Anno tricesimo tertio.

Georgii II. Regis.

An Act for erecting Piers, and other Works, for the Security and Improvement of the Harbour of *New Shoreham*, in the County of *Sussex*, and for keeping the same in Repair.



Whereas the Navigation through the present Entrance into the Harbour of New Shoreham, in the County of Sussex, is very dangerous, and the improving and maintaining the same will be of great Utility to the Trade and Navigation of this Kingdom; May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable Frederick North, commonly called Lord North; the Right Honourable George Lord Viscount Middleton in the Kingdom of Ireland, the Right Honourable Richard Lord Viscount Howe in the Kingdom of Preamble. Trustees Names.

of Ireland, the Right Honourable John Cavendish, commonly called Lord John Cavendish; the Honourable Augustus Keppel, the Honourable Boyle Walsingham; Sir John Shelley, Sir William Peere Williams, Sir Cecil Bishop, Sir Francis Poole, Baronets; John Butler, Thomas Pelham, Robert Bristow, Frederick Montagu, John Shelley of Mitchel Grove, George James Williams, Rose Fuller, Nathaniel Ryder, Charles Townshend, Thomas Townshend, George Onslow, Richard Sutton, Thomas Parker, Nathaniel Newnham, and George Lewis Newnham, Esquires; the Reverend John Young, the Reverend Joseph Whately, the Reverend William Clarke, and the Reverend Edward Martin, Clerks; John Harvey, Archibald Cockran, Henry Ellison, Thomas Whately, Henry Poole, Henry Penton, Price Campbell, Thomas Duckett, James Lloyd, and John Fairhill, Esquires; Harry Bridger, Thomas Poole, Benjamin Bartlett, John Pelham, Henry Ather, James Newnam, Earlisman Sparrow, Daniel Stow, Edward Carlton, and Nathaniel Blaker, Gentlemen; Henry Shelley Esquire, Richard Wyatt Gentleman; shall be, and they are hereby appointed, Commissioners for improving, preserving, and maintaining the said Harbour of New Shoreham, in the said County of Sussex; and it shall be lawful to and for the said Commissioners, or any Eleven or more of them, at any Time or Times, from and after the First Day of July, One thousand seven hundred and forty, to make a new Cut through the Sea Beach, opposite the Village called Kingston by Sea, about a Mile to the Eastward of the said Town of New Shoreham; and to erect a Pier or Piers, and to do such other Works as shall be necessary, in order to make and maintain a new and more commodious Entrance into the said Harbour.

A new Cut to be made near *New Shoreham.*

Piers, &c. vested in Commissioners.

And be it further enacted, That the Right and Property of all and every the Piers, and all other Works, to be erected in pursuance of this Act, and the Property of the Ground whereon such Piers and Works shall be erected, as well as all such Right and Property as now belongeth and appertaineth to the said Harbour of New Shoreham, shall be, and are hereby vested in the said Commissioners, and they, or any Eleven or more of them, are hereby authorized and impowered to bring Actions, or prefer Bills of Indictment, against any Person or Persons who shall steal, take away, break down, or spoil, any Works or Materials, used or to be used in the Works for improving and maintaining the said Harbour, or shall do any Matter or Thing whereby any Damage may accrue to the said Works or Harbour.

And

And be it further enacted, That from and after the said First Day of July, One thousand seven hundred and sixty, there shall be paid to the said Commissioners, or to such Person or Persons as they, or any Eleven or more of them, shall from time to time nominate and appoint to collect and receive the same, the several Duties or Sums of Money following; that is to say,

Harbour Duties.

For every Chaldron of Coals, Culm, Cinders, Grindstones, or other Goods, paying Duty to the King, his Heirs, and Successors, by the Chaldron, which shall be exported or imported, laid on Board, landed, or discharged, out of any Ship or Vessel in the said Port of New Shoreham, the Sum of One Shilling.

For every Ton of Salt, Plaister of Paris, Carras, Tobacco Pipe Clay, Stone and Marble Blocks, Lead, Bushel Iron, Cast and Bar Iron, Coals, and all other Goods paying Duty or Freight by the Ton, the Sum of One Shilling.

For every Load of Oak, Elm, or other Timber, Wainscot Boards, Ternals, or other converted Timber, the Sum of One Shilling.

For every Load of Tan or Bark, the Sum of Two Shillings.

For every Hundred of Spars, Ufers, Pipe, Hogshead, or Barrel Staves, the Sum of One Shilling.

For every Hundred of Single Deals, the Sum of One Shilling and Six Pence.

For every Hundred of Double Deals, the Sum of Two Shillings; and for every Hundred of Three Inch Deals, the Sum of Two Shillings and Six Pence.

For every Quarter of Wheat, Peas, Tares, Beans, Barley, Malt, Oats, Clover, and all other Grains and Seeds, the Sum of Three Pence.

For every Load of Flour or Meal, the Sum of One Shilling; and for every Load of Bran, the Sum of Six Pence.

For every Hogshead of Wine, Brandy, Rum, Arrack, Oil, or other Liquors, the Sum of One Shilling; and so in Proportion for larger or smaller Casks.

For every Hogshead of Sugar, Tobacco, and all Dry Goods, the Sum of Nine Pence; for every Tierce thereof, the Sum of Six Pence; and for every Barrel of Pitch, Tar, Groceries, or other Goods contained in Barrels, the Sum of Four Pence; and so in Proportion for smaller Casks.

For every Bundle, Bale, Pack, Basket, Crate, Hamper, and Chest of Hemp, Linnen, Woollen, Glass,

Fruits, and Earthen Ware, the Sum of One Penny per Hundred Weight, and so in Proportion for any greater or less Quantity.

Penalty on Masters

For every Hundred Weight of Allom, Cheese, Tallow, Colours, Shot, Nails, Chains, Wrought Iron, Braziers and Pewterers Wares, and all other Goods paying Duty or Freight per Hundred Weight, the Sum of One Penny.

For every Hundred Feet of Paving Stone or Marble, the Sum of Two Shillings.

For every Thousand of Tiles, Bricks, or Clinckers, the Sum of One Shilling.

For every Gross of Bottles, either Stone or Glass, the Sum of Three Pence.

For all Goods not here enumerated, One Twelfth Part of what the usual Freight is or shall hereafter be from London to the Port of New Shoreham.

For every British Ship or Vessel, which shall load or unload (Fishing Vessels only excepted) the Sum of Three Pence per Ton, according to their Light Bills.

For every British Ship or Vessel which shall sail into the said Harbour, and shall neither load or unload there, the Sum of Three Halfpence per Ton, according to their Light Bills.

Commissioners Collectors appointed

For every Foreign Ship or Vessel, and for all Goods and Merchandize imported and exported in Foreign Bottoms, Double the Duties herein before laid and directed to be taken.

Who are to pay the Money received for the Duties by Whom and when to be paid.

Which Duties respectively by this Act laid and granted, upon Goods, Wares, or Merchandize aforesaid, shall, after paying and discharging the Charges and Expences of procuring and passing this Act, be paid to the Collector or Collectors, to be appointed by virtue hereof, by such Person or Persons as shall ship the said Goods, upon the Entry or Shipping the same, or receiving any Goods, Wares, or Merchandize, from on Board any Ship or Vessel, on the Entry or Landing thereof, the Master at the same Time paying the Tonnage for his Ship or Vessel, according to his Light Bills; and that it shall not be lawful for any Customer, Comptroller, Surveyor, Searcher, Waiter, or other Officers of the Customs whatsoever, belonging to the said Port of New Shoreham, to permit any Ship or Vessel to clear at the said Custom-house of the said Port of New Shoreham, or to go out of the said Port, until the Master, or other Person or Persons having the Rule or Command of such Ship or Vessel, shall produce a Certificate from the said Collector

Ships not to be cleared till Duties paid,

or

or Collectors, that the Duties hereby granted are paid, or secured to be paid, according to the true Intent and Meaning of this Act; which said Certificate the said Collector or Collectors are hereby required to give without Fee or Reward: And that any Customer, Collector, Comptroller, Receiver of Entries of Ships, Surveyor, Searcher, or other Officer, or be concerned in the said Customs, making Default in any of the Premisses enjoined by this Act, shall forfeit and pay the Sum of Twenty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, or Wager of Law shall be allowed, nor any more than One Imparlance; One Moiety of such Forfeiture to be to the Use of the Person or Persons who shall prosecute, sue for, or recover the same; and the other Moiety thereof to be paid into the Hands of the Commissioners aforesaid, or to such Person or Persons as the said Commissioners, or any Eleven or more of them, shall direct; which said last-mentioned Moiety of the Forfeiture, when recovered, shall be applied for the Purposes of this Act. on Penalty of 20 l.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Eleven or more of them, at any Times hereafter, by any Writing or Writings, under their Hands and Seals, to nominate and appoint such Person or Persons to be Collector or Collectors, Treasurer or Treasurers, of the said Duties, as they shall think fit; which said Collector or Collectors shall, Once in every Month, pay the Money by him or them collected and received, into the Hands of the said Commissioners, or any Eleven or more of them, or to such Person or Persons as they shall appoint to be Treasurer or Treasurers of the said Duties, or into the Hands of such other Person or Persons as the said Commissioners, or any Eleven or more of them, shall, from time to time, appoint to receive the same; and it shall and may be lawful to and for any Collector or Collectors to go on Board any Ship, Hoy, Bark, Barge, or other Vessel, to demand, collect, and receive, the said Duties, which by this Act shall be due and payable; and for Non-payment thereof, to take and distrain every such Ship or Vessel, and all their Tackle, Apparel, or Furniture thereto belonging, or any Part thereof, either on Board such Ship or other Vessel, or on Land, or all or any Part of the Goods, Wares, and Merchandizes, chargeable with the said Duties, or in respect whereof such Duties shall be payable; and the same to distrain and keep until he or they shall be satisfied and paid the said respective Duties: Commissioners may appoint Collectors, who are to pay the Money received to the Treasurer Once in every Month. Collectors may go on Board the Vessels, and demand the Duties. Distress on Non-payment.

ties; And in case of any Neglect or Delay in Payment of the said Duties respectively, by the Space of Ten Days next after any Distress so taken as aforesaid; that then it shall and may be lawful to and for the said Collector or Collectors to sell the Distress or Distresses so to be taken, and therewith satisfy him and themselves, as well for the Duty so neglected or delayed to be paid, as also for his or their reasonable Charges in taking, keeping, and selling, such Distress or Distresses; rendering the Overplus (if any there be) to the Master, or other Person having the Rule or Command of such Ship or Vessel.

Collectors and Treasurers to give Security.

And be it further enacted, That the said Commissioners, or any Eleven or more of them, shall take of such Collector or Collectors, Treasurer or Treasurers, to be nominated and appointed as aforesaid, good and sufficient Security, as well for answering and paying all and every the Sum and Sums of Money, which shall be by them respectively received, unto such Person or Persons, at such Time and Times, and in such Manner, as the said Commissioners, or any Eleven or more of them, shall, under their Hands and Seals, order, direct, and appoint; as also for giving and making respectively a true Account in Writing, from time to time, when and so often as they shall be required by the said Commissioners, or any Eleven or more of them, so to do, of all the Monies by such Collector or Collectors, Treasurer or Treasurers, collected or received by virtue of this Act; and when, of whom, and for what, and of all such Monies by him or them disbursed, and when, to whom, and by what Order: And

First Meeting of Commissioners.

the Commissioners, or any Eleven or more of them, are hereby required to meet at the House known by the Sign of the Star, now in the Occupation of John Kemp, in the said Town of New Shoreham, on Wednesday the Twenty fifth Day of June, One thousand seven hundred and forty: And that it shall and may be lawful for the said Commissioners, or any Eleven or more of them, to meet and assemble, from time to time, at such Place or Places, within the Town of New Shoreham, as they shall think proper, at least once in every Year, in the Month of June; Notice of such Meeting being fixed by Writing on the Market-place and Church Door of the said Town of New Shoreham, at least Seven Days before every such Meeting, for carrying on and effecting the Purposes of this Act; and to call before them all and every the Collector and Collectors, Treasurer and Treasurers, or any other Person or Persons by them employed, and then and there to audit, examine, and state, the respective Accounts of every such Collector and Collectors,

Future Meetings.

Treasurer and Treasurers, or such other Person or Persons as shall be by them employed; and shall sign the same, and shall take, state, and draw up in Writing, and sign a full and true Account of all and every Sum or Sums of Money, by virtue of this Act collected and received, and how the same hath or have been disbursed, and not before accounted for; and to displace or remove any such Collector or Collectors, Treasurer or Treasurers, or any other Person or Persons by them employed, when and as often as the said Commissioners, or any Eleven or more of them, shall think fit; and to make such Allowance out of the Monies to arise by virtue of this Act, to such Collectors, Treasurers, or other Persons so employed, as the said Commissioners, or any Eleven or more of them, shall think proper: And if it shall happen that there shall not appear at any Meeting, which shall be appointed by the said Commissioners, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to any other Day, then and in every such Case, the Clerk or Agent to such Commissioners, by Notice in Writing, to be fixed up in the Market-place or Church Door of the said Town of New Shoreham, and published in the London Gazette, and any other publick Newspaper, as soon as conveniently can be, shall appoint the said Commissioners to meet at the same Place, on that Day Three Weeks from the Time when such last Meeting was appointed to be held.

Collectors and Treasurers Salary not to exceed 20 *l.* per *Annum* each, &c.

Provided always, That the Salary or Sum of Money allowed to such Collector or Collectors, Treasurer or Treasurers, to be appointed by the said Commissioners aforesaid, shall not exceed the Sum of Twenty Pounds each per Annum.

Commissioners may summon Persons to give an Account on Oath of Goods liable to these Duties.

And be it further enacted, That from and after the said First Day of July, One thousand seven hundred and sixty, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, by Warrant under their Hands and Seals, to be directed to the Collector or Collectors so to be appointed as aforesaid, from time to time, and at all Times, to summon and call before them the said Commissioners, or any Five or more of them, at any Time and Place in such Warrant mentioned, any Person or Persons whomsoever; and upon his, her, or their Oath or Oaths, to be made before the said Commissioners, or any Five or more of them (which said Oaths the said Commissioners, or any Five or more of them, are hereby impowered to administer) to examine and enquire of and concerning all or any Goods, Wares, and Merchandizes, by this present Act made liable to the

Payment of any of the Duties, Sum or Sums of Money, hereby granted and made payable as aforesaid; and whether all or any, and what Part or Parts of such Duty or Duties, Sum or Sums of Money, hath or have, and when, by, and to whom been paid, or not: And in case any such Person or Persons, or any of them, so summoned before the said Commissioners, or any Five or more of them, as aforesaid, do not appear at the Time and Place in the said Warrant mentioned, or shall refuse to take such Oath, or do not answer and discover what he, she, or they, respectively know or believe concerning the Matter so enquired of and examined after, or shall make any false Entry of any Ship, Vessel, Goods, Wares, or Merchandizes, chargeable with any the Duties aforesaid, he, she, and they, and every of them, shall forfeit and pay, for every such Non-appearance, Refusal, false Entry, or not answering and discovering as aforesaid, the Sum of Five Pounds, to be levied, recovered, and applied, in such Manner as is herein after mentioned.

5*l.* Penalty on refusing to appear.

Duties assignable for Monies borrowed.

And to the end that a sufficient Sum of Money may be speedily raised to answer the Ends and Purposes of this Act, be it further enacted, That the said Commissioners, or any Eleven or more of them, shall and may, by any Writing or Writings under their Hands and Seals, convey and assign all or any Part of the Duties granted by this Act, as a Security or Securities for any Sum or Sums of Money by them to be borrowed, for the Intents and Purposes of this Act, to any Person or Persons who shall lend and advance the same, upon such Security, at the Rate of Five Pounds per Centum per Annum, or at any lower Interest.

Assignments transferrable

And be it further enacted by the Authority aforesaid, That all and every Person and Persons to whom any such Assignment or Assignments of the Duties shall be made by the said Commissioners, or any Eleven or more of them, as a Security or Securities for any Sum or Sums of Money lent by him, her, or them, on the Credit of the said Duties, and his, her, or their Assignee or Assignees, may, and are hereby impowered, from time to time, to transfer or assign over such Security or Securities, and all the Monies that shall be due thereon, to any other Person or Persons.

Notice to be given of borrowing Money.

Provided always, and it is hereby declared, That no Money shall be borrowed on the Credit of this Act by the said Commissioners, after their First Meeting, unless Notice in Writing, under the Hand of the Treasurer to the said Commissioners, be, by Order of such Commissioners,

missioners, or any Eleven or more of them, fixed on the Market-place and Church Door of the said Town of New Shoreham, at least Ten Days before the borrowing of such Money.

Application of the Monies.

And be it further enacted, That the Monies which shall be collected, received, levied, and borrowed, by virtue of this Act, shall be applied, in the First Place, in defraying the Expences incident to, and incurred in, the obtaining of this Act; and afterwards in defraying the necessary Expences of improving, preserving, and maintaining the said Harbour, and in executing the Purposes of this Act; and to no other Use or Purpose whatsoever.

Damages how to be ascertained,

And be it further enacted, That if at any Time or Times after any of the Works for effecting or maintaining of the said Harbour shall be begun, or be completed, any Person or Persons shall sustain any Damage in his, her, or their Lands, Hereditaments, or Property, by the Execution of any of the Powers of this Act, by any Act, Neglect, or Default, of the Workmen employed therein, or otherwise; in every such Case, the said Commissioners, or any Eleven or more of them, shall have full Power, from time to time, and at all Times, to settle and agree upon such a Recompence and Satisfaction to be made for the same, to the Person or Persons injured or aggrieved, as they shall judge fit and reasonable, to be paid out of the Monies arising by virtue of this Act; but if it shall happen that the Person or Persons making Complaint of such Losses or Damages, shall dislike or be dissatisfied with such Recompence and Satisfaction, in every such Case, it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby required and impowered, from time to time, upon Request in Writing to be made or given to them, or any Five or more of them, by such Person or Persons injured or aggrieved as aforesaid, to issue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of Sussex, commanding such Sheriff to impanel, summon, and return, and the said Sheriff is hereby required accordingly to impanel, summon, and return, Twenty four sufficient Men, qualified according to the Laws of this Realm, to be returned for Trials of Issues joined in his Majesty's Courts at Westminster, to appear before the said Commissioners, or any Eleven or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed, in order that out of them a Jury of Twelve Men be sworn to enquire touching the Matters in Question:

tion; And in case a sufficient Number of Jurymen shall not appear at such Time and Place, the said Sheriff shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, being so qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties concerned may have their lawful Challenges against any of the said Jurymen: And the said Commissioners, or any Eleven or more of them, are hereby impowered, by Warrant or Warrants under their Hands and Seals, from time to time, as Occasion shall require, to summon and call before them all such Persons as shall be thought necessary to be examined as Witnesses touching the Matters in Question; and the said Commissioners, or any Eleven or more of them, may order and authorize the said Jury, or any Twelve or more of them, to view the Place or Places, or Matters in Controversy (which Jury, upon their Oaths, to be administered by the said Commissioners, or any Eleven or more of them, which Oaths, as also the Oaths to such Person or Persons as shall be called on to give Evidence, the said Commissioners, or any Eleven or more of them, are hereby impowered to administer) shall enquire how far the said Commissioners, or their Agents or Servants, have any ways occasioned such Damage; and if any shall appear, such Jury shall assess the Value of such Damages; and the said Commissioners, or any Eleven or more of them, shall pay to the Party or Parties injured or aggrieved, the Money so assessed: And in case the said Commissioners, or any Eleven or more of them, shall not (being thereunto required) make such Payment within Ten Days after such Request made, the Person or Persons aggrieved, or his, her, or their Agents, may appoint One or more Person or Persons to receive the said Duties, and thereout to pay the Damages which shall have been settled and assessed as aforesaid; and the Money to be received by such Receiver or Receivers, shall and is hereby declared to be as so much Money received to the Use of the Persons who have suffered such Damage, in Order and Course successively, as such Determination shall be in Priority of Time; and after such Damage so settled and assessed, and the reasonable Charges of such Collection, shall be paid and satisfied, the Power and Authority of such Receiver or Receivers, for the Purposes last-mentioned, shall cease and determine; any thing herein contained to the contrary notwithstanding.

and recovered,

Provided

Provided always, That no Person or Persons whomsoever shall be intitled to Satisfaction for any Damages, nor shall the said Commissioners, or any of them, be obliged to take any Notice of any Application in relation thereto, unless the Complaint of such Damages shall have been made within the Space of Three Calendar Months after such Damages shall have been sustained. if Complaint be made within 3 Months.

Provided also, That no Jury shall be summoned, upon any such Request as aforesaid, until the Party or Parties making the same shall have entered into a Bond, with Two sufficient Sureties, to the Treasurer to the said Commissioners, in the Penalty of Three hundred Pounds, for prosecuting such Complaint, and to pay the Expences of summoning such Jury, and taking such Inquest, in case a Verdict shall be given for no more or less Money than shall have been offered by or on Behalf of the said Commissioners, or any Eleven or more of them, before the summoning of any such Jury, as a Recompence for the Damage so complained of. No Jury to be summoned, till Security be given to prosecute.

And be it further enacted, That no Person shall act as a Commissioner in the Execution of any of the Powers hereby granted, unless he shall be, in his own Right, or in Right of his Wife, in the actual Possession and Enjoyment, or Receipt, of the Profits of Lands, or other Hereditaments, of the yearly Value of One hundred Pounds above Reprizes, or be possessed of, or intitled unto, a Personal Estate alone, or a Real and Personal Estate together, to the Amount or Value of Two thousand Pounds, after Payment of all Debts: And if any Person, not being so qualified, shall act as a Commissioner, every such Person shall, for every such Offence, forfeit the Sum of One hundred Pounds, to any Person who shall sue for the same; to be recovered, with Full Costs of Suit, by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record, in which no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that he is qualified as above, or otherwise shall pay the said Sum of One hundred Pounds without any other Proof on the Part of the Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act. Qualification of Commissioners.

And be it further enacted, That all Orders and Proceedings of the said Commissioners shall be entered in a Book or Books, to be kept for that Purpose; and such Orders and Proceedings, when entered, shall be signed by the said Commissioners, or any Eleven or more of them; and the Clerk or Clerks attending the Proceedings to be entered in Books.

said Commissioners is and are hereby required to set his or their Name or Names, as a Witness or Witnesses thereto; And the said Orders and Proceedings, so signed and attested, shall be deemed and taken to be Originals, and shall be admitted as Evidence, in all Courts whatsoever; and such Book or Books shall be seen and perused, at all seasonable Times; and Copies thereof, or of any Part thereof, may be taken by any Person or Persons whomsoever, paying to the said Clerk or Clerks Four Pence for every Ninety Words.

Writings to be without Stamps.

Provided always, That no Warrant, Mortgage, Assignment, Transfer, or any other Writing whatsoever, in pursuance of, or relating to, the Execution of any of the Powers of this Act, shall be subject to any Stamp-duty whatsoever.

Books to be kept of Receipts and Disbursements,

And be it further enacted, That there shall, from time to time, be provided and kept by the said Collector or Collectors, One or more Book or Books, in which all the Money, to be collected and received by virtue of this Act, shall, from time to time, be fairly set down and entered, expressing the Time when, and Name or Names of the Person or Persons from whom the same was received; and that there shall also be provided and kept, by the said Commissioners for putting this Act in Execution, or by such Person or Persons as they, or any Eleven or more of them, shall appoint, One other Book or Books, in which shall be fairly set down and entered such Sum or Sums of Money as shall be disbursed or laid out by the said Commissioners, or by their Order, for the Purposes of this Act: And when the said Pier or Piers shall be erected and made, and the said Harbour restored, and other necessary Works done, for the commodious receiving and securing Ships and Vessels therein, then, every Year, at the General Quarter Session of the Peace to be holden for the said County of Sussex next after the Feast of Saint John the Baptist, the said Book or Books, to be kept by the said Commissioners, or the Person or Persons whom they, or any Eleven or more of them, shall appoint, and also the said Book or Books to be kept by the said Collector or Collectors, shall be produced and shewed to the Justices of the Peace, at such Quarter Session, together with proper Vouchers for the Expences and Disbursements, and the Expences and Charges of passing this Act; which said Justices shall state and balance the said Account: And when it shall appear to such Justices, and be certified by them, or the major Part of them then present, that the said

and to be examined by the Justices at their Quarter Session.

Commissioners are, by the said Duties, fully reimbursed the principal Monies by them borrowed and laid out for the Purposes aforesaid, together with all Interest and Charges attending the same, One Third Part of all and singular the said respective Duties, hereby granted, shall cease and determine; and the other Two Thirds of the said Duties respectively shall continue, and be collected and paid as aforesaid, for keeping the said Pier or Piers, and other Works, in good and sufficient Repair, and for maintaining, keeping, and preserving the said Harbour.

On Justices Certificate that all Charges are reimbursed, One Third of the Duties to cease.

And be it further enacted, That the said Commissioners shall be answerable only for such Money as they shall actually receive by virtue of this Act.

Commissioners answerable only for Money actually received.

And, for the more orderly Government of the said Harbour and Port of New Shoreham, and for the better preserving the same, and the Pier or Piers, and other Works there, from Prejudice or Damage, and to prevent and hinder any Ballast, Dust, Ashes, Chalk, Stones, or any Sort of Rubbish, from being emptied or thrown into the said Harbour, or the River or Cut or Cuts communicating therewith; be it further enacted, That the said Commissioners, or any Eleven or more of them, shall have Power and Authority, and they are hereby authorized and impowered, to nominate and appoint, by Writing under their Hands and Seals, a Person or Persons, such as they shall think proper, with such annual Allowance or Salary, out of the said Duties, as they shall think fit, not exceeding Fifteen Pounds per Annum: And such Person or Persons, so appointed, shall, from time to time, order and require all and every or any Person or Persons, having the Command or Rule of any Ship or Ships, Vessel or Vessels, entering into, lying, being, or abiding, within the said Harbour of New Shoreham, or the Cut or Cuts communicating therewith, to lie, anchor, moor, and ballast the same, in such proper Place or Places of the said Harbour, Cut or Cuts, as the said Person or Persons, so appointed, shall order, assign, or direct, for that Purpose: And in case any Person or Persons, then having the Rule or Command of any Ship or Ships, Vessel or Vessels, shall neglect or refuse so to do, he or they, and each of them, for every such Neglect or Refusal, shall forfeit and pay the Sum of Five Pounds, to be levied, recovered, and applied, as is herein after mentioned: And if any Person or Persons whatsoever shall, after the First Day of July, One thousand seven hundred and sixty, throw or empty any Ballast, Dust, Ashes, Chalk,

Commissioners may appoint a Person to direct the mooring and ballasting of Vessels;

Penalty on Refusal to obey his Directions,

and on throwing Ballast &c. into the Harbour.

Chalk, Stones, or any Sort of Rubbish, into the said Harbour, or the River, Cut or Cuts, communicating therewith, or do any other Matter or Thing, to prejudice or annoy the same, the Matter thereof shall be examined by the Commissioners, or any Five or more of them, who, upon the Confession of the Offender, or Proof thereof made, by the Oath or Oaths of One or more credible Witness or Witnesses, are hereby authorized and impowered, for every such Offence, to impose a Fine or Fines upon every Person so offending, not exceeding the Sum of Five Pounds; which they the said Commissioners, or any Five or more of them, by Warrant under their Hands and Seals, directed to the Collector or Collectors of the aforesaid Duties for the time being, are hereby impowered to leby and raise, by Distress and Sale of the respective Goods and Chattles of every such Offender or Offenders; rendering to him or them the Overplus (if any there be) the Charges in making such Distress and Sale being deducted. And the said Fine or Fines, when recovered and levied, shall be paid to such Person or Persons as the said Commissioners, or any Five or more of them, shall direct and appoint to receive the same, and shall be applied for the Purposes of this Act; and for want of such Distress, by like Warrant, under the Hands and Seals of any Five or more of the said Commissioners, to commit such Offender or Offenders to the Common Goal of the Town of Horsham, in the County of Sussex, there to remain, until he, she, or they, shall pay such Fine or Fines; and in case of Inability to pay, then to remain there, without Bail or Mainprize, for any Space of Time not exceeding Three Months.

On Death, &c. of Commissioners, others to be chosen;

And, for continuing a sufficient Number of Commissioners for putting this Act in Execution, be it further enacted, That upon the Death, or Refusal to act, of any Commissioner herein before appointed, or to be elected in Manner herein after-mentioned, it shall and may be lawful for the surviving or remaining Commissioners, or any Eleven or more of them, by an Instrument in Writing, under their Hands and Seals, from time to time, to nominate, elect, and appoint, another Person to be a Commissioner, in the room of every Person so dying, or refusing to act as aforesaid; and every such Person so nominated, elected, and appointed, shall be joined with such surviving or remaining Commissioners, and shall have the same Power and Authority to act, in the Execution of the Powers hereby granted, as any Commissioner by this Act appointed is invested with; and every such Instrument,

ment, for appointing any new Commissioner or Commissioners, shall, within Three Months after such Election and Appointment, be recorded with the Clerk of the Peace of the said County of Sussex, paying only One Shilling for the same. Such Choice to be registered within 3 Months.

Provided always, That no Commissioner, appointed or to be appointed for putting this Act in Execution, shall be capable of having any Office or Place of Profit, to arise by any of the Duties aforesaid; and that all the Meetings of the said Commissioners shall be at their own Expence. No Commissioner to have a Place of Profit arising by these Duties.

And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act incurred, or authorized to be imposed or levied, the Manner of levying and Recovery whereof is not otherwise hereby particularly directed, shall be levied and recovered by Distress and Sale of the Defender's Goods and Chattles, by Warrant or Warrants under the Hands and Seals of any Two or more of the Justices of the Peace for the said County of Sussex, (which Warrant or Warrants the said Justices are hereby impowered and required to make) upon the Information of any One or more credible Witness or Witnesses, upon Oath (which Oaths the said Justices are hereby impowered and required to administer, without Fee or Reward) and such Fines, Penalties, and Forfeitures, when recovered (after rendering the Overplus, if any, to the Party or Parties whose Goods and Chattles shall be so distrained and sold, the Charges of such Distress and Sale being first deducted) shall go, and be applied and laid out, if not otherwise directed to be applied and disposed of by this Act, for and towards the Execution of the Purposes of this Act. Penalties how to be recovered and applied.

And be it further enacted, That all Persons, who shall think themselves aggrieved by the Order or Judgement of any Justice or Justices of the Peace, upon account of any Offence or Offences committed, or supposed to be committed, against this Act, may appeal to the Justices of the Peace for the County of Sussex, at any General or Quarter Session of the Peace, to be held within the Space of Six Calendar Months after such Cause of Appeal shall happen; the Person or Persons, so appealing, first giving Security, to the Satisfaction of the said Justice or Justices, to prosecute such Appeal with Effect, and to pay the Costs which shall be ascertained by the said General or Quarter Session, in case such Orders or Judgements shall be affirmed: And the Justices, at such General or Quarter Session, are hereby authorized and Appeal to the Quarter Session.

required

required to hear and determine such Appeal, and to make such Order therein, and to award such Costs, as to them shall appear just; which Order shall be final and conclusive to all Parties, and shall not be removed or removable, by any Writ of Certiorari, or otherwise, into any of his Majesty's Courts of Record at Westminster, or elsewhere; and that no Order or Proceeding, to be had or made by or before any Justice of the Peace, relating to the Execution of this Act, shall be quashed or vacated for want of Form only.

Exemption from Duties.

And be it further enacted, That all Ships and Vessels belonging to the Town and Borough of Great Yarmouth, in the County of Norfolk, shall be exempted from the Payment of the Duties by this Act granted, for the Purposes aforesaid, so as the Masters or Owners of such Ship or Vessel do bring a Certificate, verified on Oath before the Mayor of the said Town of Great Yarmouth, and under the Seal of the Office of Mayoralty, that the said Ships or Vessels do belong to the said Town, or that the Inhabitants of the said Town are Owners of the Whole or the greatest Part of the Property in every such Ship or Vessel; any thing herein contained to the contrary notwithstanding,

Limitation of Actions.

And be it further enacted, That if any Suit or Action shall be brought or prosecuted against any Person or Persons, for any Thing done or to be done in pursuance of this Act, that in every such Case the Action or Suit shall be commenced within Six Months after the Fact committed, and not afterwards, and shall be laid and brought in the County of Sussex, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead

General Issue.

the General Issue, Not Guilty, 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 it shall appear so to be done, or if any such Action or Suit shall be brought after the Time limited for bringing the same, or shall be brought in any other County or Place, then the Jury shall find for the Defendant or Defendants: or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and

Treble Costs.

may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

And

Publick Act.

And be it further enacted, That this Act shall be deemed, adjudged, and taken, to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

FINIS.