



ANNO QUADRAGESIMO NONO

GEORGI III. REGIS.

Cap. 114.

An Act for building a Chapel of Ease in the Town of
Worthing, in the County of *Suffex*.

[27th May 1809.]

WHEREAS an Act was passed in the Forty-third Year of the
Reign of His present Majesty, intituled, *An Act for paving,
lighting, cleansing, watching, and improving the Streets, Passages,
and Places within the Town of Worthing, in the County of Suffex, for
removing and preventing Annoyances and Obstructions therein, and for estab-
lishing an effective Police in the said Town:* And whereas the Commissioners
appointed by the said Act have proceeded to put the same into Execution,
to the great Convenience of the Inhabitants of the said Town, and Per-
sons resorting thereto: And whereas since the passing of the said recited
Act several other new Streets, Squares and Places have been made or built:
And whereas the Sum which the said Commissioners are empowered to
borrow upon the Credit of the Rates or Assessments made by the said re-
cited Act is inadequate to the Expences of carrying the same into Execu-
tion; and the said Commissioners have contracted Debts, and are now in-
debted in considerable Sums of Money, which cannot be paid off unless
further Powers be granted to the said Commissioners, and it is necessary
that the said Act should be amended and enlarged: And whereas it would
be of great Convenience and Benefit to the Inhabitants of the said Town
of *Worthing*, and to the Persons resorting thereto, if a Market House was
[*Loc. & Per.*] 24 U built

43. G. 3. c. 59.

built in the said Town, and a Market established therein; but as these several Objects cannot be obtained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That the Commissioners appointed for putting in Execution the said recited Act, shall be and they are hereby appointed Commissioners for putting in Execution this Act.

Commissioners appointed by 43 G. 3. to be Commissioners of this Act.

Persons interested not to act as Commissioners.

II. Provided always, and be it further enacted, That if any Person or Persons appointed or hereafter to be appointed a Commissioner or Commissioners for the Execution of the said recited Act and this Act, shall have any Share or be anyways interested (other than as a Commissioner or Commissioners under the said recited Act and this Act) directly or indirectly, in any Contract or Work to be done in or about the Execution of any of the Powers of the said recited Act or this Act, or shall have or enjoy any beneficial Employment under or by virtue of the said recited Act or this Act, every such Person shall, during the Term of such Contract, or during his Continuance in such Employment, be utterly disabled and disqualified from acting as a Commissioner or Commissioners under the said recited Act or this Act.

Power for Commissioners to borrow an additional Sum on the Rates.

III. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered from Time to Time, as soon after the passing of this Act as they shall judge it necessary, to borrow and take up at Interest any Sum or Sums of Money not exceeding Three thousand Pounds in addition to the Sum of Two thousand Pounds allowed to be borrowed under the said recited Act (making in the Whole, with the said Sum of Two thousand Pounds already borrowed, the Sum of Five thousand Pounds), upon the Credit of the Rates or Assessments made or hereafter to be made under the Provisions and Powers of and by virtue of the said recited Act, and to secure the Payment thereof, with Interest, by Mortgage of the said Rates and Assessments, which Mortgages shall be executed in like Manner and Form, and upon such Terms, and so assignable and transferrable, and so entered by the Clerk to the said Commissioners, and so redeemable, as in and by the said recited Act is directed.

Notice to be given of borrowing Money.

IV. And be it further enacted, That before any such additional Sum or Sums of Money shall be so borrowed at Interest as herein-before mentioned, the like Notice, signifying the Intention of borrowing such Money, shall be given and published as in and by the said recited Act is directed; and that the Sums to be borrowed upon the Credit of the said Rates or Assessments by virtue of the said recited Act and this Act shall not at any Time exceed in the Whole the Sum of Five thousand Pounds.

Appointment of Town Crier.

V. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, at any Meeting to be holden in pursuance of the said recited Act or this Act, to appoint such Person or Persons as they shall think proper to act as Town Crier or Criers of the said Town of *Worthing*; and no Person or Persons whatsoever, except such Crier or Criers so appointed by the said Commissioners,

tioners, shall at any Time act as a Crier in the said Town of *Worthing*, upon pain of forfeiting for every such Offence the Sum of Twenty Shillings for every Time any such Person shall so act as a Crier.

VI. And be it further enacted, That from and after the passing of this Act the said Commissioners, or any Seven or more of them, at any of their Meetings to be held in pursuance of the said recited Act and this Act, shall and may and they have hereby full Power and Authority from Time to Time and at all Times, to set down, fix, ascertain, and determine the Rates, Fares, and Prices which shall from Time to Time be paid and payable to any Chairmen or others employed in carrying and conveying One or more Person or Persons in any Chair to or from any Bathing House or to or from any Part of the said Town of *Worthing* to any other Part thereof, as they the said Commissioners shall judge reasonable and proper, and which said Rates, Fairs, and Prices, and none other, shall from Time to Time be charged and demandable by and payable to any such Chairmen or others respectively; and also that they the said Commissioners, at any such Meeting as aforesaid, shall and may and they are hereby empowered to make and ordain such Rules, Orders, and Bye Laws for the better regulating and governing such Chairmen and other Persons so employed as aforesaid within the said Town of *Worthing*, as to them shall seem meet and reasonable, so as such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called *England*, or inconsistent with the Provisions and Directions in this Act contained: and also to fix and appoint such pecuniary and other Penalties, not exceeding Twenty Shillings for any One Offence, for Non-observance or Non-performance, or other Breach of all or any of such Rules, Orders, or Bye Laws, as they shall think necessary; and all such Penalties shall be recovered and applied, and such Punishment shall be inflicted on Non-payment of such Penalties, as in and by the said recited Act is directed for recovering, applying, and inflicting Penalties and Punishments on any Person or Persons offending or trespassing against the same.

Regulating
Fares of
Chairmen.

VII. And whereas Disputes have arisen since the passing of the said Act, in relation to the Payment by the Surveyors of the Highways of the Parish of *Broadwater*, to the said Commissioners, of a proportionate Part of the Highway Rate, annually raised in the said Parish for repairing and amending the Streets, Lanes, Ways, Passages, and Places within the said Town of *Worthing*, heretofore repairable by the said Surveyors; and Doubts have arisen whether the said Commissioners and Surveyors have Power of Appeal as in other Cases and Matters in the said recited Act, to the Quarter Sessions of the Peace, in order to obtain a Settlement of such Matters in Dispute between them; be it therefore enacted, That if the said Commissioners or the said Surveyors respectively, shall at any Time hereafter, upon Application to Two or more Justices of the Peace for the County of *Sussex*, as in the said recited Act is directed, be dissatisfied with the Determination or Judgement made by them, it shall and may be lawful to and for the said Commissioners or Surveyors respectively, within Six Calendar Months next after such Determination or Judgement shall be made as aforesaid, to appeal to the Justices of the Peace at the General Quarter Sessions to be holden in and for the Western Division of the said County of *Sussex*, or any Adjournment thereof (at which not

For settling
Disputes
between Com-
missioners and
Surveyors of
the Highways.

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less than Three Justices shall be present) against such Determination or Judgement, such Appellants first giving or causing to be given Ten Days Notice at least in Writing to the Respondents or Party appealed against of their Intention to bring such Appeal; and the said Justices in Sessions, on due Proof of such Notice being given as aforesaid, shall hear and ascertain and finally determine the Amount of Repairs done by the said Commissioners, and the proportionate Part of the Highway Rates which ought to be paid by the said Surveyors to the said Commissioners, and all Arrears due thereon since the passing of the said recited Act, and shall award such Costs to the Appellants or Respondents as the said Justices shall think proper; and the Determination of the said Justices at such Sessions or Adjournment, shall be final, binding and conclusive to all Intents and Purposes whatsoever.

Special Meetings.

VIII. And whereas Doubts have arisen as to the Construction of Part of the said recited Act, enacting as follows; *viz.* 'That no Order, Rule, Resolution, or Proceeding had, made, or done at any Meeting held in pursuance of this Act, at which there shall have been Seven Commissioners present, shall be revoked, suspended, or altered, unless at some subsequent Meeting to be held for that Purpose, which any Nine or more of the Commissioners are hereby empowered to call, and at which Meeting at least Ten Days previous Notice of the Time, Place, and Purpose shall be given to or left at the respective Places of Abode of the Commissioners having a Residence in *Worthing*, or within Three Miles thereof, a greater Number of Commissioners than were present at the Meeting or Meetings at which such Order, Rule, Resolution, or Proceeding proposed or intended to be revoked, suspended, or altered, shall have been made, shall be present, and shall concur in the Revocation, Suspension, or Alteration thereof; and in such Case, no other Meeting for the Execution of the said Act shall be held until after the Day expressed in such Notice;' be it therefore enacted, That so much of the said recited Act shall be and is hereby declared to be repealed, and that no Order, Rule, Resolution, or Proceeding made at any Meeting of the Commissioners to be holden in pursuance of the said recited Act or this Act, shall be revoked, altered, or suspended at any subsequent Meeting, unless at a Meeting to be holden for that express Purpose, nor unless Notice, specifying the Revocation, Suspension, or Alteration intended to be made, signed by the Clerk to the said Commissioners, shall be given to or left at the respective Places of Abode of the said Commissioners having a Residence in *Worthing*, or within Three Miles thereof, at least Ten Days previous to such subsequent Meeting, nor unless a Majority of the said Commissioners present at such subsequent Meeting shall decide in favour of such Suspension, Revocation, or Alteration, and a greater Number of Commissioners shall be present at such subsequent Meeting than were present at the Meeting when such Order, Rule, Resolution, or Proceeding was had or made.

For building a Market House and establishing a Market.

IX. And whereas it would be a great Advantage and Accommodation to the Inhabitants of the said Town of *Worthing*, and of all Persons resorting thereto, if a Market for all Kinds of Mear, Fish, Poultry, Butter, and Garden Stuff, were established within the said Town; be it therefore enacted, That the said Commissioners appointed by the said recited Act and this Act, shall have full Power and Authority to view, set out, and describe,

describe, and to purchase such Plot or Piece of Ground within the said Town, as they shall adjudge most convenient and proper for holding the said Market, and for making proper Avenues thereto, and shall have full Power and Authority, and are hereby authorized and empowered to establish and hold, or cause to be established and held, a Market within the Limits of the said Plot or Piece of Ground so to be set out and described by the said Commissioners as aforesaid for a Scite of the said Market; and that the said Commissioners shall and may cause such Market to be held Daily and every Day, or less frequently, according as the same shall to them appear necessary for the Convenience and Accommodation of the Inhabitants of the said Town, and of Persons resorting thereto.

X. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors or Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, or other Trustees whomsoever, not only for or on Behalf of themselves, their Heirs and Successors, but also for or on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femmes Covert, and to and for all Femmes Covert which are or shall be seised in their own Right, and to and for all and every Person or Persons whomsoever who are or shall be seised or possessed of or interested in such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary to be purchased for the Purposes aforesaid, or for any other of the Purposes of this Act, to treat, contract, and agree with the said Commissioners, for the Sale thereof or any Part thereof, and to sell and convey all or any Part thereof, and all their, his, or her Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Commissioners, or to such Persons and their Heirs for ever, as the said Commissioners shall direct, in Trust for them the said Commissioners for any of the Purposes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances and Assurances in the Law whatsoever, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

Corporations and incapacitated Persons may treat.

XI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Buildings, Lands, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act 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, 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 Privy of the Accountant General of the High Court of Chancery, to

Application of Compensation Money if amounting to 200l.

be placed to his Account there, *ex parte* the Commissioners for executing the said recited Act and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Buildings, Lands, and Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Buildings, Lands, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction or Approbation of the said Court, in the Purchase of other Buildings, Lands, or Hereditaments, which shall be conveyed and settled, to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Buildings, Lands, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as, at the Time of making such Conveyance and Settlement, shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, 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 Buildings, Lands, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Above 201.

XII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Buildings, Lands, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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 Buildings, Lands, 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 by Writing under their respective Hands, be paid into the Bank in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Seven or more of the 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 hereinbefore directed so far as the Case be applicable, without obtaining or being required.

quired to obtain the Direction or Approbation of the said Court of Chancery.

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

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

XV. And be it further enacted, That when any Question shall happen to arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate,

Under 201.

In case of not making out Titles,

or if Persons cannot be found, Purchase Money to be paid into the Bank

subject to the Order of the Court of Chancery on Motion or Petition.

Respecting disputed Titles.

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Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery, and the Dividends or Interest of such 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 apparent to the said Court that such Possession was an illegal Possession, and that some other Person or Persons was or were legally entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may direct the Payment of Expences.

XVI. Provided always, and be it further enacted, That in all such Cases where, by Reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, 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 and may be lawful for the said Court to order the Expences attendant upon all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees or any Seven or more of them, out of the Monies to be received or collected by virtue of the said recited Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Commissioners may contract for building Market House.

XVII. And be it further enacted, That the said Commissioners may contract with any Person or Persons for building, erecting, and finishing the said Market House, and all Buildings, Stands, Stalls, Sheds, Shambles, Bulks, and other Conveniences, and may contract with such Person or Persons for providing proper Materials for all or any of the Purposes aforesaid, or for doing any of the Works authorized by this Act; and all Contracts, and Agreements made or entered into by and between the said Commissioners, at any of their Meetings to be held in pursuance of this Act, and any Person or Persons whomsoever, relating to any Act, Matter, or Thing to be done or performed in executing of any of the Powers hereby granted, shall be reduced or put into Writing, and signed by the Parties thereto, and shall specify the Work to be done, the Prices to be paid, the Time within which the same shall be completed, the Quantity of the Materials to be used, and the Penalties for Non-performance thereof; and the said Commissioners may take such Security from the Contractors for the due Performance of such Contract as to them shall seem necessary; and the said Commissioners may, if they think it necessary, cause the Works done in pursuance of such Contracts to be surveyed, and if the same shall not appear to be performed according to such Contract, the Surveyor shall report the same to the said Commissioners at any

any of their Meetings to be held in pursuance of this or the said recited Act, and the said Commissioners may cause an Action at Law or in Equity to be brought in the Name of their Treasurer or Treasurers against the Party or Parties refusing or having neglected duly to perform his or their Contract, for Recovery of the Penalty contained in such Contract for a specific Performance thereof, as to the said Commissioners shall seem most advisable, in the same Manner as in any other Case of Contracts or Agreements between any other Persons whomsoever.

XVIII. And be it further enacted, That for the better Regulation of the said Market, it shall be lawful for the said Commissioners, and they are hereby authorized and required, from Time to Time, to make and ordain such Orders, Rules, and Regulations as to them shall from Time to Time seem requisite and necessary for the ordering, directing, and appointing the particular Day or Days and Time or Times, or Hour or Hours at which any Flesh Meat or other raw Victuals, Goods, Wares, and Commodities which are usually sold in public Markets shall begin to be offered or exposed for Sale in the said Market so to be erected and established as aforesaid, and how long the same shall continue, and shall from Time to Time cause such Orders, Rules, and Regulations to be proclaimed in open Market, and the Times of beginning and concluding such Market to be announced by the ringing of a Bell, or by such other Ways or Means as the Commissioners shall from Time to Time think best.

Orders to be made for regulating Market.

XIX. And, for preventing any Encroachments which may hereafter be made on the said Market; be it further enacted, That from and after the said Commissioners shall have given Notice in Writing, signed by their Clerk, in some one Newspaper usually circulated in the said County of *Suffex*, that a Market is thereafter to be held within the Limits of the said Plot or Piece of Ground for the Scite of the said Market, which Plot or Piece of Ground shall be particularly specified in such Notice, it shall not be lawful for any Person or Persons to vend or expose to sale any Manner of Flesh or other raw Victuals, Fish, live or dead Poultry, Butter, Herbs, Roots, Fruit, or Garden Stuff, or any other Sort of Provision which is usually sold in public Markets, or any live Hogs, Pigs, or Pigeons, in any other Place whatsoever within the said Town; and every Person who shall sell or expose to sale any of the said Matters or Things out of the said Market within the said Town, shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Forty Shillings; and every Person inhabiting within the said Town, who shall buy any such Matters or Things so exposed to sale within the said Town, but out of the said Market, shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Twenty Shillings (except on the Days when such Market shall not be held as aforesaid): Provided always, that nothing herein contained shall extend or be construed to extend to prevent the Fishermen belonging to the said Town of *Worthing* from selling Fish on the Sea Beach, or any of the Inhabitants of the said Town from selling in his, her, or their Houses or other Premises in his, her, or their Occupation, Poultry, Butcher's Meat, and Butter, or any Herbs, Roots, Vegetables, Fruits, or Garden Stuff, or any other Sort of Provision.

For preventing Encroachments on Market, &c.

XX. And be it further enacted, That it shall be lawful for the said Commissioners to erect and appoint a certain public Weighing House or Place, at or near the said Market so to be erected and established as aforesaid,

Weighing House to be built.

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

Tolls to be collected by Persons appointed by Commissioners.

XXI. And be it further enacted, That there shall be paid to the said Commissioners, or the Person or Persons by them appointed to receive the same, by all and every the Person and Persons holding, using, or occupying any Stall, Shed, or Standing, or selling or offering or exposing to sale any Butcher's Meat or other Goods, Articles, or Things as aforesaid, in the said Market so to be erected and established as aforesaid, from and after the same Market shall have been opened and used as such, the several Tolls or Sums following, (that is to say);

Market Tolls.	For every Stall or Shed used by a Butcher for selling Flesh Meat, being actually his own Property, per Day	One Shilling.
	For each Stall or Shed used by a Person for exposing to sale Cheese, Bacon, or Pickled Pork per Day	One Shilling.
	For every Basket, Parcel, or Quantity of Butter, not exceeding Twelve Pounds	Two-pence.
	For ditto, exceeding Twelve Pounds, and not ex- ceeding One and a Half Dozen Pounds	Three-pence.
	For every Basket, Parcel, or Quantity of Butter, ex- ceeding one and a Half Dozen Pounds, and not ex- ceeding Two Dozen Pounds	Four-pence.
	For ditto, exceeding Two Dozen Pounds, per Dozen	One Penny.
	For Poultry, including Fowls, Chickens and Ducks, Wild Fowl and Rabbits, not exceeding Half a Dozen	Three-pence.
	- - - not exceeding One Dozen	Sixpence.
	- - - not exceeding Two Dozen	Nine-pence.
	- - - not exceeding Three Dozen	One Shilling.
	- - - not exceeding Four Dozen	One Shilling and Three-pence.
	and for every Dozen exceeding Four Dozen	Three-pence.
	For every Turkey or Goose	Two-pence.
	For every Half Dozen, or under One Dozen of Pigeons	Two-pence.
	For One Dozen, and not exceeding Two and a Half Dozen	Four-pence.
	Not exceeding Two Dozen	Sixpence.
	And for every Dozen exceeding Two Dozen, per Dozen	Two-pence.

For

For every Basket, Parcel, or Quantity of Eggs under Two Dozen	Two-pence.
For every Dozen above Two Dozen	One Penny.
Every Person selling Fish (except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Cockles or Muscles) to pay for each Basket, Hamper, Parcel, or Quantity, not containing more than Two Gallons	Four-pence.
For every Basket, Hamper, Parcel, or Quantity, not containing more than Half a Bushel	Eight-pence.
For every Basket, Hamper, Parcel, or Quantity, not containing more than One Bushel	One Shilling and Three-pence.
For every Basket, Hamper, Parcel, or Quantity, containing more than One Bushel	Two Shillings.
For every Gallon of Cockles or Muscles	One Penny.
For every Basket, Parcel, or Quantity of Fruit, not exceeding Half a Bushel	Two-pence.
For every Basket, Parcel, or Quantity of Fruit, not exceeding a Bushel	Three-pence.
For every Basket, Parcel, or Quantity of Roots viz. Potatoes, Turnips, Carrots, Parsnips, Onions, not exceeding a Bushel	Two-pence.
For every Basket, Parcel, or Quantity of other Vegetables, not exceeding a Bushel	One Penny Half-penny.
For every Basket, Parcel, or Quantity of Roots, or Vegetables, exceeding a Bushel, <i>per</i> Bushel	One Penny.
For every live or dead Sucking Pig	Two-pence.
For Lobsters and Crawfish, not exceeding in Weight Half a Dozen Pounds	Three-pence.
For ditto, not exceeding in Weight a Dozen Pounds	Four-pence.
For every Half Dozen Pounds of ditto above One Dozen Pounds	Three-pence.
For Crabs not exceeding in Weight Half a Dozen Pounds	One Penny.
For ditto not exceeding in Weight One Dozen Pounds	One Penny Half-penny.
For every Half Dozen Pounds above One Dozen Pounds	One Penny.
For every Hundred of Prawns	Two-pence.
For every Hundred of Shrimps	One Halfpenny.
For every dead Hog or Porker	Four-pence.
For fresh Pork, not exceeding in Weight Half a Dozen Pounds	One Penny.
For ditto not exceeding One Dozen Pounds	Two-pence.
For ditto not exceeding a Dozen Pounds above One Dozen Pounds	One Penny.
And every Person having or using a Stall or Shed for selling any Articles or Things which are not included in this Table, or for selling any Article or Thing for which he or she can claim a legal Exemption from Toll, to pay for such Stall or Shed <i>per</i> Day	One Shilling.

And

Penalties on
evading Tolls.

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

Commissioners
may make
Bye Laws.

XXII. And be it further enacted, That it shall be lawful for the said Commissioners at any Meeting to be held in pursuance of this Act, from Time to Time to make such Rules, Orders, Regulations and Bye Laws for the better Régulation of the said Market (not repugnant to any Thing in this Act contained, or contrary to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*) as the Nature of each particular Circumstance shall require, and from Time to Time to alter, vary, revoke, or make void any of such Rules, Orders, Regulations, and Bye Laws; which Rules, Orders, Regulations, and Bye Laws so as aforesaid to be from Time to Time made, shall be printed and affixed on the said Market House on Four successive Days after the same shall be made, and shall be valid and effectual to all Intents and Purposes; and all and every Officer and Officers to be appointed as herein-after is mentioned shall observe and obey the same in all Things touching their respective Offices, on pain of forfeiting any Sum not exceeding Forty Shillings for every Default in the due Observance thereof: Provided always, that all such Rules, Orders, Regulations, and Bye Laws, and all Convictions for any Penalties or Forfeitures imposed by virtue thereof, shall be liable to appeal to the Justices of the next General Quarter Sessions of the Peace, from the said Commissioners, in like Manner as is herein-after provided or mentioned with respect to any other Matter of Appeal; but no such Rules, Orders, Regulations, and Bye Laws shall have any force until Four Days after the same shall have been fairly written out or printed, and signed by the Clerk to the said Commissioners, and set up or fixed at some

Place

Place within the said Market, and inserted Once at least in some one weekly Newspaper usually circulated in the said County of *Suffex*.

XXIII. And, for raising a Sum of Money sufficient for the Purchase of such Plot or Piece of Ground for the Purpose of establishing and holding the said Market, and for the building and making Stalls, Sheds, Stands, and other Erections thereon, and for other incidental Charges and Expences attending the said Market; be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby authorized and empowered from Time to Time to raise, borrow, take up, and receive; of and from any Person or Persons whomsoever who shall be willing to advance and lend the same, any Sum or Sums of Money not exceeding in the Whole the Sum of Four thousand Pounds, upon the Credit of the said Market, and the Rents, Profits, and Tolls thereof, and to secure the Payment thereof with Interest by Mortgage of the said Market, and the Rents, Profits, and Tolls thereof; and for securing the Re-payment of the Money so to be borrowed and the Interest thereof, the said Commissioners, or any Seven or more of them, shall and may by Writing under their Hands and Seals, assign over or mortgage the same Tolls and Profits to the Person or Persons advancing and lending such Money, which Assignment or Mortgage shall be in the Form and to the Effect following:

For borrow-
ing Money on
Tolls.

BY virtue of an Act made and passed in the Forty-ninth Year of the
Reign of His Majesty King *George* the Third, intituled, [*here set forth the Title of this Act*] We, Seven of the Com-
missioners appointed by virtue of the said Act, or by virtue of an Act
made and passed in the Forty-third Year of the Reign of His Majesty
King *George* the Third, intituled, [*here set forth the Title of the said re- cited Act*] or one of them, for putting the same into Execution, in Con- sideration of the Sum of advanced and paid
by to the Treasurer appointed in pursuance
of the said Acts or One of them, upon the Credit and for the Purposes
of the said Acts or One of them, do grant and assign unto the said
Executors, Administrators, and Assigns, such Proportion
of the Tolls and Profits arising and payable by virtue of the said first- mentioned Act, in respect of the Market for *Flesh Meat* and other
Victuals and Things in the said Town of *Worthing*, as the said Sum of
doth or shall bear to the whole Sum
which is or shall be borrowed upon the Credit of the Tolls and Profits
arising and payable by virtue of the same first-mentioned Act, to be had
and holden from this Day of until the
said Sum of with Interest at per Centum
per Annum for the same, to be paid Half Yearly, shall be repaid and
satisfied. In Witness whereof we have hereunto set our Hands and
Seals this Day of

Form of
Security.

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

XXIV. And be it further enacted, That before any such Money shall be borrowed at Interest on the Credit of the said Profits and Tolls, the like Notice shall be given by the said Commissioners in like Manner, and the said Grants and Mortgages before-mentioned shall be executed in like Manner, and so assignable and transferable, so entered by the Clerk to the said Commissioners, and so redeemable as in and by the said recited

Securities
transferable.

[*Loc. & Per.*]

24 Z.

Act

Act is directed with respect to Monies borrowed and to be borrowed upon the Credit of the Rates or Assessments made in pursuance of the said recited Act (except otherwise directed by this Act).

Treasurer and other Officers to be appointed,

who are to be paid Salaries,

and give Security.

Officers shall account.

Accounts to be verified by Oath.

XXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to elect and appoint fit and proper Persons to be Treasurer or Treasurers, Clerk or Clerks, Market Looker or Market Lookers, Collector or Collectors, Receiver or Receivers of the Monies to be collected and received by virtue of this Act, and such other Officers as the said Commissioners shall think proper, and from Time to Time to remove and displace all or any of such Officers as they shall see Occasion, and to elect and appoint others in the Room or Place of such of them as shall be so removed or shall die or resign their Offices; and also, that it shall be lawful for the said Commissioners from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages and Salaries, and make such Allowances to the said Officers and to all other Persons to be employed in or about the Execution of this Act, as they the said Commissioners shall think reasonable and proper; and they shall require and take such Security from every such Treasurer, Collector, and other Officers so to be appointed for the Execution of their respective Offices as they the said Commissioners may think proper; and every such Officer and Person so to be appointed for the Execution of their respective Offices, shall under his Hand at such Time or Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners or to such Person or Persons as they shall appoint to receive the same, a true and perfect Account in Writing of all Money which shall have been by such Officers respectively received by virtue of or for the Purposes of this Act, and how much thereof hath been paid and disbursed and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Money as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and every such Person so accounting shall upon Oath (which Oath any One of His Majesty's Justices of the Peace in and for the said County of *Suffex* is hereby authorized and empowered to administer and take) verify such their respective Accounts; and if any such Treasurer, Collector, Officer or Person shall not make or render, or shall neglect or refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days next after being thereunto required by Notice in Writing signed by the Clerk of the said Commissioners for the Time being, and given or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, or give Satisfaction to the said Commissioners respecting the same, and if Complaint shall be made thereof by or on Behalf of the said Commissioners to any Justice of the Peace for the County aforesaid, such Justice is hereby authorized and required by Warrant under his Hand and Seal to order such Treasurer, Collector, Clerk, Officer or Person so refusing or neglecting to be brought before him, and upon his appearing or his not being found, to hear and determine the Matter of Complaint in a summary Way; and if upon the Confession of the Party or by the Testimony of One credible Witness.

Witness upon Oath, it shall appear to such Justice that any of the Money that shall have been collected and raised by virtue of this Act shall be in the Hands of such Treasurer, Collector, Clerk, Officer, or Person, such Justice may and he is hereby authorized and required to order the Payment thereof, and upon Non-payment thereof by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Collector, Clerk, Officer, or Person, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, and which he is hereby authorized and empowered to settle and ascertain, rendering the Overplus (if any) to the Party or Parties so distrained on, or leaving the same at the Place where the Distress shall be made; or if it shall in Manner aforesaid appear to any such Justice that any such Treasurer, Collector, Clerk, Officer, or Person shall refuse or neglect to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or any Books, Papers, or Writings relating to the Execution of this Act which shall be in the Custody or Power of any such Treasurer, Collector, Clerk, Officer, or other Person, and that he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice shall commit such Treasurer, Collector, Clerk, Officer, or Person to the Common Gaol of the said County of *Suffex*, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or shall have compounded with the said Commissioners touching the same, and have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), or until he shall deliver up all such Books, Papers, and Writings as aforesaid, or give such Satisfaction in respect thereof as aforesaid; provided that no Person shall be imprisoned for any such Offence as last-mentioned for a longer Space of Time than Six Calendar Months.

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

Power for
Commission-
ers to let
Tolls.

XXVII. And be it further enacted, That all the Rents, Profits, and Produce of the said Market, and of the Buildings, Stalls, Sheds, Shambles, and Conveniences to be erected and built, and the Tolls to be collected as aforesaid or to arise therefrom respectively, shall be and the same are hereby vested in the said Commissioners of the said recited Act and this Act and their Successors, and they shall stand seized and be possessed thereof, and shall stand and be possessed of the Monies to be borrowed and

Profits of
Market how
applied.

and taken up at Interest on the Security of the said Tolls arising from the said Market, to, for, and upon the several Uses, Ends, Intents, and Purposes herein-after mentioned and expressed, (that is to say), by and out of the Monies to be borrowed and taken up at Interest as aforesaid, to pay and defray the Costs, Charges, and Expences attending the obtaining of this Act, and to pay or reimburse themselves the Purchase Money of the said Lands, Tenements, and Hereditaments on the Site whereof the said Market is intended to be erected and established, and other Costs, Charges, and Expences attending the said Purchase, and the Costs, Charges, and Expences of erecting and building the said Buildings, Sheds, Stalls, Stalls, Shambles, Bulks, and other Conveniences for the said intended Market; and by and out of the said Rents, Profits, and Produce of the Tolls to be collected as aforesaid, in the first Place, to pay and discharge all Rates, Taxes, or Assessments to be laid or imposed on the said Market, Buildings, Stalls, Stands, Sheds, Shambles, Bulks, and other Conveniences, and every Part thereof, and the Expences of collecting the Rents and Profits thereof, and of collecting the said Tolls, with the Salary of their Collector, Clerk, and Treasurer of the said Market and the Tolls thereof, and of such other Officer or Officers as may be appointed by virtue of this Act; and in the next Place to discharge the Interest of such Sum or Sums of Money as shall be borrowed upon any Mortgage or Mortgages of the Tolls and Profits of the said Market, Buildings, Stalls, Stands, Sheds, Shambles, Bulks, and other Conveniences, and to discharge the Expences of keeping the same Buildings, Stalls, Stands, Shambles, Bulks, and other Conveniences in good Repair; and in the next Place to apply the same towards discharging and paying off the Principal of all Monies borrowed on such Mortgage or Mortgages as aforesaid, and to pay and apply the Overplus (if any) in Satisfaction and Discharge of the Monies borrowed and to be borrowed by virtue of the said recited Act and this Act, upon the Credit of the Rates or Assessments to be made in pursuance of the said recited Act.

When Monies
paid off, Tolls
to be lowered
to One-fourth.

XXVIII. And be it further enacted, That when and as soon as the Principal Monies so to be borrowed and taken up at Interest upon the Security of the Tolls arising from the said Market, and also the Monies borrowed and to be borrowed by virtue of the said recited Act and this Act, upon the Credit of the Rates or Assessments to be made in pursuance of the said recited Act shall have been discharged and paid off, then the said Commissioners shall and they are hereby required, within Twenty Days next after the same shall have been so discharged and paid off, to reduce, lower, and abate the said Tolls arising and payable as aforesaid, to One-fourth Part of the Amount or Rate at which the same are directed to be paid in and by this Act; and the said Commissioners shall immediately upon every such Reduction or Abatement of the said Tolls, cause a Notice thereof, signed by their Clerk, to be set up and fixed at some public Part within the said Market, with a Table of the Tolls so reduced and abated.

Power of
Commissioners
to reduce
Tolls.

XXIX. Provided always, and be it further enacted, That notwithstanding the principal Monies so to be borrowed and taken up at Interest upon Security of the Tolls arising from the said Market or any Part thereof, and also the Monies borrowed and to be borrowed by virtue of the said recited Act and this Act, upon the Credit of the Rates or Assessments to be

be made in pursuance of the said recited Act or any Part thereof, shall remain unpaid, it shall and may be lawful to and for the said Commissioners or any Seven or more of them, at any Meeting to be held in pursuance of this Act, from Time to Time if they shall see Occasion or think fit (with the Consent and Approbation of the Person or Persons to whom any Sum or Sums of Money shall be then due and owing upon Security of the Tolls arising from the said Market), from Time to Time to reduce, lower, and abate the said Tolls hereby made payable as aforesaid, in such Proportions as to the said Commissioners shall seem expedient; and after the said Tolls shall have been so reduced and abated, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered (by and with the Consent and Approbation of the Justices of the Peace assembled at any General Quarter Sessions to be holden for the Western Division of the County of *Sussex*, such Consent and Approbation to be signed by an Order of the to be made at such General Quarter Sessions from Time to Time) to augment and raise the said Tolls so reduced and abated, to any Sums not exceeding the Amount of the Tolls fixed and made payable in and by this Act; and the said Commissioners shall immediately, upon every such Augmentation of the said Tolls, cause a Notice thereof, signed by their Clerk, to be set up and fixed in some public Part within the said Market, with a Table of the Tolls so augmented and raised.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners and they are hereby required to pay and discharge the Expences attending the passing of this Act, by and out of the first Monies they shall borrow by virtue of the Power and Authority given to them in this Act.

Expences of obtaining the Act first paid.

XXXI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of recovering whereof is not hereby otherwise directed, shall be recovered and levied in such Manner and Form in all respects as the Penalties and Forfeitures are directed to be levied and recovered by the said recited Act.

Recovery of Penalties.

XXXI. And be it further enacted, That the Commissioners acting under or by virtue of the said recited Act, shall have as full and ample Power of rating, levying, and assessing all such Sum and Sums of Money as they shall deem necessary for the Purposes of this Act, as are given to them in and by the said recited Act; and that all other the Provisions of the said recited Act, except such as are hereby varied or altered, shall be extended to this Act, in as full, large, and ample Manner, to all Intents and Purposes, as if the same were repeated or re-enacted in the Body of this present Act.

Commissioners to have the same Powers to execute this Act as are given by the former Act.

XXXII. And be it further enacted, That this present Act shall be consolidated with the said recited Act, and construed, adjudged, deemed, and taken as Part thereof, as much and in the same Manner, to all Intents and Purposes whatsoever, as if the several Clauses, Powers, and Authorities herein contained had been enacted and inserted in the Body of the said recited Act; and all Clauses, Provisions, Authorities, Penalties, Descriptions, Matters, and Things in the said recited Act contained for the Purposes and due Execution thereof, are hereby declared to be extended to,

This Act consolidated with said Act 43 G. 3.

[Loc. & Per.]

25 A

and

and shall and may operate and be allowed, performed, exercised, and put in force (in all Cases where the same are applicable for the Purposes of this Act) for the due Execution of this Act, as fully and effectually to all Intents and Purposes as could or might have been in case such Clauses, Provisions, Authorities, Penalties, Descriptions, Matters, and Things in the said recited Act had been made Part of this present Act.

Public Act.

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

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