



ANNO SEXTO

GEORGII IV. REGIS.

Cap. clxx.

An Act for the more effectual Security of the
Harbour of *Littlehampton*, called *Arundel Port*,
in the County of *Sussex*. [22d June 1825.]

WHEREAS an Act was made in the Sixth Year of the Reign of His Majesty King *George the Second*, intituled *An Act for erecting Piers in and for repairing and keeping in repair the Harbour of Littlehampton, called Arundel Port, in the County of Sussex*: 6 G. 2. c. 12.
And whereas another Act was made in the Thirty-third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act to explain and amend an Act made in the Sixth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for erecting Piers in and for repairing and keeping in repair the Harbour of Littlehampton, called Arundel Port, in the County of Sussex;' and for empowering the Commissioners acting under the said Act to improve the Navigation of the River Arun, from the said Harbour to the Town of Arundel in the said County*: 33 G. 3. c. 100.
And whereas certain Persons, named or appointed by virtue of the said first-recited Act, and their Successors, were appointed Commissioners for carrying the said recited Acts into execution, and Powers were thereby given to the said Commissioners to collect the several Rates and Duties thereby made payable for or in respect of sundry Kinds of Merchandize and Tonnage of Vessels, and Powers were also thereby given to borrow certain Sums of Money, and to assign such Rates and Duties as a Security for the Money to be borrowed for the Purposes of the said Acts, and further Powers were given to reduce and lessen the said Rates and Duties, and to increase the same in manner by the said last-
[Local.] 55 U recited

recited Act directed : And whereas the said Commissioners proceeded to carry the said first-recited Act into execution, to the great Benefit of Shipping, and of Merchants and others, and borrowed certain Sums of Money for the Purposes of the said Act, and reduced and lessened the Duties thereby granted one Moiety or Half Part ; but the Piers, Groyns, and other Works erected by the said Commissioners in pursuance of the said Acts being of Wood the same are now become greatly dilapidated and much decayed, and the most serious Apprehensions are entertained that unless a new Work be forthwith erected much of the old Work will be broken down and swept away, whereby the said Harbour would be greatly injured, if not totally choked up with Beech, Gravel, and Sand, which could not be removed but at a very great Expence and after a long Period of Time, during which Time the Navigation of the said River, the Egress and Regress of the Water therein flowing, and the Shelter and Protection now afforded to Vessels in Distress, would be greatly impeded, if not totally stopped and destroyed : And whereas the said Acts have been found by Experience to be insufficient to answer all the Purposes thereby intended, and as well the Powers for borrowing Money as the Rates and Duties imposed by the said Acts are now become insufficient, and it is necessary, for the Maintenance and Support of the said Harbour, that further Provisions should be made ; but the same cannot be effected without the Aid 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 said recited Acts, and all and every the Powers, Provisions, Articles, Matters, and Things therein contained (save and except such as are varied, altered, or repealed), shall be and remain in full force and virtue, and shall extend to and be deemed and taken to be as good, valid, and effectual for carrying this Act and the several Purposes thereof into execution, as if all such Powers, Provisions, Articles, Matters, and Things were repeated and re-enacted in the Body of this Act.

Powers of former Acts extended to this Act.

Commissioners.

II. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Sussex* shall be and they are hereby appointed Commissioners, in addition to the Commissioners already appointed for carrying the said recited Acts and this Act into execution : Provided always, that no Officer of His Majesty's Customs in the Port of *Arundel* shall be capable of acting as a Commissioner in the Execution of the said Acts and this Act.

Qualification.

III. Provided always, and be it further enacted, That no Person (except the said Justices of the Peace) shall be capable of acting in the Execution of this and the said recited Acts unless he shall be, 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 Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person possessed of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds above Reprizes, or possessed of a Personal Estate alone, or of a Real and Personal Estate together, of the Value of Two thousand Pounds, nor until such Person shall have taken and subscribed an Oath

to the following Effect, before any Two or more of the said Commissioners (who are hereby authorized to administer the same); that is to say,

‘ I *A. B.* do swear, That I am, in my own Right or in the Right of my Wife, in the actual Possession or the Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the yearly Value of One hundred Pounds (*or am Heir Apparent of* who to the best of my Knowledge is seised of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds above Reprizes, *as the Cases may be*), or am possessed of a Personal Estate, or of a Real and Personal Estate together, of the Value of Two thousand Pounds, clear of all Debts and Incumbrances.’

And if any Person or Persons not being so qualified shall nevertheless presume to act as a Commissioner in the Execution of the said Acts and this Act (except in administering the said Oath), every such Person shall for such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt, 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 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.

IV. Provided nevertheless, and be it enacted, That it shall be lawful for the said Commissioners and they are hereby authorized to hold any Special Meeting between their then last Meeting and the Day to which any subsequent Meeting shall have been adjourned, so that such Meeting shall be required by Five or more of the said Commissioners, and Notice thereof given in some Newspaper circulated in the said County of *Sussex*, Seven Days at least before the Time to be appointed for the same, and so as that such Notice shall be signed by the Clerk or Two of the said Trustees, and shall particularly state the Cause or Causes of such Special Meeting. Special Meetings to be held.

V. And be it further enacted, That from and after the First Day of *July* One thousand eight hundred and twenty-five the several Duties or Sums of Money payable on Goods, Wares, and Merchandize exported or imported from or into the said Port of *Arundel* shall be and the same are hereby repealed; and in lieu thereof there shall be paid to the said Commissioners and their Successors, or to such Person, or Persons as they or any Nine or more of them shall from Time to Time nominate and appoint, the several Duties or Sums of Money contained and set forth in the Schedule annexed to this Act, for all such Goods, Wares, Articles, Matters, or Things therein enumerated which shall be exported or imported, laid on board, landed or discharged out of any Ship or Vessel in the said Port of *Arundel*: Dues.

And for all Goods not therein enumerated there shall be paid One-twelfth Part of what the usual Freight is or shall hereafter be from *London* to the Port of *Arundel*:

And

And for every *British* Ship or Vessel which shall load or unload (Fishing Vessels only excepted) there shall be paid the Sum of Three-pence *per* Ton, according to their Register :

And for every *British* Ship or Vessel which shall sail into the said Harbour, and shall neither load or unload there, the Sum of One Penny Halfpenny *per* Ton, according to their Register :

And for every Foreign Ship or Vessel, and for all Goods and Merchandize imported and exported in Foreign Bottoms, double the Duties hereinbefore laid and directed to be taken.

Power to
lessen and
restore Dues.

VI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and their Successors, or any Nine or more of them, to vary or diminish the Rates and Duties hereby imposed, or any of them, and to raise or restore the same or any of them again, as often as they shall adjudge proper, provided that no higher Rates or Duties be at any Time imposed or made payable than herein-before mentioned : Provided nevertheless, that when the whole Money at any Time borrowed, and due and owing on the Credit of the said Rates and Duties, shall not have been paid off and discharged, such Rates and Duties shall not be lessened or reduced without the Consent of the Person or Persons entitled to Five-sixth Parts of the Money due upon the Credit of the said Rates and Duties.

Repeal of
former Power
for borrowing
Money.

VII. And be it further enacted, That so much of the said recited Act passed in the Thirty-third Year of the Reign of His said late Majesty King *George* the Third as enacts that the Amount of the Money to be borrowed, taken up, and secured upon the Credit of such Rates and Duties thereby and theretofore imposed shall never at any one Time exceed the Sum of Two thousand Pounds be and the same is hereby repealed.

Power to
borrow
20,000*l.*

VIII. And be it further enacted, That the Amount of the Money to be borrowed, taken up, and secured upon the Credit of such Rates and Duties as aforesaid, under or by virtue of the said recited Acts or this Act or either of them, shall never at any one Time exceed the Sum of Twenty thousand Pounds ; and that the said Commissioners and their Successors, or any Nine or more of them, shall from Time to Time and at all Times have full Power and Authority to borrow and take up at legal Interest, in manner directed by the said Acts, upon the Credit of the Rates and Duties hereby imposed, any Sum or Sums of Money not exceeding the said Sum of Twenty thousand Pounds.

Repeal of
former Clause
for limiting
Salary to
Treasurer,
Collector, &c.

IX. And be it further enacted, That so much of the said recited Act passed in the Sixth Year of the Reign of His said late Majesty King *George* the Second as enacts that the Salary or Sum of Money allowed to the Collector or Collectors, Treasurer or Treasurers, appointed by the said Commissioners, shall not exceed the Sum of Twenty Pounds *per Annum*, and so much of the same Act as enacts that the Salary or Sum of Money to be allowed the Person appointed by the Commissioners for the orderly Government of the Port shall not exceed the Sum of Fifteen Pounds, shall be and the same are hereby repealed.

X. Pro-

X. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk in the Execution of the said Acts or this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or the Partner of any such Person, to be the Treasurer or Treasurers for the Purposes of the said Acts and this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer, or the Partner of any such Person, to be the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the said Acts and this 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 the Partner of any such Clerk, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer or the Partner of any such Person, shall accept the Office of Clerk, in the Execution of the said Acts and this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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, nor more than One Imparlance, shall be allowed.

Treasurer
and Clerk
not to be the
same Person.

XI. 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 the said Acts or this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; and such Book or Books shall at all reasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors on the Duties granted by the said Acts or this Act, without Fee or Reward; and the said Commissioners or 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 as in the said Act directed.

Account of
Receipts and
Disburse-
ments.

XII. And be it further enacted, That the Master or other Person having the Command of any Ship or other Vessel coming within the said Port shall and he and they is and are hereby made subject and liable to the Payment of and shall discharge all Rates and Duties imposed by virtue of this Act on such Ship or Vessel, and on the several Articles, Matters, and Things, Merchandize or Cargo, therein contained, which may be discharged or landed within the Limits of the said Port, to the

Masters of
Vessels to pay
the Duties,
and recover
the same.

Collector or Collectors appointed by the said Commissioners ; and it shall and may be lawful to and for such Master or other Person paying such Rates and Duties to recover the same from the Owner or Owners of such Ship or Vessel, and the Proprietors of the Articles, Matters, and Things, Merchandize and Cargo, therein contained respectively, by Distress and Sale of the Tackle and Apparel of such Ship or Vessel, rendering the Overplus, if any, on Demand, to the Owner or Owners thereof, after deducting the reasonable Charges of such Distress and Sale ; and that the Receipt of the Collector of such Rates, Tolls, and Duties for the Time being shall be Evidence of the Payment thereof, and received as such in any Court of Law or Equity.

Persons eluding Payment of Dues to continue chargeable.

XIII. And be it further enacted, That if any Master or other Person as aforesaid shall by any Means whatsoever at any Time or Times elude, evade, or avoid the Payment of the Rates or Duties hereby made payable, or any Part of the same, each and every Person or Persons eluding, evading, or avoiding Payment as aforesaid shall forfeit and pay to the said Commissioners or their Successors a Sum equal to the Amount of such Rates and Duties, and shall also stand charged with and be liable to the Payment of the said Rates and Duties.

For ascertaining Tonnage of Ships.

XIV. And be it further enacted, That in all Cases wherein it shall be necessary to ascertain the Tonnage of any *British* or *Irish* Ship or Vessel, for the Purposes of this Act, the Production of the Register of such Ship or Vessel shall be deemed sufficient for that Purpose, without any actual Admeasurement of such Ship or Vessel ; and the Master or other Person having the Rule or Command thereof is hereby required to produce and shew such Register accordingly, under a Penalty, in case of Refusal, of the Sum of Twenty Pounds.

Power to admeasure Foreign Vessels.

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

Power to reduce Dues on Foreign Ships and Goods.

XVI. Provided always, and be it further enacted, That it shall and may be lawful to and for His Majesty, in and by an Order in Council, or to and for the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times, when and so often as he or they shall deem fit so to do, in and by his or their Order in Writing, to reduce the double Duties hereby made payable on all or on such or so many of the Foreign Ships or Vessels, and on all or on such or so many of the Goods and Merchandize imported or exported in Foreign Bottoms, as he or they in their Judgment shall deem expedient, subject to the same and the like Duties as are hereby and hereafter, in pursuance of the Powers herein contained, made payable in respect of the *British* Ships or Vessels, or the Goods and Merchandize imported or exported in or by them.

XVII. Pro-

XVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to charge His Majesty, or any other Person on His Behalf, with the Payment of any of the Rates or Duties under this Act, in respect of any of His Majesty's Ships of War, or any other Ship, Transport, or Packet of His Majesty, His Heirs and Successors, or any Vessel employed in His Majesty's Revenues of Customs or Excise, or in the Service or Employ of the Ordnance, or any Ship, Transport, or Packet employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or any Vessel employed in or upon His Majesty's Service, or in the Conveyance of any Officers or Soldiers, or any Horses, Arms, Ammunition, or Baggage to them or any of them belonging; and if any Person or Persons shall claim and take the Benefit of any such Exemption as aforesaid, without being entitled thereto, every such Person shall for every such Offence forfeit and pay the Sum of Five Pounds.

Exempting
Vessels in
His Majesty's
Service.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners or any Nine or more of them, upon Ten Days Notice thereof, signed by the Clerk to the said Commissioners, being set or fixed up in the public Market Place of the Town of *Arundel*, and inserted in some Newspaper usually circulated in the said County of *Sussex*, from Time to Time, by Writing under their Hands and Seals, or under the Hands and Seals of any Nine or more of them, to let to farm the Rates, Tolls, Duties, and Payments hereby made payable, 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 to be paid for the said Rates, Tolls, Duties, and Payments shall be applied and disposed of as the same Rates, Tolls, Duties, and Payments are by this Act directed to be applied and disposed of; and the Person or Persons so renting or taking the said Tolls, Duties, and Payments shall have full Power and Authority to ask, demand, collect, and receive the same, and shall in every respect be deemed and taken to be the Collector appointed by the said Commissioners, and any Certificate, signed by him, her, or them, that the said Duties are paid or secured to be paid by any Master or other Person having the Rule or Command of any Ship or Vessel, shall be deemed and taken as a good and sufficient Discharge by any Collector, Customer, Comptroller, or other Officer of Customs within the said Port of *Arundel*.

Dues may
be let.

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

Works in-
jurious to the
Harbour to
be removed
by the Com-
missioners.

XX. And

Punishing
Persons de-
stroying
Works.

XX. And be it further enacted, That all and every Person or Persons who shall at any Time or Times wilfully or designedly demolish or break down any or either of the Piers, Groyns, Jetties, Piles, or other Works, or any Part or Parts thereof, which shall belong to the said Commissioners, shall be adjudged guilty of Felony, and the Court by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be transported for the Term of Seven Years, or in mitigation of such Punishment, may award such Sentence as the Law directs in Cases of Petit Larceny.

Meetings of
Commis-
sioners.

XXI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners or any Nine or more of them, from Time to Time and at all Times hereafter, to meet as they may deem fit, either at *Arundel* aforesaid or at *Littlehampton* aforesaid, or at any other Place or Places within Five Miles of the said Harbour, for the Purpose of carrying this and the said recited Acts into execution, and to adjourn themselves from Time to Time, and to such Place or Places, as the said Commissioners or any Nine or more of them shall think most convenient; and if it shall happen that thers shall not at any Time of Meeting be a sufficient Number of Commissioners to form a Meeting, then and as often as such Case shall happen the Clerk to the said Commissioners shall, by the proper and usual Notice, appoint the Commissioners to meet on the Day Three Weeks from the Day such last Meeting was to have been held; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of such Notice shall be as valid and effectual as if the same had been done at any other Meeting held by virtue of this Act; but no Person during the Time he shall have any Share or Interest in any Contract or beneficial Employment under this Act shall be capable of acting as a Commissioner in the Execution of this Act.

Commission-
ers to lay
Accounts be-
fore Parlia-
ment.

XXII. And be it further enacted, That the Treasurer or Clerk to the said Commissioners shall, within Thirty Days after the Commencement of every Session, lay before both Houses of Parliament a true Account of the Receipts and Disbursements of all Monies which shall have been received and paid by the said Commissioners in pursuance of this or the said recited Acts, and also a Report of the Progress which shall have been made by the said Commissioners in improving the said Harbour, as directed by this Act.

Application
of Compen-
sation when
amounting
to or exceed-
ing 200*l*.

XXIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Interest, of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of the said first recited Acts and 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 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 into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Commissioners of *Arundel Port*, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled

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 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 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 Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same may be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, 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 such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court 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; 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 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.

XXIV. 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 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 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 or Lunacy, 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 Court of Exchequer, 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

Where Compensation is less than 200*l.* or exceeds 20*l.*

[Local.]

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Option,

Option, and approved of by Five or more of the said Commissioners, (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 manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Where less than 20*l.*

XXV. Provided always, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of the said first-recited Acts and this Act, in such Manner as the said Commissioners or any Nine 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 a good Title, &c.

XXVI. And be it further enacted, That in case the Person or Persons to whom such 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 be lawful for the said Commissioners to order the said Sum or Sums so awarded to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, 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; which said Court, upon 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 the same, mentioning and specifying for what and 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.

In case of disputed Titles the Person in Possession to

XXVII. 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 Exchequer, 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 of this Act, or to any Bank Annuities to be purchased with any such Money, 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 by the said Commissioners, 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 Exchequer; 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.

be deemed lawfully entitled.

XXVIII. 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 the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, 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 Time to Time to be made in pursuance of the said recited Acts and 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.

The Court of Exchequer may order Expence of Purchases to be paid by the Company.

XXIX. 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, Administrators, and all other Tenants 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, Femmes Covert, or other Person or Persons, and to and for all Femmes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is or are or shall be seised, possessed of, or interested in any Lands, Grounds, or Hereditaments immediately adjoining to or lying near either of the Banks of the said River *Arun*, from the Mouth or Entrance of the said Harbour, and through or near the several Parishes of *Littlehampton*, *Leominster*, *Climping Ford*, and *Torkington*, to the West End of a certain Piece of Land called the *Tanner's Slupe*, in the Parish of *Arundel*, as shall or may from Time to Time be thought necessary for the Purpose of amending and improving the said River and the Navigation

Bodies Politic, &c. empowered to sell and convey Lands;

tion

tion thereof, to contract for, sell, and convey the same and every Part thereof unto the said Commissioners; and that all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in Law, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all other Persons, so conveying as aforesaid, are hereby indemnified for what they shall respectively do by virtue hereof; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Commissioners.

and to accept
Satisfaction.

XXX. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is or are seised, possessed of, or interested in the said Lands or Grounds which may be required for the Purposes of this Act, may accept and receive Satisfaction for the Value of the said Lands or Grounds, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Commissioners, or any Nine or more of them; and in case the said Parties so interested in the said Lands or Grounds, or any of them, and the said Commissioners, or any Nine or more of them, cannot agree as to the Amount or Value of the said Lands or Grounds, the same shall be settled and ascertained as is herein-after directed.

Differences
respecting
Price of
Land, or
Damages, to
be settled by
a Jury.

XXXI. And be it further enacted, That in case of any Difference of Opinion between the said Commissioners or their Agents, and any Body or Bodies Politic, Corporate, or Collegiate, Trustees, or other Person or Persons interested in or entitled to any Lands, Tenements, or Hereditaments, relative to the Price or Value, Damages or Recompence, to be given for the same, to be taken or used for the Purposes of this Act, and in case such Price or Value, Damages or Recompence, cannot be settled, adjusted, or agreed for by and between the said Commissioners or their Agents, and such Proprietors of or Persons interested in the Lands, Tenements, or Hereditaments as aforesaid, or if any such Body or Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, or any other Person or Persons interested or entitled as aforesaid, shall refuse to receive, upon due Tender thereof made, such Purchase Money or Recompence as shall be offered to be paid by the said Commissioners, or shall for the Space of Twenty-one Days next after Notice in Writing given to the principal Officer of any such Body or Bodies Politic, Corporate, or Collegiate, or to such Trustee or Trustees, Person or Persons respectively, or left at the last or usual Place of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of any Lands or other Hereditaments required for the Purposes of this Act, neglect or refuse to treat, or if any Person or Persons shall by Absence or otherwise be prevented from treating, or shall not, within the before-mentioned Space of Twenty-one Days produce and fully disclose the State of the Title to the Premises which they are or shall be in possession of, and
to

to the Interest which they claim therein, then and in every such Case the Value thereof shall be settled and ascertained by a Jury to be summoned, impannelled, and returned in the Manner directed by the said recited Act of the Thirty-third Year of the Reign of His late Majesty.

XXXII. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Person or Persons requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond, with Two sufficient Sureties, to the Clerk or Treasurer to the said Commissioners, in a Penalty of One hundred Pounds, with Condition to pay and bear the Costs and Expences of summoning such Jury, as they respectively are by this Act directed to pay, and taking such Verdict, in case the same shall be given for no greater or for a less Sum than had been offered by or on behalf of the said Commissioners before the impannelling, summoning, and returning the said Jury or Juries, for the Purchase of or as a Recompence for the said Lands or Grounds.

Persons requesting Juries to enter into Bonds.

XXXIII. 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 Messuages, Houses, Buildings, Walls, Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, all the Costs and Expences 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 Rates authorized by virtue of the said recited Acts, or the Monies to be raised under the Authority of this Act, as the Case shall happen; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Seven 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 or Chattels vested in the said Commissioners (unless the Treasurer or Treasurers of the said Commissioners shall pay such Costs and Expences out of any Monies received by him by virtue of this 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 Expences; 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 behalf of the said Commissioners as such Price, Recompence, or Satisfaction as aforesaid, or in case of such Refusal or Neglect to enter into Treaty with or make Conveyances to or receive Compensation from the said Commissioners, by any Body or Bodies Politic, Corporate, or Collegiate, or any other Person as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating or agreeing as aforesaid, when such Costs and Expences shall be paid by the said Commissioners,) the Costs and Expences of impannelling, summoning, and returning such Jury, and taking such Verdict, shall be borne and paid in the Manner following; (that is to say,) one Moiety or Half Part of such Costs and

Expences of Juries, how to be paid.

[*Local.*]

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Expences

Expences by the said Commissioners, and the other Moiety or Half Part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Persons, with whom the said Commissioners shall have such Controversy or Dispute; and in all Cases where any Difference shall arise touching the Amount of such Costs and Expences the same shall be settled and ascertained by any Two Justices of the Peace for the said County not interested in the Matter in question, who are hereby authorized and required to examine into and settle the same at a Time and Place to be by them appointed, after summoning the Parties interested therein to attend them 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 at *Westminster*, together with full Costs of Suit.

Verdict of
Juries to be
recorded.

XXXIV. And be it further enacted, That the said Judgments and Verdicts so given shall be transmitted to and kept by the Clerk of the Peace or other Person or Persons having the Custody of the Records of the Quarter Sessions of the Peace of the said County of *Sussex*, and shall be deposited with and be deemed to be Records of such Quarter Sessions to all Intents and Purposes; and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, or to have Copies thereof, paying for every Copy the Sum of Sixpence for every Seventy-two Words, and so on in proportion for any greater or less Number of Words.

Lands to vest
in the Trus-
tees on Pay-
ment or
depositing
the Money in
the Bank.

XXXV. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in manner aforesaid, within Twenty-eight Days after such Assessment, for the Purchase of the said Lands or Grounds as herein-before mentioned, to the Proprietor of such Lands or Grounds, or to such other Person or Persons as shall be interested therein or entitled to receive such Purchase Money, or to his, her, or their Agent or Agents, or depositing the same in the Bank of *England* in manner by this Act directed, as the Case may be, it shall be lawful for the said Commissioners or any Nine or more of them, and their Agents, Workmen, and Servants, immediately to enter upon the Lands or Grounds respectively, and then and thereupon the said Lands and Grounds, together with the yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Commissioners for the Purposes of this Act for ever; and such Tender, Payment, or Deposit shall

shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion, Remainder, Expectancy, or otherwise, or his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Tender, or Deposit as aforesaid shall be made it shall not be lawful for the said Commissioners or any Nine or more of them, or any Person or Persons acting under or by virtue of their Authority, to dig or cut or otherwise affect any Lands or Grounds of the Person or Persons entitled to such Payment, without the Leave and Consent of such Person or Persons respectively.

XXXVI. Provided also, and it is hereby further enacted, That it shall and may be lawful to and for all and every Person having or possessing any Right or Rights of Fishery in the said River *Arun* to draw out their Nets upon or over any Lands or Grounds adjoining the said River belonging to the said Commissioners. Saving Rights of Fishery.

XXXVII. And be it enacted, That nothing herein contained shall hinder or prevent the Proprietors or Owners of Lands lying near or contiguous to the said River from passing over, upon, or across any Lands or Grounds belonging to the said Commissioners (except so much of the same, and such Land or Ground, Place or Places, as shall be used or taken by the said Commissioners for the Purpose of making, erecting, constructing, or placing any Quay, Wharf, Landing Place, Weighing Beams or Cranes, Posts, Stoops, Winches, or other Engines thereon), either for repairing the Banks of such River, or for landing of Chalk or other Goods, or for any other Purpose whatsoever. Reserving Right of Passage to Owners of adjoining Lands.

XXXVIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners, or any Person or Persons acting under or by their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application to him or them made for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, In case of Nonpayment of Compensation for Materials, &c. the same to be levied by Distress.

Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain, after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners, or to their Treasurer for the Time being, as the Case may be.

Damages and Charges, in case of Dispute, to be settled by Justices.

XXXIX. And be it further enacted, That where by this Act or the said recited Acts any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures.

Copies of Bye Laws to be affixed.

XL. And be it further enacted, That Copies of the several Bye Laws, Rules, Orders, and Regulations to be made in pursuance of the said recited Act of the Thirty-third Year of the Reign of His late Majesty, and of every Repeal, Alteration, or Amendment thereof, signed by the Clerk to the said Commissioners, shall be painted on Boards with White Letters on a Black Ground, and set up or fixed on some conspicuous Places in *Arundel* and *Littlehampton*, and renewed from Time to Time as the same shall be defaced, obliterated, or destroyed; and that if any Person or Persons shall wilfully or maliciously pull down, deface, or destroy any Board whereon any Bye Laws, Rules, Orders, or Regulations shall be painted, he, she, or they shall, upon Conviction, for each Offence forfeit and pay to the said Commissioners a Sum not exceeding Five Pounds, to be levied and applied as other Penalties are by this Act directed to be levied and applied.

Saving Rights of Littlehampton Ferry Company,
5 G. 4. c. 94.

XLI. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to revoke or alter any of the Powers or Provisions contained in an Act passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for establishing a Ferry over the River Arun at Littlehampton in the County of Sussex, and making Roads to communicate with the same*, but that the said Act shall remain in full Force and Effect.

19 G. 2. c. 22.
and 46 G. 3.
c. 63.

XLII. Provided always, and be it enacted, That nothing herein contained shall be construed to restrain, revoke, or annul, or in anywise affect the Powers and Provisions contained in Two certain Acts of Parliament, one passed in the Nineteenth Year of the Reign of His said late Majesty King *George* the Second, intituled *An Act for the better Preservation of Havens, Roads, Channels, and navigable Rivers within that Part of Great Britain called England*, and the other passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better Preservation of the public Harbours of the United Kingdom*, or the Penalties inflicted on Persons offending against the same Acts,

or

or either of them, but that the same shall remain in full Force and Effect.

XLIII. Provided also, and be it enacted, That nothing herein contained shall extend or be construed to extend to affect or prejudice the Right, Title, or Interest of the Most Noble *Bernard Edward Duke of Norfolk* of, in, and to the Nomination or Appointment of a Water Bailiff of the said River *Arun*, or the ancient and usual Right, Power, and Authority of such Water Bailiff, or any other Right, Title, Interest, or Privilege of the said Duke in anywise howsoever.

Reservation
of the Rights
of the Duke
of Norfolk.

XLIV. And whereas Persons guilty of Offences against the said Acts or this Act may be transient Persons, unknown to the Collectors and other Officers of the said Commissioners; be it further enacted, That it shall and may be lawful for the said Collectors or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Collectors or other Officers) who shall commit any Offence or Offences against the said recited Acts or this Act, and take him, her, or them before any Justice or Justices of the Peace for the County or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Justice or Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of the said recited Acts or this Act.

For securing
transient
Offenders.

XLV. And be it further enacted, That all Penalties, Forfeitures, and Fines inflicted or authorized to be imposed by the said recited Acts or this Act, or either of them, (the Manner of levying, recovering, and applying whereof, is not otherwise directed,) shall, upon Proof of the Offences respectively, before any Justice of the Peace for the County or Place where the Offence shall be committed (as the Case may require), either by the Confession of the Party offending or by the Oath of any credible Witness or Witnesses (which Oath such Justice is in every such Case hereby fully authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties so 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 Information, Conviction, 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 respectively, when paid or levied, if not otherwise directed to be applied, shall be from Time to Time paid, one Moiety to the Informer, and the other Moiety to the Treasurer or Treasurers to the said Commissioners, and be applied for the Purposes of the said Acts and this Act; and in case such Penalties, Forfeitures, and Fines respectively 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 or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to

Recovery and
Application
of Penalties.

[Local.]

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the

the Satisfaction of such Justice for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Day 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 or Warrants it shall appear that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice of the Peace, and 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 County or Place as aforesaid, or to any House of Correction within the same, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Expences
of Act.

XLVI. And be it further enacted, That the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act shall be paid and discharged out of the Monies now in the Hands of the said Commissioners or their Treasurer, or out of the first Monies which shall be received by or come to the Hands of the Treasurer to the said Commissioners, by virtue or in pursuance of the said recited Acts and of this Act.

Public Act.

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

SCHEDULE referred to in and by this Act.

			s.	d.
Almonds	-	For every Cwt.	0	1
Alum.	-	Cwt. of Alum	0	1
Animals	-	Bull, Ox, Cow	2	0
	-	Horse, Mare, or Gelding	4	0
	-	Ass or Mule	1	6
	-	Dog or Fox	0	3
	-	Ten Pounds Value of living Animals not enumerated	4	0
Anchors	-	Cwt. of Anchors	0	1
Arquebusade Water	-	Gallon of Arquebusade Water	0	0½
Ashes	-	Chaldron of Ashes	0	4
Bacon or Hams	-	Cwt. of Bacon or Hams	0	1
Bale	-	Great Bale above Twenty-seven Feet cubic	0	6
	-	Small Bale in proportion.		
Bark	-	Ton of Oak Bark	1	6
	-	Cwt. of Bark not enumerated	0	1
Barilla	-	Ton of Barilla	1	0
Baskets	-	Dozen of Hand-baskets	0	9
	-	Dozen small Pail, Maund, or Baskets	1	0
	-	Dozen great Maund, or other Baskets	1	6
	-	Dozen of all other Baskets not here enumerated	0	6
Beds	-	Bed	1	0
Bedsteads	-	Bedstead or Sofa	0	6
Beer	-	Barrel containing Thirty-six Gallons of Beer, Ale, Porter, or Cyder	0	6
	-	Larger and smaller Casks of Beer, Ale, Porter, or Cyder, in proportion.		
Birds	-	Singing Bird	0	3
	-	Dozen Pigeons	0	6
	-	Dozen Quails	1	0
	-	Partridge	0	2
	-	Pheasant	0	4
Books	-	Cwt. bound	0	3
	-	Cwt. unbound	0	2
Bottles	-	Dozen of Earthen or Stone	0	1
	-	Ditto Quart Glass, green or common	0	1
	-	Ten Pounds Value of Bottles, not otherwise enumerated	0	10
Boxes	-	Dressing Box (Ten Pounds Value)	0	10
	-	Snuff Ditto (Ten Pounds Value)	0	10
Brooms	-	Dozen common Brooms	0	1½
Butter	-	Cwt. of Butter	0	1
Bundle	-	Small Bundle or Parcel	0	2
Bricks	-	Thousand Bricks	1	0
Bran	-	Load of Bran	0	6
Canvas	-	Large Bolt of Canvas, No. 1, 2, 3.	0	2
	-	Small Bolt of Canvas	0	1

			<i>s.</i>	<i>d.</i>
Carriages	-	For every Four-wheeled Carriage	5	0
	-	Two-wheeled Carriage	2	6
Case	-	Case, Twenty-seven Feet cubic	0	6
	-	All other Cases in proportion.		
Casks	-	Thirty-two Gallons or above, empty	0	1
	-	Under Thirty-two Gallons, ditto	0	0½
Chairs	-	Dozen Mahogany Chairs	1	0
	-	Ditto other Chairs	0	6
Chalk	-	Ton of Chalk	0	2
Cheese	-	Cwt. of Cheese	0	1
Coals, Culm, and Cinders	-	Chaldron, Winchester Measure	1	0
Cordage (new, not in use)	-	Cwt. of new Cordage (not in use)	0	2
(old, not in use)	-	Cwt. of old Cordage (not in use)	0	0¼
Corn	-	Quarter of Wheat, Oats, Malt, Meal, Rye, Barley, Beans, Peas, Tares, and Seeds, of every Denomination	0	3
Copper (new)	-	Cwt. new Copper	0	2
(old)	-	Cwt. old Copper	0	1
Candles	-	Cwt. of Candles	0	1
Clocks	-	Clock (Ten Pounds Value)	0	10
Coffee	-	Cwt. of Coffee	0	1
Cordial Waters	-	Gallon of Cordial Waters	0	1
Cork	-	Cwt. of Cork	0	3
Currants	-	Cwt. of Currants	0	1
Caricatures	-	Dozen Caricatures	1	0
Drugs	-	Ten Pounds Value	0	10
Earthenware	-	Large Crate of Earthenware	0	6
	-	Small Crate of Earthenware	0	4
Eggs	-	120 Eggs	0	0¼
Essence of all kinds	-	Ten Pounds Value	0	10
Feathers	-	Cwt. of Feather for Beds	1	0
	-	Ten Pounds Value, not enumerated or described	0	10
Figs	-	Cwt. of Figs	0	1
Fish, salted or manufac- tured	-	100 of Cod, called sized Fish	0	3
	-	100 of Cod, called the small Sort	0	2
	-	Barrel of Red Herrings	0	1
	-	Bushel or Firkin of Oysters	0	1
	-	Barrel of Oysters less than a Firkin	0	0¼
	-	Kit of Pickled Salmon	0	1
Flowers, artificial	-	Ten Pounds Value artificial Flowers	0	10
Flour	-	Sack of Five Bushels of Flour	0	1
Fruit	-	Bushel of Apples	0	1
	-	Bushel of Pears	0	1½
	-	Bushel of Plums	0	2
	-	Bushel of Cherries	0	2
	-	Cwt. of Grapes	0	2
	-	Bushel of small Nuts, Walnuts, and Chesnuts	0	1
	-	Melon	0	0½
	-	100 Peaches	0	2
	-	All other Fruit not enumerated, for every Ten Pounds Value	0	10
Flower Roots	-	Ten Pounds Value	0	10
Frames, Picture	-	Ten Pounds Value	0	10
Furniture, Household	-	Ten Pounds Value	0	10
Game	-	Hare	0	2

		s.	d.
Game	For every Rabbit	0	1
Glass	Crate of Window Glass	0	4
	Crate of Glass Ware	0	3
	All other Glass not enumerated, for every Ten Pounds Value	0	10
Hay	Load of Hay Thirty-six Trusses	0	5
Hides	Cwt. raw	0	0½
	Cwt. tanned	0	1
Honey	Cwt. of Honey	0	2
Hemp	Cwt. of Hemp	0	1½
Hoops	Bundle of Wooden Hoops	0	0½
	Cwt. of Iron Ditto	0	1
Hops	Bag of Hops	0	6
	Pocket of Hops	0	4
Iron in Bars, or un- wrought	Ton of Iron in Bars, or unwrought, and so in proportion	1	0
Iron Ware of all Descrip- tions	Cwt. Iron Ware of all Descriptions	0	1½
Kelp	Ton of Kelp	1	0
Lard	Cwt. of Lard	0	1
Laths	Dozen Bundles of Laths	0	2
Lead	Cwt. of Lead	0	1
Lemons	1,000 Lemons	0	6
Leather	Cwt. of tanned Hides	0	1
	Cwt. of fine tanned Hides	0	2
Lime	Ton loose, or in Packages	0	3
Marble	Ton of Marble	1	0
Mats	1,000 of Mats	0	3
Medals	Ten Pounds Value	0	10
Metal	Ton of cast Metal	1	0
	Cwt. of Copper or Brass, unwrought	0	1½
	Cwt. of Copper or Brass wrought	0	0½
	Cwt. of Pewter wrought	0	0¼
	Cwt. of old Pewter	0	0¼
	Cwt. of Tin	0	1
	And all other Metals not enumerated, for every Ten Pounds Value	0	10
Oil	Barrel of Train or Fish Oil	0	4
	Pound perfumed Oil	0	0¼
Oil Cakes	Thousand Oil Cakes	1	0
Oakum	Cwt. of Oakum	0	1
Oker	Cwt. of Oker	0	1
Oranges	1,000 Oranges	0	3
Orrice Root	Cwt. of Orrice Root	0	1
Paint, common	Cwt. common Paint	0	1
Paper	Cwt. of Paper	0	1
Perfumery	Ten Pounds Value of Perfumery	0	10
Pictures	Under Two Feet square	0	6
	Two Feet square, and under Four Feet	1	0
	Four Feet square and upwards	2	0
Pimento	Cwt. of Pimento	0	2
Pitch	Barrel of Pitch	0	3
Plaster of Paris	Ton, Plaster of Paris	1	0
Pepper	Cwt. of Pepper	0	2
Plated Goods	Ten Pounds Value of Plated Goods	0	10
Poultry	Goose	0	1½
	Turkey	0	2

[Local.]

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			s.	d.
Poultry	-	For every Dozen Fowls	0	6
	-	Dozen Ducks	0	9
Plums	-	Cwt. of Plums, dried	0	2
Prunes	-	Cwt. of Prunes	0	1
Powder for Hair	-	Pound of Hair Powder	0	0 $\frac{1}{4}$
Pomatum	-	Pound of Pomatum	0	0 $\frac{1}{4}$
Paper Prints	-	Dozen of Paper Prints	0	6
Pork	-	Cwt. of Pork	0	1
Rags	-	Cwt. of old Rags	0	1
Raisins	-	Cwt. of Raisins	0	1
Rice	-	Cwt. of Rice	0	1
Rosin	-	Cwt. of Rosin	0	1
Salt	-	Ton of Salt	1	0
Saltpetre	-	Ton of Saltpetre	1	0
Slates	-	Ton of Slates	1	0
Skins	-	Ten Pounds Value	0	10
Spirits or Strong Waters	-	Gallon of Spirits or Strong Waters	0	0 $\frac{1}{2}$
Soap	-	Cwt. of Soap	0	1
Soap Ashes.	-	Ton of Soap Ashes	0	6
Starch	-	Cwt. of Starch	0	1
Steel and Steel Ware	-	Ten Pounds Value	0	10
Stones	-	100 Feet of Paving Stones	2	0
	-	Ton Portland, Purbeck, or other Stone used for Building	1	0
	-	Ton of Bolder or Flint Stones	0	1
	-	Ditto of Chalk Stones, rough and hewn	0	2
	-	Great Millstone	0	6
	-	Small Millstone	0	3
	-	Tombstones, not being Marble	0	6
	-	Marble Tombstones	1	0
	-	Chaldron of Grindstone	1	0
	-	Stone or Stonework, not otherwise enume- rated, Ten Pounds Value	0	10
Sugar	-	Cwt. of Sugar	0	1
	-	Cwt. of Sugar Candy	0	2
Stoves	-	Stove or Grate	0	2
Straw	-	Load of Straw	0	2
Swine	-	Head, alive or dead	0	2
Stationery	-	Ten Pounds Value of Stationery	0	10
Shoes	-	Dozen Pair of Shoes of every Description	0	6
Tallow	-	Ton of Tallow	1	3
Tar	-	Barrel of Tar	0	3
Tea	-	Chest of Tea	0	3
	-	Half Chest	0	1 $\frac{1}{2}$
Tiles	-	1,000 Plain Tiles	1	0
	-	1,000 Top, Ridge, Gutter, or Pan Tiles, or Mathematical Tiles	1	6
	-	1,000 Paving Tiles	1	0
Tobacco	-	Cwt. of Tobacco	0	1
Trunks	-	Small Trunk, Chest, or Box	0	2
	-	Large Trunk, Chest, or Box, under Twenty-seven Feet Cube	0	3
Toys	-	Ten Pounds Value	0	10
Tongues	-	Dozen of Tongues	1	0
Tow	-	Cwt. of Tow	0	1
Turnery	-	Ten Pounds Value of Turnery	0	10
Turpentine	-	Small Cask of Turpentine	0	1
	-	Large Ditto Ditto	0	2

			<i>s.</i>	<i>d.</i>
Varnish	-	-	0	1
		For every Small Cask of Varnish		
		- - Large Ditto Ditto	0	2
Vinegar	-	-	0	1
		- - Small Cask of Vinegar		
		- - Large Ditto Ditto	0	2
Vegetables	-	-	0	1
		- - 100 Cabbages		
		- - Sack of Potatoes	0	1
		- - Sack of Onions	0	2
		- - Bushel of French Beans	0	2
Wood	-	-	1	0
		- - Load of Oak or other Timber		
		- - 120 Battens	2	0
		- - 120 Deals, from 6 to 16 Feet in Length	3	0
		- - 120 Deals, from 16 to 21 Feet in Length	4	0
		- - 120 Deals, above 21 Feet in Length	5	0
		- - 120 Deal Ends, under 6 Feet in Length	1	0
		- - Mast, from 12 Inches in Diameter, and upwards	2	6
		- - Mast, from 8 Inches in Diameter, and not exceeding 12 Inches	1	6
		- - Spar above 6 and not exceeding 8 Inches	0	3
		- - Spar above 4 and not exceeding 6 Inches	0	1
		- - Score of Spars or Ufers not exceeding 4 Inches	0	3
		- - Fathom of Lath Wood under or of 5 Feet	1	0
		- - Fathom of Lath Wood above 5 Feet	1	6
		- - Chord of Fire and other old Wood	0	6
		- - 120 Paling Boards	1	6
		- - Dozen of Handspikes	0	3
		- - 120 Pipe Staves	1	6
		- - 120 of Hogshead Staves	1	0
		- - 120 Barrel Staves	0	9
		- - 120 of other Staves not above mentioned	0	6
		- - Load of Oak, Elm, or other Plank	1	0
		- - 1,000 of Treenails	0	6
		- - All Wood paying Custom Duty by the Ton, for every Ton	1	0
		- - 120 Boards not otherwise enumerated	1	0
Wine	-	-	0	0 $\frac{1}{4}$
		- - Gallon of Wine		
Wool	-	-	2	0
		- - Pack of Wool, Yarn, or Cotton, containing 240 lbs. Weight		
		- - Large or small Packet of Wool in proportion.		
		- - Barge or other Craft passing through each Lock, the Sum of	1	0

