



ANNO QUINTO

GEORGIIV. REGIS.

Cap. xciv.

An Act for establishing a Ferry over the River *Arun* at *Littlehampton* in the County of *Sussex*, and making Roads to communicate therewith.

[3d June 1824.]

WHEREAS there is at present no Communication between *Worthing*, *Heene*, *West Tarring*, *Goring*, *Ferring*, *Kingstone*, *Angmering*, *Eastpreston*, *Rustington*, and *Littlehampton*, situate on the East Side of the River *Arun* in the County of *Sussex*, and *Glimping*, *Ford*, *Tapton*, *Middleton*, *Felpham*, and *Bognor* in the said County, situate on the West Side of the said River, but by a circuitous Road of several Miles, except that there is a Ferry for Foot Passengers only, over the said River *Arun* at *Littlehampton* aforesaid: And whereas from the greatly increased and still increasing Population of several of the above Places, there is much Intercourse between the Inhabitants of the East and West Sides of the said River *Arun*; and it would greatly contribute to the Advantage, Convenience, and Accommodation of such Inhabitants, to have a Ferry established for Carriages, Horses, Cattle, Foot Passengers, and Portable Articles over the said River *Arun* at *Littlehampton* aforesaid; and to have a good Road from such Ferry on the West Side of the said River, to and into the Road leading from *Bognor* to *Arundel*, at the West End of *Grevatt Lane* in the Parish of *Tapton* aforesaid; and also to have a good Road from such Ferry on the East Side of the said River, to and into the Village of *Rustington* aforesaid; with a Branch Road from the Street of *Littlehampton* aforesaid, by the Beach Houses, to the South End of the Lane leading from the Church of *Rustington* aforesaid to the Sea Shore, and

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the establishing such Ferry and the making and improving such Roads would likewise be a great Advantage, Convenience, and Accommodation to the Inhabitants of many other Places on the East and West Sides of the said River *Arun*, and to all Persons travelling along the Sea Coast of the said County of *Sussex*: And whereas the Most Noble *Bernard Edward* Duke of *Norfolk*, Earl Marshal and hereditary Earl Marshal of England, is the Owner of the said Ferry for Foot Passengers only, over the said River *Arun*; and the said Duke of *Norfolk* is willing that such Ferry as aforesaid for Carriages, Horses, Cattle, Foot Passengers, and Portable Articles, should be established over the said River: 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 all His Majesty's Justices of the Peace for the Time being, acting for the said County of *Sussex*, together with the Right Honorable *Henry Charles Howard* commonly called Earl of *Surrey*, the Right Honorable Lord *Henry Thomas Howard Molyneux Howard*, General Sir *W. Houstoun* Knight Commander of the most Honorable Order of the Bath, *William Balchin*, *Daniel Blake*, *John Boniface*, *Thomas Covey Bridger*, *William Cutfield*, *Joseph Coote*, *Richard Coote*, *James Corfe*, *Owen Evans*, *William Gratwicke*, *Kinleside Gratwicke*, *John Geering*, *John Cheale Green* Clerk, *Henry Howard of Graystock*, *Robert Hardy* Clerk, *William Hilton*, *Heywood Hawkins*, *Richard Iremonger*, *William Kinleside* Clerk, *Anthony Plimley Kelly* Clerk, *Thomas King*, *Geering Lane*, *John Mansergh* Clerk, *Charles Bethel Otley* Clerk, *Thomas Olliver*, *John Olliver*, *George Olliver* the younger, *Richard Prime*, *Edward Greenfield Penfold*, *George Palmer* Clerk, *James Peters*, *John Browning Staker*, *John Cole Tompkins*, *John White*, *Robert Watkins*, and their Successors, to be appointed in Manner herein-after mentioned, shall be and they are hereby appointed Trustees for carrying this Act into Execution.

Trustees.

Power to elect an additional Number of Trustees.

II. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting to be holden in pursuance of this Act, to elect and appoint any Number of additional Trustees, not exceeding Five in the whole, such Notice being given of such Election and Appointment as herein-after mentioned; which additional Trustees shall have the same Power and Authority for executing this Act as if they had been herein named and appointed.

Appointment of new Trustees.

III. And be it further enacted, That when and so often as any of the Trustees (save and except His Majesty's Justices of the Peace) named in or appointed by virtue of this Act, or hereafter to be appointed under or by virtue hereof, shall die, resign, or refuse to act, or by Bankruptcy, Insolvency, or otherwise become incapable of acting in the Execution of this Act, then and in every such Case it shall be lawful for the surviving or continuing Trustees, from Time to Time, at any Meeting to be holden in pursuance of this Act, by Writing under their respective Hands, to elect and appoint some Person to be a Trustee in the Room of every Trustee so dying, resigning, or refusing to act, or becoming incapable of acting as aforesaid, Fourteen Days previous Notice of the

the Time and Place of Meeting of the said Trustees for every such Election being given by the Clerk or Treasurer of the said Trustees for the Time being; by affixing such Notice in Writing upon the Ferry House or Ferry Houses, and upon the Toll Gate to be erected in pursuance of this Act; and every Person who shall be so elected and appointed a Trustee shall and may act with the surviving and continuing Trustees in the Execution of this Act, in the same Manner as if he had been originally appointed a Trustee in and by this Act.

IV. Provided always, and be it further enacted, That no Person shall act as a Trustee in the Execution of this Act, unless he shall at the Time of acting, either in his own Right or in the Right of his Wife, be seised of and in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes; or shall be Heir Apparent of a Person seised of and in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments, of the clear yearly Value of Two hundred Pounds above Reprizes; and if any Person, not being so qualified, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath hereinafter mentioned, or being a *Quaker*, not having made and subscribed the Affirmation herein-after mentioned, shall nevertheless presume to act as a Trustee 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 by Action of Debt or on the Case, or by Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, with full Costs of Suit; and every such Person so prosecuted for acting as such Trustee shall prove that he is so qualified, or not disqualified, or not incapable of acting as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act: Provided always, that all the Acts and Proceedings of any Person acting as a Trustee in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act.

Qualification
of Trustees.

V. Provided also, and be it further enacted, That every Trustee, except any Justice of the Peace before he shall act as such, (except in administering the following Oath or Affirmation at the First or Second Meeting after the passing of this Act,) shall take an Oath (or being a *Quaker* shall make solemn Affirmation) before one or more of the said Trustees (who is hereby empowered to administer the same) in the Form following; that is to say,

Oath of
Trustees.

I do swear [or, being one of the People called *Quakers*, do solemnly affirm, as the Case may be], That I am truly and *bonâ fide* in my own Right (or in Right of my Wife) seised of and in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments of an Estate for Life or Inheritance of the clear yearly Value of One hundred Pounds above Reprizes, or am Heir Apparent of who, to the best of my Knowledge, is seised of and in the actual Possession or Receipt of the Rents and Profits of Freehold

‘ hold or Copyhold Messuages, Lands, Tenements, or Hereditaments of
 ‘ the clear yearly Value of Two hundred Pounds above Reprizes;
 ‘ that I will faithfully and impartially, according to the best of my Judg-
 ‘ ment, execute and perform the several Powers, Authorities, and Trusts
 ‘ reposed in me as a Trustee, under and by virtue of an Act passed in
 ‘ the Fifth Year of the Reign of His Majesty King *George* the Fourth,
 ‘ intituled *An Act* [*here set forth the Title of the Act*].
 ‘ So help me GOD.’

Trustees
 may act as
 Justices.

VI. And be it further enacted, That such of the Trustees of this Act for the Time being as are or shall be in the Commission of the Peace for the said County of *Sussex*, may nevertheless act as Justices of the Peace in the Execution of this Act, except only in such Cases where they shall be personally interested.

No Trustee
 concerned in
 any Con-
 tract, &c. to
 act.

VII. And be it further enacted, That no Trustee appointed or to be appointed under or by virtue and for the Purposes of this Act, who shall hold any Contract, or be beneficially employed, or in any Manner interested or concerned directly or indirectly in supplying any Articles or Materials for the Use of the said Trustees, save and except any Gravel, Stones, or other such Materials from his Lands and Grounds for making and repairing the Road to be made and repaired by virtue of this Act, shall act as a Trustee for the Purposes of this Act during the Time he shall be so employed, concerned, or interested as aforesaid; and in case any Person shall act as a Trustee under this Act during the Time he shall hold any Contract, or shall be beneficially employed or in any Manner interested or concerned, directly or indirectly, in supplying any Articles or Materials for the Use of the said Trustees, save and except as aforesaid, then and in every such Case every such Person so acting as a Trustee shall forfeit and pay for every such Offence the Sum of Fifty Pounds, together with full Costs of Suit, 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, Plaint, or Information; and one Moiety of such Penalty when recovered shall be paid to the Person or Persons who shall sue for the same, and the other Moiety shall be paid to the said Trustees, to be applied to the Purposes of this Act; and the Person or Persons so convicted shall be absolutely disqualified from acting any longer as a Trustee under or for the Purposes of this Act.

Trustees
 first and
 other Meet-
 ings.

Manner of
 adjourning.

VIII. And be it further enacted, That the said Trustees shall meet together at the House known by the Name or Sign of the *Dolphin Inn* at *Littlehampton* aforesaid, or at some other convenient Place in *Littlehampton* aforesaid, on the Second *Thursday* after the passing of this Act, or as soon afterwards as conveniently may be, and proceed in the Execution hereof; and the said Trustees shall then, and from Time to Time afterwards, during the Continuance of this Act, adjourn themselves to meet at the same Place, or at such other Place or Places, and at such Time or Times as the said Trustees respectively, or the major Part of them present at such Meetings, shall appoint; and if there shall not appear at any Meeting a sufficient Number of Trustees to act, or to adjourn to another Day (for the Purpose of which Adjournment only Two Trustees shall be sufficient), or in case the Trustees at any Time assembled shall omit to adjourn, or in case it shall at any Time be thought necessary by any Two or more of the Trustees to hold a Meeting of the said Trustees on
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an earlier Day than the Day to which any Meeting shall have been adjourned, then and as often as it shall so happen, any Two or more of the said Trustees, (or the Clerk to the said Trustees, being authorised by an Order in Writing signed by Two or more of the said Trustees,) shall and may call a Meeting of the said Trustees, by Notice in Writing to be affixed upon the Ferry House or Ferry Houses, and upon the Toll Gate to be erected in pursuance of this Act, Fourteen Days previous to the Time of such Meeting, at such Time and at such Place as such Trustees shall think proper, and order, direct, or appoint; and at all the several Meetings the Trustees shall pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet; and all Orders and Determinations of the Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act, and not elsewhere (except in the Cases hereby otherwise particularly provided for); and no Order or Determination shall be made unless the major Part of the Trustees present shall concur therein; and that all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Trustees, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and exercised by the major Part of the Trustees who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Three (except in such Cases where any other Number is herein named); and that all Acts, Orders, or Proceedings had, made, or done by or before such Three Trustees shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Trustees; and a Chairman shall and may in the first Place be appointed at every Meeting to be held by virtue and for the Purposes of this Act, who, in case of an equal Number of Votes upon any Occasion (including such Chairman's Vote) shall have the casting or decisive Vote; and no Order or Determination at any Meeting of the said Trustees, once made, agreed upon, or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration shall have been given at a previous Meeting, and entered in the Book of Proceedings of such Meeting, and also by affixing such Notice upon the Ferry House or Ferry Houses, and upon the Toll Gate to be erected in pursuance of this Act, Fourteen Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made at a Meeting where not less than Five Trustees shall be present.

Trustees to pay their own Expences, except for the Room.

Orders to be made at Meetings only, and a Majority to concur.

General Quorum of Trustees

Chairman to be appointed who shall have a casting Vote.

No Order to be revoked without Notice.

IX. And be it further enacted, That the said Trustees, by Writing under their Hands, shall and may appoint a Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, and Receiver or Receivers of the Tolls hereby granted, and such other Officers as they shall think necessary for the Purposes of this Act; and shall and may from Time to Time remove any such Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, and other Officers, as they shall see Occasion, and appoint new ones in case of Death, Resignation, or Removal; and shall and may, out of the Money

Trustees may appoint Officers.

arising by virtue of this Act, make such Allowance to the said Treasurer or Treasurers, Engineer or Engineers, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, and other Officers, and to such other Persons as shall be employed in the Execution of this Act, as the said Trustees shall think reasonable; and every such Officer shall, as often as required by the said Trustees, render and give to them, or to such Person as they shall appoint, a true and perfect Account in Writing under his Hand, with proper Vouchers, of all Monies which he shall to such Time have received, paid, and disbursed by virtue of this Act, or by reason of his Office; and in case any Money so received shall remain in his Hands, the same shall be paid to the said Trustees, or to such Person as they shall by any Writing under their Hands authorize to receive the same, to be laid out in the Execution of this Act, and not otherwise; and in case any such Officer shall not give in and make such Account and Payment as aforesaid, or shall for the Space of Fourteen Days after being thereunto required by the said Trustees, refuse or neglect to render and give up to the said Trustees, or to such Person as they shall direct, all Books and other Things in their Hands, Custody, or Power relating to the Execution of this Act, that then any Justice of the Peace for the County where such Officer shall dwell shall and may make Enquiry concerning such Default in a summary Way, as well by the Confession of the Party as by the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered and required to administer without Fee or Reward); and if such Officer shall be convicted of any such Offence, such Justice shall, upon such Conviction, commit the Party to the Common Gaol of the County where such Officer shall reside, there to remain, without Bail or Mainprise, until he shall have made a perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees, and have paid such Composition Money (which Composition the said Trustees are hereby authorized and empowered to make and receive), and shall also have rendered and given up all such Books and other Things as aforesaid, or given Satisfaction in respect thereof to the said Trustees; but no Person so committed for Want of sufficient Distress shall be confined or detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months: Provided always, that no Person shall be appointed, or capable of holding any or either of the said Offices, or any Place of Profit under this Act, who shall sell any Wine, Cider, Beer, Ale, or Spirituous Liquors by Retail.

Security to
be taken
from the
Treasurer
and other
Officers.

X. Provided also, That the said Trustees shall, and they are hereby required to take such Security from the Treasurer or Treasurers, and other Officers, to be appointed for the Purposes of this Act, for the due Execution of their respective Offices, as they shall think proper.

Proceedings
to be entered
in a Book.

XI. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of all their Acts, Orders, and Proceedings, relative to the Execution of this Act, and of the Names of all such Trustees as shall be present at their several Meetings; and all Entries in such Book or Books, being signed by the Chairman who shall have been then present, or by any Three or more of the Trustees present at such Meeting, in case the Chairman shall have died or ceased to be a Trustee before the

the signing of such Entries, shall be deemed Originals, which Book or Books, and also the Book or Books herein-after directed to be kept for registering Mortgages and Assignments, or Transfers thereof, shall be allowed to be read as Evidence in all Cases, Suits, Actions, Prosecutions, and Proceedings touching or concerning any Thing done in pursuance of this Act; and such Book or Books shall at all seasonable Times be open to the Inspection of all and every the said Trustees, and the Contributors herein-after mentioned, and the Creditors on the Tolls hereby granted and made payable, without Fee or Reward; and that any of the said Trustees, Contributors, and Creditors, shall and may have Copies thereof, on paying for every Copy not exceeding Seventy-two Words, the Sum of Sixpence, and so on in proportion for any greater Number of Words.

XII. And be it further enacted; That the said Trustees shall and they are hereby required, from Time to Time, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the Ferry and Roads to be established and made in pursuance 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 Trustees, or any Contributor as herein-after mentioned, or any Creditor on the Tolls hereby granted, without Fee or Reward; and the said Trustees, Contributors, and Creditors, or any of them, shall and 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 Trustees, or such Contributors or Creditors, or any or either of them, to inspect the same, or have 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.

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

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed their Clerk, in the Execution of this Act, or the Partner or Partners of any such Clerk, or the Clerk, or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or any Person in the Service or Employ of any such Treasurer, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk, or other Person in the Service or Employ of any such Clerk, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act; or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information,

Treasurer and Clerk not to be the same Person.

tion, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Trustees may remove Collectors, and appoint temporary ones.

Collectors refusing to deliver up Toll Houses, &c.

Justices empowered to grant Warrants, and Constable to enter and remove such Collectors, &c.

How Trustees may be sued.

XIV. And be it further enacted, That when and so often as any Collector or Receiver of the Tolls shall die, or neglect or refuse to perform or become incapable of performing his Duty, or shall abscond or absent himself, it shall be lawful for any Three or more of the said Trustees, although not assembled at a Meeting of the said Trustees to be appointed by virtue of this Act; to discharge such Collector or Receiver so neglecting or refusing to perform or becoming incapable of performing his Duty, or absconding or absenting himself, and to nominate and appoint some other Person or Persons to be a Collector or Receiver of the said Tolls until the then next Meeting of the said Trustees, in the Stead of such Collector or Receiver who shall so die or be discharged; and such Person or Persons so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the like Manner in all Respects, as the Collector or Receiver who shall so die or be discharged would have had or been subject to; and that if any Collector or Receiver of the said Tolls, who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector or Receiver, who shall die or be discharged, or any other Person or Persons who may have the Possession of any Ferry House, or Toll House, or any Appurtenances thereto, to be erected, set up, or used by virtue of this Act, shall neglect or refuse to deliver up the Possession thereof for the Space of Seven Days next after Demand thereof made, by Notice in Writing signed by any Three or more of the said Trustees (although not assembled at a Meeting), or by their Clerk or Clerks, Treasurer or Treasurers, for that Purpose, given to such Collector or Receiver, or other Person or Persons, or left at any such Ferry House, Toll House, or Premises; then and in any of the said Cases it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Sussex*, by Warrant under his or their Hand and Seal or Hands and Seals, to order any Constable or other Peace Officer for the said County, with such Assistance as may be necessary, to enter such Ferry House, Toll House, or Premises in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and put the said Trustees, or such new-appointed Collector or Receiver as aforesaid, into the Possession thereof.

XV. And be it further enacted, That the said Trustees shall and may sue and be sued in the Name of any One of the said Trustees, or of their Treasurer or Clerk for the Time being; and that no Action or Suit which may be brought by or against the said Trustees, or any of them, in relation to this Act, in the Name of any One of the said Trustees, or of their Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of such Trustee, Treasurer, or Clerk, or by the Act of such Trustee, Treasurer or Clerk, without the Consent of the said Trustees; but One of the said Trustees, or the Treasurer or Clerk for the Time being, shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, in every such Action or Suit, as the Case may be: Provided always, that all and every such Trustee, Treasurer, or Clerk, shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences,

Expences, as he or they shall be put unto or become charged or chargeable with by reason of his or their being so made Plaintiff or Defendant, or Plaintiffs or Defendants as aforesaid; and no such Trustee, Treasurer, or Clerk shall be personally accountable or liable to the Payment of the same, unless such Action or Suit shall arise in consequence of his or their own wilful Neglect or Default, or have been brought or commenced without the Order or Direction of the said Trustees.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to establish, keep, and maintain a Ferry, consisting of One or more Boat or Boats, Barge or Barges, Float or Floats, Raft or Rafts, or such other Vessel or Vessels as shall be sufficient and proper for the Passage and Conveyance of Carriages, Horses, Cattle, Foot Passengers, and portable Articles over and across the said River *Arun* at *Littlehampton* aforesaid; at or near the present Ferry for Foot Passengers, and to erect and build Ferry Houses and proper Offices on each Side of the said River for the Habitation and Use of the Ferrymen having the Care and Management of the said Ferry, so to be established as aforesaid, and for the Convenience of Persons using the same; and to make and keep in Repair proper Causeways at the Landing Places of the said Ferry so to be established as aforesaid on each Side of the said River, and from Time to Time to do or cause to be done, all other Things necessary and convenient for establishing, maintaining, regulating, and managing the said Common Ferry, and making the same as useful and advantageous as may be; and all Persons with Carriages, Horses, Cattle, portable Articles, and all Foot Passengers shall have free liberty to pass over the said Ferry so to be established as aforesaid (upon Payment of the respective Tolls herein-after granted) without any Hindrance or Interruption of or by any Person or Persons whomsoever; and when and as soon as the said Ferry to be established by virtue of this Act shall be made good for Carriages, Horses, Cattle, and Foot Passengers, and portable Articles, the present Ferry over the said River *Arun*, for Foot Passengers only, shall be from thenceforth vested in the said Trustees.

Power given to the Trustees for establishing a Ferry.

XVII. And be it further enacted, That it shall not be lawful for the said Trustees in establishing, keeping, and maintaining the said Ferry, or in making and keeping in Repair the Causeways at the Landing Places of the same, or otherwise, in the Execution of this Act, to do any Act, Matter, or Thing whereby the Navigation of the said River *Arun*, or the flowing or reflowing of the Waters therein, may be impeded or obstructed.

Navigation of the River *Arun* not to be injured.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to make or cause to be made a proper and commodious Road from such Ferry to be established as aforesaid on the West Side of the said River *Arun*, to and into the Road leading from *Bognor* to *Arundel* at the West End of *Grevatt Lane* in the said Parish of *Yapton* in the said County; and also One other proper and commodious Road from such Ferry to be established as aforesaid on the East Side of the said River, to and into the Village of *Rustington* in the said County; and also a proper and commodious Branch Road from the Street of *Littlehampton* aforesaid by the Beach Houses to the South End of the Lane leading from the Church of *Rustington* aforesaid to the Sea-Shore; and that it shall and may be lawful to and for the said Trustees, for the Purposes of making the said

Roads to be made.

Roads, and for their Agents and Workmen, to enter into and upon the Lands or Grounds belonging to any Person or Persons, Bodies Politic, or Corporate, or Collegiate whatsoever, through which the said intended Roads are to pass, and to set out and ascertain such Parts thereof as they shall think necessary and proper for the making the said Roads; and when and as soon as the same shall be so set out and ascertained, and Compensation to the Parties interested shall have been agreed upon or tendered as herein-after mentioned, at the proper Costs and Charges of the said Trustees, to fence off and separate the Land or Ground so intended for the said Roads, from the adjoining Lands or Grounds, with Quicksets and Posts and Rails, or otherwise, as shall be found necessary and convenient; and with proper and sufficient Gates, Bridges, and Arches, to open into and out of the said Roads, through which the respective Owners and Occupiers of the said Lands, and their Agents and Servants shall and may at all Times thereafter have free Ingress, Egress, and Regress, to pass and repass with their Horses, Teams, and Cattle; and the same Roads shall be made, and at all Times afterwards maintained and repaired, at the proper Costs and Charges of the said Trustees, by and out of the Tolls by this Act granted, except as herein-after is mentioned.

Plan deposited with the Clerk of the Peace to remain.

XIX. And whereas a Map or Plan, describing the Line of the said Roads, and the Lands through which the same is to be carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace of the said County of *Sussex*; be it further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may at reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, paying the Clerk of the Peace One Shilling for every such Inspection, and after the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts, and that the said Trustees in making the said Roads shall not deviate more than One hundred Yards from the Line described in the said Map or Plan without the Consent in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Mistakes to be corrected.

XX. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees to make the said Roads into, through, across, or over the several Lands or Grounds of any Person or Persons who is, or are, or may be Owner or Owners of Land over which the said Roads are set out and described in the said Map or Plan as last aforesaid, although the Name or Names of such Person or Persons may happen to be erroneously described or omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Sussex*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Roads may be widened, altered, &c.

XXI. And be it further enacted, That in case the said Trustees shall at any Time or Times hereafter think proper to widen, turn, or alter any Part or Parts of the said Roads, either for shortening or rendering the same more commodious to Passengers, then and so often they the said Trustees shall have full Power and Authority, from Time to Time, to
widen

widen any Part or Parts of the said Roads, and to divert, turn, or alter the Course or Direction of any Part or Parts thereof, or to make a new and more convenient Road through or over any Moor, Common, or Waste Ground, without making any Satisfaction for the same; and also through or over any private Lands or Grounds, with the Consent in Writing of the Owner or Owners thereof, first making Satisfaction to such Owner or Owners, and Persons interested therein, for such Land or Ground, and for the Damages they may thereby sustain; and for that Purpose it shall be lawful for the said Trustees to treat, contract, and agree with the Owner or Owners of and Persons interested in any private Lands or Grounds for the Purchase thereof, or for the Loss or Damage such Owner or Owners, or Persons interested, or any of them, shall or may sustain by such widening, turning, or altering any Part or Parts of the said Roads, or the making any such new Road as aforesaid.

XXII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, and to and for all Tenants for Life and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Reversion, Remainder, Expectancy, or otherwise, and to and for all Husbands, Guardians, Trustees, and Feoffees in Trust for Charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest therein, and to and for all and every other Person or Persons whomsoever who is, or are, or shall be seised, possessed of, or interested in the said present Ferry or any such Lands or Grounds through or over which the said Roads shall be made, widened, diverted, or altered, to contract and agree with the said Trustees for the Satisfaction to be made for such Damages as aforesaid, or to sell to them the said present Ferry and all or any of such Lands or Grounds, as Occasion shall require; and all Contracts and Sales which shall be so made shall, without any Conveyance or Assurance in the Law, be valid and effectual to all Intents and Purposes whatsoever; any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all such Persons are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Bodies Politic and other incapacitated Persons empowered to sell and convey.

XXIII. Provided always, and be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Tenant and Tenants for Life, and Tenant and Tenants in Fee Tail, General or Special, or for Years determinable on any Life or Lives, whether in Possession, Remainder, Reversion, Expectancy, or otherwise, and all Feoffees in Trust, Executors, Administrators, Femes Covert, Husbands, Guardians, Committees, Trustees, and all and every other Person or Persons who is or are seised, possessed of, or interested in the said present Ferry, or in any Lands or Grounds which may be required for the Purposes of this Act, may accept and receive Satisfaction for the Value of the said present Ferry and such Lands or Grounds, and for the Damages to be sustained by the making, widening, diverting, or altering the said Roads,

Satisfaction to be made.

Roads, as shall be agreed upon by and between the said Parties interested respectively, or any of them, and the said Trustees; and in case the said Parties so interested in the said present Ferry or the said Lands or Grounds; or any of them, and the said Trustees, cannot agree as to the Amount or Value of the said present Ferry or of such Lands or Grounds, or for Satisfaction for Damages to be sustained, the same shall be settled and ascertained as is herein-after directed.

If Parties are dissatisfied, they may cause a Jury to be impanelled to decide the Matter.

XXIV. And be it further enacted, That if any such Body Politic, Corporate, or Collegiate, or any Feoffee or Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Trustees, Committees of or for any Idiot or Lunatic, or any Feme Covert, or any Person whether Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or any other Person or Persons so interested or entitled as aforesaid, cannot agree with the said Trustees respecting the Purchase of the said present Ferry or any Lands or Grounds, or the Satisfaction to be made for any Damages (not hereby provided to be settled by any other Mode) that may be sustained from Time to Time by him, her, or them, by or in consequence of the making or maintaining of the said Ferry or Roads, or any Part or Parts thereof, or of any of the Works to be made and maintained by virtue of this Act; and shall give Notice in Writing to the Clerk of the said Trustees, requiring a Jury to be summoned for the Purpose of determining such Purchase Money or Satisfaction; or if any such Body Politic, Corporate, or Collegiate, or any Person or Persons so interested or entitled as aforesaid, shall, upon Notice in Writing given by the Clerk to the said Trustees to the principal Officers of any such Body Politic, Corporate, or Collegiate, or to such Feoffee or Feoffees in Trust, Executors, Administrators, Husband, Guardian, Trustee, Committee of or for any Idiot, Lunatic, or any Feme Covert, or to such Tenant for Life or in Fee Tail, General or Special, or for Years determinable on any Life or Lives, or other Person or Persons so interested or entitled as aforesaid respectively, or left at the last or usual Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers of the said present Ferry, or any Lands or Grounds to be made use of for the Purposes of this Act, for the Space of Thirty Days next after such Notice, neglect or refuse to treat, or shall not agree with the said Trustees, or by reason of Absence or otherwise shall be prevented from treating, or through Disability, or Nonage, Coverture, or other legal Impediment, cannot treat for themselves, or make such Agreement or Agreements as shall be necessary for the Purposes as aforesaid; or shall not, within the before-mentioned Space of Thirty Days, produce and fully disclose the State of the Title to the Premises which he, she, or they respectively is or are or shall be in Possession of, and the Interest which he, she, or they respectively may claim therein; then and in every such Case the said Trustees shall and they are empowered and required to issue their Precept under their Hands and Seals, directed to the Sheriff of the said County of *Sussex*, thereby requiring him to impanel, summon, and return a Jury, and such Sheriff is hereby required accordingly to impanel, summon, and return a Jury of Twenty-four honest and indifferent Men, qualified according to the Laws of this Realm to be returned for the Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff at such Time and Place as in such Precept shall be appointed, such Time not being less than Fourteen or

more

more than Twenty-eight Days after such Precept shall be served upon the Sheriff; and Ten Days Notice at the least in Writing under the Hands of the said Trustees is hereby required to be given to the Owners, Proprietors, Occupiers, Corporations, Trustees, or any other Person or Persons as aforesaid, interested in the said present Ferry, or any such Lands or Grounds, or to be left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Corporation, or at the House of the Tenant in Possession of the said present Ferry or such Lands or Grounds, of the Time and Place of the said Jury being so impannelled, summoned, and returned; and the said Sheriff is hereby required, out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, to swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff shall return other honest, sufficient, and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service (being qualified as last aforesaid), to make up the said Jury to the Number of Twelve; and it shall be lawful for all Persons concerned, by themselves, their Counsel and Solicitors, to attend and be heard, and to adduce Evidence before the said Sheriff, and such Persons shall also have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff is hereby empowered and required, by a Summons or Notice to be signed by him, either previous to or at the Time of any such Meeting or Meetings, to call before him all and every Person or Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses upon Oath, touching or concerning the Premises; and the said Sheriff may order and authorize the said Jury, or any Six or more of them, to view the Place or Places, or Premises in question, if there be occasion, and to use all other Ways and Means, as well for his own as for the Jury's better Information in the Premises, as the Sheriff shall think fit; which Jury upon their Oaths (which Oaths, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered and required to administer) shall inquire of, assess, and ascertain the Sum of Money to be paid for the Purchase of the said present Ferry or such Lands or Grounds, or what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for or on account of the taking the said present Ferry or such Lands or Grounds for the Purposes of this Act, or of turning any Part or Parts of the said Roads or Accesses to the said Ferry, into, over, or through the same Lands or Grounds, and shall assess separate Damages for the same; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Sheriff shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid by the said Trustees to the said Owners or Occupiers of, or other Person or Persons interested in the said present Ferry or Lands or Grounds, according to such Verdict or Inquisition of the said Jury, and give Judgment for such Purchase Monies, Recompence, or Satisfaction to be assessed by such Jury; which said Verdict or Inquisition, Order and Judgment thereon pronounced as aforesaid, shall be signed by the said Sheriff, and shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and

Persons whomsoever claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, in Possession, Reversion, Remainder, Expectancy, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as other Persons whomsoever, and shall not be removed by Certiorari or other Process into any of His Majesty's Courts of Record at *Westminster*, or any other Court; any Law or Statute to the contrary thereof notwithstanding.

Persons requesting Juries to enter into Bonds.

XXV. And be it further enacted, That all and every Body and Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, and Person or Persons requesting a Jury to be summoned, shall (before such Warrant shall be issued for that Purpose) enter into a Bond with two sufficient Sureties to the Clerk or Treasurer to the said Trustees, in a Penalty of One hundred Pounds, with Condition to pay and bear the Costs and Expences of summoning such Jury, as they respectively are by this Act directed to pay, and taking such Verdict in case the same shall be given, for no greater or for a less Sum than had been offered by or on behalf of the said Trustees, before the impannelling, summoning, and returning the said Jury or Juries, for the Purchase of or as a Recompence for the said present Ferry or any Lands or Grounds, or as a Compensation for any Damages, or in case no Verdict shall be found for Damages where the whole Dispute was whether any Damages were or were not done as aforesaid.

Compelling Sheriffs to summon a Jury.

XXVI. And be it further enacted, That if any Sheriff or Sheriffs shall make Default in the Premises, they shall for every such Offence forfeit and pay the Sum of Ten Pounds, to be recovered by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, by the said Trustees, or by such other Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, or other Person or Persons interested in the Matter in question; and if any Person so impannelled, summoned, and returned as aforesaid upon such Jury, shall not appear, or appearing shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give his Verdict, or shall in any other Manner wilfully neglect his Duty therein contrary to the true Intent and Meaning of this Act; and if any Person or Persons summoned to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear, after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, or shall not allege a sufficient Excuse to the said Sheriff for not appearing, or appearing shall refuse to be sworn and examined, or to give Evidence, then and in every such Case every such Person so offending, upon Proof thereof made before One or more of His Majesty's Justices of the Peace for the said County of *Sussex*, upon the Oath of One or more credible Witness or Witnesses, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, according to the Discretion of the said Justice or Justices; and in case any such Penalty shall not be forthwith paid, it shall and may be levied by virtue of any Warrant under the Hand and Seal of the said Justice or Justices, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to such Person the Overplus, after such Penalty, and the Charges of such Distress and Sale shall be deducted; and every such Penalty as shall be paid by or recovered

recovered from any Person who shall be impannelled, summoned, and returned on such Jury, or to give Evidence as aforesaid, shall go and be paid to the Person or Persons who shall appear to the said Justice or Justices to be injured by the Default of such Persons.

XXVII. And be it further enacted, That all and every Person or Persons who, in any Examination to be taken upon Oath by virtue of this Act, shall wilfully give false Evidence, or otherwise forswear themselves before any such Jury, or before any Justice or Justices of the Peace acting as such in the Execution of this Act, shall and may be prosecuted for the same, and upon Conviction thereof shall be subject and liable to such and the same Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by the Laws in being subject and liable to.

For punish-
ing Persons
giving false
Evidence.

XXVIII. And be it further enacted, That the said Trustees shall not be obliged, by virtue of this Act, to receive or take Notice of any Complaint or Complaints to be made by any Person or Persons whomsoever, for any Injury or Damage by him, her, or them, sustained or supposed to be sustained by virtue or in consequence of this Act, unless Notice shall have been given thereof, by or on behalf of such Person or Persons, to the Clerk of the said Trustees within the Space of Six Calendar Months next after the Time that such Injury or Damage, or supposed Injury or Damage, shall have been sustained, or the doing or committing thereof shall have ceased.

Trustees not
to take No-
tice of any
Complaint
without pre-
vious Notice
to their
Clerk.

XXIX. And be it further enacted, That in each and every Case where a Verdict shall be given for more Money, or for a greater annual Rent for Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or other Hereditaments of or belonging to any Body or Bodies Politic, Corporate, or Collegiate, or to any Person or Persons unknown, or as Compensation for any Damages done or to be done to any Lands, Tenements, Hereditaments, or other Property than had been previously offered by or on behalf of the said Trustees, or where any Verdict shall be found for any Damages, where the Dispute is for Damages only, or where no Compensation, or a smaller Sum than shall be given by such Verdict, had been previously offered or tendered in respect thereof by or on behalf of the said Trustees, or where, by reason of Absence in Foreign Countries or other Impediment or Disability as aforesaid, there shall not be found any Person or Persons at hand who may be legally capacitated to enter into a Contract with and make Conveyances to and receive Compensation from the said Trustees as herein-before mentioned; then in all such Cases all the reasonable Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled by the said Sheriff, and be defrayed by the said Trustees; and in case such Costs shall not be paid by the said Trustees within Thirty Days after the same shall be demanded, the same shall and may be levied, by virtue of any Warrant under the Hand and Seal of any Justice of the Peace acting in and for the said County of *Sussex*, by Distress and Sale of the Goods and Chattels of the said Trustees; but if any Verdict shall be given for the same Sum or Rent as had been previously offered by or on behalf of the said Trustees, or for a less Sum than had been so previously offered; or in case of such Refusal or Neglect to enter into Treaty with or make

Expences of
Juries.

Convey-

Conveyances to or receive Compensation from the said Trustees by any Body or Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally capacitated to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where by reason of Absence or otherwise any Person or Persons shall have been prevented from treating and agreeing as aforesaid, when such Costs and Expences shall be paid by the said Trustees) the Costs and Expences of impannelling, summoning, and returning such Jury and taking such Verdict shall be settled in like Manner by the said Sheriff so impannelling, summoning, and returning such Jury, and taking such Verdict, and be borne and paid in the Manner following; that is to say, one Moiety or Half-part of such said Costs and Expences shall be borne and paid by the said Trustees, and the other Moiety or Half-part thereof by the Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons with whom the said Trustees shall have such Disputes or Controversies; which said Costs and Expences, having been so settled, shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Body or Bodies Politic, Corporate, or Collegiate, or other Person or Persons as aforesaid; and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken, to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged; and in case no Compensation shall be given by such Verdict, where the Dispute is for Compensation only, such Costs and Expences, after having been so ascertained and settled as aforesaid, shall and may be recovered by the said Trustees, by such Ways and Means as are herein provided for the Recovery of any Penalty or Forfeitures incurred by this Act.

Lands to vest in the Trustees, on Payment, or giving Security for the Value.

XXX. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or assessed by such Juries in Manner aforesaid, for the Purchase of the said present Ferry, or any such Lands or Grounds, or a Compensation for Damages as herein-before mentioned to the Proprietor or Proprietors of such Lands or Grounds, or to such other Person or Persons as shall be interested therein, or entitled to receive such Purchase Money or Compensation respectively, or to his, her, or their Agent or Agents, or depositing the same in the Bank of *England* in Manner by this Act directed, as the Case may be, it shall be lawful for the said Trustees, and their Agents, Workmen, and Servants, immediately to enter upon the said present Ferry and such Lands or Grounds respectively; and then and thereupon the said present Ferry and such Lands and Grounds, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Trustees for the Purposes of this Act for ever; and such Tender, Payment, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail and other Estates in Reversion, Remainder, Expectancy, or otherwise, to his, her, or their Issue, and of all and every other Person and Persons interested therein: Provided nevertheless, that before such Payment, Tender, or Deposit as afore-

aforesaid shall be made, it shall not be lawful for the said Trustees, or any Person or Persons acting under or by virtue of their Authority, to dig or cut, or otherwise affect any Lands or Grounds of the Person or Persons entitled to such Payment, for the Purpose of establishing the said Ferry or making Causeways thereto, or of making the Roads in pursuance of this Act, without the Leave and Consent of such Person or Persons respectively.

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

Verdicts of Juries to be recorded.

XXXII. And be it further enacted, That all Sum and Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees acting as Guardians, Committees, or other Trustees for or on behalf of any Lunatics, Idiots, Femes Covert or other Cestuique Trusts, or to any Person or Persons whose Ferry, Lands, or Grounds are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, for the Purchase of the said present Ferry, or for the Purchase of or for the Damages to be done to any such Lands or Grounds by virtue or in consequence of the Powers in this Act contained, shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees under this Act, pursuant to the Method prescribed by an Act made in the First Year of the Reign of King *George* the Fourth, intituled, *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, according to the General Orders of the said Court, without Fee or Reward, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said present Ferry, Lands, or Grounds, in the Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Ferry, Lands, or Grounds, or affecting any Lands, Tenements, or other Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Messuages, Tenements, or Hereditaments,

Purchase Monies and Compensation to Corporate Bodies to be laid out to the same Uses.

1 G. 4. c. 35.

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which

which shall be conveyed and settled to, for, and upon such Uses, Trusts, and Purposes, and in the same Manner as the Ferry, Lands, or Grounds which shall be so purchased, taken, used, or injured as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, and the General Orders of the said Court, and without Fee or Reward, and shall when so paid in, 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 Proceeds of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Ferry, Lands, or Grounds so hereby directed to be purchased, in case such Purchase and Settlement were made.

Application where Purchase Money is less than 200%. and above 20%.

XXXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Ferry, Lands, or Grounds purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, or on account of any Damage to be done or occasioned to any such Lands or Grounds as herein-before mentioned, 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 Ferry, Lands, and Grounds so purchased, taken, used, or injured, in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, Trustee or Trustees, Receiver or Receivers, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privy of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the Trustees under this Act, (such Nomination and Approbation to be signified under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

Application when Money is less than 20%.

XXXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last above 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 Ferry, Lands, or Grounds in respect whereof the same shall be paid, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian

Guardian or Guardians, Committee or Committees; Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Trustees shall direct the same to be paid, shall be sufficient Discharges for the same.

XXXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Ferry, Lands, or Grounds to be purchased, taken, or used by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons entitled to such Ferry, Lands, or Grounds be not known or discovered, then and in such Case it shall and may be lawful to and for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Ferry, Lands, or Grounds (describing them), subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is or are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Directing how Monies to be paid in case of Failure of Title, &c.

XXXVI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Ferry, Lands, or Grounds, or of any Estate, Right, or Interest in any Ferry, Lands, or Grounds to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Ferry, Lands, or Grounds, in respect whereof such Money shall have been so paid, at the Time of passing this Act, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Ferry, Lands, or Grounds according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, or that such Person or Persons was

Where any Question shall arise as to the Title to Money, the Person who shall be in Possession of the Lands, &c. to be deemed entitled thereto.

or

or were lawfully entitled to such Ferry, Lands, or Grounds, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Trustees.

XXXVII. 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 Ferry, Lands, or Grounds 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 Exchequer, and to be applied in the Purchase of other Lands or Grounds to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Exchequer to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees, 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.

Tenants to deliver Possession at three Months Notice.

XXXVIII. And be it further enacted, That every Tenant of any Ferry, Land, or Ground to be purchased for the Purposes of this Act, shall deliver up the Possession of the same to the said Trustees, or to such Person or Persons as they shall appoint to take Possession thereof, upon receiving Three Calendar Months Notice to quit such Possession from the Clerk to the said Trustees, or from the Person or Persons so authorised by them to take such Possession; and such Person or Persons in Possession shall, at the End of the said Three Calendar Months, whether such Notice be given with Reference to the Time or Times of such Tenant's holding or not, or so on after as he, she, or they shall be required, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees, or to the Person or Persons authorized by them to take Possession thereof (such Authority being signified under the Hands of the said Trustees): Provided always, that the said Trustees shall make such Recompence and Satisfaction to the said Tenants or Occupiers as the said Trustees shall think just and reasonable; and in case of any Dispute concerning the same, such Recompence and Satisfaction shall be settled and ascertained in such and the like Manner as the Recompence and Satisfaction to be made by the said Trustees for the Purchase of any Ferry, Lands, or Grounds, for the Purposes of this Act are herein directed to be ascertained and settled; and in case any such Person or Persons so in Possession as aforesaid shall refuse to give such Possession as aforesaid (all such reasonable Satisfaction being first made or tendered), it shall be lawful for the said Trustees to issue their Precept or Precepts to the Sheriff of the said County of *Sussex*, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same; and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her, or their Goods.

Power to get Materials.

XXXIX. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors to the said Trustees, and all such Persons as he or they shall appoint, to search for, dig, get, gather, take, and carryaway any Furze, Heath, Gravel, Chalk, Sand, Sea Beach, Stones, Ballast, or other Materials for establishing and maintaining the said Ferry and Causeways thereto,
or

or making or repairing the said Roads, or building, rebuilding, or repairing any Ferry House or Toll House from the Sea Shore, or out of any River or Brook, or out of or from any Waste or Common in any Parish, Hamlet, or Place in which any Part of the said Roads lie, or in any adjoining Parish, Hamlet, or Place, and to haul and carry away any such Materials when got over any Common or Waste Lands without paying any Thing for such Materials; and without being deemed a Trespasser or Trespassers, the said Surveyor or Surveyors, or other Person or Persons filling up the Pits or Quarries, levelling the Grounds, or sloping down the Banks wherefrom such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Persons or Cattle, and paying or tendering for the Damage done by going through and over any inclosed Lands or Grounds for or with such Materials, such Damages to be ascertained as hereinafter mentioned; and also that it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to search for, dig, get, gather, take, and carry away any such Materials in or out of the Land of any Person or Persons where the same may be had or found, in any Parish, Hamlet, or Place in which any Part of the said Roads shall lie or be situate, or in any adjoining Parish, Hamlet, or Place (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for such Materials, and for the Damage done to the Owners and Occupiers of the Lands where and from whence the same shall be dug, gathered, and carried away, or over which the same shall be carried, as the said Trustees shall judge reasonable; and also to land on and carry through or over any inclosed Lands or Grounds (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees), or on, through, or over any Open Land or Common, any Stone or other Materials for establishing or repairing the said Ferry and Causeways thereto, or making or repairing the said Roads, or for building or repairing any Ferry House, or Toll House, from any River, Stream or Canal in any Parish, Hamlet, or Place in which the said Roads lie, or in any adjoining Parish, Hamlet, or Place, paying or tendering for the Damage done, in landing on or going through or over any inclosed Lands or Grounds for or with such Materials, such Sum or Sums of Money as the said Trustees shall judge reasonable; and in case of any Difference between such Trustees, Surveyors, or other Persons appointed or employed as aforesaid, and the Owners and Occupiers of such Lands or any of them, concerning such Payments and Damages as aforesaid, any Two or more Justices of the Peace for the County, Liberty, or Place wherein the Place from whence such Materials shall have been taken shall be situate, on Ten Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages, and the Costs attending the hearing and determining the same.

XL. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons, acting under the Authority of this Act, to gather, get, take, or carry away any Gravel, Sand, Sea Beach, Stones, or other Materials, for the Purposes aforesaid,

[*Local.*]

24 P

from

Not to affect
Arundel
Port Acts.

from any Part of the Sea Shore, within Five Hundred Yards of the Piers at *Littlehampton* aforesaid, or from the said River *Arun*, without the Consent in Writing thereto first had and obtained of and from the Commissioners acting under or by virtue of two certain Acts of Parliament, one passed in the Sixth Year of the Reign of his late Majesty King *George* the Second, intituled *An Act for erecting Piers in, and for repairing and keeping in repair the Harbour of Littlehampton, called Arundel Port, in the County of Sussex*; and the other passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain and amend an Act made in the Sixth Year of the Reign of His late Majesty King George the Second, intituled 'An Act for erecting Piers in, and for repairing and keeping in repair the Harbour of Littlehampton, called Arundel Port, in the County of Sussex;' and for empowering the Commissioners acting under the said Act to improve the Navigation of the River Arun from the said Harbour to the Town of Arundel, in the said County*; nor shall any thing in this Act contained lessen, abridge, or affect the Rights, Powers, or Privileges of the said Commissioners, or in any Manner impede, hinder, or prevent the due Execution and carrying into Effect of the said two last mentioned Acts of Parliament; any thing hereinbefore contained to the contrary thereof in anywise notwithstanding.

No Beach
to be taken
without
Consent of
Lord of the
Manor.

XLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower any Person or Persons whomsoever to dig for, take, or carry away any Gravel or Sand from off the Beach at *Little Hampton* aforesaid, without the Consent of the Lord of the Manor of *Little Hampton* for the Time being; any thing hereinbefore contained to the contrary notwithstanding.

Notice to be
given before
Materials
taken from
private
Lands.

XLII. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for the Purposes aforesaid, out of or from any inclosed Land or Ground, until Notice in Writing, signed by the Surveyor, shall have been given to the Owner or Owners of the Premises from which such Materials are intended to be taken, or his or her known Agent, or to the Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner, Agent, or Occupier, to appear before any Two or more Justices of the Peace acting in and for the County, Liberty, or Place where the Lands from whence such Materials are intended to be taken shall lie, to shew Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, get, gather, take, and carry away such Materials at such Time or Times as to such Justices shall seem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear, the said Justices shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby empowered to administer) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner, Agent, or Occupier, had attended.

XLIII. Pro-

XLIII. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees to contract and agree with any Person or Persons whomsoever for the Purchase or Demise from him, her, or them of and to hold any Land or Ground, not exceeding Half an Acre in the whole, for the Purpose of digging Stones, Gravel, and Materials therefrom for the Repair or Use of the said Ferry and Roads, and at any Time afterwards to sell the Land or Ground so purchased by public Auction or Tender: Provided always nevertheless, that the entering into any such Contract or Agreement as last aforesaid shall not be compulsory against any Person or Persons unwilling to enter into the same.

Power to contract for Land to get Materials.

XLIV. And be it further enacted, That if any Person whosoever shall take away any Materials which shall be dug, gotten or gathered for the Use of the said Ferry and Roads as aforesaid, or shall raise or carry away any Materials out of, or otherwise interfere with or obstruct the working of any Pit which shall have been made or opened for the Purpose of getting Materials for any of the Purposes of this Act, before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Six Weeks (except the Owner or Occupier of the Land in which such Pit shall be made, as to Materials for his own private Use only, and not for or on Sale), every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

Penalty on taking away Materials raised by Surveyors.

XLV. And be it further enacted, That it shall be lawful for the said Trustees, and their Agents, Workmen, and Servants, from Time to Time and at all Times, at their Will and Pleasure, to bring, place, lay, work, and use any Timber, Stone, Brick, Lime, or other Materials for making and establishing, or for repairing the said Ferry, or to bring, place, and lay any Stones, Gravel, or other Materials for making, repairing, or amending the said Roads, or any or either of them, or for executing any other of the Purposes of this Act, in, upon, through, and over any Common or Waste Ground within One hundred Yards of the said Ferry or Roads respectively, without making any Recompence for so doing; and also in, upon, through, and over any private Lands or Grounds, within One hundred Yards of the said Ferry or Roads respectively, doing as little Damage as may be, and making Satisfaction for such Damage to the Owners and Occupiers of such Lands or Grounds; and that in case of Dispute about the Quantum of such Damage and Satisfaction, the same shall be settled by any Two or more Justices of the Peace for the County wherein the Damage shall be done, and such Justices are hereby authorized and empowered to hear, settle, and determine the same accordingly.

Materials may be brought and worked on Waste Lands without Satisfaction, and on private Lands with Satisfaction for Injury done.

XLVI. And be it further enacted, That the said Trustees, or such Person or Persons as the said Trustees shall for that Purpose authorize or appoint, are and is hereby empowered to contract with any Person or Persons for making, repairing, widening, or altering the said Ferry and Causeways thereto, and the said Roads, or any or either of them, and to do any other Work for the Purposes of this Act, in such Manner and for such Sum or Sums of Money, as the said Trustees, or the said Person or Persons so to be authorized or appointed as aforesaid, shall think proper; and all Contracts in Writing, entered into pursuant to any Order made at any Meeting of the said Trustees, shall be binding on all Parties who shall sign the

Trustees may contract for establishing, &c. the Ferry, and making the Roads.

the same, his, her, and their Executors, and Administrators, and Actions and Suits may be maintained thereon, and Damages recovered against the Parties failing in the Execution thereof.

Ferry and
Roads vested
in the Trus-
tees.

XLVII. And be it further enacted, That the Right and Property of and in the said Ferry and Roads, and of and in all Ferry Houses, Toll Houses, Gates, and Bars, and all Posts, Rails, and Fences, Lamps, Matters, and Things, to be erected, set up, and provided, under and by virtue of this Act, and of the Materials which shall be from Time to Time gotten or provided for erecting, building, making, maintaining, and repairing the same, or any or either of them, and all other Materials, Articles, and Things which shall be purchased, collected, or provided for the Purposes of this Act, shall be and the same are hereby respectively vested in the said Trustees and their Successors, and they are hereby empowered and authorized to bring or cause to be brought any Action or Actions, and to prefer and prosecute One or more Indictment or Indictments against any Person or Persons who shall steal, take, carry away, or damage the same, or any of them, or any Part thereof, or disturb them in the Possession of the same, or any Part thereof; and in such Actions and Bills of Indictment respectively, it shall be sufficient to state generally, that the Article or Articles, Thing or Things, for or concerning which such Action or Actions shall be brought, or Bill or Bills of Indictment be preferred, is or are the Property of the Trustees for establishing a Ferry across the River *Arun* at *Littlehampton* in the County of *Sussex*, and making Roads to communicate therewith, without particularly naming or specifying the Name or Names of all or any of the said Trustees.

For punish-
ing Persons
wilfully da-
maging the
Ferry.

XLVIII. And be it further enacted, That if any Person shall wilfully or maliciously destroy or damage the said Ferry or any Part thereof, or any Ferry House, Toll House or Gate to be erected by virtue of this Act, every Person so offending, and being thereof lawfully convicted, shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by and before whom any such Person shall be tried, shall and have hereby Power and Authority to cause such Person to be punished in like Manner as Felons are directed to be punished by the Laws and Statutes of this Realm; or, in Mitigation of such Punishment, such Court may, if they think fit, award such Sentence as the Law directs in Cases of Felony: Provided nevertheless, that no Person or Persons who is or are the Owner or Owners of any Ship, Vessel, or Craft navigating the said River *Arun*, nor any Person or Persons employed in the same, shall be liable to any Action or Prosecution at Law, for any Damage that may accidentally happen to the said Ferry by such Ship, Vessel, or Craft, unless it shall appear that such Damage was done wilfully and maliciously; any thing in this Act contained to the contrary notwithstanding.

A Toll
Gate to be
erected on
the Road to
be made on
the Land of
W. Cutfield,
Esq.

XLIX. And be it further enacted, That the said Trustees shall and may and they are hereby authorized and empowered to erect or cause to be erected one Toll Gate in, upon, or across such Part of the said Road on the West Side of the said River *Arun* as shall be made through or over the Land of *William Cutfield* Esquire, in the said Parish of *Climping*, but no Toll Gate shall be erected on any other Part of either of the said Roads; and also shall and may provide a Toll House, with suitable Buildings, a
Garden,

Garden, and other Conveniencies, not exceeding One-eighth Part of a Statute Acre, at or near the said Toll Gate so to be erected as aforesaid.

L. And in order to enable the said Trustees to carry this Act into Execution, be it further enacted, That as soon as the said Ferry shall be made fit for the Passage of Carriages, Horses, Cattle, Foot Passengers, and portable Articles, it shall and may be lawful for the said Trustees, or the Collector to be appointed by them as aforesaid, from Time to Time, and at all Times hereafter, to demand, collect, and receive, before any Carriages, Horses, Cattle, Foot Passengers, or portable Articles, shall be permitted to pass over the said Ferry, such Tolls as the said Trustees shall from Time to Time think proper, not exceeding the respective Sums following; (that is to say),

Tolls to be taken at the Ferry.

For every Coach, Chariot, Chaise, Hearse, or other such like Carriage, with Four Wheels, One Shilling; and for every Horse or other Beast drawing the same, Sixpence :

For every Chaise, Chair, or other such like Carriage, with Two or Three Wheels, Sixpence; and for every Horse or other Beast drawing the same, Sixpence :

For every Waggon, Wain, or Dray, or other such like Carriage, with Four Wheels, One Shilling; and for every Horse or other Beast drawing the same, Sixpence :

For every Cart, Dray, or other such like Carriage, with Two or Three Wheels, Nine-pence; and for every Horse or other Beast drawing the same, Sixpence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, Three-pence :

For every Score of Oxen, Cows, or Neat Cattle, One Shilling and Eight-pence; and so in proportion for any less Number :

For every Score of Calves, Hogs, Sheep, or Lambs, Ten-pence; and so in proportion for any less Number :

For every Foot Passenger, One Penny :

And for every Hundred Weight of Goods, Wares, Merchandize, Matters or Things, not being in any Carriage drawn by any Horse, or other Beast, or upon any Horse or other Beast, Sixpence; and so in proportion for any less Weight :

All which Tolls shall be paid every Time of passing or repassing over the said Ferry.

LI. And be it further enacted, That all Persons passing over the said Ferry shall be liable to the Payment of the Tolls hereby granted, notwithstanding such Persons may be carried in or upon any Waggon, Wain, Cart, or other such Carriage, or on Horseback, or otherwise riding, over and above and besides the Tolls payable for every such Waggon, Wain, Cart, or other such Carriage, and for every Horse, Mule, or Ass, excepting always the proper Driver or Drivers of every such Waggon, Wain, Cart, or other such Carriage, and the Person or Persons for whose proper Use every such Waggon, Wain, Cart, or other such Carriage may be *bonâ fide* employed when so passing; and excepting also One Rider upon every Horse, Mule, or Ass not drawing.

To prevent Evasion of Tolls.

Tolls at the Toll Gate on the Road to be made over Mr. Cutfield's Land.

LII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or the Collector to be appointed by them as aforesaid, to demand and take, at the Toll Gate to be erected by virtue of this Act upon such Part of the said Road on the West Side of the said River *Arun* as shall be made through or over the Land of the said *William Cutfield*, before any Person shall be permitted to pass through the said Toll Gate, such Tolls as the said Trustees shall from Time to Time think proper, not exceeding the respective Sums following ; (that is to say),

For every Coach, Chariot, Chaise, Hearse, or other such like Carriage, with Four Wheels, One Shilling ; and for every Horse or other Beast drawing the same, Sixpence :

For every Chaise, Chair, Gig, or other such like Carriage, with Two or Three Wheels, Sixpence ; and for every Horse drawing the same, Sixpence :

For every Waggon, Wain, or Dray, or other such like Carriage, with Four Wheels, One Shilling ; and for every Horse or other Beast drawing the same, Sixpence :

For every Cart, Dray, or other such like Carriage, with Two or Three Wheels, Nine-pence ; and for every Horse or other Beast drawing the same, Sixpence :

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, Three-pence :

For every Score of Oxen, Cows, or Neat Cattle, One Shilling and Eight-pence ; and so in proportion for any less Number :

For every Score of Calves, Hogs, Sheep, or Lambs, Ten-pence ; and so in proportion for any less Number.

Table of Tolls to be set up.

LIII. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on the Ferry Houses and Toll House to be erected in pursuance of this Act, and the Name of each Ferry House and of the said Toll Gate shall be placed over the said Table of Tolls.

Number of Tolls limited.

LIV. Provided always, and be it enacted, That no more than one Toll shall be taken or demanded for or in respect of the same Carriages, Horses, or Cattle passing on the same Day over the said Ferry, and through the Toll Gate to be erected by virtue of this Act ; but that all Carriages, Horses, and Cattle, for and in respect of which Toll shall once have been paid at the said Ferry, and a Ticket being produced, denoting the Payment thereof, (which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of such Toll), shall pass Once on the same Day with the same Carriages, Horses, and Cattle through the said Toll Gate without paying any other Toll ; and that all Carriages, Horses, and Cattle, for or in respect of which Toll shall once have been paid at the said Toll Gate, and a Ticket being produced, denoting the Payment thereof, (which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of such Toll), shall pass Once on the same Day with the same Carriages, Horses, and Cattle, over the said Ferry, without paying any other Toll.

Carriages and Cattle

LV. Provided always, and be it further enacted, That every Coach, Chariot, Hearse, Chaise, Chair, Waggon, Wain, Cart, and other Carriage what-

whatsoever, and the Horses and other Beasts drawing such Carriages respectively; and also all and every Horse, Mule, and Ass, laden or unladen, and not drawing; and also all Oxen, Cows, and Neat Cattle, Calves, Hogs, Sheep, and Lambs, for which the Tolls hereby granted shall be paid, shall be allowed to pass through the Toll Gate so to be erected on the said Road as aforesaid, and also to return, without being chargeable with the Payment of any Toll for returning, Once on the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night), the respective Persons attending such Carriages, Horses, or other Beasts or Cattle as aforesaid, producing Tickets denoting such respective Payments; all which Tickets the Collector of the Tolls is hereby required to give *gratis* on Receipt of the Toll.

may pass and return on the same Day for One Toll.

LVI. And be it further enacted, That it shall be lawful for the Collector or Collectors of the said Tolls, or any of them, to stop and prevent the Passage of any Person or Persons neglecting or refusing to pay the said Tolls, or any of them, or of the Horse, Beast, Cattle, Carriage, or other Thing for or in respect whereof the said Tolls ought to be paid; or it shall be lawful for the said Collector or Collectors to seize and detain the Goods and Chattels of such Person or Persons, or such Horse, Beast, Cattle, Carriage, or other Thing; and in case the said Tolls shall not be fully paid and satisfied, together with all reasonable Costs and Charges of making, detaining, and keeping such Distress, within the Space of Four Days, the said Collector or Collectors shall and may sell the same, rendering the Overplus (if any) on Demand, after deducting such Costs and Charges of making, detaining, keeping, and selling such Distress, to the Owner or Owners thereof.

To enforce Payment of Tolls.

LVII. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed either by the said Trustees or by any such Lessee or Lessees, to collect the Tolls by this Act granted, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Ferry House or Toll House, immediately on his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and every such Collector shall place or cause to be placed on the Front of the Ferry House or Toll House at which such Collector shall be stationed, the Board herein-before directed to be provided by the said Trustees, containing the usual Name of the Ferry and of the Toll Gate where the Board shall be fixed, and also the List of the Tolls payable at such Ferry and Gate, and of the Ferry or Gate cleared by the Payment of Toll at the Ferry or Gate where such Collector shall be stationed as aforesaid; and if any Collector of the said Tolls shall not place such Board respectively as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of this Act, or of the Orders and Resolutions of the Trustees made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall

For preventing Toll Collectors from taking any undue Tolls.

shall refuse to permit or suffer, or shall in anywise hinder any Person or Persons from reading such Boards respectively, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls or any of them, or shall refuse to give a Ticket denoting the Payment of Toll, or shall in Answer to such Demand give a false Name or Names, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing over the said Ferry or through the said Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge, to be recovered and applied as hereinafter mentioned.

For settling
Disputes
concerning
Tolls.

LVIII. And be it further enacted, That if any Dispute or Disputes shall happen respecting the demanding, or taking, or the Payment of Toll, or about the Amount of the Toll due, or the Charges of making, keeping, or selling any Distress for Recovery of the said Tolls, such Dispute shall be settled and determined by some Justice of the Peace for the said County of *Sussex*, who, upon Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties, or other Witness or Witnesses (which Oath such Justice is hereby authorized to administer), and shall determine the Amount of the Tolls due, and other Matter in Dispute between the Parties, and may also award such Costs and Charges to either Party as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered in case of Non-payment thereof forthwith by Distress and Sale of the Goods and Chattels of the Person or Persons awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) upon Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Toll Bar
Keepers not
to be deemed
incompetent
Witnesses.

LIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her or their being so appointed or interested under such Appointment, or being paid to collect the Tolls, or acting, or being paid to act, under the Authority of the said Trustees.

Royal Fa-
mily ex-
empted.

LX. Provided always, and be it enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom.

Duke of
Norfolk
exempted.

LXI. Provided also, and be it enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to the Duke of *Norfolk* for the Time being, or his Heir Apparent.

LXII. Pro-

LXII. Provided always, and be it further enacted, That no Toll whatsoever shall be demanded or taken for any Horse, Beast, Cattle, or Carriage, of whatsoever Description, employed or to be employed in conveying, fetching, or guarding Mails of Letters and Expresses, under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or for any Soldiers upon their March or upon Duty, or for any Horse, Beast, Cattle, or Carriages attending them with their Arms and Baggage, or returning after having been so employed; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Beast, Cattle, or Carriages travelling with Vagrants sent by legal Passes, or any Prisoner in Custody under any legal Warrant, or for any Volunteers upon their March or upon Duty, or in going to or returning from the Place appointed for and on the Days of Exercise; or for any Horse, Mare, or Gelding, furnished by or for or belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons be dressed in the Uniforms of their respective Corps; and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; or for any Coach, Berlin, Landau, Chariot, Calash, Chair, or other Carriage or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Sussex*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, from the Whole or any Part of the several Tolls hereby authorized to be taken, not being entitled to the same, such Person or Persons, for every such Offence, shall forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

General Exemptions from Tolls;

LXIII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained to the contrary notwithstanding.

Owners or Drivers of Waggons employed in the Service of His Majesty's Forces not to be subject to Penalties for Overweight.

LXIV. Provided also, and be it enacted, That this Act shall not extend or be construed to extend to charge *William Cutfield*, or the Owner or Owners

[Local.]

24 R

Exemption to *W. Cutfield* and his Tenant.

of *Baylis Court Farm* in the said Parish of *Climping* for the Time being, with any Toll at the Toll Gate to be erected on the Road to be made through the Land of him the said *William Cutfield*: Provided also, that no Toll shall be demanded for passing or repassing over the said Ferry from any Person or Persons residing on the East Side of the said River *Arun*, who shall hereafter occupy as Tenant to the said *William Cutfield*, or the Owner or Owners of *Baylis Court Farm* aforesaid for the Time being, any Part of such Farm not being less than Six Acres, lying within One thousand Yards of the said River, and who shall pass over the said Ferry, with or without Horses, Cattle, or Carriages, to or from such Part of the said Farm to be so occupied by him, her, or them, for the Purpose only of using or looking after the same, nor from any Servant or Workman of any such Person or Persons; but the said *William Cutfield*, or the Owner or Owners of *Baylis Court Farm* aforesaid for the Time being, shall pay to the said Trustees the annual Sum of Five Shillings for every Acre of the said Part of *Baylis Court Farm* so to be occupied and used as aforesaid, and so after that Rate for any less Quantity than an Acre, during so long a Time as the same shall be so used or occupied: Provided nevertheless, that all Waggon, Carts, and other Carriages carrying Hay from the said Parts of *Baylis Court Farm* to be occupied and used as aforesaid, and the Horses or other Beasts drawing the same, shall be subject and liable to the Tolls imposed by this Act; and every Cart Load of Dung or Manure to be carried from the East Side of the said River *Arun* upon the said Parts of *Baylis Court Farm*, to be occupied and used as aforesaid, for the Purpose of improving the same, shall be liable to the Payment of the Sum of Three-pence on passing the said Ferry.

Tickets to be provided, denoting Payment of Tolls.

LXV. And be it further enacted, That upon Payment of the Tolls by this Act granted, the Collector or Receiver thereof shall and he is hereby required to deliver *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment; and which Note or Ticket shall be provided by the said Trustees; and there shall be printed thereon the Name of the Ferry House or Gate at which such Ticket shall be delivered, and the Name of the Ferry or Gate freed by such Payment.

Penalty on evading Tolls.

LXVI. And be it further enacted, That if any Person or Persons shall ride, drive, go, or pass with any Horse, Beast, Cattle, or Carriage through or over any Gate, private Passage, Land, Ground, or Place lying by the Side of or near to any Part of the said Roads (except the Owner or Occupier of such Land or other Premises, or any of his, her, or their Family, Servant or Servants), or if any Person or Persons owning or occupying any Land, Ground, or Place situate as aforesaid, and the same not being a public Highway or Road to or from some Parish Church, Mill, Market Town, or Village, shall knowingly or wilfully permit or suffer any Person or Persons not being of his, her, or their Family, or his, her, or their Servant or Servants, to go or pass with any Horse, Beast, Cattle, or Carriage through or over such Gate, private Passage, Land, Ground, or Place, in order or with Intent thereby to evade the Payment of the said Tolls or any of them, or any Part thereof; or if any Person or Persons shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person or Persons (except a Collector of the Tolls) any Note or Ticket

Ticket of the Day by this Act directed to be given by the Collectors or Receivers of the said Tolls, or any Note or Writing purporting to be such, for the Purpose of evading the said Tolls, or any of them; or shall forcibly or fraudulently pass over the said Ferry, or through the said Toll Gate to be erected by virtue of this Act, with any Horse, Carriage, Cattle, or Beast without Payment of Toll; or shall take off or cause to be taken off any Horse, Beast, or Cattle from any Carriage, or after having passed over the said Ferry or through the said Toll Gate shall put on an additional Horse or Beast to any such Carriage, or shall leave or cause to be left upon or near to the said Ferry or Roads any Horse, Cattle, Beast or Carriage, or shall unload or cause to be unladen any Goods, Merchandize, or other Things from or out of any Carriage, with intent to evade Payment of any of the said Tolls; all and every such Person or Persons so offending in any of the Cases aforesaid, shall, for each and every such Offence, forfeit and pay any Sum not exceeding Five Pounds over and besides such Damages or Punishment as he, she, or they shall be otherwise liable to by Law.

LXVII. And be it further enacted, That it shall and may be lawful for the said Trustees, at a public Meeting, to let to farm all or any of the Tolls by this Act granted, in the Manner herein-after mentioned; that is to say, the said Trustees shall cause Notice to be given of the Time and Place for letting the same, at least One Month before the Day to be appointed for that Purpose, by affixing such Notice upon the Church Door of the said Parish of *Littlehampton*, and upon the Toll Gate to be erected by virtue of this Act, and also by Insertion thereof in some public Newspaper circulated in the said County of *Sussex*, and specifying in every such Notice the Sum which the said Tolls produced in the preceding Year, clear of the Salary for collecting the same in case any hired Collector was appointed, and that they will let such Tolls by Auction to the best Bidder on his producing sufficient Sureties for the Payment of the Money monthly or otherwise (as in such Notice shall be specified), and that they will be put up at the Sum which they were let for or produced in the preceding Year, clear of the Salary of the Collector; and to prevent Fraud or any undue Preference in the Letting thereof, the said Trustees are hereby required to provide a Glass with as much Sand in it as will run from one End of it to the other in one Minute, which Glass at the Time of letting such Tolls shall be set upon a Table, and immediately after every Bidding the Glass shall be turned; and as soon as the Sand is run out, it shall be turned again, and so for Three Times, unless some other Bidding intervenes; and if no other Person shall bid until the Sand shall have run through the Glass Three Times, the last Bidder shall be Farmer or Renter of the said Tolls, and shall forthwith enter into a proper Agreement for the taking thereof and paying the Money at the Times specified in such Notice, with such Surety or Sureties for Payment thereof, and under such Conditions and in such Manner as the said Trustees shall think fit; and if the Person being the last Bidder shall not forthwith enter into such Agreement, it shall and may be lawful to put up the said Tolls again immediately for another Bidder, and in like Manner to continue putting up the same until a Bidder shall be found who shall enter into such Agreement; and if no Bidder shall offer, or in case the same shall not be let at such Auction, it shall be lawful for the said Trustees to accept a private Tender for the same, and to demise or let to farm, or agree to

Power for Trustees to let the Tolls.

to demise or let to farm all or any of such Tolls at any Sum not less than the Sum at or for which they shall have been last let; or the said Trustees may appoint a Collector of such Tolls, or fix some future Day for the letting thereof, as they shall judge most proper, upon giving such Notice thereof as aforesaid, and shall and may in that Case put them up at such Sum as they shall think fit; and if the Person or Persons who shall be the Farmer or Renter, or Collector or Collectors of such Tolls, shall take a greater or less Toll from any Person or Persons than what is authorized or directed by this Act, he or they shall for every such Offence forfeit any Sum not exceeding Five Pounds, and the said Agreement for renting the Tolls shall, if the said Trustees shall think fit to vacate the same, become and be null and void: Provided always, that at all such Lettings the said Trustees shall be entitled to bid for the Tolls so to be let, either by themselves or their Clerk or Treasurer, or any other Person by them authorized: Provided also, that no such Tolls shall be demised or leased for any longer Term than Three Years at any one Time.

Power to lessen the Tolls.

LXVIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered from Time to Time to lessen or reduce all or any of the Tolls by this Act granted, and for such Time or Times as they the said Trustees shall think proper; and from Time to Time afterwards to advance any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the respective Tolls granted by this Act: Provided always, that it shall not be lawful for the said Trustees to lessen or reduce the said Tolls, or any of them, without the Consent of Four-fifths in value of the Contributors herein-after mentioned, and of the Creditors on the said Tolls respectively; and no Toll shall be lessened, reduced, or advanced, unless at a Meeting of the said Trustees, of which Twenty-one Days Notice shall be given in the same Manner as is herein-before directed, relative to Notices of Meetings for the Election of new Trustees under this Act.

But not without Consent of Four-fifths in value of Contributors and Creditors.

No other Ferry to be used within a certain Distance.

LXIX. And be it further enacted, That from and after the said Ferry to be established by virtue of this Act shall be made fit for Carriages, Horses, Cattle, Foot Passengers, and portable Articles, no other Ferry shall be set up or used by any Person or Persons across the said River *Arun* within the ancient Limits of the present Ferry at *Littlehampton* aforesaid; and if any Person or Persons (except the said Trustees or other Person or Persons acting under their Authority) shall use any Boat, Barge, Float, Raft, or other Vessel, in ferrying or conveying any Carriage, Horse, Cattle, Foot Passengers, or portable Articles or other Things for Hire across the said River *Arun* within the Limit aforesaid, not being the Owner or Owners, Occupier or Occupiers of the Land on both Sides of the said River where such Boat, Barge, Float, Raft, or other Vessel shall be used, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Persons may use Boats to go to Vessels.

LXX. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons whomsoever, at all Times, to use any Boat, Barge, or other Vessel, in or upon or across the said River *Arun*, for the Purpose of aiding or assisting any Boat, Barge, Ship, or Vessel, in navigating the said River, and for the Purpose of going to or from any such Boat, Barge, Ship, or Vessel, whether the same Boat, Barge,

Barge, Ship, or Vessel be lying in or near the said River, or going in or upon the same; and also for the Purpose of going to or from any or either of the Piers, Piles, Posts, Buoys, Ships, Barges, Boats, Groyns, Walls, or other Works already erected, or hereafter to be erected, or contemplated to be erected; and also that it shall and may be lawful to and for the said Commissioners of the said Port of *Arundel*, and their Officers and Servants, at all Times to go in, upon, and across the said River for all Purposes whatever, except to carry for Hire.

LXXI. And whereas several Persons have subscribed or agreed to contribute certain Sums of Money towards carrying this Act into Execution; be it therefore enacted, That all the Money which shall come to the Hands of the Trustees, or any of them, or their Treasurer, by Means of such Subscription and Contribution, or otherwise, by virtue of this Act, shall be applied by the said Trustees in Manner following; (that is to say,) in the first Place, in Payment and Discharge of all the Charges and Expences incident to and attending the obtaining and passing this Act, and in erecting and making the said Ferry and Causeways thereto, Ferry Houses, Toll House, and Roads; and that when all such Charges and Expences as aforesaid shall be paid and satisfied, all the Money remaining in the Hands of the said Trustees, together with the Tolls which shall from Time to Time (after paying the Expences of supporting, making, and maintaining the said Ferry and Roads, and of carrying this Act into Execution, and the Principal and Interest of any Money to be hereafter borrowed), be divided amongst the several Persons who shall contribute and pay to the Treasurer to the said Trustees, in pursuance of such Subscription or Contribution, the Sum of Fifty Pounds or upwards, towards the Sum of Three thousand Pounds intended to be raised, in proportion to the Sum or Sums of Money subscribed, contributed, and paid by such Persons.

The Money to be applied in the first Place in paying the Expences of the Act, and in establishing the Ferry, &c.

LXXII. And be it further enacted, That in case the Works hereby authorized to be executed shall not be completed within the Space of Ten Years, so as to answer the Objects hereby intended, all the Powers and Authorities hereby given shall cease and determine, save only as to so much of the Work as shall have been completed within that Time.

Powers of Act to cease if Works not completed in a certain Time.

LXXIII. And be it further enacted, That a Book shall be kept by the said Treasurer, in which shall be fairly entered the Christian and Surnames, and Places of Abode, and other proper Additions, of the several Contributors, and the Sums by them respectively advanced, and the Time of advancing the same; which Book shall and may be inspected by the said several Contributors, their Executors, Administrators, and Assigns, at all seasonable Times, without Fee or Reward; and every such Contributor shall, upon Payment of the Money to be by him advanced, receive of the said Treasurer a Receipt signed by him for the same, and also an Order for Payment of his Share or Shares of the said Dividends, bearing even Date with the said Receipt; all which said Orders shall be written on Vellum or Parchment, and signed by the said Trustees, or any Three or more of them; and after the signing thereof the same shall be valid and effectual in the Law, according to the Purport and true Meaning thereof, and of this Act; and shall entitle the respective Contributors to whom

Names of Contributors to be registered.

Contributors upon Payment of their Money to receive a Receipt, and an Order for Payment of their Dividends.

the same shall be given, their Executors, Administrators, and Assigns, to the Shares of the said Dividends, for which such Orders shall be respectively made.

The Times of Payment of the Dividends ascertained.

LXXIV. And be it further enacted, That as soon as any of the said Dividends shall become payable, the said Trustees shall, and are hereby required to cause at least One Calendar Month's Notice thereof to be given in any One Newspaper circulated in the said County of *Sussex*, and in such Notice shall be specified the Time and Place of Payment; and that after the First Payment thereof, the said Dividends shall be paid on the same or the following Day in every Year; and the Treasurer to the said Trustees shall and is hereby required to pay the same accordingly.

The Shares may be assigned or devised.

LXXV. And be it further enacted, That it shall and may be lawful for any of the said Contributors, at any Time, by Writing under their respective Hands, or by their last Wills in Writing, to assign or devise any Share or Shares of the said Sum of Three thousand Pounds so intended to be raised as aforesaid, together with the Interest in the said Dividends, to any Person or Persons whomsoever, and so *toties quoties*; and such Assignment may be made by Indorsement on the Back of their said respective Orders, in the Presence of One credible Witness, in the Words or to the Effect following; that is to say,

Form of the Assignment.

‘ I DO assign the within Order, and all my Right, Title, and Interest in
 ‘ and to the same, and the Dividends payable thereon, unto
 ‘ Executors, Administrators and Assigns. Witness
 ‘ my Hand and Seal, this Day of .’

Assignment and Wills to be registered, and the Execution proved.

LXXVI. Provided nevertheless, That before any Share of the said Dividends shall be paid pursuant to any such Assignment or Will, an Entry thereof shall be made in a Book to be kept for that Purpose by the Clerk to the said Trustees; and at the Time of producing such Assignment or Will, or the Probate of such Will, for the Purpose of making such Entry, an Affidavit (taken before some Justice of the Peace) shall be delivered to the said Clerk, of the due Execution of such Assignment or Will, which Entry the said Clerk is hereby required to make accordingly, and to file the said Affidavit, for which he shall be paid the Sum of Five Shillings, and no more; and after such Entry made, and Affidavit delivered as aforesaid, every such Assignment and Will shall entitle the Assignee and Devisee respectively, his, her, and their Executors, Administrators, and Assigns, to the Benefit of the Share so assigned or devised.

The Shares not claimed within a limited Time to go amongst the other Contributors.

LXXVII. And be it further enacted, That in case any Person entitled to receive any Share of the said Dividends shall at any Time neglect to demand the same for the Space of Two Years or more next after the same shall become due, every Person shall forfeit the Arrears of the Share so neglected to be demanded, and the same shall be divided amongst the Persons entitled to the Dividends; and so from Time to Time, when any such Neglect shall happen.

Compelling Payment of Subscription.

LXXVIII. And be it further enacted, That the several Persons who have subscribed, or shall subscribe for the advancing and paying of any Money towards carrying this Act into Execution, shall and are hereby required

to

to pay the respective Sums so subscribed to the Treasurer to the said Trustees, at such Time and Times, and in such Parts and Proportions, as the said Trustees shall order and direct; and if any Person shall neglect or refuse to pay the same as aforesaid, it shall and may be lawful for the said Trustees to sue for and recover the same, in the Name of their Treasurer, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance shall be allowed.

LXXIX. And whereas the Money subscribed, or to be subscribed as aforesaid, may be insufficient for the Purposes of this Act, be it therefore enacted, That it shall be lawful for the said Trustees to borrow and take up at Interest on the Credit of the Tolls arising by virtue of this Act, such further Sum or Sums of Money as they shall from Time to Time think fit; and they may and are hereby empowered to demise or mortgage the said Tolls, or any Part or Parts thereof, and the said Ferry and Ferry Houses, and the said Toll-House and Toll-Gate for collecting the same (the Costs and Charges of such Mortgages to be paid out of such Tolls), as a Security to any Person or Persons, or their Trustees, who shall advance such further Sum or Sums of Money; which Mortgages shall be in the Words or to the Effect following; (that is to say,)

Power of borrowing Money, and to demise or mortgage the Tolls.

‘ BY virtue of an Act passed in the Fifth Year of the Reign of His
 ‘ present Majesty King *George* the Fourth, intituled [*here set forth the*
 ‘ *Title of this Act*], We, whose Hands and Seals are hereunto subscribed
 ‘ and set, being _____ of the Trustees for executing the said Act, in
 ‘ consideration of the Sum of _____ to the Treasurer of the
 ‘ said Ferry and Roads in hand paid by _____, do grant,
 ‘ bargain, sell, and demise unto the said _____ Executors,
 ‘ Administrators, and Assigns, such Proportion of the Tolls arising by
 ‘ virtue of the said Act, and of the said Ferry and Toll-Gate for collecting
 ‘ the same, as the said Sum of _____ doth or shall bear to
 ‘ the whole Sum now due and owing, or hereafter to be advanced on the
 ‘ Credit thereof; to be had and holden from this _____ Day of
 ‘ _____ until the said Sum of _____ with
 ‘ Interest at the Rate of _____ *per Centum per Annum*, to
 ‘ commence and be computed from the _____ Day of
 ‘ _____ shall be paid and satisfied. Given under our Hands and
 ‘ Seals this _____ Day of _____ in the Year of
 ‘ our Lord _____

Form of Mortgage.

And Copies of all such Mortgages shall be entered and numbered progressively in a Book or Books to be kept and provided for that Purpose by the Clerk or Treasurer to the said Trustees; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be entitled to the Money thereby respectively secured, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit in and to the said Mortgages, and the Principal Monies and Interest thereby secured, to any Person or Persons whomsoever, by Indorsement on the Back of such Mortgages, in the Words or to the Effect following; (that is to say,)

Mortgages to be entered in Books, &c.

‘ I DO

LXXXI. And be it further enacted, That it shall be lawful for the said Trustees, or their Surveyor or Surveyors, and such Person or Persons as they or he shall appoint, from Time to Time to remove and prevent all Annoyances by Timber, Stone, Carriages, Hovels, Lime, Mortar, Filth, Dung, Ashes, Rubbish, Straw, or other Things being laid on any Part of the said Roads, or upon any open Common or waste Land within Eighty Feet of the Centre thereof, and to dispose of the same for the Benefit of the said Trustees, in case the Owners thereof shall neglect to remove the same for the Space of Seven Days after Notice in Writing signed by the Surveyor of the said Trustees, given to such Owners for that Purpose, or in case the Owners are not known, after a like Notice affixed for Seven Days on the said Toll Gate; and it shall and may be lawful to and for the said Trustees or their Surveyor, or such Person or Persons as he or they shall appoint, from Time to Time to turn any Watercourses, Sinks, or Drains, running along, into, or out of any Part of the said Roads, to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Watercourses or Ditches adjoining or near thereto, and to make the same as deep and large as he or they shall think necessary; and at proper Seasons of the Year to cut down or lop any Branches, Shrubs, or Bushes growing on or over the said Roads, or in the Hedges or Banks adjacent thereto respectively, (not being a Garden, Orchard, Plantation, Walk, or Avenue to a House, or any Tree being an Ornament or Shelter to a House), and to take and carry away the same, and to cut and reduce all such Hedges to the Height of Six Feet, in case the Owners or Occupiers of the Premises shall for the Space of Ten Days next after Notice in Writing given for that Purpose by such Surveyor or Surveyors, neglect to lop, cut down, or remove such Branches, Shrubs, or Bushes, or to cut and reduce such Hedges, or to open, scour, cleanse, widen or deepen such Watercourses or Ditches, or remove such other Annoyances, in such Manner as the said Trustees or their said Surveyor or Surveyors shall require; the Charges whereof, to be settled by any Justice or Justices of the Peace of the County, Liberty, or Place where the same shall happen, shall be reimbursed to such Surveyor or Surveyors by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures imposed by this Act are herein-after directed to be recovered and applied; and if after the Removal of any of the said Annoyances any Person shall again offend in like Manner, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For removing and preventing Annoyances and Nuisances.

LXXXII. And be it further enacted, That if any Horse, Ass, Sheep, Swine, or other Beast or Cattle of any Kind, shall at any Time be found wandering, straying, or lying in the said Roads, or by the Sides thereof, it shall and may be lawful to and for the Surveyor of the said Trustees, or any other Person or Persons whomsoever, to seize and impound every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, in the common Pound of the Hundred, Parish, Township, Tithing, or Place where the same shall be, or in such other Place as the said Trustees shall appoint, and the same there to detain until the Owner or Owners thereof shall for every and each Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded, pay the Sum of Five 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

Surveyors to impound Cattle found straying on the Road.

[Local.]

24 T

within

within Four Days next after such impounding, it shall and may be lawful to and for the said Trustees, or their Surveyor, to sell or cause to be sold every such Horse, Ass, Sheep, Swine, or other Beast or Cattle; and the Money arising from such Sale, after deducting the said Penalty, and Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been, on Demand.

Punishing
Persons
guilty of
Pound
Breach.

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

Mile Stones
and Direc-
tion Posts to
be erected.

LXXXIV. And be it further enacted, That the said Trustees shall cause Stones or Posts to be set up or placed in or near the Sides of the said Roads, at the Distance of One Mile from each other, denoting the Distance of any and every such Stone or Post from any Town or Place, and also such Direction Posts at the several Roads leading out of the said Road, or at any Crossings, Turnings, or Terminations thereof, with such Inscriptions thereon, denoting to what Place or Places the said Roads respectively lead, of such Height or Size, and to be erected in such Situations, as they the said Trustees shall think proper; and if any Person or Persons shall wilfully break, cut down, pull up, or damage any such Posts or Stones, or shall obliterate, deface, spoil, or destroy all or any of the Letters, Figures, or Marks which shall be inscribed or painted thereon, and be thereof convicted before any Justice of the Peace for the County, Liberty, or Place where such Stones or Posts shall be so as aforesaid erected, by the Confession of the Party, or by the Oath of one credible Witness, such Person or Persons so offending shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty on
damaging
them.

Penalty on
Persons
committing
Nuisances.

LXXXV. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway by the Side of the said Roads, made or set apart for the Use or Accommodation of Foot Passengers; or shall lead or drive any Horse, Ass, Mule, Sheep, Swine, or Cattle, or Carriage of any Description, or any Wheelbarrow, Truck, or Sledge, or any Single Wheel
of

of any Waggon, Cart, or Carriage, apart therefrom, upon any such Foot-path or Causeway; or shall cause any Injury or Damage to be done to the same, or the Hedges, Posts, Rails, or Fences thereof; or shall wilfully pull down or damage any Bridge, Wall, or any other Building or Erection made by the said Trustees under the Authority of this Act, or repaired or repairable by them; or shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Timber, Stone, or other Thing, otherwise than upon wheeled Carriages; or shall suffer any Timber, Stone, or other Thing which shall be carried principally or in part upon wheeled Carriages to drag or trail upon the said Roads, to the Prejudice thereof; or shall in or upon the said Roads, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, burn, dress, or cut up any Beast, Swine, Calf, Lamb, or other Cattle; or shall make or assist in making any Fire or Fires, or shall set fire to, or wantonly let off or throw any Squib, Rocket, Serpent, or Fire-work whatsoever, within Eighty Feet of the Centre of the said Roads; or bait, or run for the Purpose of baiting any Bull, or play at Foot-ball, Tennis, Fives, Cricket, or any other Game or Games upon the said Roads, or on the Side or Sides thereof, or in any exposed Situation near thereto, to the Annoyance of any Passenger or Passengers; or if any Blacksmith, or other Person occupying a Blacksmith's Shop, having a Door or Doors, or Window or Windows fronting to the said Roads, shall not, by good and close Shutters every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from such Shop shining into or upon the said Roads; or if any Person driving any Horse or other Beast on the said Roads, carrying Iron in Bars or Rods, or any other Matter or Thing, shall place such Bars or Rods, Matter or Thing, so that the same shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage travelling along the said Roads; or if any Hawker, Higgler, Gipsy, or other Person or Persons travelling with any Machine, Vehicle, Cart, or other Carriage, with or without any Horse, Mule, or Ass, shall pitch any Tent, or encamp upon or by the Side of any Part of the said Roads; or if any Person shall leave any Waggon, Wain, or Cart (except in case of Accident) upon the said Roads, or on the Side or Sides thereof, without any proper Person in the sole Custody or Care thereof, longer than may be necessary to load or unload the same; or shall not place the same during the Time of loading or unloading the same, or of taking Refreshment, as near to one Side of the Road as conveniently may be, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Ashes, Rubbish, or other Matter or Thing whatsoever, upon the said Roads, or on the Side or Sides thereof, or the Footpaths or Causeways adjoining, to the Prejudice of such Roads or Footways, or to the Prejudice, Annoyance, Interruption, or Personal Danger of any Person or Persons travelling thereon, or shall suffer any Water, Filth, Dirt, or other offensive Matter or Thing whatsoever, to run or flow into or upon the said Roads or Footpaths, from any House, Building, Erection, Lands, or Premises adjacent thereto; or if any Person driving any Pigs or Swine upon the said Roads, shall suffer such Pigs or Swine to root up or damage the said Roads, or the Fences, Hedges, or Banks on either Side thereof respectively; or if any Person shall, after having blocked or

stopped

stopped any Cart, Waggon, or other Carriage, in going up a Hill or rising Ground, cause or suffer to be or remain on the said Road the Stone or other Thing with which such Cart or other Carriage shall have been blocked or stopped; or if any Person shall wilfully obstruct or prevent the free Passage of any Footway or Causeway, or annoy any Person or Persons passing or going thereon, or residing in the immediate Neighbourhood; or if any Person or Persons shall pull down, damage, injure, or destroy any Lamp or Lamp-post, put up or placed near the Side of the said Ferry or Roads or Toll Houses erected thereon, or shall extinguish the Light of any such Lamp; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage used for the carrying of Goods and Merchandize, shall ride on the Shafts or any other Part of such Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horses drawing the same, upon the said Roads, without having some proper Person immediately on the Side of and attending to guide the Horses or Beasts of Draught thereof, or without having and using proper and sufficient Reins; and if any such Person meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his or her Carriage on the Left or Near Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Coach, Chaise, Waggon, Cart, or other Carriage under his or her Care, upon the said Roads; every Person offending in any of the Cases aforesaid shall, for each and every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, over and above such Damages as shall be occasioned thereby.

Persons liable to Repair of Roads to continue so.

LXXXVI. And be it further enacted, That in case any Road or Roads now in being shall be continued or made a Part of the said intended Roads or either of them, and in such Case by virtue of this Act become vested in the said Trustees, all Persons who are now by Law obliged to do Statute Work on, or are in anywise chargeable with or towards the repairing or amending such Roads now in being, shall still remain liable and chargeable, and do their respective Work on, and repair and amend the said Roads now in being, in such Manner as such Persons ought to have done before the passing of this Act, and would have continued liable to do; any thing herein contained to the contrary notwithstanding.

In case of Nonpayment of Compensation for Materials, &c. the same to be levied on the Goods of such Trustees, or their Treasurer.

LXXXVII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees, or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which

Warrant

Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials; Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees, or to their Treasurer for the Time being, as the Case may be: Provided always, that the said Treasurer shall and may retain out of any Monies which may come into his Hands in pursuance of this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of such Order or Orders as aforesaid.

LXXXVIII. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying, recovering, and applying whereof is not herein otherwise directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County, Liberty, or Place where the Offence shall have been committed (as the Case may require), either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justice is in every Case hereby fully authorized to administer), be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any) after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and 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 be conveniently made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before such Justice on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Five Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear, that no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied, were a Warrant of Distress issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, Liberty, or Place where the Offender shall be or

Recovery of Penalties and Forfeitures.

If Penalties, &c. cannot be levied, the Offenders to be committed for any Time not exceeding Six Months.

[Local.]

24 U

reside,

Application
of them.

reside, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the same, shall be sooner paid and satisfied; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied, if not otherwise directed to be applied by this Act, shall be from Time to Time paid to the Treasurer or Treasurers to the said Trustees, and applied and disposed of for the Purposes of this Act.

For securing
transient
Offenders.

LXXXIX. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors, Lessees, or Farmers of Tolls, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance (and which all By-standers and other Persons on Demand are hereby required to give), without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, Lessees, Farmers, Surveyors, or other Officers) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the County, Liberty, or Place where the Offence or Offences shall be committed; or such Offender or Offenders shall be seized and apprehended, and such Justice and Justices shall, and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of
Convictions
of Offenders.

XC. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form, or to the like Effect; (that is to say,)

‘Sussex } BE it remembered, That on the Day of
‘to wit, } in the Year of the Reign of his Majesty
‘A.B. is convicted before me, One of His Majesty’s Justices of the Peace
‘for the said County of *Sussex*, by virtue of an Act of Parliament made
‘in the Fifth Year of the Reign of His Majesty King *George* the Fourth,
‘[*here set forth the Title of the Act, and specify the Offence, and the Time*
‘*and Place when and where the same was committed, as the Case may be.*]
‘Given under my Hand and Seal the Day and Year aforesaid.’

Persons ag-
grieved may
appeal to
the Quarter
Sessions.

XCI. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act (except in such Cases where the final Determination is directed by this Act), and for which no particular Method of Relief hath been hereby appointed, such Person may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden in and for the Western Division of the said County of *Sussex*, within Six Calendar Months after such Cause of Complaint shall have arisen, the Person appealing first giving or causing to be given Thirty Days Notice in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk, Treasurer, or Surveyor to the said Trustees, and within Ten Days after such Notice entering into a Recognizance before some Justice of the Peace for such County, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at the said Quarter Sessions, upon due
Proof

Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of every such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as the said Justices shall think proper; and the Determination of the said Justices in their said Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

XCII. Provided always, and be it further enacted, That no Order, Verdict, Judgment, or other Proceeding made, touching or concerning any of the Matters aforesaid, or touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding; and 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 of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage, in an Action upon the Case; provided that no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity, if sufficient Tender of Amends had been made to him, her, or them, by or on behalf of the Defendant or Defendants, before such Action brought.

Proceedings
not to be
quashed for
Want of
Form.

XCIII. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards, and shall be laid and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance of his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases at Law.

Limitation
of Actions.

General
Issue.

Treble
Costs.

XCIV. And

Public Act. XCIV. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1824.