, or other Carriage, laden with Three Sacks or Nine Bushels, or more, of Coals for Sale, or to be delivered to the Purchaser or Purchasers thereof, by any Vendor or Vendors, Dealer or Dealers in, or Carrier or Carriers of Coals from any Wharf, Warehouse, Yard, or other Place within the said Town, shall not have placed in some conspicuous Part of his Cart, Waggon, or Carriage, a perfect Bushel Measure of the Form, Size, and Dimension, and stamped or marked as aforesaid, (which Measure shall be provided by the Vendor or Vendors, Dealer or Dealers in, or Carrier or Carriers of such Coals); then and in every such Case, every such Carman or Driver, and Vendor or Vendors shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that Coals which shall be carried or conveyed in Bulk, or in any Cart, Waggon, or other Carriage belonging to a Purchaser or Purchasers of such Coals, may be so carried or conveyed without the Carman being obliged to carry a Bushel Measure therewith, or any Person or Persons being subject or liable to any Penalty or Penalties in respect thereof; any thing herein contained to the contrary notwithstanding.

Vendor of Coals to deliver Tickets.

CXLI. And be it further enacted, That every Vendor or Vendors, Dealer or Dealers in Coals, sold and to be delivered to the Purchaser or Purchasers thereof from any Cart, Waggon or other Carriage,

riage, shall be, and he and they is and are hereby required to deliver or cause to be delivered to the Driver thereof, a printed Ticket or Paper, and such Driver shall and is required to deliver or cause to be delivered the same Ticket to the Purchaser or Purchasers of such Coals, or to his, her, or their Servant or Servants, before any Part of the Coals contained in such Cart, Waggon, or other Carriage shall be delivered therefrom, and every such Ticket or Paper shall be in the Words and Form following:

VENDOR'S TICKET.

'Mr. *A. B.* [*here insert the Name of the Buyer.*]

'TAKE Notice that you are to receive herewith [*here insert the Number*] Sacks of [*here insert the Name of the Coals*]. In and 'by an Act made in the Second Year of the Reign of *George* the 'Fourth, the Carman is directed to deliver this Ticket before he 'delivers any of the Coals out of his Cart or Waggon; and that a 'Bushel Measure is in such Cart or Waggon, by which the Carman 'is directed to Measure *gratis*, under the Penalty of Forty Shillings, 'the Coals contained in any One Sack, which the Purchaser or his 'Servant may require, and each Bushel is to be heaped up in the 'Form of a Cone, the Outside of the Measure being the Extremity 'of the Base thereof. *C. D.* [*here insert the Name of the Vendor*]. 'Dated [*here insert the Day of the Month and the Year when such 'Ticket was signed.*]'

Penalty on Vendor not delivering Tickets.

And in case any Vendor or Vendors shall not deliver or cause to be delivered such Ticket as aforesaid, to the Purchaser or Purchasers of such Coals, or to his, her, or their Servant or Servants, before any Part of such Coals shall be delivered from such Cart, Waggon, or other Carriage, every such Vendor or Vendors shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and in case the Carman, Driver, or other Person attending such Cart, Waggon, or other Carriage laden with any such Coals as aforesaid, to whom such Ticket shall have been given by or by the Directions of the Vendor, in order to be delivered to the Purchaser, shall (having so first received the same from the Vendor or any Person by his Orders) refuse or neglect to deliver such Ticket as aforesaid to the Buyer or Buyers of such Coals, or to his, her, or their Servant or Servants before any Part of such Coals shall be delivered from such Cart, Waggon, or other Carriage, every such Carman, Driver, or other Person as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Carman, if required, to measure One Sack gratis.

CXLII. Provided always, and be it further enacted, That the Carman or Driver of any Cart, Waggon, or other Carriage laden with Coals for Sale, or to be delivered to the Purchaser or Purchasers thereof, by the Vendor or Vendors, or Dealer or Dealers in such Coals, from any Wharf, Warehouse, Yard, or other Place within the said Town, shall and he is hereby directed to measure *gratis*, if he shall be required so to do, the Coals contained in any one of the Sacks in such Cart, Waggon, or other Carriage, which may be chosen by the Purchaser or Purchasers of such Coals, or his, her, or their Servant or

Servants, or other Person or Persons acting on the Behalf of such Purchaser or Purchasers, with such Bushel Measure as aforesaid, in order that such Purchaser or Purchasers may be better enabled to judge of the Necessity of having the Whole of such Coals re-measured in Manner directed by this Act.

Penalty on Carman driving the Cart away without measuring the Sack, if required.

CXLIII. And be it further enacted, That if any Carman or Driver of any Cart or Waggon, or other Carriage laden with Coals, shall neglect or refuse to measure by the said Bushel Measure such Sacks of Coals in Manner herein-directed, when thereunto required by the Purchaser or Purchasers of such Coals, or by his, her, or their Servant or Servants, or other Person or Persons acting by or under the Authority of such Purchaser or Purchasers, or if any such Carman or Driver shall drive away or permit or suffer the said Cart, Waggon, or other Carriage to be driven away without measuring, in Manner herein directed, the said Sack of Coals, or shall hinder, obstruct, or otherwise prevent the Purchaser or Purchasers of such Coals, or his, her, or their Servant or Servants, or any other Person or Persons whomsoever on his Behalf, from measuring the said Bushel Measure, or all or any such Sack or Sacks in such his Cart, Waggon, or other Carriage, then and in every such Case, every such Carman or Driver so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Persons to send Notice to Coal Meters if desirous of having Coals remeasured.

CXLIV. And be it further enacted, That such Purchaser or Purchasers, or his, her, or their Servant or Servants so desiring such Coals contained in such Cart, Waggon, or other Carriage to be re-measured, shall and he, she, and they is and are hereby required to send or cause to be sent to the Vendor or Vendors of the said Coals, or to his, her, or their Wharf, Warehouse, Yard, or other Place of Abode, Notice in Writing that the said Coals are to be re-measured, and such Purchaser or Purchasers, or his, her, or their Servant or Servants, shall, and he, she, or they is and are hereby required forthwith to send Notice in Writing for any one of the Coal Meters, to be appointed as aforesaid, of his, her, or their Desire to have such Coals re-measured, and thereupon such Coal Meters shall, within the Space of One Hour next after such Notice in Writing shall have been delivered to him, attend at the House, Lodging, or other Premises of such Purchaser or Purchasers, as shall be expressed in such Notices, for the Purposes of re-measuring such Coals, and shall accordingly re-measure the same; and the Vendor or Vendors, and Purchaser or Purchasers of the said Coals, or his, her, or their Agent or Servant, Agents or Servants, or any or either of them, may, if they think proper, attend to see the same re-measured, and such Coal Meter shall and he is hereby required, at the Option of the Purchaser or Purchasers of such Coals, to re-measure such Coals either by the distinct Sacks so as to ascertain the Contents of each particular Sack of such Coals which shall remain in such Cart, Waggon, or other Carriage, or else to re-measure, or cause to be re-measured, such Coals, in such Manner as to ascertain the whole Quantity of such Coals contained in all the Sacks taken together, and for such Re-measurement such Purchaser or Purchasers shall pay or cause to be paid to the said Coal Meter the Sum of One Shilling for every Chaldron of Coals

so re-measured; and in case upon Re-measurement of any such Coals which shall be re-measured, so as to ascertain the Contents of each particular Sack thereof, it shall appear to the Coal Meter so re-measuring the same, that any Sack or Sacks of such Coals shall not contain the Number of Bushels according as the Sack or Sacks shall be marked, then and in every such Case the Vendor or Vendors of such Coals shall, for every Sack of Coals that shall be so found deficient on such Re-measurement, forfeit and pay any Sum not exceeding Forty Shillings; and in case upon the Re-measurement of any such Coals, which shall be re-measured in such Manner as to ascertain the whole Quantity of such Coals contained in all the Sacks taken together, it shall appear to such Coal Meter that the Coals then re-measured do not amount to the Quantity for which they were sold, then the Vendor or Vendors of such Coals shall forfeit and pay for every Bushel of Coals found deficient, the Sum of Forty Shillings, to and for the Use of the Poor of the Town of *Worthing*: Provided nevertheless, that no such Coals so sold and sent, shall be re-measured so as to ascertain the whole Quantity of such Coals together, after more than one Sack of such Coals shall have been delivered from such Cart, Waggon, or other Carriage into or upon the Premises of such Purchaser or Purchasers, any thing herein-before contained to the contrary thereof notwithstanding.

By whom the Expences of such Re-measurement to be paid.

CXLV. Provided always, and be it further enacted, That if upon any such Re-measurement which shall be so made there shall be a Deficiency, then the Vendor or Vendors of such Coals shall repay the Purchaser or Purchasers of such Coals the Expence of such Re-measurement.

Penalty on Coal Meters not attending to re-measure.

CXLVI. Provided always, and be it enacted, That after any such Notice shall have been given by or on the Behalf of any Purchaser to either of the said Coal Meters, requiring his Attendance for the Purpose of re-measuring or seeing any Coals re-measured, every such Coal Meter neglecting or refusing for the Space of One Hour after the Receipt of such Notice to attend, (if not prevented by Illness), to re-measure or see such Coals re-measured, then and in every such Case such Coal Meter so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and if any such Vendor, Driver, or Purchaser, or any other Person or Persons shall prevent, obstruct, or interrupt any such Coal Meter so attending in consequence of any such Notice, then and in every such Case every such Vendor, Driver, or Purchaser, or other Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Commissioners to borrow 3,000*l*. upon the Coal Duty.

CXLVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners at any Meeting to be held under this Act, and they are hereby authorized from Time to Time, as it shall appear to them expedient for the Purposes of this Act, to raise and borrow, upon the Credit of the said Rate or Duty, any Sum or Sums of Money not exceeding in the Whole the Sum of Three thousand Pounds, and to secure the Repayment thereof with Interest by Mortgage or Demise of the said Rate or Duty, such Mortgages

Mortgages to be made or granted in like Manner and Form, and upon such Terms and Conditions, and to be assignable and transferrable, and to be entered and registered and redeemable as herein-before is directed with respect to Monies authorized to be borrowed upon the Credit of the Rates or Assessments, and Tolls or Profits hereinbefore directed to be raised and levied.

Appropriation of Coal Duties.

CXLVIII. And be it further enacted, That all Monies to arise by or from the Duties upon Coals, Culm, Coke, Cinders, and Charcoal herein-before imposed and directed to be raised, shall be and the same are hereby vested in the said Commissioners, and the same shall be paid, applied, and disposed of, in the first Place, towards collecting the said Duties and the Interest of such Sum and Sums of Money as shall be borrowed upon any Mortgage or Mortgages of the said Duties; and in the next Place to pay such Part of the same Duties, in such Proportions, Manner, and Form as is herein-after directed, by way of Sinking Fund towards discharging and paying off the Principal Monies to be borrowed on Mortgage or Mortgages of the said Duties as aforesaid, and the Overplus that may remain after such Payments in aid of the Rates or Assessments, and Market Tolls or Profits herein-before directed to be raised and levied, as to the said Commissioners shall seem reasonable and proper, to the Intent that the same shall and may from Time to Time be consolidated therewith, and form Part thereof.

A Sum of not less than 300*l.* to be laid out in paving.

CXLIX. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, from and out of the first Monies to be borrowed upon the Duties to be imposed upon Coals, Culm, Coke, Cinders, and Charcoal landed and brought into the said Town of *Worthing* as aforesaid, after Payment of the Expences of obtaining this Act, and of all such Interest Monies now due and in arrear upon the Securities granted by virtue of the said recited Acts respectively, to lay out and expend in putting down Curb Stones to and in paving, repairing, and amending such of the public Footways, or such Parts thereof as shall want curbing, paving, repairing, and amending, a Sum not less than Three hundred Pounds.

Sinking Fund.

CL. And be it further enacted, That when any Sum of Money shall be borrowed or taken up at Interest, upon the Credit or Security of the said Duties arising from Coals, Culm, Coke, Cinders, and Charcoal hereby granted, a Sum not exceeding Ten Pounds nor less than Two Pounds *per Centum per Annum* on every such Sum so borrowed shall from thenceforth be charged on the said Duties, and be appropriated and paid thereout, over and besides the Interest payable on the Money borrowed on the said Duties, in order to form a Sinking Fund for the gradual Payment of all the principal Sum and Sums of Money so to be borrowed; and that as often as the said Sinking Fund shall amount to the Sum of Fifty Pounds, then and in such Case, that Sum shall be applied in the Payment of an equal Amount of the said Principal Money then due or owing on the Credit or Security of the said Duties, rateably or by Lot among the Creditors, as the said Commissioners shall think proper.

CLI. Pro-

Rate per Cent. may be altered.

CLI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, with the Consent in Writing of Five-sixths in Value of the Creditors on the said Duties, to alter and vary as they shall think fit, from Time to Time, the said Rate of Per-centage, so as the same be not at any Time more than Ten Pounds nor less than Two Pounds *per Centum per Annum* as herein-before mentioned.

After Payment of Money borrowed, the Coal Duties to be consolidated with Paving Rates and Market Tolls; and Commissioners empowered to borrow 2,000*l.* upon Consolidated Fund.

CLII. Provided always, and be it further enacted, That from and after Payment of all Principal and Interest Monies that shall or may be borrowed upon the Credit of the Duty arising from Coals, Culm, Coke, Cinders, and Charcoal, the said Duty shall from thenceforth become and be consolidated with the Rates or Assessments, and Tolls or Profits to be raised and levied by virtue of this Act, and shall be applied for the Purpose of paying the Interest due and to become due on the several Securities granted by the said recited Acts respectively, and to be granted by this Act, and for the several other Purposes thereof; and that after such Payment as aforesaid, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered from Time to Time as it shall appear to them expedient for the Purposes of this Act, to raise and borrow upon the Credit of the said Consolidated Fund of Rates or Assessments, Tolls or Profits, and Duties, any Sum or Sums of Money not exceeding Two thousand Pounds, and to secure the Re-payment thereof, with Interest, by Mortgage or Demise of the said Rates or Assessments, Tolls or Profits, and Duties; such Mortgages to be made or granted, in like Manner and Form, and upon such Terms and Conditions, and to be assignable and transferrable, and to be entered, registered, and redeemable as herein-before is directed, with respect to Monies authorized to be borrowed upon the Credit of the Rates or Assessments, and Tolls or Profits herein-before directed to be raised and levied.

Sinking Fund.

CLIII. And be it further enacted, That from and immediately after the Payment of all and every Sum and Sums of Money that shall or may be borrowed and taken up at Interest upon the Credit or Security of the Duties hereby imposed upon Coals, Culm, Coke, Cinders, and Charcoal, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required to form another Sinking Fund, in the Manner and for the Purposes herein-after mentioned; that is to say, a Sum not exceeding Ten Pounds nor less than Two Pounds *per Centum per Annum*, on all the Principal Sum and Sums of Money now due and owing, on or by virtue of the said recited Acts, or either of them, and on every Sum of Money that shall or may be borrowed by virtue of this Act, shall from thenceforth be charged on this Act, and be appropriated and paid out of the Rates or Assessments, Tolls or Profits, and Duties, over and besides the Interest payable on the Money now due and owing, and to be borrowed in order to form a Sinking Fund, for the gradual Payment of all Principal Sum and Sums of Money now due and owing, and to be borrowed for the Purposes of this Act; and that as often as the said Sinking Fund shall amount to the Sum of Fifty Pounds, then and in such Case that Sum shall be applied

in Payment of an equal Amount of the said Principal Money then due or owing on the Credit or Security of the said Rates or Assessments, Tolls or Profits, and Duties, rateably or by lot amongst the Creditors as the said Commissioners shall think proper: Provided always, that it shall and may be lawful to and for the said Commissioners with the Consent in Writing of Five-sixths in Value of the Creditors on the said Rates or Assessments, Tolls or Profits, and Duties, to alter and vary, from Time to Time as they shall think fit, the said Rate of Per-centage, so as the same be not at any Time more than Ten Pounds, nor less than Two Pounds *per Centum per Annum*, as herein-before mentioned.

Commissioners may make Bye Laws for licensing and regulating Hackney Coaches, Sedan Chairs, and Bathing Machines, &c.

CLIV. And be it further enacted, That from and after the passing of this Act, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them present at any Special Meeting, and they are hereby authorized and empowered from Time to Time, as often as to them shall seem necessary, to make, ordain, constitute and appoint such Bye Laws, Rules, Regulations, and Orders as they shall think fit for regulating and preserving Order at the Meetings to be from Time to Time held by the said Commissioners for carrying into Execution this Act, and for licensing and authorizing a sufficient Number of Hackney Coaches, Chaises, Sedan Chairs, Flies, Bathing Machines, Carts, or Carriages, or any other Carriage whatsoever, drawn by any Person or Persons, Horse or Horses, Ass or Asses, Mule or Mules, or any Saddle Horse, Ass, or Mule, to ply or expose for Hire within the said Town, or on the Sea Beach or Coast thereof; and for regulating and ordering such Hackney Coaches, Chaises, Sedan Chairs, Flies, Bathing Machines, Carts, Carriages, Horses, Asses, and Mules, and how and in what Manner the Owners, Drivers, and Carriers thereof respectively shall conduct and demean themselves in their several Employments, and within what Hours and Times they may follow and exercise their Calling; and also in what Manner and Order, and how such Hackney Coaches, Chaises, Sedan Chairs, Flies, Bathing Machines, Carts, Carriages, Horses, Asses, and Mules shall be furnished, provided and kept, and numbered, and what Number of Persons may be carried and conveyed in and on such Coaches, Chaises, Flies, Carts, and Carriages, and what Number of Horses or other Beasts are to draw the same; and for ascertaining, fixing, altering, and removing the Stands of such Coaches, Chaises, Chairs, Flies, Bathing Machines, Carts, Carriages, Horses, Asses, and Mules, or any of them from Time to Time, and punishing the Misconduct or Misbehaviour of Hackney Coachmen, Chairmen, and Persons attending such Flies, Bathing Machines, Carts, or Carriages, Horses, Asses, and Mules, and for fixing, ascertaining and defining what Rates and Prices shall be allowed, paid, awarded, or received by such Hackney Coachmen, Chairmen, and the Owners of or Persons attending such Flies, Bathing Machines, Carts, Carriages, Horses, Asses, and Mules, and to what Distances such Hackney Coachmen, Chairmen, and Persons attending such Flies, Carts, Carriages, Horses, Asses, and Mules shall be obliged to drive, go, or come in and about the said Town or the Neighbourhood thereof; and for the Government and Regulation of Persons bathing upon the Coast adjoining to and within

within the said Town or any Part thereof; and to prevent and punish all indecent or improper bathing; and for regulating the Situation of Boats, Boat Houses, Huts, and Sheds that may be placed upon the Sea Beach of the said Town; such Bye Laws, Rules, Orders, or Regulations not being repugnant to the Laws of that Part of the United Kingdom called *England*, or this Act; and the said Commissioners may from Time to Time as they shall think fit, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, and shall ascertain and impose what reasonable pecuniary Penalties and Forfeitures shall be incurred by Persons breaking or avoiding the same or any of them, provided that no such Penalty or Forfeiture shall exceed the Sum of Five Pounds for any Offence; and that all such Fares and Prices, Bye Laws, Rules, Orders, and Regulations, and the Fines and Penalties for the Breach or Non-observance thereof, shall from Time to Time so often as they shall be made, altered, or varied, be printed and put up in the Market of *Worthing*, and in such other Places as the said Commissioners shall for that Purpose appoint, there to be and remain for public Inspection: Provided always, that such Bye Laws, Rules, Orders, and Regulations shall be renewed from Time to Time as often as the same shall be defaced, obliterated, or destroyed, and shall be subject to appeal in Manner herein mentioned.

Penalty on Coachmen, &c. plying without Licence.

CLV. And be it further enacted, That if the Driver of any Hackney Coach or Chaise, Carriage, Cart, or any other Carriage whatever, or the Carrier or Carriers of any such Sedan Chair, or any Person or Persons attending such Flies, Bathing Machines, Carts, Carriages, Horses, Asses, and Mules, shall be found standing or plying for Hire, or using such Coach, Chaise, Carriage, Cart, or other Carriage, Sedan Chair, Flies, Bathing Machines, Carts, Carriages, Horses, Asses, or Mules, in any Part of the Limits before mentioned, without such Licence as aforesaid, or having such Licence shall be plying for Hire contrary to or against such Bye Laws, Rules, or Regulations which shall or may be made as aforesaid, the Owner or Owners of, or the Person or Persons driving or offering to drive such Coach, Chaise, Cart, or Carriage, and Owner or Owners, Carrier or Carriers of such Sedan Chairs, and the Owner or Owners, or Person or Persons attending such Flies, Bathing Machines, Horses, Asses, or Mules so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Manner of granting Licence, and Sums to be paid thereon.

CLVI. And be it further enacted, That every Licence so to be granted as aforesaid for the Persons aforesaid under this Act, shall be signed by Seven of the Commissioners at the least, and every Licence not so signed shall be void; and every Licence so granted and signed shall express the Number to which such Person is licensed, and shall be in force for Twelve Calendar Months from the Day of the Date of such Licence, or until the next General Annual Licensing of such Persons for the Purposes aforesaid, and no longer, and no One Licence shall include more than One Coach or Chaise, or One Chair or Fly, or One Bathing Machine, or One Cart or Carriage, or One Horse, Ass, or Mule, and every such Licence shall be made out by the Clerk of the said

said Commissioners, and be duly entered in a Book to be provided and kept for that Purpose in his Office, with the Name of the Person licensed, and his and her Number and Place of Residence, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Driver, Coachman, or Chairman, or Person attending a Fly or Bathing Machine; and that for each and every such Licence there shall be paid to the Clerk of the said Commissioners for the Time being for the same, the following Sums; (that is to say),

For each Licence for a Hackney Coach or Chaise, the Sum of Five Shillings:

And for each Licence for a Sedan Chair or Fly, the Sum of Five Shillings:

And for each Licence for a Bathing Machine, Cart, or Carriage, the Sum of Two Shillings and Sixpence:

And for each Licence of a Horse, Ass, or Mule, the Sum of Two Shillings and Sixpence:

And every Owner of such Coach, Chaise, Chair, Fly, or Bathing Machine, shall affix and keep such Figure or Number as shall be respectively appointed by the said Commissioners on some conspicuous Part of such Coach, Chaise, Chair, Fly, Bathing Machine, Cart, or Carriage, and shall for every Refusal or Neglect so to do forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Persons not paying Hackney Coachmen, &c. their Fare.

CLVII. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay, on Demand, to any licensed Hackney Coachman or Hackney Coachmen, Sedan Chairman or Sedan Chairmen, or Person or Persons attending such Fly, Bathing Machine, Cart, Carriage, Horse, Ass, or Mule, the Money justly due to him, her, or them for the Fare, Hire, or Service thereof, or shall wilfully cut, deface, break, or injure any such licensed Coach or Chaise, or the Horse or Horses, Ass or Asses, Mule or Mules, or the Harness of the same, or any licensed Chair, Fly, Bathing Machine, Cart, or Carriage, it shall and may be lawful to and for any One or more Justice or Justices of the Peace for the said County of *Sussex*, upon any Complaint thereof made to him or them, to grant his or their Summons against the Person or Persons complained of, to appear before him or them at some Time and Place to be mentioned in such Summons, to answer the Matter of the said Complaint, and on Proof on Oath of the Service thereof, to proceed in and to hear the Matter of the said Complaint on Oath, whether the Person summoned appears or not, and to make such Order therein as to such Justice or Justices shall appear to be just; and if the Person or Persons against whom such Order shall be made do not immediately pay or cause to be paid the Money (if any) which shall be ordered as a Satisfaction to the Person or Persons for Service or Injury done, it shall be lawful for such Justice or Justices, and he and they is and are hereby required to grant his, her, or their Warrant of Distress against the Goods and Chattels of the Person or Persons so refusing or declining to pay, to be taken in any Place wheresoever found, and the same to sell and dispose of, and out of the Monies arising by or from such Sale to pay the Money so awarded to the Person or Persons to whom

it shall be due, with such Costs as such Justice or Justices shall think reasonable, returning the Overplus (if any) to the Owner of the Goods and Chattels so distrained; and if no Distress can be found then to commit the Person or Persons against whom such Order shall be made to the Common Gaol of the said County for any Time not exceeding Fourteen Days, there to remain without Bail or Mainprize, unless the Money be sooner paid.

Contracts, &c. made under the former Act to be valid.

CLVIII. And be it further enacted, That all Securities, Grants, Conveyances, Leases, Contracts, or Agreements made or granted by the said Commissioners acting under the said recited Acts, or either of them, or by any Person or Persons, Body or Bodies Politic or Corporate, or any others whomsoever to the said Commissioners, or by or to any Officer or Officers acting under the Authority of the said Act, shall be as valid and effectual to all Intents and Purposes whatsoever, according to the Tenor thereof, as if the same had been made or granted by or under the Authority of this Act; any thing herein contained to the contrary thereof in anywise notwithstanding.

For Recovery of Penalties and Forfeitures.

CLIX. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed, the Manner of levying and recovering whereof is not herein otherwise directed, and the Penalties and Forfeitures to be incurred by the Non-performance or Non-observance of the several Rules, Orders, Regulations, or Bye-Laws authorized to be made by this Act, shall, upon Proof of the Offences respectively, before any Justice of the Peace for the said County of *Sussex*, or the County wherein the Offender shall be or reside, either by the Confession of the Party offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant;) and the Overplus (if any) after such Penalties, Forfeitures and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand, unto the Owner or Owners of such Goods and Chattels, and the Monies arising by such Penalties, Forfeitures, 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 of the said Commissioners, and applied for the Purposes of this Act; and in case such Penalties and Forfeitures shall not be paid forthwith upon Conviction, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give a sufficient Security, to the Satisfaction of such Justice, for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Fourteen Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice of the Peace, and he

he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said County, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid or satisfied.

Commissioners may reward Informers.

CLX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to reward any Informer or Informers as they shall think proper, so as such Reward does not exceed One Half of the Penalty or Forfeiture proved by the Information of such Informer or Informers to have been incurred; any thing herein contained to the contrary notwithstanding.

Proceedings to be within Six Months.

CLXI. And be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, unless some Proceeding or Notice of some intended Proceeding shall be had or given according to the Directions of this Act, respecting such Offence or Offences within Six Calendar Months next after such Offence committed.

Inhabitant to be a competent Witness in all Actions.

CLXII. And it is hereby further enacted, That in all Actions, Prosecutions, Informations, and Causes of Proceedings whatsoever relating to or concerning the Execution of this Act, or of any Order, Rule, or Bye Law made in pursuance hereof, no Inhabitant of the said Town, nor the said Treasurer, nor any other Officer of the said Commissioners, shall be deemed to be an incompetent Witness by reason of his or her paying or being liable to pay any Rates or Duties imposed by virtue of this Act or any Part thereof, or by reason of being such Treasurer or Officer as aforesaid.

For compelling the Attendance of Witnesses.

CLXIII. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before the Commissioners, or any Justice or Justices of the Peace in and for the said County of *Sussex*, touching any Matter or Fact contained in any Information or Complaint for any Offence against this Act, or against any Rule, Order, Regulation, or Bye Law made in pursuance thereof, whether on the Part of the Prosecutors, or of the Person or Persons complained of, and which Summonses the Commissioners and such Justices as aforesaid are hereby authorized to issue where and in such Cases only as such Commissioners or such Justice or Justices of the said County (as the Case may be) are made competent by this Act to hear and determine the same; or if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence at any General Quarter Sessions of the Peace for the said County of *Sussex*, or Adjournment thereof, upon any Appeal by virtue of this Act as herein-after is mentioned, whether upon the Part of the Appellant, or of the Respondent, and any such Person or Persons so summoned as aforesaid, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved of by such Justice

Justice or Justices, Commissioners, or other Person or Persons hereby authorized to receive such Evidence, or appearing shall, after having been paid or tendered his reasonable Costs, Charges, or Expences, refuse to be examined on Oath, and to give Evidence before such Justice or Justices of the Peace or Commissioners aforesaid, or at any such Sessions or Adjournment thereof, then and in either of the said Cases every such Person shall forfeit for every such Offence any Sum not exceeding Ten Pounds.

Form of Conviction.

CLXIV. And for the more easy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or against any Rule, Order, Regulation, or Bye-Law, and over which such Justice or Justices has or have Cognizance, shall and may cause the Conviction to be drawn up in the Form of Words, or to the Effect following; (*videlicet*),

County of } ‘BE it remembered, That on the Day of
to wit. } ‘in the Year of the Reign of His Majesty
‘One thousand eight hundred and is [*or*
‘are] convicted before me [*or* us, *as the Case shall be*] One [*or* Two,
‘*as the Case shall be*] of His Majesty's Justices of the Peace for the
‘said County of by virtue of an Act of Parliament
‘passed in the Second Year of the Reign of His Majesty King
‘*George* the Fourth, intituled [*here insert the Title of this Act*] of
‘[*specifying the Offence and the Time and Place when*
‘*and where the same was committed, as the Case may be*] contrary to
‘the said Act, [*or*, contrary to a certain Bye-Law] made on the
‘Day of One thousand eight hundred and
‘pursuant to the said Act, for which Offence I [*or* we,
‘*as the Case may be*] adjudge the said to have
‘forfeited the Sum of [*but if mitigated*] which I
‘[*or* We, *as the Case shall be*] mitigate to the Sum of
‘Given under my Hand and Seal [*or*, our Hands and Seals, *as the*
‘*Case shall be*] the Day and Year first above written.’

Distress not to be deemed unlawful for Want of Form.

CLXV. And be it further enacted, That when 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 of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall be afterwards done or 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 Damage in an Action upon the Case, but no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity or other Proceeding, unless Notice in Writing shall be given to the Clerk for the Time being to the said Commissioners, Ten Days before such Action shall be brought or commenced, of such intended Action for such Irregularity, by the Attorney for the Plaintiff, specifying the Cause of Action, nor shall the Plaintiff or

Plaintiffs

Plaintiffs recover in such Action if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or cause to have been committed any such Irregularity or wrongful Proceeding before such Action brought, and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into such Court such Sum of Money, as he or they shall see fit, whereupon such Proceedings, or Orders and Judgments shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings not to be quashed for Want of Form, nor removed by Certiorari.

CLXVI. And be it further enacted, That no Proceedings to be had and taken in pursuance of this Act shall be void, 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, any Law or Statute to the contrary notwithstanding.

Persons aggrieved may appeal to the Sessions.

CLXVII. And be it further enacted, That if any Person or Persons whomsoever shall think himself, herself, or themselves aggrieved by any Rate or Assessment to be made, or by any Order or Judgment made or given, or by reason of any of the Bye Laws, Rules, Orders, and Regulations of the said Commissioners by this Act authorized to be made, or any other Thing done in pursuance of this Act, such Person or Persons shall and may within Six Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be holden in and for the Western Division of the said County of *Sussex*, such Appellant first giving or causing to be given Ten Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Cause thereof, to the Clerk for the Time being to the said Commissioners, and to the Person or Persons who is or are intended to be, or may be affected by such Appeal, and within Five Days after such Notice given entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, in the Penalty of Twenty Pounds, conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by the said Justices at such Quarter Sessions, upon the Hearing of such Appeal; and the said Justices, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and shall award such Costs to the Appellant or Appellants, Respondent or Respondents, or Person or Persons appealed against, as the said Justices shall think proper; and the Determination of the said Justices at such Sessions, shall be final, binding, and conclusive, to all Intents and Purposes.

Justices may amend Rates.

CLXVIII. Provided always, and be it further enacted, That upon all Appeals from any of the Rates or Assessments to be made or imposed by the Authority of this Act, the Justices of the Peace (where they shall see just Cause of Relief) shall and are hereby empowered to amend the said Rates or Assessments, in such Manner only as shall be necessary for giving Relief to the Person or Persons so appealing, without

without altering such Rates or Assessments with respect to any other Person or Persons mentioned in the same.

Limitation of Actions.

CLXIX. And be it further enacted, That no Action, Suit, or Information, shall be commenced against any Person or Persons for any thing done or to be done in pursuance of this Act, or of the Orders and Directions herein-before given and granted, or in Execution of the Powers and Authorities hereof, until Fourteen Days Notice thereof shall be first given in Writing to the Person or Persons against whom such Action is intended to be brought, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, and the Time when such Action or Suit will be commenced, or at any Time whatsoever after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed, for which such Action or Actions, Suit or Suits, shall be so brought; and in case there shall be a Continuation of Damages, then not after Six Calendar Months next after the doing or committing such Damage shall cease, and not otherwise; and all such Action and Actions shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not in any other County or Place, and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if such Action or Suit shall be brought before Fourteen Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time herein-before for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Actions or Judgment after the Defendant or Defendants shall have appeared thereto, or if the Judgment shall be given for the Defendant or Defendants therein, 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 recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs in any other Cases by Law.

Saving.

CLXX. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Lords of the Manors of *Broadwater* and *Worthing* in the said County of *Sussex*, their Heirs and Assigns, their respective Rights, Privileges, and Franchises, in such and the same Manner as if this Act had not been passed.

Expence of the Act.

CLXXI. And be it further enacted, That out of the first Monies that shall be raised by virtue of this Act, the said Commissioners shall pay

pay and discharge all Costs, Charges, and Expences incident to and incurred in applying for, procuring, and passing this Act.

Public Act. CLXXII. 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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