



ANNÒ SEXTO

# GEORGII IV. REGIS.

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## Cap. cxxxv.

An Act to amend an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to establish a Market for the Sale of Butchers Meat and other Articles, and to repair and amend certain Roads in the Town or Tything of Bognor, in the County of Sussex*; and for making a Road along the Sea Coast, and for otherwise improving the said Town or Tything. [10th June 1825.]

**W**HEREAS an Act was passed in the Third Year of the Reign of His present Majesty King *George the Fourth*, intituled *An Act to establish a Market for the Sale of Butchers Meat and other Articles, and to repair and amend certain Roads in the Town or Tything of Bognor, in the County of Sussex*: And whereas the Commissioners for executing the said Act have borrowed and raised on the Credit of the Duty on Coals, Culm, and Coke, imposed by the said Act, several Sums of Money, making together the Sum of Five hundred and eight Pounds Two Shillings, in order to pay off and discharge such Portion of the Costs, Charges, and Expenses incurred in and about the applying for and obtaining the said Act, as was charged on the said Duty; but no Part of the said Duty, nor any Part of the Monies to be raised on the Credit thereof, can, under or by virtue of the said Act, be applied in the Improvement of the said Town until the whole of the said Portion of the

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said Costs and Expenses are fully discharged; and from the small Amount of the said Duty it may be many Years before the same will be sufficient to pay off and discharge the said Costs, Charges, and Expenses, or to render the same Duty available towards the Improvement of the said Town; wherefore, and for other the Purposes of this Act, it is necessary that the said Duty should be increased: And whereas it would be a great Benefit to the Inhabitants and Visitors resorting to the said Town, if Power were given for making a Road to commence at or near *Felpham*, to proceed from thence along the Line of the Sea Coast in the Front of the said Town, and from thence to *Aldwick* in the Parish of *Pagham*, and for increasing the Revenue of the said Town by the Increase of the said Duty on Coals, Culm, and Coke, and by imposing a Duty on Ashes or Cinders, and Timber, and for raising Money by other Means for the Purposes aforesaid, and for enlarging the Powers and Provisions of the said recited Act for the Improvement of the said Town, and for establishing a more effective Police therein; but the same cannot be effected without the Aid and 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 the Right Honourable *Arthur Saunders*, Earl of *Arran* in *Ireland*, The Honourable *William Frazer*, Sir *Jahleel Brenton* Baronet, Sir *Simon Clarke* Baronet, Sir *John Edward Harington* Baronet, Sir *Thomas Brooke Pechell* Baronet, *John Brenton*, *Edward Pelham Brenton*, *George Isaac Call*, *Richard Clark*, *John Camac*, *Nicholas Cundy*, *Richard Dally*, *John Thomas Dennett*, *Edward Eedle Clerk*, *William Blannerhassett Fairman*, *John Elliott Fox*, *John Price Gruggen*, *Richard Hasler*, *Richard Hasler* the younger, *William Hardwick*, *William Hanbury Jones*, *John Key*, *Charles Burt Robinson*, *Henry Raikes Clerk*, *Thomas Rusbridger*, *Edward Stewart*, *Frederick Temple*, *George Webb*, *Charles Edward Wilsonn*, *James Woodman*, *Daniel Wonham*, and *Richard Wonham*, and their Successors, being duly qualified according to the Directions of the said recited Act, shall be, and they are hereby appointed the Commissioners for putting the said recited Act and this Act into execution.

Commis-  
sioners ap-  
pointed.

Powers of  
the recited  
Act extended  
to this Act.

II. And be it further enacted, That the said recited Act, passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed), shall respectively be as good, valid, and effectual for carrying this Act into execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Limits of the  
Town to be  
co-extensive  
with the  
Tything.

III. And be it further enacted, That for the Purposes of this Act, the said Town of *Bognor* shall be deemed and taken to be co-extensive with the Tything of *Bognor*; provided nevertheless, the said Town shall continue to be Part of the Parish of *South Bersted*, 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 passing of this Act.

IV. And



IV. And be it further enacted, That the Expenses of hiring a Room for the said Commissioners, and their Officers and Servants to hold their Meetings in, shall be defrayed out of the Monies to be raised by virtue of this Act and the said recited Act.

Expense of Room for the Meeting of the Commissioners.

V. And be it further enacted, That no Person or Persons whomsoever, except such Crier or Criers already appointed or to be appointed by the said Commissioners, shall at any Time act as a Crier in the said Town of *Bognor*, upon pain of forfeiting for every such Offence a Sum not exceeding Ten Shillings for every Time any such Person shall act as a Crier.

No Person to act as a Town-crier unless appointed by Commissioners.

VI. 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 or the said recited Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this or the said recited Act; or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this or the said recited Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or being the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this or the said recited Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending 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 together with full Costs of Suits in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

Treasurer and Clerk not to be the same Person.

VII. And be it further enacted, That it shall be lawful for the said Commissioners, at any Meeting to be held under this Act, to nominate and elect, yearly and every Year, some one or more competent Person or Persons, being an Inhabitant of the said Town, to be a Constable or Constables, Headborough or Headboroughs, of the said Town; and the Clerk to the said Commissioners shall, immediately after such Election, sign a Certificate of such Person or Persons having been so elected, and shall deliver, or cause the same to be delivered, to such Person or Persons as shall be so elected, or left at his or their Place or Places of Abode within the said Town; and the Person or Persons so elected Constable or Constables, Headborough or Headboroughs, shall, at the next General Quarter Sessions of the Peace to be held in and for the Western Division of the said County of *Sussex*, or any Adjournment thereof, or at any Petty

Commissioners may nominate a Constable for the said Town.



Not to take away the Right of the Lord of the Hundred Court in appointing a Tythingman.

Petty Sessions of the said Justices, deliver in the said Certificate or Certificates, and present himself or themselves to be sworn in as Constables or Peace Officers are usually sworn, and the said Justices are hereby empowered and required to swear in such Constable or Constables, Headborough or Headboroughs accordingly; and the Person or Persons so appointed Constable or Constables, Headborough or Headboroughs, after being so sworn, shall have all such Powers, Privileges, Protections, and Advantages, as are possessed or enjoyed by any Peace Officer duly appointed by any Law or Statute now in being: Provided always, 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 Court Leet of the Hundred of *Aldwick* now has to appoint a Tythingman of the Tything of *Bognor* aforesaid, at the Court Leet to be holden by him in and for the said Manor.

Power to make a Road near the Sea-shore at Bognor.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to set out and make a Road for the Use and Accommodation of the Public along and near to or adjoining the Sea-shore at *Bognor* aforesaid, to commence at or near *Felpham* aforesaid, to proceed from thence along the Line of the Sea-coast in the Front of the said Town, and from thence to *Aldwick* in the Parish of *Pagham*, or along and upon such Part of the same as the said Commissioners shall think proper and expedient, with such Branch or Branches from the said Road into and to communicate with any other Road or Roads in the said Town of *Bognor*, or the Vicinity thereof, and to fence off the same with Posts and Rails, or otherwise, from the adjoining Grounds, and also from Time to Time, and at all Times thereafter, when and as Occasion shall be and require, well and sufficiently to amend, maintain, and keep the said Road or Roads in such Repair as to them the said Commissioners shall seem expedient and proper.

Commissioners shall contract with Persons interested in Lands before making the Road.

IX. Provided always, and be it further enacted, That the said Commissioners, before they proceed to make the said Road or Roads, shall contract and agree with the Person or Persons in possession of or interested in the Lands, Tenements, or Hereditaments mentioned and specified in the Schedule to this Act annexed, through, over, and upon which it may be necessary or expedient to carry the said Road or Roads, for the Sale and Conveyance of their respective Rights and Interests in the Premises; and such Person or Persons shall or may lawfully sell and convey the same, by Writing under their Hands and Seals, to the said Commissioners, or to such Person or Persons, and their Heirs for ever, as the said Commissioners shall direct, in trust for them the said Commissioners for the Purposes of this Act; which Contracts, Conveyances, and Assurances shall be good, valid, and effectual, without any Fine, Recovery, or other Assurance; any Law, Statute, or Usage to the contrary notwithstanding: Provided always, that if the said Commissioners shall not, within the Space of Five Years, to be computed from the passing of this Act, agree for, or cause to be valued and paid for, as herein-after mentioned, the several Lands, Tenements, and Hereditaments which they are hereby empowered to purchase as aforesaid, or so much thereof as they shall deem necessary or proper for the Purposes of this Act,



Act, then and from thenceforth the Powers and Authorities hereby granted to them for such Purpose shall cease, determine, and be utterly void (save and except with the Consent in Writing of the Owners and Occupiers thereof respectively).

X. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees and Feoffees in Trust for Charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts or Wards, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons whomsoever, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or any other Interest therein, and for all and every other Persons or Person whomsoever, who are, is, or shall be seised or possessed of or interested in any Lands, Tenements, or Hereditaments authorized to be taken or used, which by the said Commissioners shall be thought proper to be purchased for the Purposes of this Act, to contract for, sell, and convey the same, and every or any Part thereof, to the said Commissioners; and all Contracts, Agreements, Bargains, Sales, Conveyances, and Assurances, Acts and Deeds, which shall be made by such Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or other Person or Persons as aforesaid, shall be valid and effectual in the Law to all Intents and Purposes whatsoever; and all Bodies Politic, Corporate, and Collegiate, and all Persons whosoever so contracting or conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she, or they, or any of them, shall respectively make by virtue or in pursuance of this Act.

Bodies Politic, &c. Trustees, and other Persons empowered to sell and convey.

XI. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation Aggregate or Sole, Tenant in Tail or for Life, Husband, Guardian, Trustee, or Feoffee in Trust for charitable or other Purposes, Committees, Executors, and Administrators, or other Person or Persons whomsoever interested in any Lands, Tenements, or Hereditaments which the said Commissioners are enabled by this Act to purchase or treat for, shall refuse to treat, contract, or agree as aforesaid or by reason of Absence or otherwise shall be prevented from treating, contracting, or 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 Interest in, to, or upon the same, or any Part thereof, unto the said Commissioners, or to such Person or Persons as they shall nominate for the Purpose, and according to the Tenor, true Intent, and Meaning of this Act, or shall not or cannot produce or make out a clear Title to the Premises they are in the Possession of, or to the Interest they claim therein, to the Satisfaction of the said Commissioners, or if any Dispute or Difference shall arise touching such Purchase or Purchases, then and in every such Case the said Commissioners are hereby empowered and authorized, before any General or

In case of Refusal or Inability to treat, Value to be settled by a Jury.

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Quarter

Quarter Sessions of the Peace to be holden for the said County of *Sussex*, or any Adjournment of such General or Quarter Sessions respectively, to give or cause to be given to such Owner or Owners, or the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or to leave or cause to be left at the House of the Tenant in Possession, Ten Days Notice in Writing, denoting and particularly describing the Lands, Tenements, or other Hereditaments intended to be purchased, and purporting that the Value thereof shall be adjusted and settled by a Jury at the said respective Sessions or Adjournment thereof; and the Justices at the said Sessions respectively, or any Adjournment thereof upon Proof to them made of such Notice having been given or left, are hereby authorized and required to charge the Grand Jury at such Sessions assembled or the Jury to try Prisoners at such Sessions well and truly upon their Oaths to assess the Value of the said Lands, Tenements, or other Hereditaments comprised in the Notices so given, and the Damages and Recompence to be awarded or given for the same to the respective Owner or Owners thereof, according to their respective Interests therein; and to which said Jury the said Commissioners, and all Persons interested in the said Lands, Tenements, or other Hereditaments shall have their lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quality, or Value of the Lands, Tenements, or other Hereditaments, so to be sold or conveyed as aforesaid, shall, by their Verdict, assess the Damages and Recompence to be given for the same to the respective Owner or Owners, Occupier or Occupiers thereof, according to their respective Interest therein; and such 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 Person and Persons interested in the said Lands, Tenements, and other Hereditaments; and such Verdict, and the Judgment of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions for the said County, and the same or true Copies thereof shall be taken to be good and effectual 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 Eightpence for every Seventy-two Words, and so in proportion for any greater or less Number of Words: Provided always, that in case the Sum or Sums so assessed by the said Jury, and ordered and adjudged to be paid by the said Commissioners, as a Satisfaction to the Owners, Occupiers, or others for their respective Interests in the said Premises, shall not be paid, tendered, left, or deposited according to the true Intent and Meaning of this Act, within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury shall not be binding upon the said Parties, anything herein contained to the contrary thereof in anywise notwithstanding.

The Verdict of the Jury not to be binding unless the Money be paid within Three Calendar Months.

By whom Expences of Juries to be paid.

XII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered by or on behalf of the said Commissioners, as a Price, Recompence, or Satisfaction for any such Lands, Tenements, or other Hereditaments as aforesaid, or for any Estate, Right, or Interest therein, all



all the Costs and Expenses to be incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Commissioners out of the Monies to be raised by virtue of this Act; and in case such Costs and Expenses shall not be paid to the Party or Person entitled to receive the same within Fourteen Days after the Time appointed for Payment thereof, then the same shall and may be levied and recovered by Distress and Sale of any Goods and Chattels vested in the said Commissioners or their Treasurer, (unless the Treasurer of the said Commissioners shall pay such Costs and Expenses out of any Monies received by him by virtue of this Act and the said recited Act, which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Sussex*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expenses; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on the behalf of the said Commissioners, as such Price, Recompence, or Satisfaction as aforesaid, all the Costs and Expenses to be incurred as aforesaid shall be borne by the Party or Parties refusing or neglecting to treat and agree as before mentioned, or with whom the said Commissioners shall have had any Disagreement or Dispute concerning such Price, Recompence, or Satisfaction as aforesaid; but in all Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Commissioners, the Costs and Expenses so incurred shall be borne by the said Commissioners in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of such Costs and Expenses, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Sussex* not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had such Disagreement or Dispute with the said Commissioners as aforesaid, the Amount thereof, having been first paid by the said Commissioners, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken, to all Intents and Purposes whatsoever, to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Commissioners from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record, together with full Costs of Suit.

XIII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Commissioners, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any Lands, Tenements, Lands, &c.  
(except those  
in Schedule)  
not to be  
taken with-  
out Consent.



or other Hereditaments, without the Consent in Writing of the Owners or Occupiers thereof, and Persons interested therein respectively, other than and except those specified in the Schedule annexed to this Act.

Misnomer  
not to retard  
the Execu-  
tion of the  
Act.

XIV. Provided always, and be it further enacted, That if any of the Lands, Tenements, or Hereditaments mentioned and described in the Schedule hereunto annexed, or any of the Owners thereof, or of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or any Person or Persons otherwise interested therein, shall happen by Mistake to be misnamed or incorrectly described, such Misnomer or incorrect Description shall not prevent or retard the Execution of this Act, but the same Premises, and every Part thereof, shall and may be purchased, sold, assessed, and valued in manner as in this Act mentioned, and afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly named and described in the said Schedule hereunto annexed; provided it shall appear to any Two Justices of the Peace for the County wherein such Lands, Tenements, or Hereditaments shall be situate, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners or Occupiers of such Lands, Tenements, or Hereditaments had Notice that the same respectively would be wanted for the Purposes of this Act.

Conveyances  
to be drawn  
in the fol-  
lowing

XV. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said Commissioners respectively, shall be in the Form or to the Effect following; (that is to say,)

Form.

‘ I of in consideration of the Sum  
‘ of to me paid by the Commissioners for executing  
‘ Two several Acts, one passed in the Third Year of the Reign of His  
‘ Majesty King George the Fourth, intituled [*here insert the Title of the*  
‘ *said recited Act*], and the other passed in the Sixth Year of the Reign  
‘ of His said Majesty King George the Fourth intituled [*here set forth*  
‘ *the Title of this Act*], do hereby grant and convey to the said Commis-  
‘ sioners and their Successors all [*here describe the Premises to be con-*  
‘ *veyed*], and all my Right, Title, and Interest in and to the same, and  
‘ every Part thereof; to hold to the said Commissioners and their Suc-  
‘ cessors for ever. In witness whereof I have hereto set my Hand and  
‘ Seal this Day of in the Year of our  
‘ Lord

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary notwithstanding.

Provision for  
Payment of  
Purchase  
Money.

XVI. And be it further enacted, That every Sum of Money to be agreed for or awarded or assessed as aforesaid shall, within Three Calendar Months after the same shall have been so agreed for, awarded, or assessed, be paid out of the Monies to be received by virtue of this Act; and upon Payment or Tender thereof to the Party or Persons respectively



respectively entitled to such Monies, or their Agents, or depositing the same in the Bank of *England* (as the Case may be) in manner by this Act directed and required, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively to whose Credit or Use the same shall have been paid, in, to, and out of such Lands, Tenements, or other Hereditaments, shall vest in the said Commissioners in Trust for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments shall have been made as aforesaid, but also extend to and be deemed and construed to bar the Dower of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

XVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used by virtue of the Powers of the said recited Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as herein-before is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid in the Bank of *England*, in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there, *ex parte* the Commissioners for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may 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 Houses, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Houses, Buildings, Lands, Tenements, or Hereditaments, or affecting other Houses, Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under and with the like Direction and Approbation of the said

Application of Compensation Money, if amounting to 200*l.*

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Court, in the Purchase of other Lands, Tenements, or Hereditaments which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Houses, Buildings, Lands, Tenements, and 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 the Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, 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, or in Government or Real Securities; and in the meantime, and until such Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made; any thing contained in the said recited Act to the contrary thereof in anywise notwithstanding.

When less than 200*l.* and exceeding 20*l.*

XVIII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of the said recited Act and this Act, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed 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 Houses, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same may be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Commissioners for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in the Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer; any thing contained in the said recited Act to the contrary thereof in anywise notwithstanding.

When not more than 20*l.*

XIX. And be it further enacted, That when such Money so agreed or awarded to be paid as aforesaid shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or



or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes of the said recited Act and this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, 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; anything contained in the said recited Act to the contrary thereof in anywise notwithstanding.

XX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Act or this Act, or of any Estate or Interest therein, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or in case such Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Houses, Buildings, Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Parties interested in the said Houses, Buildings, Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, and Disposition of the said Court of Exchequer; 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, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein 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; anything contained in the said recited Act to the contrary thereof in anywise notwithstanding.

In case of not making out Titles, &c., Purchase Money to be paid into the Bank.

XXI. 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 said Court of Exchequer, in pursuance of the said recited Act or this Act, for the Purchase of any Houses, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Houses, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Act or this Act, or to any Bank Annuities, or Government

Respecting disputed Titles to Money.



Government or Real Securities, to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, or Government or Real Securities, the Person or Persons who shall have been in possession of such Houses, Buildings, 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 Houses, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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 Houses, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein; anything contained in the said recited Act to the contrary thereof in anywise notwithstanding.

The Court may order reasonable Expenses of Purchases to be paid by the Commissioners.

XXII. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein, to be purchased or taken under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of the said recited Act or this Act, it shall be lawful for the said Court to order the Expenses of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expenses 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, out of the Monies to be raised by virtue of this Act, pay such Sums of Money for such Purposes as the said Court shall direct; anything contained in the said recited Act to the contrary thereof in anywise notwithstanding.

Road, &c. vested in Commissioners.

XXIII. And be it further enacted, That the said Road, and every Branch or Branches thereof, which shall be set out, purchased, and made, and the Improvements and Reparations thereof, and all Materials, Implements, and Things, of what Nature or Kind soever, which shall be made use of, or which shall or may be purchased, or gotten, or intended to be used by virtue of or for the Purposes of this Act, and of and in all the Cesspools, Bunnies, Watercourses, Sewers, and Drains, which shall be made by the same Commissioners, in pursuance of this Act, shall belong to, and the same are hereby vested in the said Commissioners.

Commissioners may make Sewers, Drains, &c.

XXIV. 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, and across, as well any of the public Streets, Lanes, Ways, Passages, and Places within the said Town of *Bognor*, as in, along, and across any other



other Road or Way which, with the Consent and Approbation of the Owner or Owners thereof, hath been already vested in the Commissioners appointed by the said recited Act, or which shall hereafter be so vested in the said Commissioners by virtue of this Act, to be enlarged, widened, raised, altered, removed, repaired, cleansed, or scoured, when and so 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, Ditches, 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, or filling up or removing Ditches in the said Town, they the said Commissioners first paying or tendering to the several Persons interested in such Ground so to be purchased such Monies as shall be agreed upon between them and the said Commissioners for the same; and all Costs, Charges, and Expenses, 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 Duties to be raised by virtue of this Act.

XXV. And be it further enacted, That all private Drains which now are or which shall hereafter be made within the said Town of *Bognor*, and which do or shall run into any of the public Sewers, Drains, or Vaults in the said Town, shall be repaired and cleansed under the Inspection and Direction of the Surveyor or other proper Officer to be appointed by the said Commissioners, at the Costs and Charges of the Owner or Owners or Occupier or Occupiers of the Lands or Tenements to which the said private Drains shall respectively belong; but the said 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 Twenty-four Hours Notice.

Private  
Drains to be  
cleansed.

XXVI. 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 under the Hands of the said Commissioners for that Purpose, may and are hereby empowered to cut, dig, take, or 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, or in the adjoining Parishes of *South Bersted*, *Felpham*, and *Pagham*, such Surveyors or other Persons filling up the Pits or Quarries, and levelling the Ground and 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

Power to get  
Materials  
from Waste  
Lands.



dangerous to Passengers or Cattle, and so that the Lands adjoining to such Sea-beach may not be injured.

Repealing  
Provision in  
former Act  
laying a Duty  
on Coals.

XXVII. And whereas, in and by the said recited Act of the Third Year of the Reign of His present Majesty, after reciting that in order to raise Money towards defraying the Portion of the Costs and Expenses incurred in or about the applying for and obtaining that Act, and charged on the Duties next therein-after mentioned, and the Interest which might become payable thereon, and to defray the Expenses of keeping all the said Roads and Ways so vested in the said Commissioners in good and sufficient Repair, and to enable the said Commissioners to widen, improve, and amend the same from Time to Time, and to make such other Improvements in the said Town or Tything, for the Use and Accommodation of the Public, as they should think proper and necessary, it is enacted, that from and immediately after the Second *Monday* next after the passing of that Act, there should be paid to the said Commissioners, or to their Collector or Treasurer, or to such Person or Persons as they should from Time to Time appoint to collect and receive the same, any Rate or Duty the said Commissioners should think fit, not exceeding the Rate and Duty following, (that is to say,) for every Chaldron or Ton of Sea Coal, Culm, or Coke, which shall or may be imported or landed in the said Town or Tything, or any Part thereof, any Rate or Duty the said Commissioners shall think fit, not exceeding the Sum of One Shilling, and so in proportion for any less Quantity than a Chaldron; which said Rate and Duty should be vested in the said Commissioners, and should be paid in addition to all other Duties and Impositions payable in respect of the said several Matters or Things by any Law or Statute then in force; and it was by the same Act provided, that nothing in that Act contained should extend or be construed to extend to charge with any of the said Rates or Duties any Sea Coal, Culm, or Coke carried from *Chichester* to *Bognor*: And whereas it is expedient that so much of the said recited Act should be repealed; be it therefore further enacted, That the same shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Repealing  
former  
Drawback  
of Duty on  
Coals con-  
sumed out of  
the Town.

XXVIII. And whereas, in and by the said recited Act it is provided and enacted, that in every Case where any Coal, Culm, or Coke should have been landed or unloaded within the said Town or Tything, and for which the Rate or Duty thereby imposed should have been paid, and which should have been 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 or Tything, then and in every such Case the Collector or Treasurer to be appointed by that Act was thereby directed and required to return and pay on Demand to the Owner or Owners, or other Person or Persons on his, her, or their Behalf, a Drawback of the whole Rate or Duty paid for every Chaldron of Coals, Culm, or Coke so landed or unloaded, and which should have been forwarded to any other Place for Sale or Consumption; and in case the said Collector or Treasurer should refuse or neglect to return and pay on Demand such Drawback as aforesaid, such Collector or Treasurer should for every such Offence forfeit and pay any Sum not exceeding Five Pounds over and above the Amount  
of



of the Rate or Duty paid to him for such Coals, Culm, or Coke: And whereas it is expedient that so much of the said recited Act should be repealed; be it therefore further enacted, That the same shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

XXIX. And whereas, in order to raise a sufficient Sum for effecting the Purposes of this and the said recited Act, it is expedient that a new Duty on Coals, Culm, and Coke, and a Duty on Ashes or Cinders, and Timber imported, landed, and brought into the said Town and consumed therein, should be imposed; be it therefore further enacted, That from and immediately after the passing of this Act, there shall be paid to the said Commissioners, or to their Treasurer or 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 the said Commissioners shall think fit, not exceeding the Rate and Duty following; (that is to say),

New Duty  
on Coals.

For every Chaldron or Ton of Sea Coal, Culm, or Coke, which shall or may be imported, landed, or brought in the said Town, Tything, or any Part thereof, any Rate or Duty the said Commissioners shall think fit, not exceeding the Sum of Two Shillings, and so in proportion for any less Quantity than a Ton:

For every Chaldron, of Thirty-six Bushels to the Chaldron, of Ashes or Cinders imported or landed in the said Town, or any Part thereof, any Rate or Duty the said Commissioners shall think fit, not exceeding One Shilling; and so in proportion for any Quantity less than a Chaldron: And

For every Load, or every Fifty cubic Feet of Timber imported into or landed in the said Town, or any Part thereof, any Rate or Duty the said Commissioners shall think fit, not exceeding One Shilling and Sixpence; and so in proportion for any less Quantity than a Load.

Which said Rate and Duty shall be vested in the said Commissioners, and shall be paid in addition to all other Duties and Impositions payable in respect of the said several Matters or Things by any Law or Statute now in force.

XXX. Provided always, and be it further enacted, That in every Case where any Coals, Culm, or Coke, Ashes or Cinders, and Timber, shall have been landed or unloaded within the Limits of this Act, and for which the Rate or Duty hereby imposed shall have been paid, and which shall have been landed or unloaded for the Purpose of being forwarded to any other Place or Places, and not to be consumed within the said Limits, then and in every such Case the Collector or Treasurer to be appointed by virtue of this Act is hereby directed and required to return and pay on Demand to the Owner or Owners, or other Person or Persons on his, her, or their Behalf, a Drawback of the whole Rate or Duty paid for every Chaldron or Ton of Coals, Culm, and Coke; and for every Chaldron, of Thirty-six Bushels, of Ashes or Cinders; and for every Load or every Fifty

Drawback  
of Duty on  
Coals, &c.  
consumed  
out of the  
Town.



Fifty cubic Feet of Timber so landed or unloaded, and which shall have been forwarded to any other Place for Sale or Consumption.

Treasurer compelled to return the Drawback.

XXXI. And be it further enacted, That if the said Collector or 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 legally entitled to the same, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Fifty Shillings.

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

XXXII. And be it further enacted, That if any Person or Persons shall, after any Allowance or Drawback shall have been made or paid by virtue of this Act for the Coals, Culm, and Coke, Ashes or Cinders, and Timber, put on board or loaded as aforesaid, bring back, re-land, unload, or deliver the said Coals, Culm, and Coke, Ashes or Cinders, and Timber, 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, and Coke, Ashes or Cinders, and Timber, as shall be brought back, re-landed, unloaded, or delivered as aforesaid; and also forfeit and pay the Sum of Five Shillings for every Chaldron or Ton of Coals, Culm, and Coke, Ashes or Cinders, and Five Shillings for every Load or Fifty cubic Feet of Timber that shall be brought back, re-landed, unloaded, or delivered in the said Town as aforesaid, and so proportionably for a greater or less Quantity than a Chaldron or Ton of Coals, Culm, and Coke, Ashes or Cinders, or for a greater or less Quantity than a Load or Fifty cubic Feet of Timber; 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.

Money borrowed on the former Duty to be a Charge on the new Duty.

XXXIII. And be it further enacted, That the said several Sums of Money amounting in the whole to the Sum of Five hundred and eight Pounds Two Shillings, heretofore lent and advanced, and now remaining due and owing upon the Credit of the Duties on Coals, Culm, and Coke, charged by the said recited Act, and the Interest due and accruing due thereon, shall, from and after the passing of this Act, become a Charge upon the said Duty on Coals, Culm, and Coke, Ashes or Cinders, and Timber, by this Act imposed, in like Manner as the said Monies were respectively charged or chargeable upon the Duty on Coals, Culm, and Coke directed to be raised and levied by the said recited Act.

Mooring Chains to be laid down.

XXXIV. And be it further enacted, That it shall be lawful for the said Commissioners to lay down on the said Coast or Shore, at any convenient Place to be appointed for that Purpose, One or more Block or Blocks with a Mooring Chain or Chains, Cables, and all other necessary Appendages, for enabling Ships and Vessels arriving at *Bognor* aforesaid to ride more securely at Anchor; and all Ships and Vessels arriving at *Bognor* aforesaid for the Purpose of landing or importing therein



therein any Goods, Wares, and Merchandises, shall, by the Master, Owner, or immediate Commander thereof, be moored and fixed to the said Mooring Chain, Block, and Cable, until the Cargo or Cargoes thereof be discharged; and such Master, Owner, or Commander shall pay to the said Commissioners, or their Treasurer or Collector, for the same, any Sum not exceeding Ten Shillings *per* Day, during the Time such Ship or Vessel shall remain fixed or moored as aforesaid, as the said Commissioners shall direct; and if any such Master, Owner, or Commander shall refuse to fix his said Ship or Vessel to the said Mooring Chain, Block, and Cable as aforesaid, or shall depart from *Bognor* without paying the said Commissioners such Sum as he shall be by them directed as aforesaid, he shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, together with the Costs of Conviction.

XXXV. 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, Management, or Command of any Ship or Vessel laden with or having on board Coals, Culm or Coke, Ashes or Cinders, and Timber respectively, charged and chargeable with the aforesaid Rate or Duty, shall refuse to pay the same, then and in such Case it shall be lawful 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 Nonpayment thereof to seize 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 and Coke, Ashes, or Cinders, and Timber respectively 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 Five 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.

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

XXXVI. And be it further enacted, That it shall be lawful 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, to raise and borrow upon the Credit of the said Rate or Duty on Sea Coal, Culm and Coke, Ashes or Cinders, and Timber, such Sum or Sums of Money as they shall think fit, and to secure the Repayment thereof, with Interest, by Mortgage or Demise of the said Rate or Duty.

Commissioners may borrow Money on Credit of the Duty on Coals.

[Local.]

44 R

XXXVII. And



Application  
of Duty on  
Coals, &c.

XXXVII. And be it further enacted, That all Monies to arise by or from the said Duties on Sea Coal, Culm or Coke, Ashes or Cinders, and Timber, and all Penalties and Forfeitures to be levied or recovered by virtue of this Act, and all other Monies which shall come into the Hands of the said Commissioners for the Purposes of this Act in regard to the Disposal of which no specific Directions are herein-before given, shall be, and the same is hereby vested in the said Commissioners, and shall be by them applied and disposed of in and about the Charges of collecting the same, and in discharge of the Expenses incident to the obtaining and passing of this Act, and in the Payment and Discharge of the Interest due and to accrue due on the Sums already borrowed by virtue of the said recited Act, and lent on the Credit of the Tolls and Duties hereby imposed, and likewise in Payment and Discharge of the Interest borrowed on Credit of the Tolls and Duties hereby imposed, in an equal Degree, without Preference or Priority, as the said Commissioners shall think proper, and the Surplus that may remain after such Payments shall be applied and disposed of from Time to Time, by and under the Orders of the said Commissioners, in and about or towards the several Matters hereby and by the said recited Act authorized to be done by the said Commissioners, and in and about or towards the Improvement of the said Town of *Bognor*, as they shall from Time to Time think proper.

Commis-  
sioners to  
contract for  
cleaning  
Streets, &c.

XXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required from Time to Time to appoint and employ, or to contract with any proper Person or Persons to be and act as a Scavenger or Scavengers for sweeping and cleansing the Streets, Lanes, Ways, Roads, Passages, and other public Places, as well Footways as Carriageways, within the said Town of *Bognor*, and for carrying all Dirt, Dust, Dung, Filth and Soil, Snow and Ice, away from the same, and from Time to Time to order and direct on what Days in every Week, and at what Times the particular Streets, Lanes, Roads, Passages, Market Place, and other public Places within the said Town, shall be swept and cleansed, and the Dirt, Dust, Dung, Filth and Soil, Snow and Ice, carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger or Scavengers as shall appear necessary for those Purposes: Provided always, that the Person or Persons so to be employed by or contracting with the said Commissioners as aforesaid, shall, besides sweeping and cleansing the said Streets, Lanes, Ways, Roads, Passages, and other public Places, as well Footways as Carriageways, and collecting together therein and removing therefrom all such Dirt, Dust, Dung, Filth and Soil, Snow and Ice as aforesaid, Twice in every Week, or at such other Time or Times as the said Commissioners shall appoint, bring or cause to be brought some proper or convenient Cart or Carts, or other Carriages into and through the said Streets, Lanes, Ways, Roads, Passages, Market Place, and other public Places, where such Carts or Carriages can pass, and shall at his or their Approach with such Cart or Carts, or other Carriages, and not before, by Sound of Bell, loud Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and stay a reasonable Time in or near the said Places respectively, to the Intent that all Persons concerned may bring forth their Dirt, Dust, Ashes, Rubbish, Dung, and Filth (except  
Filth



Filth from any Privy or Necessary House) to the Doors of their respective Houses and Premises; and such Scavenger or Scavengers shall give the like Notice in every Court, Passage, or Place into which such Carts and Carriages cannot pass, and fetch and carry therefrom all Dirt, Dust, Ashes, Rubbish, Dung, and Filth (except as aforesaid); and such Person or Persons so employed by or contracting with the said Commissioners shall immediately, and before leaving the Street, Lane, Way, Road, Passage, Market Place, or other public Place in which such Dirt, Dust, Ashes, Rubbish, Dung, and Filth shall be brought as aforesaid, take and put the same into such Carts or Carriages, and forthwith remove and carry away the same to the Place or Places appointed by the said Commissioners for the depositing thereof, upon pain of forfeiting any Sum not exceeding Ten Shillings for every Offence or Neglect therein; and the Person or Persons so employed or contracting as aforesaid shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Sides of every Cart or Carriage used for the Purposes aforesaid, on pain of forfeiting and paying any Sum not exceeding Ten Shillings for every Neglect therein; and the Dirt, Dust, Ashes, Rubbish, Dung, and Filth so deposited is hereby declared to be the Property of the said Commissioners, and shall and may be sold or otherwise disposed of by them to such Person and Persons, and in such Manner as they shall think proper: Provided also, that when and so often as any Dirt, Dust, Dung, Filth or Soil, Snow or Ice, shall be swept up and collected together or otherwise deposited in any of the said Streets, Lanes, Ways, Roads, Passages, Market Place, and other public Places, by the Person or Persons so to be employed by or contracting with the said Commissioners as aforesaid, the same shall forthwith, or within Forty-eight Hours, be removed and carried away in such Carts or other Carriages as aforesaid, and in default thereof the Person or Persons whose Duty it may be to remove and carry away the same shall forfeit and pay any Sum not exceeding One Shilling for every Hour the said Dirt, Dust, Dung, Filth or Soil, Snow or Ice, shall be suffered to remain in such Street, Lane, Way, Road, Passage, Market Place, and other public Places, after the same ought to be removed as aforesaid.

XXXIX. Provided always, and be it further enacted, That if any Person or Persons keeping any Dirt, Dust, Manure Heap, Dung, Offal, Rubbish, Ashes, or other Filth, which shall have arisen or been made within his, her, or their respective Houses, Buildings, Yards, or Premises, shall suffer the same to remain there so as to become a public or common Nuisance or Annoyance to the Inhabitants of the said Township, and shall not remove the same within Forty-eight Hours after Notice in Writing shall have been given to him, her, or them, signed by the Surveyor or Surveyors, or Clerk to the said Commissioners, to remove the same, and which they are hereby authorized to do on Complaint being made to the said Commissioners of such Nuisance or Annoyance; or if any such Person or Persons in removing any such Nuisance or Annoyance shall put or place the same in any Street, Lane, Way, Road, Passage, or in the Market Place, or any other public Place, and shall permit or suffer the same to remain there for any longer Time than Forty-eight Hours; then and in either of said Cases, every Person so offending shall for every such Offence

Inhabitants suffering their Ashes, &c. to become a Nuisance.



Offence forfeit and pay the Sum of One Shilling for every Hour that such Nuisance or Annoyance shall remain after the respective Times so limited as aforesaid; and it shall also be lawful for the Surveyor, or any Workman or other Person or Persons employed by the said Commissioners, at any Time after the Expiration of the said Forty-eight Hours, to remove the Matter or Filth occasioning such Nuisance or Annoyance, and to sell or dispose of the same, rendering to the Owner the Overplus (if any) after deducting the Expense of such Removal and Sale.

To prevent  
Nuisances,  
&c.

XL. And be it further enacted, That upon Complaint being made by any Inhabitant of the said Town to the said Commissioners of any public and common Nuisance existing within the said Town of *Bognon*, or to the Damage or Annoyance of any Inhabitant thereof, or of any Ditch or Ditches, Drain, Sink, Pond, or Sewer, that may be in any way dangerous or offensive to Passengers, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to inquire into the same; and if upon View of the Premises or otherwise they shall be satisfied of the Truth of such Complaint, to order such Nuisance forthwith to be abated and removed, and such Ditch or Ditches, Drain, Sink, Pond, or Sewer, to be arched or covered over, or filled up, or the Water therein diverted or led away, as may be deemed most proper; and in case the said Nuisance shall not be abated or removed, or such Ditch or Ditches, Drain, Sink, Pond, or Sewer, shall not be arched or covered over, or filled up, or the Water therein diverted or led away, as the Case may be, within such reasonable Time after such Order has been communicated, or left at the Place of Abode of the Occupier or Occupiers of the Premises complained of for the Time being, as in or by such Order shall be fixed and appointed by the said Commissioners for that Purpose, the Occupier or Occupiers of the said Premises shall forfeit and pay any Sum not exceeding Ten Shillings for every Day after the Expiration of the Time limited by the said recited Act or this Act for appealing against the same, that the said Nuisance shall be suffered and permitted to remain unmoved, or the said Ditch or Ditches, Drain, Sink, Pond, or Sewer, shall remain not arched or covered over, or filled up, or the Water therein not diverted or led away, after the Expiration of the said Time so fixed and appointed as aforesaid; and the said Commissioners so making or giving such Order as aforesaid shall and may, and they are hereby authorized and required, unless such Notice of Appeal against their said Order shall be given, and such Recognizance entered into as by the said recited Act is authorized and directed, to abate and remove the said Nuisance, and arch or cover over, or fill up, the said Ditch or Ditches, Drain, Sink, Pond, or Sewer, and cause the Water therein to be diverted and led away, as the Case may require, after the Expiration of the said Time so appointed and fixed as aforesaid, and the Charges and Expenses thereof shall and may be recovered of and against the Occupier or Occupiers of the Premises complained of as aforesaid, or other the Person or Persons who ought to have removed the same Nuisance, or have arched or covered over, or filled up, the said Ditch or Ditches, Drain, Sink, Pond, or Sewer, or have diverted or led away the Water therein, in manner herein-after mentioned: Provided always, that nothing herein-  
before



before contained shall in any Manner interfere with or hinder, prevent or bar, any Indictment, Prosecution, or Action for such Nuisance.

XLI. And whereas, by the said recited Act, certain Penalties are imposed on Persons committing Nuisances and Annoyances on the Footpaths, Footways, and Carriageways, within the Limits of the said Act, and Doubts have been entertained whether the said Penalties relate to Nuisances and Annoyances committed on the public Footpaths, Footways, and Carriageways of the said Town; be it therefore enacted, That the said recited Act, and every Matter and Thing therein contained, shall be considered as having reference to the Footpaths, Footpassages, and Carriageways of the whole Town of *Bognor*, and also to the Road or Roads which shall be made by virtue of this Act.

For removing Doubts respecting Footpaths, &c.

XLII. 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, Patrols, and Persons, as they shall judge proper or necessary, to be kept or employed in or about the patrolling, guarding, and watching the Streets, Lanes, Ways, Passages, and Places within the said Town, and shall likewise direct and appoint how and where the said several Watchmen, Beadles, Patrols, 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, Patrols, and Persons, for their Service; and shall and may also erect and provide proper Places, Boxes, or Watch Houses for the Reception of such Watchmen, Beadles, Patrols, and Persons as aforesaid, and shall make all such Orders and Regulations as the Nature of the said respective Services shall to the said Commissioners appear to require, and as shall be necessary for the Safety of the Inhabitants of the said Town, and for preserving and maintaining Peace and Order, and establishing an effective Police therein; 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, Patrols, and Persons, and for the other Purposes last mentioned, to be painted on Boards, and affixed in or near the Market House of the said Town; and it shall be lawful for such Watchmen, Beadles, Patrols, 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 Watchhouse, 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 for the said County of *Sussex*, to be examined and dealt with according to Law.

Watchmen and Beadles.

XLIII. And be it further enacted, That all Watchmen, Beadles, Patrols, and Persons to be appointed by virtue of this Act, shall be sworn in as Constables before some Justice or Justices of the Peace for the said

Watchmen to act as Constables.

[Local.]

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County



County of *Sussex*, who is and are hereby required to swear them in accordingly; and such Watchmen, Beadles, Patrols, and Persons shall act as Constables while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with by Law.

Watchmen  
misbehaving  
to be re-  
moved.

XLIV. And be it further enacted, That in case any Watchman, Patrol, 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, Patrol, 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, Patrol, or Person, in order that they may proceed to the Examination of the same; and such Watchman, Patrol, or Person moreover, shall be subject and liable to such Penalty for every such Neglect or Misbehaviour as is next herein-after expressed.

Penalties on  
Beadles and  
others neg-  
lecting their  
Duty.

XLV. And be it further enacted, That if such Watchman, Beadles, Patrols, 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 Twenty Shillings; and also, if the Commissioners shall think proper, shall be immediately discharged from his or their respective Office or Employment.

Punishment  
of Persons  
guilty of  
Pound-  
breach.

XLVI. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Horse, Ass, Swine, or other Beast or Cattle, which shall be seized for the Purpose of being impounded under the Authority of this or the said recited Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this or the said recited Act, until or before such Horse, Ass, Swine, or other Beast or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the said County of *Sussex*, either on Confession of the Party or Parties offending, or upon the Oath of One credible Witness (and which Oath the said Justice is hereby authorized and empowered to administer), be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said County, there to remain without Bail or Mainprise for any Time not exceeding Three Calendar Months.

XLVII. And



XLVII. And be it further enacted, That if any Person or Persons shall wilfully injure or break any Lamp-post or Lamp within the said Town of *Bognor*, every Person so offending, and being lawfully convicted thereof, shall forfeit and pay any Sum not exceeding Five Pounds, nor less than Ten Shillings, at the Discretion of any One Justice of the Peace acting for the County of *Sussex*. Penalty on  
damaging  
Lamps, &c.

XLVIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Duty hereby or by the said recited Act imposed, he, she, or they may apply to the said Commissioners at their First Meeting to be holden after the demanding of such Rate or Duty, and the said Commissioners are hereby authorized and empowered, if they shall think such Person aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Determination of the said Commissioners therein, then he, she, or they may appeal to the next General or Quarter Sessions of the Peace which shall be holden for the said County of *Sussex*; and if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rule, Bye Law, or Order, or by reason of any Judgment, Conviction, or Determination of any Justice or Justices of the Peace, or by any thing done in pursuance of this or the said recited Act, for which no particular Method of Relief hath been already appointed, he, she, or they may appeal to the next General or Quarter Sessions of the Peace to be holden for the said County of *Sussex*, which shall next happen after the Expiration of Ten Days after the said Cause of Complaint shall have arisen, such Appellant in every or either of such Cases giving or causing to be given Eight Days Notice at least, in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Person or Persons appealed against or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any Matter or Thing made or done by the said Commissioners, or by any Justice or Justices of the Peace, in which Case such Notice shall be given to any One of the said Commissioners, or to the Clerk or Treasurer of the said Commissioners, and within Three Days next after such Notice entering or causing a Recognizance to be entered into, before some Justice or Justices of the Peace for the County, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order thereof, and to pay such Costs (if any) as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at such General or Quarter Sessions, upon due Proof of such Notice being given as aforesaid, and of entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and the said Justices shall and may award such Satisfaction and Costs to the Parties respectively appealing or appealed against as they the said Justices shall think proper; and the Determination of such Justices at such General or Quarter Sessions shall be final, binding, and conclusive; anything in the said recited Act contained to the contrary thereof in anywise notwithstanding. Persons ag-  
grieved may  
appeal.

XLIX. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by the said recited Act or this Act, or by any Rule, Order, or Bye Law made in pursuance thereof, (the Manner of levying and Recovery and  
Application  
of Penalties.



and recovering whereof is not otherwise particularly directed) may, in Case of Non-payment thereof, be recovered in a summary Way by the Order and Adjudication of any one Justice of the Peace for the said County of *Sussex*, on Complaint to him for that Purpose exhibited by the Oath or Affirmation of any Person or Persons, or on the Confession of the Party offending, (which Oath or Affirmation such Justice is hereby authorized to administer); and in default of Payment of such Penalties or Forfeitures the same shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, to the Party or Parties whose Goods and Chattels shall be so distrained, (the reasonable Charges of such Distress and Sale being first deducted); and one Moiety of the Penalties and Forfeitures when recovered, shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of the said Commissioners, to be applied towards the Purposes of this Act; and in case such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice, or before some other Justice of the Peace for the said County of *Sussex*, 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 Seven Days from the taking of 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 whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expenses can be levied, if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County or Place where such Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice, or shall otherwise be discharged by due Course of Law.

Saving of  
Rights.

L. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and the Lords of the several Manors of *Aldwick*, 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.

Expenses of  
the Act to  
be paid.

LI. And be it further enacted, That out of the Monies now raised or received under or by virtue of the said recited Act, or out of the first Monies that shall be raised by virtue of this Act, the said Commissioners shall



shall pay and discharge all the Costs, Charges, and Expenses incident to and incurred in or about the applying for or procuring and passing this Act, in preference to all other Payments whatsoever.

LII. 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.



## The SCHEDULE to which the foregoing Act refers.

Description of the Premises.	Owners Names.	Occupiers Names.
A Lane or Road leading from Felpham to a certain Mill near thereto, and thence to Felpham Sluice.	Messrs. Cousens and Sparks.	Messrs. Cousens and Sparks.
A Marsh, and Four several Fields or Closes of Land.	George Isaac Call, Esq. and Richard Clark, Esq.	George Isaac Call, Esq. and Richard Clark, Esq.
A small Piece or Parcel of Land or Waste.	John Pink.	George Isaac Call, Esq. and Richard Clark, Esq.
Part of a Lane or Road, called the Sea Road, used by the Public.	James Deacon and Richard Dally.	
A small Piece or Parcel of Land,	Jas. Bennett Freeland, Esq. and Francis Diggins, Esq.	Richard Clark, Esq.
Parts of Two several Lanes or Roads, used by the Public, called Sea Road and Pavilion Road,	The Commissioners appointed by and acting under an Act passed in the Third Year of the Reign of King George the Fourth, for establishing a Market, &c. at Bognor.	
A Field or Close of Land.	Miss Dorothy Bringloe.	James Mitchell.
A small Plot of Land in front of the Manor House.	Richard Dally.	Arthur Binsted.
An open Space, used by the Public.	James Tomsett.	
A Public Road.		
A small Piece of Waste.	The Devises of Thomas Allen, deceased.	— Taylor.
A Field or Close of Land.	The Trustees of Thomas White, Esq. deceased.	Richard Clark, Esq.
Part of a Road or Lane, called Nywood Lane.		
Four several Fields or Closes of Land.	The Trustees of Robert Brereton, Esq. deceased.	Robert Bennett.