



ANNO TERTIO

GEORGII IV. REGIS.

Cap. lvii.

An Act to establish a Market for the Sale of Butcher's Meat and other Articles, and to repair and amend certain Roads in the Town or Tithing of *Bognor* in the County of *Sussex*.

[24th May 1822.]

WHEREAS the Town or Tithing of *Bognor* in the Parish of *South Bersted* in the County of *Sussex* hath of late Years greatly increased in Buildings and Population, and is become a Place of great Resort for the Nobility, Gentry, and others, at particular Seasons of the Year: And whereas a Market-house, with proper Stalls, Sheds, Standings, and other Conveniences, hath for some Time past been erected, built, and made, at a Place called *The Steyne*, in the said Town or Tithing, by and at the sole Expence of and on Lands belonging to *Richard Clark* Esquire: And whereas it would be a great Benefit and Advantage to the Inhabitants of the said Town or Tithing, and of public Utility, if a Market were established in the said Market-house so built by the said *Richard Clark*, and the same Market were properly regulated, and the Markets to be held in the said Town or Tithing were established on a permanent Footing, and proper Rules and Regulations made for the future good Government thereof, and of all Persons frequenting the said Market; for which Purpose it is necessary that certain Tolls, Rates, and Duties should be granted and applied for and towards maintaining and

[*Local.*]

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keeping

Commission-
ers.

keeping the said Market and Market-house, and the Avenues thereto, at all Times to come, in good and sufficient Repair : And whereas the Roads or Ways herein-after mentioned, that is to say, a certain Road running North and South, and situate on the West Side of a certain Place called *The Steyne*, in the said Town, and thence to the Hotel in *Bognor* ; Two certain other Roads also running North and South, and situate opposite to the East and West Ends of certain Buildings in *Bognor* called *Hothampton Place* ; another Road running North and South, called the *Sea Road*, leading out of the King's Highway by the Bathers' Cottage towards the Sea ; another Road running North and South, called *High Street*, leading out of the King's High Road towards the Sea ; and another Road running North and South leading out of the King's High Road near to *Tork House*, belonging to the Widow *Smith* ; and divers other Roads or Ways in the said Town, have been heretofore set out by the respective Proprietors of the Lands adjoining, for the Use and Accommodation of the Public ; and it would be of public Utility if the said Roads were vested in the Commissioners appointed for putting this Act in execution, for the Purpose of repairing and from Time to Time of improving the same : And whereas, in order to raise Money towards defraying in part the Expences attending the beneficial Purposes last mentioned, it is expedient that a Duty should be charged on all Coals, Culm, and Coke imported or landed in the said Town or Tithing ; but as the beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable *Arthur Saunders* Earl of *Arran* in *Ireland*, Sir *John Edward Harington* Baronet, *Charles Edward Wilsonn*, *Thomas White*, *James Woodman*, *Richard Hasler*, *Frederick Temple*, *Richard Dally*, *Richard Clark*, *John Price Gruggen*, *Daniel Wonham*, *Charles East Walkden*, *William Hardwick*, *Richard Wonham*, *John Thomas Dennett*, and *Thomas Rusbridger*, and their Successors, to be elected and appointed as herein-after mentioned, shall be and they are hereby constituted and appointed Commissioners for putting this Act in execution.

Qualifica-
tions of Com-
missioners.

II. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless he shall usually reside within the said Town or Tithing, or at some Place within the Distance of Eight Miles therefrom ; or unless he shall, in his own Right, or in the Right of his Wife, or as Trustee for Feme Coverts, Infants, or others, be in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments within the said Town or Tithing of *Bognor* of the yearly Value of Sixty Pounds, or be the Occupier of Lands, Tenements, or Hereditaments as aforesaid of the yearly Value of Eighty Pounds, or be possessed of a Personal Estate, or a Real and Personal Estate together, of the Value of One thousand five hundred Pounds ; nor unless he shall have previously taken and subscribed the Oath (or Affirmation, if one of the People called *Quakers*,) next following before any Two or more of the said Commissioners, who are hereby authorized and required to administer the same, before he takes upon himself to act in the Trusts and Authorities by this Act granted ; which

Oath or Affirmation shall be in the Words or to the Effect following ;
(that is to say,)

‘ I *A.B.* do swear [*or affirm, as the Case may be*], That I am in my own Oath.
‘ Right, *or* in Right of my Wife, *or* as Trustee for a Feme Covert,
‘ Infant, or others, in the actual Possession or Receipt of the Rents and
‘ Profits of Lands, Tenements, or Hereditaments within the Town or
‘ Tithing of *Bognor* in the County of *Sussex* of the yearly Value of Sixty
‘ Pounds [*or am Tenant or Occupier of Lands, Tenements, or Heredita-*
‘ *ments within the said Town or Tithing of the yearly Value of Eighty*
‘ *Pounds, or am possessed of a Real and Personal Estate together of the*
‘ *Value of One thousand five hundred Pounds*]; and that I will truly,
‘ faithfully, and impartially, according to the best of my Skill and Judg-
‘ ment, execute and perform the several Powers and Authorities reposed
‘ in me as a Commissioner by virtue of an Act passed in the Third Year
‘ of the Reign of His Majesty King *George* the Fourth, intituled *An Act*
‘ [*here insert the Title of this Act*]. So help me GOD.’

And in case of a Quaker, omitting the Words ‘ So help me God.’

And if any Person or Persons, not being so qualified, or not having taken and subscribed the Oath aforesaid, or being a Quaker not having made and subscribed the Affirmation as aforesaid, shall nevertheless presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt, Bill, Complaint, 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 : Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as aforesaid, previous to his or their being convicted of the said Offence shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act.

III. And be it further enacted, That when any of the Commissioners herein named, or any Commissioner or Commissioners to be elected in pursuance of this Act, shall die, or refuse or neglect to act, or be rendered incapable of acting, it shall be lawful to and for the several Persons within the said Town or Tithing, including Commissioners possessed of Property sufficient to qualify them to be appointed Commissioners under this Act, or the major Part of the said Persons as shall be present at a Special Meeting to be convened for that Purpose by the said Commissioners, to elect and appoint another Commissioner, being a Proprietor or Owner of Lands, Tenements, or Hereditaments, or an Inhabitant or Resident within the said Parishes, and qualified as herein-before is mentioned, in the Room of such Commissioner so dying, refusing or neglecting to act, or rendered incapable of acting ; and every Person so elected and appointed (after having taken and subscribed the Oath, or, being a Quaker, made and subscribed the Affirmation herein-before prescribed,) is hereby vested with

Election of
new Com-
missioners.

with the same Powers for putting this Act in execution, and shall and may be and is hereby authorized and empowered to act, to all Intents and Purposes, in as full, large, and ample a Manner as the Person in whose Stead or Place he shall be so elected and appointed; and that when and as often as any new Commissioner or Commissioners shall be nominated and appointed as aforesaid all the Property, Powers, and Authorities which under or by virtue of this Act shall have been vested in the Commissioner or Commissioners so dying, refusing or neglecting to act, or rendered incapable of acting, shall by force and virtue of this Act, and without any Conveyance, Assignment, Transfer, or other Assurance, be and be considered as vested in the surviving or continuing Commissioner or Commissioners, and such new or other Commissioner or Commissioners, as fully and effectually as if he or they had been originally nominated a Commissioner or Commissioners in and by this Act.

First Meeting
of the Com-
missioners.

IV. And be it further enacted, That the said Commissioners, or any Three or more of them, shall, on the Second *Monday* next after the passing of this Act, meet together between the Hours of Ten of the Clock in the Morning and Two of the Clock in the Afternoon of that Day, at the House commonly called or known by the Name of *The Hotel*, or at the House called *The New Inn* in the said Town or Tithing, or at some other convenient House or Place within the said Town or Tithing, when, if Three or more of the said Commissioners shall be there assembled, but not otherwise, it shall and may be lawful for them and they are hereby required to proceed in the Execution of this Act; and that afterwards a General Meeting of the Commissioners shall be held for the same Purpose on the First *Monday* in every Month, between the Hours and at the Place aforesaid, unless some other Time or Place within the said Town or Tithing shall be appointed by the said Commissioners, or any Three or more of them; and if at the Time when any such Meeting shall be appointed as aforesaid there shall not be Three or more Commissioners then and there present, then each and every such Meeting (unless expressly adjourned to any other Time or Place within the said Town or Tithing as herein-after mentioned) shall stand and be adjourned to the First *Monday* in the following Month, on which a Meeting in pursuance of this Act would otherwise have been held.

Majority of
Commission-
ers at a Meet-
ing to decide.

V. And be it further enacted, That all the Powers or Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the Majority of them present at any General or Special Meeting to be holden in pursuance of this Act, the Number of Commissioners then and there present not being less than Three; and a Chairman shall and may be appointed at every such Meeting; and that in all Cases the said Commissioners shall vote by Ballot, in case the same shall be desired by any Two or more of the said Commissioners then present, and in case of an equal Number of Voters upon any Occasion, including the Chairman's Vote, the Chairman shall have the casting Vote; and that at every such Meeting the Commissioners then and there attending shall pay and defray their own Expences.

No Act valid
unless Three
Commission-
ers present at
a Meeting.

VI. And be it further enacted, That no Act of the said Commissioners shall be legal or valid unless the same be done at some General or Special Meeting to be held in pursuance of this Act, and unless at every such Meeting

Meeting there shall be at least Three Commissioners present (except as herein-after mentioned); and all Acts, Orders, and Directions of the Majority of such Commissioners present at such Meetings as aforesaid shall have the same Force, Power, and Effect as if the same were made or done by all the Commissioners for the Time being: Provided always, that any Two of the said Commissioners assembled at any General or Special Meeting held in pursuance of this Act may, if necessary, adjourn such Meeting from Time to Time to the same or any other Place within the said Town or Tithing which they shall think convenient.

VII. And be it further enacted, That if at any Time hereafter it shall or may be necessary to hold a Special Meeting before the Time at which a General Meeting is herein-before appointed and required to be held as aforesaid, that then and in any such Case it shall and may be lawful to and for any Two or more of the said Commissioners to direct such Special Meeting to be held, giving or causing to be given at least Seven Days Notice by the Town Crier or some other Person proclaiming the same through the said Town, and affixing a Notice in Writing on the Market-house of the Time, Place, and Purport thereof.

Special Meeting to be called at the Request of Two Commissioners.

VIII. Provided also, and be it further enacted, That no Person appointed a Commissioner by virtue of this Act shall act or be capable of acting as a Commissioner, or of attending any Meeting to be held in pursuance and in execution of this Act, during such Time as he shall hold or enjoy any Office or Place of Profit under the same, or shall be directly or indirectly concerned or interested in any Manner whatsoever, or shall in anywise be personally or beneficially interested in any Contract made, done, or executed under or by virtue of this Act in any Manner whatsoever, other than as a Creditor on the Rates, Tolls, or Assessments as herein-after mentioned; but every such Commissioner shall in any or either of such Cases be and is hereby declared to be disqualified to act as a Commissioner in the Execution of this Act; and in case any Commissioner being so disqualified shall act in the Execution of this Act, every such Commissioner shall forfeit and pay for every such Offence the Sum of Fifty Pounds, to be recovered by Action at Law in any of His Majesty's Courts of Record at *Westminster* or elsewhere, in which Action no Essoign, Protection, or Wager at Law, or more than One Imparlance, shall be allowed.

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

IX. And be it further enacted, That no Order, Rule, Resolution, Regulation, Act, or Proceeding made, done, allowed, or carried into effect at any Meeting held in pursuance of this Act shall be altered or suspended, revoked, rescinded, disannulled, or disallowed in any Manner whatsoever, unless at some subsequent Meeting of the said Commissioners to be held for that particular Purpose, of which Seven Days Notice in Writing of the Time, Place, and Purport of such Meeting shall have been given by the Clerk to the said Commissioners in manner aforesaid, and unless a greater Number of the said Commissioners, by Three at least, than were present at any Meeting at which such Order, Rule, Resolution, Regulation, Act, or Proceeding so proposed to be altered or suspended, revoked, rescinded, disannulled or disallowed was made shall be present, and unless the Majority of the Commissioners present shall concur therein.

No Resolution of a former Meeting to be rescinded unless at a Special Meeting.

Power for the
Commissioners
to appoint
Officers.

X. And be it further enacted, That the said Commissioners shall and may from Time to Time whenever they shall think necessary, by Writing under their Hands, appoint a Treasurer or Treasurers, Clerk, Collector or Collectors, Receiver or Receivers of the several Tolls, Duties, Rents, and other Monies to be imposed, levied, raised, or received under or by virtue of this Act, and also a Surveyor or Surveyors, and such other Officer or Officers, Person and Persons, for the Execution of this Act, as they the said Commissioners shall think proper, such Preference being given in the Appointment of the same as herein-after mentioned; which respective Officers, if the said Commissioners shall see Occasion, shall be by them sworn to the due and faithful Discharge of their several Offices, in such Form of Oath as the said Commissioners shall appoint, according to the Nature of their respective Offices; and the said Commissioners shall and may from Time to Time remove them or any of them, and in like Manner appoint others in the Room of those removed, and out of the Monies to be raised by virtue of this Act by the said Commissioners pay such Salaries, Wages, or Allowances to the said Officers and other Persons as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from every such Treasurer, Collector, and other Officers and Persons as they the said Commissioners shall think reasonable; and all such Officers so to be appointed shall under their Hands (at such Time and 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, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purpose, together with the Vouchers for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same; and if such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days after being thereunto required by the said Commissioners, by Notice in Writing to be given to 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, and to give Information and Satisfaction to the said Commissioners respecting the same, then and in every such Case, upon Complaint made by the said Commissioners, or any Three or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, City, Town Corporate, or Place wherein such Officer or Person so refusing or neglecting shall reside or be, such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting to be brought before him, and upon his appearing, or having been summoned and not appearing, or not being found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Money which shall have been

collected or raised by the said Commissioners by virtue of this Act shall be in the Hands of such Officer or Person, such Justice may and is hereby authorized and required, upon Nonpayment 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 Officer or Person; and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid such Justice shall and may commit such Offender to the Common Gaol or House of Correction for the County or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have made or given a true and perfect Account and Payment as aforesaid, or until he shall compound with the Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof, to the said Commissioners: Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods and Chattels shall be detained in Prison for any longer Term than Three Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Officers, Person or Persons, and his and their Surety or Sureties, shall remain liable to the Payment thereof, in the same Manner as if such Officer or Person had not been committed to Prison: Provided also, that in the meantime, and until the Market-house, Stalls, Sheds, Standings, and other Conveniences so erected as aforesaid, and the Tolls and Profits to arise therefrom, shall be purchased by the said Commissioners under the Power or Authority herein-after in that Behalf contained, Preference shall always be given in every Appointment which may be made of any Officer or Officers, or other Person or Persons to be employed either in collecting or receiving the Tolls and other Monies arising from the said Market, or otherwise in or about the Management of the same Market, to such Person or Persons as shall be from Time to Time recommended to the said Commissioners by the Owner or Owners for the Time being of the said Market; and any Person or Persons so recommended shall be appointed and elected by the said Commissioners in preference to all other Candidates, unless such Person or Persons may appear to the said Commissioners as improper and unfit to fill the Office or Situation to which he may have been so recommended.

XI. And be it further enacted, That the said Commissioners shall and they are hereby required 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

Accounts to be kept of Receipts and Disbursements, which shall be open of to Inspection.

of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors, or other Person or Persons having an Interest in the several Tolls and other Duties hereby granted and imposed, or any of them, without Fee or Reward; and the said Commissioners, Creditors, and Persons, or any of them, 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 to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in manner herein-after mentioned.

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

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance, shall be allowed.

Executors of Officers dying to account.

XIII. And be it further enacted, That in case of the Death of any of the said Officers before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same out of the Estate and Effects of such Officer unto the said Commissioners, or any Person appointed by them in that Behalf, and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, who shall or may plead such Payment in any Action or Suit that may be brought against them on account of the said Estate and Effects, and give the same in Evidence; and in case of the Nonpayment of such Monies, or the Non-delivery of such Books, Papers, Writings, and Things, for the Space of Fourteen Days next after Demand made thereof in Writing by or on the Behalf of the said Commissioners, it shall be lawful for the said Commissioners to commence and prosecute any Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, for the Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Commissioners,

XIV. And

XIV. And be it further enacted, That if any Person who shall be retained or employed by the said Commissioners as Treasurer, Clerk, Collector, or Surveyor, or in any other Manner acting under or in execution of this Act, shall exact, take, or receive, directly or indirectly, by himself or any other Person to his Use, any Fee, Profit, or Reward whatsoever, or any Promise or Security whatsoever, by himself or any other Person for his Use, other than such Salaries, Allowances, and Rewards as shall or may be allowed as aforesaid, for or on account of any thing done or to be done by virtue of or under this Act, or shall at any Time, directly or indirectly, by himself or others to his own Use, or in Trust for him, be concerned or in any Manner interested in any Sale, Purchase, Bargain, Contract, or Benefit made or to be made, other than as aforesaid, under or by virtue of this Act, every Person so offending shall not only be forthwith removed from his Office, Place, or Employment under this Act, and be incapable of holding any Office or Place, but shall also forfeit the Sum of Five Pounds, to be recovered as herein-after mentioned.

Penalty on
Officers tak-
ing Fees, &c.

XV. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk for the Time being, and all Actions and Suits which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable from or to them by virtue of this Act, or for or in respect of any other Matter or Thing done by them of or relating to this Act, may be brought in the Name of the said Clerk; and that no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners, or any of them, by virtue or on account of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered without the Consent or Direction of the said Commissioners, but the Clerk to the said Commissioners for the Time being shall always be deemed Plaintiff or Defendant in every such Action or Suit (as the Case may be), except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being, in which Action or Suit any One of the said Commissioners shall or may be Plaintiff or Defendant (as the Case may be): Provided always, that every such Clerk or Commissioner in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Damages, Costs, Charges, and Expences as such Clerk or Commissioner shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein; and no such Clerk or Commissioner shall be personally accountable or liable to the Payment of the same unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Commissioners, or any Three or more of them.

Actions to be
brought in
the Name of
the Clerk.

XVI. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, in which shall be fairly written and entered the several Meetings held in pursuance of this Act, and of the Commissioners present thereat respectively, and of the Nomination of all Officers and Persons to act in the Execution thereof, and of all Acts, Orders, Rules, Directions, Resolutions, Proceedings, and of all Tolls, Duties, and other Monies to be imposed or raised by virtue of this

Books to be
kept of Pro-
ceedings.

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Act,

Act, and of all Contracts to be made in pursuance thereof, and of all Matters and Things whatsoever relative to or in any Manner concerning the Execution of this Act; and the Chairman of the Commissioners assembled at any Meeting under this Act shall subscribe his Name at the End of their Proceedings at every such Meeting; and all Entries in the said Books of such Proceedings, signed as aforesaid, shall be admitted in Evidence in any Court whatsoever in all Causes, Suits, or Actions, and upon all Accounts whatsoever, to which the same shall or may in anywise relate, and the same shall, at all convenient and seasonable Times, without Fee or Reward, be open to the Inspection of the said Commissioners, and of all other Persons interested therein.

Market to be held.

XVII. And be it further enacted, That from and after the passing of this Act there shall and may be held in the said Building so erected by the said *Richard Clark* as aforesaid in the said Town or Tithing of *Bognor* an open and public Market for the Sale of Flesh Meat, and other raw Victuals, Fish, Poultry, Rabbits, Sucking-pigs, Eggs, Butter, Herbs, Roots or other Vegetables, Fruit, China, Glass and Earthenware, and such other Articles, Matters, and Things as are usually sold in Public Markets; and the said Market-place, and the Fences, Erections, Sheds, Stalls, and all other Parts thereof, shall for ever hereafter be upholden, maintained, and repaired in a sufficient and proper Manner by the Commissioners for the Time being acting under this Act.

By whom the Market-house, &c. is to be maintained.

Public Notice of Market.

XVIII. And be it further enacted, That within Ten Days after the passing of this Act the said Commissioners, or any Three or more of them, shall cause an Advertisement to be inserted in the *Sussex* and *Hampshire* Newspapers, giving Notice that the said Market will be opened on the *Saturday* next following the Insertion of such Advertisement, or such other convenient Day as shall be fixed by the said Commissioners, for the Sale of Meat and other Articles as aforesaid.

Power to let Stands, Stalls, &c.

XIX. And be it further enacted, That it shall be lawful for the said Commissioners for the Time being acting in virtue of this Act, and they are hereby authorized and empowered, to let any of the Stands, Stalls, Benches, or other Conveniences erected, built, or set up, or to be erected, built, or set up, in the said Market Place, to any Person or Persons who shall or may be willing or desirous of taking the same, by the Year, Half Year, or Quarter of a Year, or any shorter Period, as shall be agreed upon, the Rent for the same to be payable in advance; provided that the Tolls and Rent so to be taken shall not in any Case exceed the Sums specified in the Schedule to this Act annexed.

Power to demise or let the Market and Tolls thereof.

XX. And be it further enacted, That it shall be lawful for the Commissioners for the Time being acting under this Act from Time to Time to demise or let the said Market Place, and to let to farm the Whole or any Part of the Tolls and Profits to be collected or to arise from the said Market, by virtue of this Act, to any Person or Persons who shall be willing to take or farm the same, either by public Auction or private Contract, upon such Terms and Conditions, and with such Securities for the Payment thereof, as shall be agreed upon and contracted for by and between the Commissioners for the Time being acting under this Act, and the Person or Persons respectively to whom such Lettings shall be made.

XXI. And be it further enacted, That for the Regulation of the said Market it shall be lawful for the said Commissioners, or any Three or more of them, and they are hereby authorized, from Time to Time to make, constitute, provide, and ordain such Rules, Orders, and Bye Laws, as they shall think fit, for the regulating, ordering, and governing all Persons, both Buyers and Sellers, thereto coming and resorting, in all Matters which do or may concern or relate to the said Market; and also for the regulating of all Carriers therein, and fixing and ascertaining the Rates and Prices for the carrying and conveying of all Articles carried and conveyed from the said Market, and for the appointing, trying, adjusting, regulating, and ordering of all Weights and Measures according to the legal Standard, and the Sale of Goods, Provisions, and other Things, or any of them, by such Weights and Measures, and for preventing the Sale and exposing to Sale of such Goods, Provisions, and other Things in the said Market by false and deceitful Weights or Measures; and also for preventing the Sale or exposing to Sale of any unwholesome Flesh Meat, Fish, and other Provisions in such Market; and likewise for appointing and altering the Days and Hours on which the said Market shall be held, and for regulating and ordering of all other Matters and Things which do or may concern or relate to the said Market; but nothing herein contained shall authorize or empower the said Commissioners to reduce or lessen the Tolls or Duties in the Schedule to this Act annexed (except as and when they are hereby authorized so to do); and the said Commissioners, or any Three or more of them, may from Time to Time, as they shall think fit, repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, and shall ascertain and therein set down what pecuniary and other Penalties and Forfeitures shall be incurred by Persons breaking or evading such Rules, Orders, and Bye Laws, or any of them, provided that no pecuniary Penalty shall exceed the Sum of Five Pounds for any one Offence; all which said Rules, Orders, and Bye Laws, so to be made as aforesaid, shall not be repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions of this Act; and all Persons so as aforesaid coming and resorting to the said Market are hereby required to observe and keep the same Rules, Orders, and Bye Laws, under such Penalties and Forfeitures respectively as shall be ascertained and set down as aforesaid; and all such Rules, Orders, and Bye Laws shall be signed by the Clerk to the said Commissioners, and shall be painted on Boards in White Letters on a Black Ground, or in Black Letters on a White Ground, and put up or affixed in some conspicuous Place in the said Market, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced; and the same shall be as good, valid, and effectual as if the same had been enacted in this Act; but no Rule, Order, or Bye Law shall have any Force or Effect until Ten Days next after the same shall have been affixed as aforesaid; and the said Rules, Orders, and Bye Laws, and any Alteration thereof, shall be subject to Appeal in manner herein-after mentioned.

Power to
make Rules
and Bye
Laws, &c.

XXII. And for preventing any Encroachments being hereafter made on the said Market so to be established as aforesaid, be it further enacted, That from and after the opening the said Market it shall not be lawful for any Person or Persons to erect or hold any other Market within the said Town or Tithing, or to sell, or offer or expose to Sale, any Manner of Flesh Meat, or other raw Victuals, Fish, Poultry, Rabbits, Sucking-pigs, Eggs,

Penalty on
Persons sell-
ing Meat,
&c. in any
other Place
than the
new Market-
house.

Eggs, Butter, Herbs, Roots, or other Garden Stuff, Fruit, China, Glass, or Earthenware, or other Things which are usually sold in public Markets, in any other Place whatsoever within the said Town or Tithing; and every Person who shall so sell, or offer or expose to Sale, within the said Town or Tithing, any Flesh Meat, or other raw Victuals, Fish, Poultry, Rabbits, Sucking-pigs, Eggs, Butter, Herbs, Roots, or Garden Stuff, Fruit, China, Glass, and Earthenware, or other Things which are usually sold in Public Markets, out of the said Market so to be established for the Sale of Flesh Meat, and other Victuals and Things as aforesaid, and shall be convicted thereof before One or more of His Majesty's Justices of the Peace for the said County of *Sussex*, shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings, to be levied (in case of Non-payment) by Distress and Sale of the Goods and Chattels of the Offender or Offenders, rendering the Overplus (if any), after deducting the Expences of such Distress and Sale, to the Owner or Owners thereof, one Moiety of which Penalty shall go to the Informer, and the other Moiety to the Commissioners for the Time being acting under this Act: Provided always, that nothing herein contained shall be construed to extend to prevent any of the Inhabitant Householdiers within the said Town or Tithing from selling or exposing to Sale any of the aforesaid Articles, Matters, and Things, or any Manner of Goods, Wares, and Merchandizes, in their own Houses and Shops, or Ground used therewith.

Except in
private
Houses, &c.

Power to take
Tolls on
Goods sold in
the Market.

XXIII. And be it further enacted, That there shall be paid to the Commissioners for the Time being acting under this Act, or to their Collector or Collectors or Treasurer, by all and every 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 established as aforesaid, from and after the same Market shall have been opened and used as such, the several Tolls or Sums mentioned and set forth in the Schedule to this Act annexed.

Commissioners to set up
a Table of
Tolls, and
may levy
Penalties on
Persons re-
fusing to pay
Tolls.

XXIV. And be it further enacted, That the said Commissioners, or any Three or more of them, shall set up and maintain in some conspicuous Part of the said Market a Table of the Tolls to be taken by virtue of this Act, and enumerated in the Schedule to this Act annexed; and in case any Person holding, using, or in any Manner occupying any of the said Sheds, Stalls, or Standings, or selling or exposing to Sale any Flesh Meat, or any other Goods or Articles as aforesaid, in the said Market so to be established, shall refuse or neglect to pay, or shall evade the Payment of the several Sums or Tolls as 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 any one of them, or the Person or Persons by them appointed to receive the same for the Time being, 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 Distresses so taken to sell immediately, rendering the Overplus (if any there be), after deducting the Expence of such Distress and Sale, to the Person or Persons whose Property such Goods, Articles, or other Things were at the Time of every such Distress; and any Dispute or Difference which 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 *Sussex*, who shall

Disputes
concerning
the same to
be settled by
a Justice of
the Peace.

shall and is or are hereby empowered to summon the Parties to appear before him or them, and to hear and determine the Matter of every such Complaint in a summary Way, and to make such Order therein, and award such Costs to either Party, as to him or them shall in his or their Discretion seem meet, and by Warrant under his or their Hand and Seal or Hands and Seals to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any), upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges for every such Distress and Sale.

XXV. And be it further enacted, That the several Tolls, Duties, Rents, and Sums of Money so to be paid by the Person or Persons using and occupying the said Market as aforesaid, and all and singular the Fines, Penalties, and Forfeitures by this Act authorized to be levied and recovered in respect of the said Market and Tolls, shall, in the first place, and in preference to all other Payments and Disbursements whatsoever, be applied by the said Commissioners for the Time being in discharging such Portion of the Costs and Expences incurred in and about the applying for and obtaining this Act, as is herein-after charged on the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures, and lawful Interest on such Portion from the Time of the passing of this Act, and afterwards in discharging the Salaries of the Officers to be employed in and about the said Market, and in keeping the said Market-house, and the Buildings, Stalls, Sheds, Stands, and other Erections therein, in good and sufficient Repair, and in providing proper Weights, Steelyards, and other Machines and Articles to be used in and about the said Market, and in the Payment of all Monies which may be raised as herein-after mentioned on the Credit of the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures, or any of them, or any Part thereof, for the Payment of the said Costs and Expences or any Part thereof, and in the Payment of all Interest on the Money so raised; and, subject as aforesaid, the said Tolls, Duties, Sums of Money, Fines, Penalties, and Forfeitures shall (in the meantime and until the said Market House shall be purchased by the said Commissioners, under the Powers herein-after contained,) be paid to and received by the Owner or Owners for the Time being of the said Market-house, as a Compensation for the Costs and Expences incurred in purchasing the Ground or Soil on which the said Market-house is erected, and in erecting the same, and in fitting up the Stands, Stalls, Sheds, and other Erections thereon, and all other Expences relating thereto.

Application
of the Tolls
of the
Market.

XXVI. And in order to enable the said Commissioners to raise the Monies which may be necessary to defray the said Portion of the said Costs, Charges, and Expences, be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized for that Purpose to borrow and take up at Interest such Sum or Sums of Money as they shall think necessary, upon the Credit of the said Tolls, Duties, Rents, Sum and Sums of Money, Fines, Penalties, and Forfeitures, or any of them, and by Writing under the Hands and Seals of the said Commissioners to assign all or any Part of the said Tolls, Duties, Rents, Sum and Sums of Money, Fines, Penalties, and Forfeitures, to such Person or Persons as shall be willing to lend or advance any Money thereon as a

Power to
raise Money
to pay the
Costs of this
Act, &c.

[*Local.*]

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Security

Security for the Payment of the Principal Money so to be advanced, together with Interest for the same.

Power to the
Commis-
sioners to
purchase the
Market.

XXVII. Provided always, and be it further enacted, That at any Time or Times after the Payment out of the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures, of the said Portion of the Costs and Expences incurred in or about the applying for and obtaining this Act, or in anywise relating thereto, and of the Interest which may become due and payable thereon, and after Payment of all Securities which may be raised for that Purpose on the Credit of the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures, under the Power herein-before in that Behalf contained, and of all Interest on the Monies so raised, it shall and may be lawful to and for the Commissioners for the Time being acting under this Act, or the major Part of such of them as shall be present at any Special Meeting to be called for that Purpose, to treat and agree for the Purchase of the said Market-house, and the Stands, Stalls, Sheds, and other Erections thereon, and the Ground and Soil on which the said Market-house stands, with the Appurtenances; and that it shall and may be lawful for all and every Person or Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees, Committees, Executors, Administrators, and all other Persons whatsoever, who are or shall be seised or possessed of or interested in the said Market-house and Premises, and not only for and on behalf of themselves, but also for and on behalf of their respective Cestuique Trusts or Wards, Femes Covert, or Infants, Issue unborn, Lunatics, Idiots, or other Persons whomsoever, to contract with the said Commissioners to sell to them the said Market-house and Premises, and every Part thereof.

Enabling
incapacitated
Persons to
sell.

XXVIII. And be it further enacted, That if at the Time of entering into any Contract or Agreement for the Purchase of the said Market-house and Premises the same shall belong to any Feme Covert, Infant, Lunatic, Idiot, Cestuique Trust, or to any Corporation, or Person or Persons under any Disability or Incapacity whatsoever, or in case the same shall be limited in strict or other Settlement, or under any Disability or Incapacity whatsoever, the Money which shall be so agreed to be paid for the Purchase thereof as aforesaid shall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for the *Bognor* Market and Road Act, to the Intent that such Money shall be laid out and invested, 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 Tolls of the said Market-house and Premises, in case the same had not been purchased), in the Purchase of Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the said Market-house and Premises 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 Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of

Three Pounds *per Centum* Consolidated 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 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 Messuages, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, as herein particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Commissioners for executing this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or 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 shall 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 and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the 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 Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities ; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by 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 Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
of Compensa-
tion Money
when exceed-
ing 200*l*.

XXX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity

Application
when the
Compensa-
tion Money
is less than

200*l.*, but
not less than
20*l.*

capacity 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 Lands, Tenements, and 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 High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Two 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 Chancery.

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

XXXI. 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 Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners 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.

Where any
Question
shall arise
touching the
Title, direct-
ing what
shall be done
with the
Money, &c.

XXXII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act, for the Purchase of the said Market-house and Premises, or of any Right or Interest therein, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who at the Time of such Purchase shall have been in the actual Receipt of the Tolls of the said Market-house from the said Commissioners, under the Directions herein contained, to pay the same to the Owner or Owners for the Time being of the said Market-house, until the Purchase by the said Commissioners, and all Persons claiming under such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to the said Market-house and Premises, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that some other Person or Persons was or were lawfully entitled to the said Market-house and Premises, or to some Estate or Interest therein.

XXXIII. Pro-

XXXIII. Provided also, and be it enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the 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 of Chancery to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Commissioners for the Use of which such Lands, Tenements, Hereditaments, and Premises respectively shall be so purchased as aforesaid, out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court of Chancery may order reasonable Expences.

XXXIV. And be it further enacted, That the Sales, Conveyances, and Assurances of the said Market-house and Premises to be made to the said Commissioners shall be made in the Form or to the Effect following; (that is to say,)

Form of Conveyance.

‘ I *A.B.* in consideration of the Sum of
 ‘ Pounds to me paid by the Commissioners acting by virtue of an Act
 ‘ passed in the Third Year of the Reign of King *George* the Fourth,
 ‘ intituled [*here insert the Title of this Act*], do hereby grant and convey
 ‘ to the said Commissioners and their Heirs all [*here describe the Premises*
 ‘ *to be conveyed*], and all my Estate, Right, Title, and Interest to and in
 ‘ the same and every Part thereof, to hold to the said Commissioners and
 ‘ their Heirs, as Joint Tenants for ever. In witness whereof I have here-
 ‘ unto set my Hand and Seal, this Day of
 ‘ in the Year of our Lord .’

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

XXXV. And in order to raise Monies sufficient for the Purchase of the said Market-house and Premises, and the Expences incident thereto, be it enacted, That at any Time or Times after the Payment out of the aforesaid Tolls, Duties, Rents, Sums of Money, Fines, Penalties, Forfeitures, or any of them, of the said Portion of the Costs and Expences incurred in or about the applying for and obtaining this Act, or in anywise relating thereto, and of all Interest which shall become payable thereon, and after Payment of all Monies which may be raised for that Purpose on the Credit of the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures under the Power herein-before in that Behalf contained, and of all Interest on the Monies so raised, it shall and may be lawful for the Commissioners for the Time being acting under this Act, or any Three or more of them, and they are hereby authorized to borrow and take up at Interest any such Sum or Sums of Money, upon the Credit of the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures, or any of them, as they shall find necessary for making the Purchase of the said Market-house and Premises, and for paying all the Costs and Expences incident to such Purchase; and by Writing under the Hands

Power to raise Monies for the Purchase of the Market by Mortgage of the Tolls.

[*Local.*]

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and

and Seals of them the said Commissioners, or any Three or more of them, at any Meeting to be held or appointed as herein-before is mentioned, to assign all or any Part of the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures to such Person or Persons as shall be willing to lend or advance any Money thereon, as a Security for the Payment of the Principal Money so to be advanced, with Interest for the same.

How the
Tolls are to
be applied
after the Purchase is
made.

XXXVI. And be it further enacted, That from and after the said Market-house shall be purchased by the said Commissioners the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures shall (after the Payment thereof of the said Portion of the said Costs, Charges, and Expences, and after Payment of the Salaries of the Officers employed in and about the said Market-house, and of such Sums of Money as shall be requisite for keeping the said Market-house, and the Buildings, Stalls, Sheds, Stands, and other Erections therein, in good and sufficient Repair, and for providing proper Weights, Steelyards, and other Machines to be used in and about the said Market,) be applied in paying all Monies which shall be raised and borrowed under the Power and Authority last herein-before contained, and in discharging all Interest which shall become due thereon ; and from and after the Payment of such Principal Monies and Interest the said Tolls, Duties, Rents, Sums of Money, Fines, Penalties, and Forfeitures shall be applied by the said Commissioners in making such Improvements in the said Town or Tithing of *Bognor*, for the Use and Accommodation of the Public, as the said Commissioners for the Time being shall think proper or necessary.

Power to
reduce the
Tolls.

XXXVII. And be it further enacted, That after the Purchase of the said Market-house as aforesaid, and when the said Portion of the Expences of passing this Act, and all the Principal Monies which shall be borrowed and raised on the Credit of the said Tolls, Duties, Rents, and Sums of Money, Fines, Penalties, and Forfeitures, in pursuance of the Powers and Authorities herein-before in that Behalf contained, or any of them, and all Interest on the same respective Monies, shall be paid off and discharged, then it shall and may be lawful for the Commissioners for the Time being acting under this Act, or the major Part of them who shall be present at any Meeting to be specially called for that Purpose, from Time to Time, as and when they shall see Occasion and think fit, to reduce, lower, and abate the Tolls hereby made payable as aforesaid, and in such Proportions as to the said Commissioners, or the major Part of them, shall seem expedient, and afterwards to augment the same to any Amount, not exceeding the Amount specified in the Schedule to this Act annexed.

Roads and
other Matters
and Things
vested in the
Commissioners for
the Purposes
of the Act.

XXXVIII. And be it further enacted, That all the Roads and Ways herein-before mentioned and described, and all other Roads, Footpaths, or Passages which shall hereafter be set out by any Person or Persons within the said Town or Tithing of *Bognor*, for the Use and Accommodation of the Public, and the Stones, Gravel, Drains, Bunnies, and other Materials belonging thereto, shall, with the Consent in Writing of the Owner or Owners of the said Roads, Ways, Paths, and Passages, belong to and be the Property of and the same are hereby vested in the Commissioners for executing this Act ; and that all Materials and other Things provided or purchased by the said Commissioners for the Purposes of this Act shall also be vested in the same Commissioners, and the Commissioners shall
and

and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, (as the Case may require,) against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy, the several Articles and Things hereby vested in the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "The Commissioners for the Improvement of the Town of *Bognor* in the County of *Sussex*," without particularly mentioning or specifying the Name or Names of all or any of such Commissioners.

XXXIX. And be it further enacted, That the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of (for the Purposes of this Act) all or any of the said Articles and Things, or any Part or Parts of the same respectively, to such Person or Persons and in such Manner as the said Commissioners shall think proper.

Commissioners empowered to sell the Articles or Things so vested in them.

XL. And be it further enacted, That if any Waggon, Cart, Sledge, or Dray, or any other such Carriage, or any Horse, Ass, or Mule, with or without a Basket or Baskets or Pannier, or other Loading, shall at any Time be left or suffered to be or remain, stay, stand, or continue in any of the Roads or Ways within the Limits of this Act, for any longer Time than shall be necessary for the loading or unloading thereof, or shall be set, placed, or left, or stand or be, upon any Part of the Crossings of any such Road or Way, or shall stand, be set, or placed athwart or across any Part of any such Road or Way (although for the Purpose of loading or unloading the same), so that there shall not be sufficient Room left for another Carriage to pass; or if any Common Stage Waggon or Cart shall be left to stand or continue in any of the said Streets, Roads, or Ways longer than shall be necessary for the Purpose of loading or unloading thereof; or if any Stage Coach, or any Post Chaise or other Carriage let to Hire, shall be suffered to stand in any such Roads or Ways for a longer Time than shall be necessary for taking up and setting down Passengers or Travellers, or for loading and Delivery of Luggage or Parcels; or if any Goods, Wares, or Merchandize, Materials or Things, of what Nature or Kind soever, shall be or remain in such Road or Way for a greater Space of Time than shall be necessary for the housing or removing thereof (except in such Cases as are herein provided for); then and in every such Case the Owner or Driver of every such Carriage as aforesaid, and the Owner of such Horse, Ass, or Mule, and the Owner of such Goods, Wares, Merchandize, Materials, or Things as aforesaid, or the Person or Persons causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, paid, and applied in the same Manner as other Penalties are by this Act directed to be recovered, levied, paid, and applied.

Carts, Carriages, &c. not to be left in the Roads or Ways, &c.

XLI. And be it further enacted, That if any Person shall run, drive, carry, or place on any of the Footpaths or Footways on the Side or Sides of the Roads or Ways within the Limits of this Act, any Wheelsledge, Wheelbarrow, Handbarrow, Truck, or Carriage; or shall roll any Cask for the Space of Forty Yards; or shall slaughter, singe, scald, dress, or cut

To prevent Nuisances on the Footways, &c.

cut up any Beast, Swine, or other Cattle, or hoop, cleanse, or scald any Cask; or hew or saw any Stone, Wood, or Timber; or bind, make, or repair the Wheel of any Carriage; or shoe, bleed, dress, or farry, or turn or drive loose, any Horse; or set, place, or expose to Sale any Goods, Wares, or Merchandizes, either in the Footways or Carriageways or other public Passages or Places of the said Town or Tithing, so as to obstruct or incommode the Passage of any such Footway or Carriageway; or shall make or assist in the making any Fires commonly called Bonfires; or shall set fire to or let off or throw any Squib, Rocket, Serpent, Cracker, or other Firework within any of the said Roads or Streets or other public Passages or Places; or play at Football or any other Game upon the said Footpaths or Footways; every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided that nothing herein contained shall hinder or prevent the setting, placing, or exposing to Sale any Horses, Beasts, or Cattle, or any Goods, Wares, or Merchandize, on Fair Days, upon any Part of any public Road or Carriageway adjoining the said Footways, or in any Part or Parts of the said Footways and Carriageways, or elsewhere within the said Town or Tithing, in such Manner as they have heretofore been set, placed, or exposed to Sale.

Duties for
Repairs of
Roads, &c.

XLII. And in order to raise Money towards defraying the Portion of the Costs and Expences incurred in or about the applying for and obtaining this Act, and charged on the Duties next herein-after mentioned, and the Interest which may become payable thereon, and to defray the Expences of keeping all the said Roads and Ways so vested in the said Commissioners in good and sufficient Repair, and to enable the said Commissioners to widen, improve, and amend the same from Time to Time, and to make such other Improvements in the said Town or Tithing, for the Use and Accommodation of the Public, as they shall think proper and necessary, be it enacted, That from and immediately after the Second *Monday* next after the passing of this Act there shall be paid to the said Commissioners, or to their Collector or Treasurer, or to such other Person or Persons as they shall from Time to Time appoint to collect and receive the same, any Rate or Duty the said Commissioners shall think fit, not exceeding the Rate and Duty following; (that is to say,)

Duties on
Coal, &c.

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

Rate or Duty
vested in the
Commission-
ers.

Which said Rate and Duty shall be vested in the said Commissioners, and shall be paid in addition to all other Duties and Impositions payable in respect of the said several Matters or Things by any Law or Statute now in force: Provided always, that nothing in this Act contained shall extend or be construed to extend to charge with any of the said Rates or Duties, any Sea Coal, Culm, or Coke carried from *Chichester* to *Bognor*.

Penalty for
not paying
Duties.

XLIII. And be it further enacted, That in case any Sea Coal, Culm, or Coke shall be imported or landed within the said Town or Tithing (except as aforesaid), and the Rate and Duty thereon respectively by this
1 Act

Act imposed shall not be paid or tendered at the House or Office of the Collector or Person appointed to receive the same, within Twenty-four Hours after the same shall have been imported or brought within the said Town or Tithing, the Owner or Owners of such Coal, Culm, or Coke shall, in addition to the Rate and Duty by this Act imposed, forfeit and pay to the said Commissioners any Sum not exceeding Twenty Shillings for each and every Chaldron of the said Coal, Culm, and Coke, for which the said Duty shall not have been so paid, and so in proportion for any Quantity less than a Chaldron; and the said Commissioners, or the said Collector or other Person or Persons, are and is hereby authorized and empowered to seize and detain the said Coals, Culm, and Coke, or any Part thereof, wheresoever the same may be found, on Nonpayment of the said Rate or Duty thereon respectively, and the said Penalty, and within the Space of Three Days next after such Seizure to sell the same respectively, or any Part thereof, by public Auction, and by and out of the Produce thereof to detain the said Rate or Duty and Penalty, and also the Charges and Expences of making and selling such Distress, rendering the Overplus (if any), upon Demand, to the Owner or Owners of the same: Provided always, that in case the Owner or Owners of the said Coal, Culm, and Coke cannot be found or ascertained, then and in such Case the Owner or Owners of the Vessel, Waggon, Wain, Cart, or other Carriage, in which the said Coal, Culm, and Coke shall be loaded, placed, or put, shall be deemed the Owner or Owners thereof for the Purposes of this Act.

XLIV. Provided also, and be it further enacted, That in every Case where any Coal, Culm, or Coke shall have been landed or unloaded within the said Town or Tithing, and for which the Rate or Duty hereby imposed shall have been paid, and which shall have been so landed and unloaded for the Purpose of being forwarded to any other Place or Places, and not to be consumed within the said Town or Tithing, then and in every such Case the Collector or Treasurer to be appointed by virtue of this Act is hereby directed and required to return and pay, on Demand, to the Owner or Owners, or other Person or Persons, on his, her, or their Behalf, a Drawback of the whole Rate or Duty paid for every Chaldron of Coals, Culm, or Coke so landed or unloaded, and which shall have been forwarded to any other Place for Sale or Consumption; and in case the said Collector or Treasurer shall refuse or neglect to return and pay, on Demand, such Drawback as aforesaid, such Collector or Treasurer shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, over and above the Amount of the Rate or Duty paid to him for such Coals, Culm, or Coke.

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

XLV. And be it further enacted, That the said last-mentioned Duties, and all Fines, Penalties, and Forfeitures by this Act authorized to be levied in respect thereof, shall be paid to the said Commissioners, or to their Collector, or other Person to be by them appointed to receive the same, and shall be by them applied and disposed of, in the first place, in Payment of such Portion of the Costs, Charges, and Expences incurred in or about the applying for and obtaining this Act, or in anywise relating thereto, as shall herein-after be charged upon the said last-mentioned Duties, and of the Interest which shall become payable on the said Portion; and in the next place, in the Payment of the Salary or Salaries payable to

Appropriation of the
last-men-
tioned Tolls.

[*Local.*]

20 N

the

the Clerk or other Officers to be employed by the said Commissioners for the Purposes of this Act, so far as relates to the same Duty; and in the next place, in the Repairs, Improvements, and Amendments of all such Roads, Footpaths, Avenues, Passages, and other Ways as have been heretofore or shall be hereafter set out within the Limits of the said Town or Tithing, and by this Act vested in the said Commissioners, and in fencing off the same with Posts and Rails or otherwise, and in making all such Bunnies, Drains, Watercourses, and other Works and Conveniences which shall be deemed necessary or expedient to keep the said Roads, Paths, Avenues, and Passages in due Repair and Condition, and otherwise in the Improvement of the said Town or Tithing, and the Roads and Footpaths therein, as to them the said Commissioners, or any Three or more of them, shall be deemed requisite or proper.

In what Portions the Expences of this Act are to be paid.

XLVI. And be it further enacted, That Three Fifth Parts of the Amount of the Costs, Charges, and Expences incurred or sustained in or about the applying for and obtaining this Act, or anywise relating thereto, shall be a Charge upon the several Tolls, Duties, Rents, Profits, Fines, Penalties, and Sums of Money herein-before made payable to the said Commissioners in respect of the aforesaid Market and Market-house, and shall bear Interest after the Rate of Five Pounds *per Centum per Annum* from the Time of passing this Act; and that the remaining Two Fifth Parts of the said Costs, Charges, and Expences shall thenceforth be a Charge upon the several Rates, Duties, Rents, Fines, Penalties, and Sums of Money the Application whereof is lastly herein-before directed, and shall also bear Interest after the Rate and from the Time last aforesaid.

Power to let Tolls.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to demise or let the said Rates and Duties on Coal, Culm, and Coke to any Person or Persons who shall be willing to take or farm the same, either by public Auction or private Contract, for any Time not exceeding One Year at any One Time, at such Rent and Rents, and upon such Terms and Conditions, and with such Securities for the Payment thereof, as shall be agreed upon and contracted for by and between the said Commissioners and the Person or Persons respectively to whom such respective Lettings shall be made.

Power to borrow Money.

XLVIII. And in order to enable the said Commissioners to put this Act into immediate Execution, with regard to the several Matters and Things last aforesaid, and to raise the Monies which may be necessary to defray such Portion of the Costs and Expences incurred in or about the applying for and obtaining this Act, or in anywise relating thereto, as is herein-before charged on the said last-mentioned Rates and Duties, and the Interest on the same Portion, be it enacted, That it shall and may be lawful for the said Commissioners, or any Three or more of them, and they are hereby authorized, to borrow and take up at Interest any Sum or Sums of Money, as they shall think necessary and proper, upon the Credit of the said last-mentioned Rates and Duties, and by Writing under the Hands and Seals of the said Commissioners, or any Three or more of them, at any Meeting to be held or appointed, to assign all or any Part of the said last-mentioned Rates and Duties to such Person or Persons as shall lend or advance any Money thereon, as a Security for the Payment of the Principal Money so to be advanced, with Interest for the same.

XLIX. And

XLIX. And be it further enacted, That every Mortgage or Assignment which shall be made under this Act, or any of the Powers and Authorities herein-before contained, shall be in the Words and to the Effect following ; (that is to say,) Form of Mortgage or Assignment.

‘ **BY** virtue of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act [here set forth the Title of this Act]*, we, the undersigned Commissioners appointed by and in pursuance of the said Act, and in execution of a Power given to us in that Behalf by the same Act, and in consideration of the Sum of advanced and lent by *A.B.* upon the Credit and for the Purposes of the said Act, do grant, bargain, sell, and demise unto the said *A.B.*, his Executors, Administrators, and Assigns, such Proportion of the [*here mention the Tolls or Duties the Portion whereof respectively is intended to be mortgaged*], payable to us by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum which under and by virtue of the Powers now exercised by us may at any Time be borrowed or become due and owing or charged to us upon the Credit of the said Act, to be had and holden from this Day of in the Year until the said Sum of with Interest at *per Centum per Annum* for the same, shall be paid and satisfied.’

And every such Mortgage or Grant shall be good, valid, and effectual in the Law ; and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the Rates and Duties on which the same Sums are charged, equally one with another, without any Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages or Assignments ; and that it shall and may be lawful to and for any Person or Persons entitled to any of the Securities aforesaid, at any Time, by Writing under his, her, or their Hand or Hands respectively, to assign, transfer, and make over such Securities to any Person or Persons whomsoever, and so *toties quoties* ; and such Assignment or Transfer may be made by Indorsement on the Back of their respective Securities, in the Presence of One credible Witness, after they shall be respectively entered by the Clerk to the said Commissioners in manner herein-after mentioned, and shall entitle the Person or Persons to whom the same shall be respectively made, and his, her, and their Executors, Administrators, and Assigns, to the Benefit of the Security or Securities so assigned or transferred ; and such Assignment or Transfer shall be in the Words or to the Purport following ; (that is to say,) Securities transferrable.

‘ **I** DO transfer this Mortgage, with all my Right and Title to the Principal Money hereby secured, and the Interest due or to grow due thereon, and all Arrears thereof, and all my Right and Title thereunto, unto his Executors, Administrators, and Assigns, this Day of .’ Form of Transfer.

L. And be it further enacted, That the Clerk to the said Commissioners shall, before any Interest on such Security shall be actually paid by the Treasurer, enter in a Book or Books to be provided for that Purpose all Securities for Money borrowed by virtue or in pursuance of this Act, and all Securities, and Assignments thereof, to be entered in a Book.

all Assignments, and so much of such Wills as relate to the Bequest of any such Security ; to which Book or Books any Person or Persons interested therein shall, at all seasonable Times, have Access and free Liberty to inspect the same, without Fee or Reward : Provided always, that before such Assignment or Transfer shall be so entered by the Clerk an Affidavit (sworn before some Justice of the Peace) shall be delivered to the said Clerk of the due Execution of such Assignment or Will ; and the said Clerk is hereby required to file such Affidavit, and for such Entry and filing such Affidavit he shall be paid the Sum of Two Shillings and Sixpence, and no more.

Securities
redeemable.

LI. Provided always, and be it further enacted, That any such Security which shall be made by virtue of this Act for any Sum of Money which shall be borrowed by the said Commissioners for the Purposes of this Act shall be liable and subject to be paid off and redeemed by the said Commissioners at any Time or Times, and in such Manner or Proportion as they shall think fit, giving Three Calendar Months previous Notice to the Person or Persons entitled thereto, of their Intention to redeem or discharge the same, and paying the full Principal Sum so borrowed, and the Interest and Arrears due thereon.

Commission-
ers not to
borrow
Money in
less Sums
than 50*l*.

LII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners or any of them to borrow any Sum or Sums of Money under and by virtue of this Act, but at a Meeting or Meetings to be specially called for that Purpose, whereof due Notice shall be given in manner herein required with respect to Special Meetings, and unless at such Meeting or Meetings Three or more of the said Commissioners shall be present : Provided always, that no less a Sum than Fifty Pounds shall be borrowed of any one Person or Body Corporate or Politic upon the Credit of the said last-mentioned Rates and Duties.

Application
of the Money
raised.

LIII. And be it further enacted, That all Monies to arise by or from the said last-mentioned Duties, and all Money which may be borrowed on the Credit thereof, and all Penalties and Forfeitures to be recovered or levied by virtue of this Act, except as to such Penalties and Forfeitures as relate to the Market hereby established, and all other Monies which shall come to the Hands of the said Commissioners for the Purposes of this Act, in regard to the Disposal of which no specific Directions are herein-before given, shall be and the same are hereby vested in the said Commissioners, and the same shall be applied and disposed of, in the first place, towards paying and defraying such Portion of the Charges and Expences incurred in or about the Application for and obtaining this Act, or in any-wise relating thereto, as is herein-before charged on the said last-mentioned Rates and Duties, and of the Interest which shall become payable in respect thereof ; and in the next place, in paying and discharging the Principal Monies to be borrowed, under or by virtue of the Powers last herein-before contained, on the Credit of the said last-mentioned Rates and Duties, and the Interest of such Monies respectively, and for and towards defraying the Charges and Expences of amending, repairing, cleansing, and improving all such Roads, Footpaths, Avenues, Passages, and other Ways as are hereby vested in the said Commissioners as aforesaid, and otherwise for the Improvement of the said Town or Tithing, as they the said Commis-

sioners shall direct or appoint ; and also in paying and defraying all Charges and Expences whatsoever which the said Commissioners or their Officers, or the Persons employed by them, shall necessarily be put unto in carrying this Act into execution, so far as the same relates to the said Roads, Foot-paths, Avenues, and Ways, and for such other Uses and Purposes as are herein expressed.

LIV. And whereas the said Town or Tithing of *Bognor* is in the Hundred of *Aldwick* in the said County of *Sussex*, and there is no Pound to which Cattle found straying or trespassing in the said Town can be led to to be impounded nearer than the Distance of Two Miles and upwards therefrom, and it would be a great Convenience to the Inhabitants of the said Town or Tithing if a Pound for the Purpose of impounding Cattle straying or trespassing in the same Town or Tithing were erected therein ; be it therefore enacted, That it shall be lawful for the said Commissioners, or any Three or more of them, and they are hereby authorized, to contract and agree with any Person or Persons for the Purchase of such Piece or Parcel of Ground as may be deemed convenient, and as such Person or Persons shall or may be disposed to sell to the said Commissioners, for the Purpose of erecting a Pound therein or thereupon, and that after such Sale and Purchase shall have been completed, by the Conveyance thereof to the said Commissioners, the said Piece or Parcel of Ground, and the Pound so to be erected therein or thereupon, shall for ever thereafter be vested in and become the Property of the said Commissioners for the Purposes aforesaid : Provided always, that the Purchase Money for the said Piece of Land, and the Costs and Charges attending the Purchase thereof, shall be borne and paid out of the last-mentioned Tolls and Monies payable to the said Commissioners under and by virtue of this Act ; and that if any Cow, Horse, Ass, Swine, or other live Stock or Cattle, shall at any Time be found tied or fastened, for the Purpose of depasturing, or shall be found wandering, straying, or lying upon, about, or on the Sides of any Road or Way within the Limits of this Act, it shall and may be lawful to and for the said Commissioners, or any Person to be employed by them, or any other Person or Persons whomsoever, to seize the said Cow, Horse, Ass, Swine, or other live Stock or Cattle, and to take, lead, or drive the same to the said Pound, and therein to impound the same, and the same to detain therein until the Owner or Owners thereof shall, for every such Cow, Horse, Ass, Swine, or other live Stock or Cattle so impounded, pay the Sum of Ten Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same ; and in case the said Penalty, Charges, and Expences shall not be paid within Five Days after such impounding, it shall be lawful for any One or more Justice or Justices of the Peace of the said County of *Sussex*, by Order or Warrant under his or their Hand or Hands, to sell, or cause every such Cow, Horse, Ass, Swine, or other live Stock or Cattle to be sold ; and the Money arising from such Sale, after deducting the said Penalty, and the Charges and Expences of impounding, keeping, and selling every such Cow, Horse, Ass, Swine, or other live Stock or Cattle, and all Expences respecting the same, shall, on Demand, be paid to the Person whose Property the same shall appear to have been before such Sale.

For providing
a Pound for
the said
Town or
Tithing, &c.

Limit of
bathing, &c.

LV. And whereas the Practice of undressing on the Sea Beach, and bathing in the Sea, within the said Town or Tithing, has been and is a great Annoyance to the Inhabitants and Visitors thereof, and it is expedient that the same should be prevented in future; be it therefore enacted, That from and after the passing of this Act if any Person or Persons shall undress on the Sea Beach, or shall bathe undressed in the Sea, except from a Bathing Machine, between the Village of *Aldwick* and the Westernmost of the *Felpham Groynes*, he, she, or they shall for each and every such Offence forfeit and pay to the said Commissioners the Sum of Twenty Shillings, to be levied, recovered, paid, and applied in manner herein-after mentioned.

For Recovery
of Fines,
Forfeitures,
and Penalties.

LVI. And be it further enacted, That all Fines, Forfeitures, and Penalties inflicted or imposed by this Act, or by or under any Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act (the Manner of levying and Recovery whereof is not otherwise particularly directed), may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any One Justice of the Peace for the said County of *Sussex*, on Complaint to him for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to summon before him any Witness or Witnesses, and to examine him, her, or them upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money so levied and recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of levying and recovering the same, shall be returned, on Demand, to the Owner or Owners of the Goods or Chattels so seized or distrained; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice on such Day or Days, not being more than Fourteen Days from the Time of taking any such Security, and which Security the said Justice is hereby required to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for such Justice, or any other Justice of the Peace for the said County, and he is hereby authorized and empowered, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol of the said County of *Sussex*, there to remain, without Bail or Mainprize, for any Term not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied; and such Fines and Penalties, when so levied, (the Application whereof is not otherwise directed,) shall be paid to the Treasurer acting under this Act, and be wholly applied to the Purposes of this Act, and to or for no other Purpose whatsoever.

LVII. And

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

Commissioners may reward Informers.

LVIII. And be it further enacted, That if any Person or Persons, having been summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Complaint for any Offence against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, whether on the Part of the Prosecutors, or the Person or Persons complained against, (a reasonable Sum for his, her, or their Costs and Charges having been paid or tendered to him, her, or them,) shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Refusal or Neglect, to be approved of by the Justice or Justices, or appearing shall refuse to be examined on Oath (or on solemn Affirmation, being a Quaker), and to give Evidence before such Justice or Justices of the Peace or Commissioners as aforesaid, then and in either of the said Cases every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

For compelling the Attendance of Witnesses.

LIX. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put the same in execution ; be it therefore enacted, That it shall be lawful for any of the said Commissioners, Clerk, Surveyor, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any other Warrant or Authority than this Act, to seize and detain any unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace of the County or Place near where the Offence or Offences shall have been committed, to be dealt with according to Law ; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint.

For securing transient Offenders.

LX. And for the more easy Conviction of Offenders against this Act, be it further enacted, That every Justice of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, or any Rule, Order, or Bye Law to be made by virtue or in pursuance thereof, shall and may cause the Conviction to be drawn in the Form or to the Effect following ; (that is to say,)

Conviction how to be drawn up.

to wit. } BE it remembered, That on the Day of
in the Year of our Lord A.B. is [or are,
as the Case may be,] convicted before me [or us, as the Case may be,] One
[or Two] of His Majesty's Justices of the Peace acting in and for the
County of Sussex, by virtue of an Act passed in the Third Year of the
Reign of His Majesty King George the Fourth, intituled [here insert the
Title of this Act], of [here specify the Offence, Time, and Place when and
where committed, as the Case shall be], contrary to the said Act [or contrary
to a certain Bye Law, as the Case may be], made in pursuance of the said
Act, for which Offence I [or we, as the Case shall be,] adjudged the said
A.B.

‘ *A.B.* to have forfeited the Sum of . . . Given under my
 ‘ Hand and Seal [*or our Hands and Seals, as the Case may be*], the Day
 ‘ and Year first above written.’

Distress not
 unlawful for
 Want of
 Form.

LXI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant, or Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers on account of any Irregularities which may be afterwards done or committed by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in a special Action upon the Case for that Purpose.

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

LXII. And be it further enacted, That no Action, Verdict, Rate, Assessment, Order, Judgment, Conviction, or other Proceeding which shall be or may be had or taken in pursuance of or under or by virtue of this Act shall be made void, quashed, or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Precept whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Limitation of
 Actions.

LXIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done or to be done by virtue or in pursuance of this Act until Twenty-eight Days Notice thereof shall have been first given in Writing by the intended Plaintiff or Plaintiffs of the Cause and Intention of and for commencing such Action or Suit, and the Time when such Action or Suit will be commenced, nor at any Time whatsoever after sufficient Satisfaction, or Tender thereof, shall have been made or tendered to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought, and in case there shall be a Continuation of Damages, then not after Three Calendar Months next after such Damage shall cease, and not otherwise; and all Actions and Suits shall be laid and tried in the County where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act, or of some Rule, Order, or Bye Law made in pursuance thereof; and if the said Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-eight Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or paid into Court with the Leave thereof, either before or after Issue joined in such Action or Suit, or if any such Action or Suit shall not be commenced within the Time herein-before for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and also, if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such

General
 Issue.

Action

Action or Actions after the Defendant or Defendants shall have appeared thereto, or if Judgment shall be given for the Defendant or Defendants therein, or if a Verdict shall pass upon or against the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in such Case the Defendant or Defendants shall have and be entitled to recover Double Costs, and shall have such Remedy for the recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs in any other Suit by Law.

LXIV. And be it further enacted and declared, That in all Actions, Prosecutions, Informations, Causes, Inquiries, and Proceedings whatsoever, relating to or concerning the Execution of this Act, or of any Note, Order, or Bye Law made in pursuance thereof, no Person whatsoever shall be disqualified from being a competent Witness, and being admitted to give Evidence, by reason of his being an Inhabitant of the said Town or Tithing, or by reason of such Person being an Officer appointed under the Authority of this Act, except such Officer be Plaintiff.

Inhabitants,
&c. not in-
competent
Witnesses.

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

Persons
aggrieved
may appeal
to the Ses-
sions.

1806

3° GEORGII IV. *Cap.lvii.*

Privileges of
the Lord of
the Manor of
Aldwick
saved.

LXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be deemed or construed to extend to abridge, diminish, or take away any Privilege or Immunity belonging, due, or payable to the Lord or Lords of the Manor or Manors of *Aldwick* in the said County of *Sussex* for the Time being, or any Right or Title belonging to the Lord or Lords of the said Manor or Manors to the Wastes or Shores of the said Town or Tithing, but that all such Privileges and Immunities, Right and Title, shall remain and be to him or them, and his or their Heirs and Assigns, in the same Manner as if this Act had not been passed.

Public Act.

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

The SCHEDULE to which the foregoing Act refers.

	£	s.	d.
FOR every Stall, Shed, or Standing, measuring Eight Feet in Front, and in Depth Six Feet, let by the Year or Half Year, or Quarter of a Year, not exceeding the Sum of Ten Pounds per Annum - - - - -	0	0	0
For every Stall or Shed, used by a Butcher for selling Flesh, being actually his own Property, per Day - - - - -	0	1	0
For every Stall or Shed, used by any Person for exposing to Sale Cheese, Bacon, or Pickled Pork, per Day - - - - -	0	1	0
For every Basket of Butter, not exceeding Twelve Pounds - - - - -	0	0	2
For Ditto, exceeding Twelve Pounds, and not exceeding Eighteen Pounds - - - - -	0	0	3
For Ditto, exceeding Eighteen Pounds, and not exceeding Two Dozen Pounds - - - - -	0	0	4
For Ditto, exceeding Two Dozen Pounds, per Dozen - - - - -	0	0	1
For Poultry (including Fowls, Chickens, and Ducks, Wild Fowl and Rabbits,) not exceeding Half a Dozen - - - - -	0	0	3
- - - not exceeding One Dozen - - - - -	0	0	6
- - - not exceeding Two Dozen - - - - -	0	0	9
- - - not exceeding Three Dozen - - - - -	0	1	0
- - - not exceeding Four Dozen - - - - -	0	1	3
- - - and for every Dozen exceeding Four Dozen - - - - -	0	0	3
For every Turkey or Goose - - - - -	0	0	2
For every Half Dozen or under One Dozen of Pigeons - - - - -	0	0	2
For One Dozen, and not exceeding One Dozen and a Half - - - - -	0	0	4
Not exceeding Two Dozen - - - - -	0	0	6
And for every Dozen exceeding Two Dozen, per Dozen - - - - -	0	0	2
For every Basket of Eggs, under Two Dozen - - - - -	0	0	2
For every Dozen above Two Dozen - - - - -	0	0	1
Every Person selling Fish (except Lobsters, Crawfish, Crabs, Prawns, Shrimps, Cockles, or Mussels,) to pay for each Basket or Hamper, not containing more than Two Gallons - - - - -	0	0	4
For every Basket or Hamper, not containing more than Half a Bushel - - - - -	0	0	8
For every Basket or Hamper, not containing more than One Bushel - - - - -	0	1	3
For every Basket or Hamper, containing more than One Bushel - - - - -	0	2	0
For every Gallon of Cockles or Mussels - - - - -	0	0	1
For every Basket of Fruit, not exceeding Half a Bushel - - - - -	0	0	2
- - - not exceeding One Bushel - - - - -	0	0	3
For every Basket of Roots; that is to say, Potatoes, Turnips, Carrots, Parsnips, and Onions, not exceeding a Bushel - - - - -	0	0	2
For every Basket of other Vegetables, not exceeding a Bushel - - - - -	0	0	1½
			For

Schedule—*continued.*

	£	s.	d.
For every Basket of Roots or Vegetables, exceeding a Bushel, per Bushel - - - - -	0	0	1
For every live or dead Sucking-pig - - - - -	0	0	2
For Lobsters and Crawfish, not exceeding in Weight Half a Dozen Pounds - - - - -	0	0	3
For Ditto, not exceeding in Weight One Dozen Pounds - - - - -	0	0	4
For every Half Dozen Pounds of Ditto above One Dozen Pounds - - - - -	0	0	3
For Crabs, not exceeding in Weight Half a Dozen Pounds - - - - -	0	0	1
For Ditto, not exceeding in Weight One Dozen Pounds - - - - -	0	0	1½
For every Half Dozen Pounds above One Dozen Pounds - - - - -	0	0	1
For every Hundred of Prawns - - - - -	0	0	2
For every Hundred of Shrimps - - - - -	0	0	0½
For every dead Hog or Porker - - - - -	0	0	6
For fresh Pork, not exceeding in Weight Six Pounds - - - - -	0	0	1
For Ditto, not exceeding One Dozen Pounds - - - - -	0	0	2
For every Half Dozen Pounds above One Dozen Pounds - - - - -	0	0	1
And every Person having or using a Stall or Shed for selling any Article or Thing which is not included in this Table, or for selling any Article or Thing for which he or she can claim a legal Exemption from Tolls, to pay for such Stall or Shed per Day - - - - -	0	1	0

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