ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. XXXIV.

An Act for paving, lighting, and cleanſing the Streets, Lanes, and Places within the Town of *Brighthelmſtone*, in the County of *Suſſex*; for removing Nuiſances and Annoyances, and preventing the like for the future; for holding and regulating a Market within the ſaid Town; for building and repairing Groyns, in order to render the Coaſt ſafe and commodious for Ships or Veſſels to unload and land Sea-Coal, Culm, and other Coal, for the Uſe of the Inhabitants of the ſaid Town; and for laying a Duty thereon, and for other Purpoſes.

WHEREAS the Streets, Lanes, Ways, and Paſſages, within the Town of Brighthelmſtone, in the County of Suſſex, are greatly obſtructed, and ſubject to Annoyances: And whereas it would be a great Advantage to the Town, if the ſame was properly cleanſed and repaired, and the Streets, Lanes, Ways, and Paſſages were properly lighted Preamble.

lighted and paved, and all Incroachments, Obſtructions, and Annoyances therein, were removed and prevented for the future; 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 Sir John Shelley, Henry Thrale, Doctor Peppys, Doctor Relhan, Doctor Poole, Anthony Dickens, William Smith, John Harriſon, John Paine, Philip Mighell, Beach Roberts, Henry Kipping, William Baker, William Holmes, Robert Killick, Iſaac Grover, Thomas Kent, John Whittle, Stephen Poune, Richard Tidy, Thomas Hill, Thomas Scutt, George Lowdell, Robert Davis, William Lucas, Richard Wichelo, Richard Willet, James Buckoll, Henry Burch, John Lintot, Francis Carter, Richard Harman, Edward Davis, James Ridge, John Ayres, Stephen Rickwood, Hugh Saunders, Thomas Pain, John Brapple, John Pankhurſt, William Chapman, Joſeph Flemming, James Muttlebury, Charles Scraſe, John Kemp, Thomas Kemp, Thomas Coby, Edward Mercer, Henry Stiles, Edward Stiles, Thomas Filcox, John Buſh, Thomas Tilſton, William Bradford, Henry Michell Clerk, Richard Marchant, John Hicks, Samuel Paine, John Sicklemore, Samuel Shergold, Henry Stuckey, William Attree, James Gregory, and Francis Warden, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be, and are hereby conſtituted and appointed Commiſſioners for putting this Act into Execution; and when any of the Commiſſioners herein named, or at any Time to be elected in purſuance of this Act, ſhall die, refuſe or neglect to act, or remove out of the ſaid Town, or be rendered incapable of acting as a Commiſſioner, it ſhall and may be lawful for the remaining Commiſſioners, at any Meeting in purſuance of this Act, or any Nine or more of them, to elect another Commiſſioner, being a Proprietor or Owner of Houſes, or an Inhabitant within the ſaid Town, and qualified as is herein-after mentioned, in the Room of each Commiſſioner ſo dying, removing, refuſing, or

Commiſſioners Names.

For chuſing new Commiſſioners.

neglecting to act, or rendered incapable of acting, as herein-after is mentioned; and every Person so elected, is hereby vested with the same Powers for putting this Act in Execution, and shall and may, and is hereby authorised and impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the Person in whose Stead he shall be so elected.

Qualification of Commissioners.

Provided always, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, within the Limits of the said Town and Parish of Brighthelmstone aforesaid, of the clear yearly Value of Ten Pounds above Reprizes; or being an Inhabitant or Resident within the said Town, (not having such Estate as aforesaid), unless he shall be a Tenant or Occupier of Lands, Tenements, or Hereditaments, of the yearly Value of Twenty Pounds; or possessed of or intitled unto a Personal Estate alone of the Value of Four hundred Pounds: And if any Person, not being so qualified, shall nevertheless presume to act as a Commissioner in the Execution of this Act, every such Person shall, for such Offence, forfeit and pay the Sum of Twenty Pounds to any Person or Persons who shall inform and sue for the same; to be recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed; One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to and for the Purposes of this Act.

Penalty on acting if not qualified.

First Meeting of Commissioners.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall meet at the House of Henry Stuckey, called and known by the Name of the Castle Inn, within the said Town, upon the Twenty-fourth Day of May next, and proceed to the Execution of this Act; and adjourn themselves from Time to Time, and afterwards meet there, or at any other Place within the said Town, as the said Commissioners,

Power to adjourn.

sioners, or any Five or more of them, shall think most convenient, as often as it shall be necessary to meet to put this Act in Execution; and that Five Commissioners shall be sufficient for the Purpose of Adjournment only: And if it shall happen that there shall not appear at any Meeting a sufficient Number of Commissioners to adjourn to any other Day; then, and as often as such Case shall happen, the Clerk to the said Commissioners, or any Five or more of them, though not assembled at a Meeting to be held in pursuance of this Act, shall, by Notice to be given in the Parish Church Ten Days at least before such Meeting, appoint the Commissioners to meet on the Day Three Weeks from the Day such last Meeting was to have been held; and all Matters and Things which shall be done and transacted at any Meeting which shall be held in pursuance of such Notice, shall be as valid and effectual as if the same had been done at any other Meeting held by virtue of this Act.

Ten Days Notice to be given.

Provided always, That no Commissioner shall be capable of acting in any Case in the Execution of this Act, unless at some publick Meeting to be held by virtue of this Act, except only in the Case before mentioned of calling Meetings where Adjournments shall not have been made as aforesaid: And that no Person, during the Time he shall have any Share or Interest in any Contract or beneficial Employment under this Act, or while any Appeal shall be depending wherein he shall be interested, shall be capable of acting as a Commissioner in the Execution of this Act; and that at all Meetings to be held in pursuance of this Act, the Commissioners shall defray their own Expences.

No act to be valid, unless at a Meeting.

Commissioners not to act where interested, and shall defray their own Expences.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall and may, at their First or any subsequent Meeting, appoint such Clerk or Clerks, and Treasurer or Treasurers, and Collector or Collectors of the Rates, Surveyor or Surveyors, and such other Officer or Officers, for the Execution of this Act, as they the said Commissioners, or any Seven or more of them, shall think proper; and, from Time to Time, remove him or them, and appoint others in the Room of such of

Appointment of Officers.

them as shall be so removed, or shall die, or shall otherwise relinquish or discontinue such Office; and out of the Monies to be raised by virtue of this Act make such Allowances to the said Officers, and to all other Persons by them the said Commissioners employed in the Execution of this Act, as they, or any Seven or more of them, shall think reasonable; and the said Commissioners, or any Seven or more of them, shall and may take such Security from their Treasurer and other Officers, for the due Execution of their respective Offices, as the said Commissioners, or any Seven or more of them, shall think proper.

Salaries to Officers.

Treasurers and Clerks to give Security.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the Property of all the present and future Pavements in the Streets and Lanes within the said Town, as well in the Foot-ways as Carriage-ways, and all Lamps, Lamp-irons, Posts, and other Things thereto belonging, which shall be erected or fixed by virtue of this Act, and all other Materials and Utensils whatsoever, which shall be purchased for the Purposes of this Act, shall be, and are hereby vested in the Commissioners.

Lamps, &c. vested in Commissioners.

And be it further enacted by the Authority aforesaid, That all Contracts entered into by the said Commissioners with any Workmen, or any other Person or Persons, for any of the Purposes of this Act, shall be binding upon such Workmen, or other Person or Persons making the same; and that Actions and Suits, in the Name or Names of any One or more of the said Commissioners, or of their Clerk or Clerks, Treasurer or Treasurers, for the Time being, shall and may be maintained thereon, and Damages and Costs recovered against the Parties failing in the Execution thereof; and that the Sum of Money requisite for fulfilling the said Contracts, according to the true Intent and Meaning thereof, shall be the Measure of the Damages to be recovered in any Action against such Contractor or Contractors as aforesaid making Default in fulfilling his said Contract, any Law or Usage to the Contrary thereof notwithstanding; and all such Damages and Costs as shall be so recovered

Contracts to be binding.

Actions may be maintained in the Name of One Commissioner, or of Clerk or Treasurer.

covered shall be applied to the Uses and Purposes of this Act.

Commissioners to direct where Lamps shall be set up, &c.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, are hereby authorised and impowered, from Time to Time, to direct and appoint in what Parts of the said Town and Parish the said Lamps shall be set up or continued, and to what Houses, Buildings, and other Places, in the said Town, they shall be affixed; and also direct and appoint the Number and Sort of Lamps, and for how long Time the same shall continue lighted, and out of the Monies to be raised by virtue of this Act to cause the same to be set up, replaced, lighted, supported, repaired, and provided with all Requisites; and also shall and may, from Time to Time, make such other Orders, Rules, and Regulations, as shall be agreeable to the Directions of this Act, and, from Time to Time, vary, alter, revoke, or make void, any of their Orders, Rules, and Regulations, at their Discretion, and do such other Things as to them shall appear necessary and expedient for putting this Act in Execution.

Persons damaging Lamps shall forfeit,

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, is and are hereby authorised and impowered, in his or their Name or Names, to bring Actions, and prosecute Indictments, against any Person or Persons, for stealing, taking, or carrying away, breaking, extinguishing, spoiling, or damaging, any Lamp or Lamps, or the Furniture or Materials thereto belonging, which now are, or hereafter shall be, by virtue of this Act, set up or affixed in the said Town or Parish; and all and every Person or Persons who shall wilfully or maliciously break, throw down, take, carry away, extinguish, damage, or spoil any Lamp or Lamps put up or continued by virtue of this Act, or wilfully damage the Posts, Irons, or other Furniture thereof, or willingly hinder or obstruct any of the Commissioners or Officers employed in any Manner in the Execution of this Act in their Duty; every Person or Persons offending in any of the Cases aforesaid, shall, upon being convicted thereof, upon the Oath of One

One or more credible Witness or Witnesses, or his, her, or their own Confession, before any Justice of the Peace for the said County of Sussex, (which Oath such Justice is hereby impowered and required to administer without Fee or Reward), shall forfeit, for the First Offence, the Sum of Forty Shillings; for the Second Offence the Sum of Five Pounds; and for the Third, and every other Offence, the Sum of Ten Pounds; One Moiety whereof shall go to the Informer, and the other Moiety to the said Commissioners, to be disposed of as the other Forfeitures are hereby directed to be applied: And in case any Person or Persons shall carelessly, negligently, or accidentally break, or otherwise damage any of the Lamps so put up as aforesaid, or the Lamp-irons, Posts, or other Furniture thereof, or extinguish the Lights thereof, and shall not immediately (upon Demand) make Satisfaction for the Damage done thereto; then, and in such Case, it shall and may be lawful to and for any One or more Justice or Justices of the City, County, or Place, where such Person or Persons shall be or reside, upon Proof thereof by Oath as aforesaid (which Oath such Justice or Justices is and are hereby impowered and required to administer without Fee or Reward) of One or more Witness or Witnesses, or by the Confession of the Party, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded within Ten Days after demanded, to cause the same, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall so have done such Damage, rendering to him, her, or them, the Overplus, (if any there shall be), after deducting the Costs and Charges of such Warrant, and of such Distress and Sale, when demanded.

for the First Offence, 40*s.* for the Second 5*l.* and for other Offences, 10*l.*

Penalty on Persons carelessly breaking or damaging Lamps, &c.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, may, and are hereby impowered, from Time to Time, at any of their said Meetings, as Occasion shall require,

Commissioners may make Contracts.

require, to contract with any Person or Persons for paving and keeping in Repair the publick Streets hereby directed to be paved and repaired, as well those Parts used by Carriages as those used by Foot Passengers, and the same to be raised or lowered, the Course of the Gutters or Channels running in or through the same to be turned or altered, and proper Drains to be made for conveying the Water under Ground, which Contract and Contracts shall specify the Work to be done, and the Price to be paid for the same, and the Time or Times when the said Work shall be completed, and the Penalties to be suffered in case of Nonperformance thereof, and shall be signed by the said Commissioners, or any Seven or more of them, and by the Person or Persons contracting to perform such Work; but previous to the making of any such Contract, Fourteen Days Notice shall be given in some of the London Evening Papers, and in the Country Papers, expressing the Intention of such Contract, in order that any Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in such Notice to be mentioned.

Power to dig Gravel, and get Materials

And be it further enacted, That the said Commissioners, or their Surveyor, or such other Person or Persons as they or he shall employ and appoint, having an Order in Writing under the Hands of the said Commissioners, or any Five or more of them, for that Purpose, may, and is and are hereby impowered to cut, dig, take, and carry away, any Stones, Gravel, Chalk, Sand, or other Materials, proper for the raising and repairing the said Streets, out of and from any Waste Ground or Common within the Parish of Brighthelmstone aforesaid, without paying any Thing for the same, such Surveyor or other Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to Passengers or Cattle; and also the said Surveyor, or other Persons as aforesaid, may, by Order of the said Commissioners, or any Five or more of them,

search

search for, dig, take, and carry away, any such Materials as aforesaid, in, upon, or out of, from, and over the Lands of any Person or Persons, (not being a Yard, Garden, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground, planted and set apart as a Nursery for Trees), paying or tendering to the Owners and Occupiers of such Lands for the same, and for the Damage done to such private Lands, over which any Materials gotten in any Waste Ground, Common, River, or Brook, or private Ground, shall be conveyed, such Equivalent in Money, as the said Commissioners, or any Seven or more of them, shall adjudge reasonable; and in case of any Difference between the said Commissioners, Surveyor or Surveyors, or other Person or Persons appointed and employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such Payments and Damages as aforesaid, the Justices of the Peace at their General Quarter Session, or at the Second General Quarter Session at the farthest, to be holden in and for the County wherein such Difference shall arise, on Fourteen 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 Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

Surveyors to inspect the Works.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby directed, to cause all and every the Works done in pursuance of this Act to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall, from Time to Time, appoint; and in case the same shall not be well and sufficiently performed, according to the true Sense and Meaning of such Contract or Contracts, or shall not be finished and compleated at or within the Time or Times that the same are agreed to be compleated by the said Contract or Contracts, the said Commissioners shall and may, in their own Names, or in the Names of any Seven or more of them, bring an Action in any of His Majesty's Courts of Law at Westminster, against any Person or Persons so contracting and neglecting to perform such Contract or Contracts, and for any

Penalty or Penalties, Damage or Damages, which shall be contained in such Contract or Contracts; and upon proving the Signing of the said Contract or Contracts, and Nonperformance thereof, at the Time or Times for the Purposes therein mentioned, the said Commissioners shall be intitled to, and shall recover such Penalty or Penalties, Damage or Damages, which, when recovered, shall be applied for the Purposes of this Act.

Charges of paving, &c. the Streets.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty-fourth Day of May, after the passing of this Act, the said Commissioners, or any Seven or more of them, shall have full Power and Authority, from Time to Time, to cause, order, and direct the Streets, Lanes, Ways, Passages, and Places within the said Town, to be cleansed and lighted in such Manner as they shall think necessary, and that the Charges and Expences attending the paving and repairing, sweeping, cleansing, and lighting thereof, shall at all Times be borne and defrayed by the Tenants or Occupiers of any House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Garden, Ground, Tenement, or Hereditament, within the said Town; and for defraying such Charges and Expences so to be borne and defrayed by the said Tenants or Occupiers, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, in every Year after the passing of this Act, or oftener, if they, or any Seven or more of them shall think it necessary, (the first Year to be computed from the Twenty-fifth Day of December last, next before the passing this Act, and every succeeding Year, from the said Day in every Year respectively), to make One or more Rate or Rates, Assessment or Assessments, to be signed by any Seven or more of the said Commissioners, upon the Tenants or Occupiers of all Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Gardens, Grounds, Tenements, or Hereditaments, in the said Town, so as such Rate or Rates, Assessment or Assessments, do not exceed, in the Whole, in any One Year, to be computed as aforesaid, the Sum of Three Shillings in the Pound, according to the Rate made for the Relief

of the Poor of the said Town; and the Money or Monies so rated or assessed on the said Tenants or Occupiers, and to be borne and defrayed by them, shall be paid by them respectively to the said Collector, or other Person or Persons appointed by the said Commissioners to receive the same; and if any Tenant or Occupier of any House, Shop, Warehouse, Coach-house, Stables, Cellars, Vaults, Buildings, Ground, Tenement, or Hereditament, in the said Town, shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments to the said Collector for the Space of Ten Days next after Demand made thereof, by Notice in Writing, under the Hand of the said Collector, to be delivered to, or left at the Dwelling-house or usual Place of Abode of such Tenant or Occupier, the same shall and may be levied on all and every such Tenant or Tenants, Occupier or Occupiers, so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, (by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the County of Sussex), and the Overplus, if any, of the Monies to be raised by such Distress and Sale shall be returned on Demand, to the Owner or Owners of the Goods or Chattels so distrained, after deducting all Charges attending such Distress and Sale, and where any Person or Persons who shall be rated or assessed to the said Rates or Assessments, shall quit his, her, or their House, Shop, Warehouse, Coach-house, Stables, Cellar, Vault, Building, Ground, Tenement, or Hereditament, before he, she, or they shall have paid the same, and shall afterwards neglect or refuse to pay the same to the said Collector for the Space of Ten Days next after Demand thereof in Manner aforesaid, every such Person shall, for every such Neglect or Refusal, forfeit and pay the Sum of Five Shillings; and the Money so due for the said Rates, and the said Sum of Five Shillings, as well as the Money due by the Rates, shall and may be levied by Distress and Sale of the Goods and Chattels of such Person, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices

of the Peace for the said County of Sussex, or for any County, City, Borough, Town, Division, or Place, where such Person or Persons shall remove to, or reside in, as the Case shall happen, (which Warrant any such Justice or Justices is and are hereby authorized and required to grant, in any Place where such Person or Persons shall remove to or reside in), and the Overplus, if any, of the Monies arising from such Distress and Sale, after deducting the reasonable Costs, Charges, and Expences of obtaining such Warrant, and making, keeping, and selling the said Distress, shall be returned to the Owner or Owners of such Goods and Chattels on Demand; and where any Person or Persons shall come into or occupy any House, Shop, Warehouse, Coach-house, Stable, Cellar, Vault, Building, Ground, Tenement, or Hereditament, out of, or for which any other Person therefore assessed, toward Payment of any Rate made in pursuance of this Act, shall be removed, and such Rate shall not be paid and discharged, that then every Person so coming into or occupying the same Premises shall be liable to pay such Rate, in Proportion to the Time that such Persons shall occupy the same, in the same Manner as if such Person, so coming in, or occupying, had been originally rated or assessed in such Rate or Assessment; and which said Proportion, in case of Dispute, shall be ascertained by any One or more of the said Commissioners, at their then next Meeting, after Demand made thereof.

Poor's Rate may be inspected.

And be it further enacted by the Authority aforesaid, That it shall be lawful for any Person or Persons, having an Order under the Hands of the Commissioners, or any Five or more of them, for that Purpose, to inspect and take Copies or Extracts of any Books or Rates made for raising Money for Relief and Maintenance of the Poor of the said Town and Parish; which Inspection, Copies, and Extracts, the Person or Persons having the Custody of such Books or Rates respectively is and are hereby required to permit and suffer to be made, without Fee or Reward, by such Person or Persons, appointed as aforesaid, upon his, her, or their producing an Order under the Hands of the Commissioners,

Commissioners, or any Five of them, as aforesaid; and in case any Person or Persons, having the Custody of any Book or Rate, shall neglect or refuse so to do, within Three Days after such Order shall be so produced and shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode, he or they shall, for the First Offence, forfeit the Sum of Ten Shillings, for the Second Offence the Sum of Twenty Shillings, and for the Third and every other Offence the Sum of Forty Shillings.

Foot-paths swept every Day, except *Sundays*.

And be it further enacted by the Authority aforesaid, That all and every Person or Persons inhabiting within the said Town and Parish, shall, from and after the Twenty-fourth Day of May next, after the passing of this Act, sweep and clean, or cause to be swept and cleansed, the Foot-paths, extending at least Seven Feet before their respective Houses, Buildings, and Walls, between the Hours of Eight and Ten of the Clock in the Forenoon, (Sundays excepted), upon Pain of forfeiting Five Shillings for every Neglect therein.

Penalty for Neglect.

Streets to be swept twice a Week.

And be it further enacted by the Authority aforesaid, That the Person or Persons contracted with for cleansing the said Streets, Lanes, Passages, and all other publick Places, shall sweep, clean, and carry away, or cause to be swept, cleansed, and carried away, the Dirt and Soil in and out of all the Streets, Lanes, and Passages, and all other publick Places within the said Town and Parish Twice in every Week, on such Days as shall be appointed by the Commissioners, or any Seven or more of them, upon Pain of forfeiting Forty Shillings for every Neglect therein.

No Person to carry away Soil except the Contractor.

And be it further enacted by the Authority aforesaid, That no Person or Persons shall take or carry away, or cause to be taken or carried away, any Ashes, Dust, Dirt, Muck, Dung, or Manure, which shall be made in any or either of the said Streets, Lanes, Passages, or other publick Places, in the said Town, out of the same, besides the Persons so to be contracted with, or appointed as aforesaid, for such Purpose, by the said

Commissioners, upon Pain of forfeiting and paying the Sum of Forty Shillings for every such Offence.

Persons at Liberty to keep or dispose of Dung, made or kept within their Houses or Yards.

Provided always, and be it enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to any Ashes, Dust, Dirt, Filth, Dung, or Rubbish, which any of the Inhabitants of the said Town shall have Occasion and think fit to preserve, and keep within their own respective Houses, Yards, or Gardens, but the same shall respectively belong to the Person or Persons so reserving the same, so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish, be not laid down or placed in any or either of the said Streets, Lanes, or publick Passages and Places in the said Town, for any longer Time than shall be necessary for the loading and carrying away the same, nor suffered to annoy the Neighbour or Neighbours of such Person or Persons; but in case the Person or Persons so reserving such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish, shall thereby annoy his or their Neighbour or Neighbours, and shall continue to keep and preserve the same for the Space of Three Days, after Notice in Writing given him, her, or them, under the Hands of the said Commissioners, or any Five or more of them, or left at such Person's Dwelling-house, to remove the same, such Person or Persons shall forfeit and pay the Sum of Twenty Shillings a Day for every Day such Annoyances shall be permitted to remain, next after such Notice given as aforesaid.

Penalty not to extend to Rubbish occasioned by Building.

Provided always, That no Person shall be subject to the last-mentioned Penalty of Twenty Shillings for any Rubbish or Dirt in the said Streets, Lanes, Passages, or publick Places, or any of them, before the House or Tenement of such Person, occasioned by the Building, pulling down any Building, rebuilding or repairing any such House or Tenement, so as there be convenient Room left in the same Street, Lane, Passage, or Place, where such Rubbish or Dirt shall lie, for Carriages to pass and repass, and a sufficient Way kept clean for Foot Passengers, by the Persons laying, or occasioning such Dirt or Rubbish to be laid, nor for the making up

any Lime into Mortar in any of the said Streets, Lanes, Passages, or Places, so as such Room be left for Foot Passengers and Carriages, and so as such Lime be inclosed before such House or Building about which the same is to be used, and so as the Owner or Owners of such House or Tenement, before which such Lime or Rubbish shall lie, shall cause the same to be removed out of the said Street, Lane, Passage, or Place, at his, her, or their own Costs and Charges, within a reasonable Time, or upon Notice to be given to him, her, or them, or left at his, her, or their said House, where such Rubbish or Lime shall lie, for that Purpose, in Writing, to be signed by the said Commissioners, or any Five or more of them, and so as that whilst the same shall be lying in the said Street, Lane, Passage, or Place, such Owner or Owners shall set up and maintain a sufficient Light upon or against the same, every Night, during the whole Night, from the Time it becomes dark, to prevent any Mischief happening to Passengers, which might otherwise be occasioned thereby.

Scavengers may lodge Dirt in the Streets, &c. by Consent of the Commissioners.

Provided always, and be it further enacted by the Authority aforesaid, That the Person or Persons contracted with for cleansing the said Streets, Lanes, publick Passages, and Places, or any Part or Parts thereof, shall have Liberty, by the Approbation and Order of Five or more of the Commissioners, to lodge their Dirt, Dust, Ashes, or other Filth, in such vacant and publick Places in or near the said Streets, Lanes, Passages, and other Places, as shall not appear to be intended to be built upon, and as shall be thought convenient by the said Commissioners, they the said Persons so contracted with giving such Satisfaction to the Owners and Occupiers of such vacant Places, as the said Commissioners, or any Five or more of them, shall direct.

Certain Nuisances in the Streets, how to be prevented.

And be it further enacted, That if any Person or Persons shall shoe, bleed, cleanse, or dress, or turn, or drive loose, any Horse; or throw at any Cock or Fowl, in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or shall make, or assist in the making, any Fire or Fires, commonly called Bonfires; or shall set Fire to, or let

off, or throw any Squib, Serpent, Rocket, or Fire-works whatsoever, in any of the Highways, Streets, or Lanes, or publick Ways within the said Town; or obstruct or incommode the Passage of the Foot or Carriage Way of any Street, Lane, or publick Way in the said Town; every Person so offending in either of the Cases shall, for every such Offence, forfeit and pay the Sum of Five Shillings, over and above such Penalties as are inflicted on any or either of the said Offences by any Law or Statute now in being.

No Cattle to be killed in the Streets.

And be it further enacted, That if any Person or Persons shall kill, slaughter, singe, scald, dress, or cut up, any Beast, Swine, Calf, Sheep, or other Cattle, or cause the same to be done, in any open or publick Street, Lane, or Way, within the said Town, or hang up, or cause to be hung up, any Beast, Swine, Calf, Sheep, or other Cattle, or any Part or Parts thereof, in any of the said Streets or publick Passages, (from and after the Market herein-after mentioned shall be completed), every Person or Persons so offending shall, for every such Offence, forfeit and pay the Sum of Ten Shillings; and if any Swine, Beast, or Cattle, shall be found wandering about the said Streets, Lanes, or Ways, or any or either of them, it shall and may be lawful to and for any Officer or Officers of the said Commissioners, or any other Person or Persons whomsoever, to impound such Swine, Beast, or Cattle, in the common Pound or Pounds in the said Town, or such other Place as shall be appointed for that Purpose by the said Commissioners, or any Five or more of them, and the same to detain in the said Pound or Place until the Sum of Ten Shillings, and the Expence of impounding such Swine, Beast, or Cattle, shall be fully paid and satisfied: And in case such Penalty and Expences shall not be paid within Five Days after such Swine, Beast, or Cattle, shall be impounded, it shall and may be lawful for such Person or Persons as shall be appointed by the said Commissioners, or any Five or more of them, for that Purpose, to sell, or cause such Swine, Beast, or Cattle, to be sold, and the Money arising from the

the Sale thereof shall be applied to such and the same Purposes as the Money arising from the Rates or Assessments is hereby directed to be applied.

Commissioners to give Notice to regulate Signs, &c.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall and may, at any Time after the passing of this Act, cause Notice to be given to the respective Owners or Occupiers of the several Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, in the said Town, to take down, fill up, remove, alter, or regulate, all Signs or other Emblems used to denote the Trade, Occupation, or Calling, of any Person or Persons, Sign-posts, Sign-irons, Spouts, Gutters, Stalls, Bulks, Sheds, Wells, Pumps, Cellar-windows, Pits, Saw-pits, and Posts, projecting into, or standing or being in any of the said Streets, Lanes, or publick Ways, or in or upon the Waste or other Ground lying between the Houses.

How new Foundations to be situate.

And be it further enacted, That no Head Builder, Master Carpenter, Mason, or Workman, shall, in rebuilding or new-fronting any old Building situate in or near any Street, Lane, or publick Way, bring the Foundation thereof forward beyond the old Foundations, or the ancient Story Posts supporting the Fronts thereof, so as to obstruct or narrow the Passage through the same, upon Pain of forfeiting, for every such Offence, the Sum of Twenty Pounds; and the Owner of such Building shall forfeit and pay the Sum of Forty Shillings for every Month such Obstruction or Incroachment shall remain, by the Foundation of such Building being brought forward as aforesaid, unless allowed by the Commissioners, or any Seven or more of them; and it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to order the same to be taken down, altered, or regulated, in such Manner as they, or any Seven or more of them, shall think proper.

Penalty on leaving Carts, Waggons, &c. in any Street, Lane, &c.

And it is hereby further enacted, That if, after the passing of this Act, any Cart, Waggon, Dray, or other Carriage, shall be left to stand or continue in any Street, Lane, or publick Way, in the said Town, or in any Part or Parts thereof, with or without Horses, or other Cattle,

Cattle, other than for the necessary loading or unloading thereof; or if any common Stage Waggon or Cart shall be left to stand or continue in either or any of the Streets, Lanes, or Passages, for the Purpose of loading or unloading, more than the Space of Three Hours at any One Time; or if any Timber, Brick, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, Merchandises, Materials, or other Things whatsoever, shall be laid or placed, and left in any such Street or publick Way, longer than shall be necessary for the hauling or removing the same, (except in such Cases as are herein-before provided for); then, and in every such Case, the Owner or Owners of every such Cart, Waggon, Dray, or other Carriage, or of any such Timber, Bricks, Goods, Wares, Merchandises, Materials, or other Things, shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, and the same shall moreover be deemed Nuisances; and any Five of the said Commissioners, or any One of their Officers, or any other Person, without any Peace Officer, or other Person present, shall and may, either in the Day or by Night, seize, or cause to be seized, any Cart, Waggon, Dray, or other Carriage, so placed, or suffered to stand or continue, contrary to the Meaning of this Act, together with the Horse or Horses thereunto belonging or affixed, (if any), or the Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, Merchandises, Materials, or Things, so laid or placed as aforesaid, and remove the same, or cause the same to be removed, to any Pound within the said Town or Parish, or to such other Place as shall be appointed for that Purpose by the said Commissioners, or any Seven or more of them, there to kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall claim the same, and pay to the Person or Persons in whose Custody the same shall then be the Sum of Ten Shillings, together with the Charges of removing and keeping the same; and in case the same shall not be claimed, and the said Sum of Ten Shillings and Charges paid, within the Space of Five

Commissioners Powers for recovering

Days next after such Seizure, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to cause the same to be appraised and sold, and the Money arising therefrom shall be applied to the same Uses and Purposes as the Monies arising from the Rates or Assessments are hereby directed to be applied.

Penalty of 5s. for offending, though the Goods be not seized.

Provided, That if any Cart, Waggon, Dray, or other Carriage, shall be so placed, or suffered to stand or continue as aforesaid; or any Timber, Bricks, Goods, Wares, Merchandises, Materials, or Things, shall be so laid and placed as aforesaid, and the same shall not be seized as aforesaid, the Owner or Owners of such Cart, Waggon, Dray, or other Carriage, or of Timber, Bricks, Goods, Wares, Merchandises, Materials, or Things, shall nevertheless forfeit and pay the Sum of Five Shillings for every Offence by such Cart, Waggon, Dray, or other Carriage, being so placed, or suffered to stand or continue, or such Timber, Bricks, Goods, Wares, Merchandises, Materials, or Things, being so laid or placed, or left as aforesaid.

Annoyances to be removed.

And be it further enacted, That in case any Hogsty, Necessary-house, Flesh, Dung, Carrion, Blood, Offal, Soil, or Filth, Ashes, Cinders, or Rubbish, or any other noisome Matter whatsoever, in or near any of the said Streets, Lanes, or Passages, within the said Town, shall be offensive to any of the Inhabitants, or other Person or Persons, the same shall be deemed a Nuisance, and an Offence against this Act: And it shall and may be lawful for the said Commissioners, or any Seven or more of them, upon Complaint thereof made to them by any such Inhabitant, or other Person or Persons, by Notice in Writing under the Hands of the said Commissioners, or any Seven or more of them, or under the Hand of the Clerk to the said Commissioners for the Time being, to order any such Nuisance or Offence to be removed; and in case the same shall not be removed within Five Days after such Notice given to the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay the Sum of Five Shillings daily, for every Day that the same shall continue unremoved after the Expiration of the said Term.

No Wheels, &c. to be driven on Foot-pavements.

And be it further enacted, That if any Person or Persons shall, at any Time after the passing of this Act, run, drive, or cause to be run, driven, or drawn, on any Foot-pavements within the said Town, any Wheel or Wheels, Sledge, Wheelbarrow, or Carriage whatsoever; or shall roll any Cask, or wilfully ride, drive, or lead, or cause to be rode, driven, or led, any Horse or other Cattle, on any of the said Foot-pavements, other than in Cases of absolute Necessity; such Person or Persons shall forfeit and pay, for the First Offence, the Sum of Five Shillings, for the Second Offence the Sum of Ten Shillings, and for the Third and every other Offence the Sum of Fifteen Shillings.

Proviso.

Provided, That no Person or Persons shall be liable to such Penalties for rolling any Cask on the said Foot-pavements, unless the same shall have been rolled thereon for the Space of Ten Yards, or upwards.

Cellar Windows at Night, to be sufficiently lighted.

And be it further enacted, That if any Cellar Window or Windows shall be left open in the Evening, or in the Night, without the same being sufficiently lighted, to prevent Accidents happening therefrom, the Occupier or Occupiers of such House or Cellar shall, for every such Offence, forfeit and pay the Sum of Five Shillings.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all the Acts, Orders, and Proceedings, of the said Commissioners shall, from Time to Time, be fairly written and entered in proper Books, to be kept for those Purposes; and that all such Books shall, at any Meetings of the said Commissioners, be open to the Inspection of any Person rated, and paying to the said Rates or Assessments; and all such Orders and Proceedings so entered shall be signed by Seven or more of the said Commissioners, and shall be deemed Originals; and the same, or Extracts thereof, shall be admitted to be read in Evidence in all Courts whatsoever, in all Causes, Suits, and Actions, touching any Thing to be done in pursuance and under the Authority of this Act.

Collector to pay Money to the Treasurer.

And be it further enacted by the Authority aforesaid, That all and every Collector and Collectors to be appointed in pursuance of this Act, shall, and is, and are hereby

hereby authorised and required to pay all such Monies as he or they shall respectively collect, by virtue of the Rates to be made in pursuance of this Act, into the Hands of the Treasurer, to be appointed by the said Commissioners, who is hereby authorised and required, out of the Monies collected and paid into his Hands, to pay all Sums of Money which the said Commissioners shall, from Time to Time, draw upon him for, or order him to pay; and the said Treasurer for the Time being shall, and he is hereby required to keep regular and clear Entries in a Book or Books to be for that Purpose by him provided and kept, of all and singular his Receipts and Payments on account or in pursuance of this Act; to which Book or Books, and all others kept for the Purposes of this Act, every Person liable to the Payment of the said Rates shall and may have free Access, at all convenient Times, with full Liberty to inspect the same, without Fee or Reward; and also, that the said Treasurer for the Time being shall, Once in every Year, have the said Accounts audited and passed, and allowed by the said Commissioners, or any Seven or more of them.

Treasurer to pay all Sums of Money by Order of the Commissioners, and make Entries.

Provided always, That the Monies raised or collected by virtue of this Act shall be, and is hereby vested in the Commissioners, and the same shall be applied for the respective Purposes of this Act, and to or for no other Use, Intent, or Purpose whatsoever.

Application of the Money.

And be it further enacted, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, at their First Meeting, or any subsequent Meetings, to be held in pursuance of this Act, to borrow and take up at Interest, upon the Credit of the Rates arising by virtue of this Act, such Sum or Sums of Money as they, or any Seven or more of them, shall think fit; and may, and are hereby impowered, to demise or mortgage the said Rates, or any Part or Parts thereof, (the Costs and Charges of such Mortgages to be paid out of such Rates) as a Security to any Person or Persons, or their Trustees, who shall advance such Sum or Sums of Money, by the following Words, under their Hands, or by any other Words to the same or like Effect, videlicet,

Commissioners may borrow Money.

BY virtue of an Act, made in the Thirteenth Year of the Reign of His Majesty King *George* the Third, "For paving, lighting, and cleansing the Streets, Lanes, "and Places, within the Town of *Brighthelmstone*, in the "County of *Sussex*; for removing Nuisances and An-"noyances, and preventing the like for the future; "for holding and regulating a Market within the said Town; "for building and repairing Groyns, in order to render the "Coast safe and commodious for Ships or Vessels to unload "and land Sea Coal, Culm, and other Coal, for the Use of "the Inhabitants of the said Town; and for laying a Duty "thereon, and for other Purposes:" We of the Commissioners, in consideration of the Sum of to the Treasurer of the said Rates in Hand paid, do grant, Bargain, sell, and demise, unto *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Rates arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum advanced, or to be advanced, on the Credit thereof, to be had and holden from this Day of in the Year of our Lord for and during the Continuance of the said Act; unless the said Sum of with Interest, at the Rate of *per Centum per Annum*, shall be sooner repaid and satisfied.

Copies of all Mortgages to be entered with the Clerk.

And Copies of all such Mortgages shall be entered in the Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said Commissioners; but no Money shall be borrowed upon the Credit of the said Rates after such First Meeting, unless Notice be given for that Purpose in Writing, and stuck up at the Church Door of the said Parish, Twenty Days before the borrowing thereof.

Manner of Transfer.

And be it further enacted, That all Persons to whom any such Mortgage shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may, from Time to Time, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the said

Mortgages, and the said Principal and Interest thereby secured to any Person or Persons whatsoever, indorsing on the Back of such Security, with or without a Witness, the following Words, or Words to the like Effect:

I Do transfer this Mortgage, with all my Right and Title to the Principal hereby secured, and to all the Interest now due upon the same, unto his Executors, Administrators, and Assigns. Dated this Day of

G. H.

And such Transfer and Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign or transfer the same again, and so toties quoties; and it shall not be in the Power of such Person or Persons, who shall have made such Assignment respectively, to make void, release, or discharge, the original Security, or any Monies thereby due, or any Part thereof; and all Persons, to whom any such Mortgage or Assignment shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such Rates, on the Credit whereof such Sum or Sums are advanced, in equal Degree one with another, and shall have no Preference in respect of the prior Advancement of any such Money, or prior Date of any such Mortgage.

Persons aggrieved by Rates, to apply for Relief to the Commissioners.

Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, Bodies Politick or Corporate, shall think himself, herself, or themselves, aggrieved by any Rate or Rates, Assessment or Assessments, or any other Matter or Thing done, or directed to be done, in pursuance of this Act, such Person or Persons, Bodies Politick or Corporate, shall apply for Relief to the said Commissioners, at any Meeting to be held within One Month next after Demand made of such Rate or Rates, Assessment or Assessments, or next after any such Matter or Thing done and committed, by or by Order of the said Commissioners, or any Seven or

more of them, and such Commissioners are hereby authorized and impowered (if they shall think such Person or Persons aggrieved) to give such Relief in the Premises as to them shall seem necessary: and if such Person or Persons, Bodies Politick or Corporate, shall not be satisfied with the Determination of such Commissioners, he, she, or they, shall be obliged to pay such Rate or Rates, Assessment or Assessments, and to comply with such Order of the said Commissioners, and then shall and may appeal to the Quarter-sessions of the Peace to be holden for the County of Sussex, within Three Months next after such Determination of the said Commissioners; such Appellant first giving, or causing to be given, Ten Days Notice at the least, in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, and within Six Days next after such Notice, entering, or causing a Recognizance to be entered into, before some Justice of the Peace for such County, by Two sufficient Persons or Sureties conditioned to try such Appeal, and to abide the Order thereof, and to pay such Costs as shall be awarded by the Justices at such Quarter-sessions; and the said Justices at such Quarter-session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Justices, at their Quarter-sessions, shall be final, binding, and conclusive.

Power to set out the Market.

And whereas it is necessary, for the Benefit and Accommodation of the Inhabitants of the said Town of Brighthelmstone, and of all Persons resorting thereto, that there should be a Market for the Sale of all Kinds of Meat, Fish, Poultry, Butter, and Garden Stuff; be it therefore enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall have full Power and Authority to view, set out, and describe such Plot or Piece of Ground, within the said Town of Brighthelmstone, as they shall adjudge most convenient and proper for holding the said Market, and to

and for making proper Avenues thereto; and shall have Power and Authority, and they are by this Act authorised and impowered, to establish and hold, or cause to be established and held, a Market, within the Limits of the said Plot or Piece of Ground so to be set out and described by the said Commissioners as aforesaid, for the Scite of the said Market: And that it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to cause such Market to be held within the Limits aforesaid, daily, and every Day, or less frequently, according as the same shall to them appear necessary, for the Convenience and Accommodation of the Inhabitants of the said Town, and of Persons resorting thereto.

For preventing Incroachments.

And, for preventing any Incroachments which may hereafter be made on the said Market, be it further enacted by the Authority aforesaid, That from and after the same shall be completed and used as a Market, it shall not be lawful for any Person or Persons to erect or hold any other Market within the said Town, (except the present Market for Corn); or to vend or expose to Sale any Manner of Flesh or other raw Victuals, Fish, Poultry, Butter, Herbs, Roots, or Garden Stuff, which are usually sold in publick Markets, in any other Place whatsoever within the said Town; and every Person, who shall so vend or expose to Sale any Manner of Flesh, or other raw Victuals, Fish, Poultry, Butter, Herbs, Roots, or Garden Stuff, out of the said Market, within the said Town, and shall be convicted thereof before any Two or more of his Majesty's Justices of the Peace for the County of Sussex, shall, for every such Offence, forfeit and pay the Sum of Five Pounds; to be recovered by Distress and Sale of the Goods and Chattels of the Offenders, rendering the Overplus, (if any) after deducting the Expence of such Distress and Sale, to the Owners thereof; One Moiety whereof shall go to the Informer, and the other Moiety to the Poor of the Parish of Brighthelmstone.

Proviso.

Provided always, That nothing herein contained shall be construed to extend to prevent the Fishermen belonging to the aforesaid Town from selling Fish on the

Beach,

Beach, or any of the Inhabitants of the said Town from selling Poultry, Butchers Meat, and Butter, in their Houses.

Justices may mitigate Penalties.

Provided always nevertheless, That it shall and may be lawful to and for the said Justices, where they shall see Cause, to mitigate or lessen any such Penalties or Forfeitures according to their Discretion.

Commissioners to treat with Persons interested in Houses, &c. for the Market.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to any for the said Commissioners, or any Seven or more of them, to treat and agree with the Owners and Occupiers, and all other Persons interested in the Houses and Buildings standing on the said Plot or Piece of Ground so to be set out as aforesaid for the said Market, and to and for all Persons whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, who are or shall be seised or intitled in their own Right, Trustees and Feoffees in Trust, Guardians and Committees for Lunaticks and Idiots, Executors, Administrators, and Guardians whatsoever, not only in Behalf of themselves, their Heirs and Successors, but also for and in Behalf of their restuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes-covert, or other Persons whatsoever, who are or shall be seised or possessed of, or interested in, any Messuages, Lands, Tenements, or Hereditaments, which shall be necessary to be purchased for the holding the said Market, to contract for, sell, convey, or surrender to the said Commissioners or any Seven or more of them, all or any such Messuages, Lands, Tenements, or Hereditaments, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in Law, to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective restuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes-covert, or other Persons whatsoever, and all claiming, or to claim by, from, or under them; any

Law, Statute, or Usage, to the Contrary thereof in any wise notwithstanding: And if it shall happen that any Person or Persons, Bodies Politick, Corporate or Collegiate, or other Person or Persons whatsoever, who are hereby enabled to convey as aforesaid, shall refuse to treat and agree with the said Commissioners, or any Seven or more of them; then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, before any General Quarter Sessions of the Peace to be holden for the said County of Sussex, or any Adjournment thereof, to give, or cause to be given, to such Owner or Owners, or the principal Officer or Officers of such Bodies Politick, Corporate, Ecclesiastical, or Civil, or to leave, or cause to be left, at the House of the Tenant in Possession of the Lands or Hereditaments intended to be so purchased, Ten Days Notice in Writing, denoting and particularly describing the same, and purporting that the Value of such Lands or Hereditaments will be adjusted and settled by a Jury at the said Session, or the Adjournment thereof; and the Justices, at their said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been so given or left, are hereby authorised and required to charge a Jury to be impanelled and returned by the Sheriff of the said County, without Fee or Reward, consisting of Twelve honest, substantial, and disinterested Persons, duly qualified to serve on Juries upon the Trial of Issues at Law, and cause them to be sworn, well and truly, upon their Oaths, to assess the Value of the Lands or Hereditaments, comprised in the said Notice, and the Damages and Recompence to be given for the same, to the respective Owner or Owners thereof, according to their respective Interest therein, (which Oath the said Justices are hereby required to administer to such Jury), and to which said Jury the said Commissioners, or any Seven of them, and all Parties interested in the said Lands or Hereditaments, shall have their lawful Challenges; and the said Jury, being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given, concerning the Nature, Quantity, or Value of

Ten Days Notice to be given to Persons refusing to treat, that the Recompence will be settled by a Jury.

the said Lands or Hereditaments, shall, by their Verdict, assess the Damages and Recompence to be given for the said Lands or Hereditaments to the respective Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall be finally binding and conclusive to the said Commissioners, or any Seven of them, and to all Persons and Parties interested in the said Lands or Hereditaments; and such Verdicts, and the Judgement of the Justices thereupon, shall be fairly entered, and kept among the Records of the Quarter-sessions for the County of Sussex; and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have Recourse to the same gratis, and take Copies thereof, paying Sixpence for every One hundred Words, and so in proportion for any greater or less Number of Words.

Upon Payment or Tender of the Money, Premises vested in the Commissioners.

And it is hereby further enacted and declared, That upon Payment of such Sum or Sums of Money to be adjudged for the Purchase of the said Premises, or any Part thereof, the Person or Persons intitled thereto shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Commissioners, or any Seven or more of them, of the said Premises, for which such Sum or Sums of Money were to awarded, and shall do all Acts, Matters, and Things necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants as shall, on Behalf of the said Commissioners, be required: And in case any Person or Persons, to whom such Money shall be awarded as aforesaid, shall not evince a Title to the said Premises to the said Commissioners, and make, or procure to be made, good and legal Conveyances thereof, or shall so refuse to do, being thereunto required, such Sum and Sums of Money, so awarded as aforesaid, being ready to be paid to him, her, or them, on making such Title, and tendered for that Purpose; or in case the Person or Persons intitled to the Premises,

Premises, for which such Sum or Sums of Money, shall be so awarded as aforesaid, shall not be known; or in case that by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Commissioners what Person or Persons is or are intitled to the Premises in question; that then, and in all and every or any such Case or Cases, as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Seven of them, to order such Sum or Sums of Money, so awarded as aforesaid, as the Value of, and Purchase-money for, the said Premises, to be paid into the Bank of England for the Use of the Parties interested in the said Premises, to be paid to them, and each and every of them, according to their respective Estates and Interests in the said Premises, at such Times as the said Commissioners, or any Seven or more of them, shall, by Warrant or Warrants under their Hands, order and direct; and the Cashier and Cashiers of the Bank of England, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum and Sums, mentioning and specifying for what Premises, and for whose Use, the same is or are received, to such Person or Persons as shall pay such Sum or Sums into the Bank of England, as aforesaid, which Receipt or Receipts shall be entered on Record, and registered among the Records of the Quarter-sessions of the Peace for the County of Sussex; and immediately on such Payment and Registry, all the Estate, Right, Title, Use, Trust, Property, Equity of Redemption, Claim, and Demand, in Law and Equity, of all and every Person and Persons for whose Use such Monies was paid, of, in, to, from, and out of the said Premises, or any Part thereof, shall vest in the said Commissioners; and they the said Commissioners shall be deemed in Law to be in the actual Possession thereof, and to be seised thereof in Fee-simple, freed and discharged from all Claims, Demands, and Equity of Redemption, either at Law or in Equity, to all Intents and Purposes, as fully and effectually as if all and every Person and Persons having any Estate, Right, Title, Trust, Interest, or Equity of Redemption, of, in, to, from, or out of the said

said Premises, had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment, with Livery of Seisin, Fine, and Recovery, or any other Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Equity of Redemption, Claim and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to, and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, and Remainders, as fully and effectually as a Fine or Recovery would do, or would have done, if levied or suffered by proper Parties in due Form of Law.

Purchase-money of Trust Estates, to be laid out again.

And it is hereby further enacted and declared, That all and every Sum and Sums of Money to be paid to any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Trust, Guardian, Committee, or other Trustee or Trustees, in pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the said Lands and Premises so to be purchased by the said Commissioners as aforesaid, were settled, limited, and assured, at the Time of such Sale so made respectively, and shall and may be held and enjoyed accordingly.

After Payment, the Commissioners impowered to convert the Premises into a Market.

And be it further enacted, That from and immediately after Payment made for the Lands and Hereditaments so to be purchased as aforesaid, it shall and may be lawful for the said Commissioners, or any Seven of them, to enter upon the Premises so to be purchased, and every Part thereof, and to convert the same to be used as a Market, as aforesaid.

If Part of a House, &c. be wanted for the Purposes of this Act, the Commissioners, &c. to purchase the Whole.

Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, shall be applied to, by, or on the Behalf of the said Commissioners, to treat for, sell, dispose of, or convey, for any of the Purposes aforesaid, any Part or Parts of any House, Warehouse, Yard, or Ground, in the actual Occupation of One Tenant,

Tenant, or of several Tenants, and the Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, so applied to, shall, by Notice in Writing to be left at the Office of the respective Clerks, within Six Days next after such Application, signify his, her, or their Inclination or Desire to treat for, sell, dispose of, and convey the whole of such House, Warehouse, Yard, or Ground; then, and in every such Case the whole of every such House, Warehouse, Yard, or Ground, shall be deemed, taken, and held, to be necessary to be purchased for effecting the Purposes of this Act: And if it shall happen that the said Commissioners shall not think proper or be willing to purchase the whole of such House, Warehouse, Yard, or Ground; then, and in every such Case, nothing in this Act contained shall extend, or be construed to extend, to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of, or convey any Part of such House, Warehouse, Yard, or Ground; any Thing herein-before contained to the Contrary thereof in any-wise notwithstanding.

Commissioners may sell Overplus Lands.

Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, at any Meeting, or any Person or Persons in whom any House or Ground shall be vested by virtue of this Act, to let, sell, or dispose of so much, or such Parts thereof, as shall not be necessary for the opening or widening of any of the said Streets, Lanes, Ways, Passages, or Places; or for and towards the erecting, establishing, and holding, such new Market, as aforesaid, to any Person or Persons, to and for such Use or Uses as they shall think proper, giving Preference to the Person or Persons of whom the same shall have been purchased, and to his, her, or their Heirs, Executors, and Administrators.

Power of raising Money,

And, for raising a Sum of Money sufficient for the Payment of the Purchase of such Lands and Hereditaments, and other the Purposes of this Act, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorised and impowered to raise, borrow, take, and receive, of and from

from any Person or Persons whomsoever, or any Body or Bodies Corporate or Politick whatsoever, who are willing to advance and lend the same, any Sum or Sums of Money, not exceeding in the Whole the Sum of Three thousand Pounds, for the Payment of such Purchase-money, and for such other Purposes as are herein before mentioned, and to set up and build all such Sheds, Stands, Stalls, and such other Erections, as shall be found necessary for constituting the said Market; or if it shall be found to be more convenient and beneficial to let out such Grounds upon a Building Lease or Leases, for the Purposes aforesaid, it shall and may be lawful for the said Commissioners, and they, or any Seven or more of them, are hereby authorised and impowered to set and let out such Ground for the best Rent that can be gotten for the same, payable quarterly, at or upon the Four most usual Feasts or Days of Payment in the Year, upon a Lease or Leases, for any Term or Terms not exceeding Fifty Years, to any Person or Persons who shall be willing to contract for and take the same, with proper Covenants, binding him or them to build and set up all necessary Erections thereupon, for converting the same into a Market, as aforesaid; or it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Commissioners, or any Seven or more of them, or such Person or Persons as they shall appoint, for the Uses before mentioned, any Sum or Sums of Money, not exceeding in the Whole the Sum of One thousand five hundred Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Contributors respectively, or the natural Life of such other Persons as shall be nominated by and on Behalf of such respective Contributors, at the Time of Payment of their respective Contribution-monies; which Annuity or Annuities shall not exceed the Rate of Eight Pounds per Centum per Annum for every One hundred Pounds, and so in proportion for any greater or less Sum to be advanced and paid as aforesaid; which Annuities shall be payable and paid in such Place in the said Town as the

by borrowing a Sum not exceeding 3000*l.*

or by granting Building Leases,

or by granting Annuities.

said Commissioners, or any Seven or more of them, shall for that Purpose appoint, by Four equal quarterly Payments, the First Payment to begin and be made to the respective Purchasers, and their Assigns, at the Expiration of the First Quarter of a Year after Payment of their respective Purchase-monies; which Annuities shall be publickly sold by the said Commissioners, or any Seven or more of them.

Books to be provided, and Names of Annuitants entered.

And it is hereby further enacted, That there shall be provided by the said Commissioners a Book or Books, in which shall be fairly written, in Words at Length, the Names and Surnames, with the proper Additions, and Places of Abode, of all such Persons who shall be Proprietors of any of the Annuities aforesaid; and of all Persons by whose Hands the said Purchasers shall pay in any Sum or Sums of Money upon the Credit of this Act, and also the Sum so paid for the Purchase of such Annuities, and the respective Days of Payment thereof; to which Book and Books it shall be lawful for the said respective Purchasers, and their Assigns, and to and for any Person or Persons, liable to the Payment of Rates and Assessments in the said Parish, at all seasonable Times to have Recourse, and inspect the same, without Fee or Reward.

Annuities to be for the Lives of Contributors, or such Persons as they shall nominate.

And it is hereby further enacted, That all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Consideration or Purchase Money at the Rate aforesaid for any such Annuity or Annuities, as aforesaid, or such Person or Persons as he, she, or they, shall appoint his, her, or their, respective Assigns, shall have, receive, and enjoy, the respective Annuity or Annuities so to be purchased, during the Term of the natural Life of the Person to be nominated by each Purchaser or Contributor, as above mentioned; and that all and every such Purchaser and Purchasers, and their Assigns respectively, shall have good, sure, absolute, and indefeasible Estates and Interest in the Annuities so by them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to any Tax assessed upon Land by Authority of Parliament; and that every

Contributor

Contributor upon this Act, for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase Money for the same, at the Rate aforesaid, or any Part or Proportion thereof, into the Hands of the Commissioners, or such Person or Persons as they shall appoint, shall have One or more Receipt or Receipts, importing the Receipt of so much Purchase-money as shall be paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities, every such Contributor, his, her, or their Assigns respectively, shall have an Order on Parchment or Vellum for Payment of the said Annuity or Annuities, for and during the natural Life of such Person as shall be nominated by such Contributor or Purchaser, as aforesaid; which Order shall be signed by the said Commissioners, or any Seven or more of them; and after signing thereof, the same shall be firm, good, valid, and effectual in Law, according to the Purport and Meaning thereof, and of this Act.

Annuities may be assigned.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, and their Executors, Administrators, and Assigns, at any Time or Times, by Writing under his, her, or their Hands and Seals, (without any Stamp thereupon) to assign such Annuity or Annuities, or any Part thereof, or any Interest therein, to any Person or Persons whomsoever, and so toties quoties; and a Memorandum or Entry of all such Assignments shall be made in a Book, which is hereby required to be kept for that Purpose, by or under the Inspection of the Commissioners; which Entry or Memorandum shall be made gratis.

Annuities payable out of the Rents of the Market.

And be it further enacted by the Authority aforesaid, That all and every the Annuities so to be purchased under and by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, upon all Monies arising by the Rents and Profits of the Sheds, Stalls, Stands, and all other Buildings and Erections to be set up in and upon the said Plot

or Piece of Ground to be set out and appointed for the Scite of the said Market.

Market vested in the Commissioners in Trust, to pay all Debts incurred on Account thereof.

And be it further enacted by the Authority aforesaid, That the Houses, Buildings, and Ground, to be purchased by virtue and under the Authority of this Act, for the Scite of the said Market, as aforesaid, and all Sheds, Stalls, Standings, and other Erections, to be built and set thereupon, and all the Rents and Profits arising from the same, shall be, and are hereby vested in the said Commissioners, and their Successors, for ever; and that they shall stand seized thereof in Trust, for the several Uses, Intents, and Purposes, herein-after mentioned and declared, of and concerning the same; (that is to say,) The said Commissioners, or any Seven or more of them, shall, out of the first Monies to be borrowed, or arising by granting of Leases, or the Sale of Annuities, as aforesaid, or by any other Ways and Means, under the Authority of this Act, pay off and discharge all Debts that shall be incurred by the Purchase of the said Plot or Piece of Ground, and the Houses and Buildings thereon, for the Erection of the said Market, and all such Charges and Expences as shall necessarily attend the erecting and constituting the same; and the Rents and Profits arising thereby shall be applied in paying the Annuity or Annuities to be granted to such Purchaser or Purchasers as aforesaid, for so long as any of them shall live; and all such Savings as shall, from Time to Time, be made by the Death of any such Annuitants, shall, after the Discharge of all Debts accrued on account of the said Market, be vested in the said Commissioners, and the Savings, together with the Rents and Profits of the Market, after the Death of all such Annuitants, shall be paid and applied, from Time to Time, for and towards the paving, repairing, lighting, and cleansing, the said Streets and Lanes of the said Town of Brighthelmstone, as herein-before is mentioned, and in repairing the Groyns hereafter mentioned, in such Manner, and in such Proportion, as the said Commissioners, or any Seven or more of them, shall, from Time to Time, think most necessary.

Groyns, how to be maintained.

And whereas the said Town of Brighthelmstone is situate by the Sea Side, and within Six Miles of the Port or Harbour of Shoreham, and belongs to the said Port, and great Part of the said Town having been destroyed by the breaking in of the Sea, several Groyns were some Years since erected, which have preserved the said Town, and the Coast is now safe and commodious, at several Times of the Year, for Ships and Vessels to unload and land Sea Coal, Culm, and other Coal, on the Beach of the said Town, for the Use of the Inhabitants thereof: And whereas the said Groyns are become greatly out of Repair, and the Inhabitants of the said Town are not able to raise Money sufficient to repair the same without the Aid and Authority of Parliament; be it therefore further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall be, and they are hereby constituted and appointed Trustees for repairing, improving, maintaining, and preserving the said Groyns, and erecting and building any new Groyns, or such other Works, at such Times, and in such Manner, as to them, or any Seven or more of them, at any General Meeting assembled for putting in Execution all or any of the Powers in and by this Act given and granted, shall seem most proper; and that it shall and may be lawful to and for the said Trustees, or any Seven or more of them, to order and direct all Matters and Things, and to cause the same to be done, from Time to Time, which shall be necessary for the repairing, improving, maintaining, and preserving the said Groyns, and other Works, according to the true Intent and Meaning of this Act.

Duty on Sea Coal landed on the Beach.

And be it further enacted, That for the better effecting and Support of the said Premises, there shall, from and after the Twenty-fourth Day of June, One thousand seven hundred and seventy-three, be paid to the said Trustees and their Successors, or to such Person or Persons as they, or any Seven or more of them, shall, from Time to Time, appoint as their Deputy or Deputies, Receiver or Receivers, to collect and receive the same, the Sum of Sixpence for every Chaldron of Sea Coal, Culm, and other Coal, that shall or may be landed on

the

the Beach of the Coast, at the Town of Brighthelmstone; and they the said Trustees, and their Successors, and such Person or Persons as they, or any Seven or more of them, shall from Time to Time appoint as aforesaid, are hereby authorised and impowered to demand, collect, receive, and take, of and from the Masters and Owners, Master and Owner, or other Person or Persons having the Rule or Command of every Ship, Bark, or other Vessel, for every Chaldron of Sea Coal, Culm, or other Coal, landed or discharged out of any Ship or Vessel on the said Beach or Coast of Brighthelmstone, or otherwise brought into the said Town, within the Parish of Brighthelmstone aforesaid, the said Sum of Sixpence.

No Ship to go out of the Port till the Master produces a Certificate that the Duty is paid.

And to the Intent the said Rate and Duty may be truly answered and paid, be it further enacted by the Authority aforesaid, That no Collector, Customer, Collector of His Majesty's Customs, Comptroller, Receiver of Entries, or Ships Surveyor or Searcher, or other Officer of the Customs whatsoever, belonging to the Port or Harbour of Shoreham, in the said County of Sussex, (to which said Port the said Town of Brighthelmstone doth belong, and is subject), shall, at any Time after the said Twenty-fourth Day of June, One thousand seven hundred and seventy-three, give, or make out, any Cocquet, or other Discharge, or take any Report outwards, for any Ship, Bark, or other Vessel, or permit any Ship, Bark, or other Vessel, to go out of the said Port, until the Master or Owner, or other Person or Persons having the Rule or Command of any such Ship, Bark, or other Vessel, shall produce a Certificate from the Collector or Collectors to be appointed in pursuance of this Act, that the Rate or Duty by this Act granted is paid, or secured to be paid; which said Certificate the said Collector or Collectors is and are hereby required to give without Fee or Reward: And that any Collector, Customer, Collector of His Majesty's Customs, Comptroller, Surveyor, or other Officer of the Customs whatsoever, making Default in any of the Premises 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 more than One Imparlance; One Moiety of such Forfeiture to be to the Use of the Person or Persons who shall prosecute, sue for, and recover the same, and the other Moiety thereof to be paid into the Hands of the said Trustees, or to such Person or Persons as they, or any Seven or more of them, shall direct, to be applied for the Purposes of this Act.

Trustees may enter Ships, Barks, &c. of any Master refusing to pay the Rate, and distrain for Payment.

And, to the Intent the said Rate or Duty imposed by this Act may be more effectually collected and levied, be it further enacted by the Authority aforesaid, That in case any Owner or Master, or other Person having the Rule or Command of any Ship, Bark, or other Vessel, and laden with Coals, charged and chargeable with the aforesaid Rate or Duty, shall refuse to pay the same; then, and in such case, it shall and may be lawful to and for the said Trustees, and their Successors, or such Person or Persons as they, or any Seven or more of them, shall appoint to be their Collector or Collectors, as aforesaid, or any or either of them, from Time to Time, to go on Board such Ship, Bark, or other Vessel, to demand, collect, and receive the same; and for Nonpayment thereof, to take and detain every such Ship, Bark, or other Vessel, and all her Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, or all or any Part of the said Coals or Culm, chargeable with the said Rate or Duty, either on Board such Ship, Bark, or other Vessel, or on Land, and the same to detain until he or they be satisfied and paid the said Rate or Duty; and in case of any Neglect or Delay in Payment of the said Rate and Duty for the Space of Three Days after any Distress or Distresses so taken as aforesaid, that then it shall and may be lawful to and for the said Trustees, and their Successors, and such Person or Persons as they shall appoint, as aforesaid, their Collector or Collectors, Receiver or Receivers, to cause the same to be appraised, and afterwards to sell the said Distress or Distresses, and therewith to satisfy

him or themselves, as well for and concerning the said Rate or Duty so neglected or delayed to be paid, and for which such Distress or Distresses shall be taken as aforesaid; as also for his or their reasonable Charges in taking, keeping, appraising, and selling such Distress, rendering to the Master, or other Person having the Rule and Command of the Ship or Vessel, in, to, or from which such Distress shall be so taken or belong, the Overplus, if any there shall be.

Trustees may assign the Rates, as a Security for Money borrowed.

And, to the End a sufficient Sum of Money may speedily be raised for the Purposes aforesaid, and for the better securing the Repayment of the same, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, and they are hereby impowered by Indenture or Writing, under their Hands and Seals, to convey, assign, and assure the said Rate and Duty granted by this Act, or any Part thereof, as a Security for any Sum or Sums of Money by them to be borrowed, not exceeding the Sum of One thousand Five hundred Pounds, for the Ends and Purposes aforesaid, to any Person or Persons that shall or will lend or advance the same, for securing the Payment thereof, with Interest; which said Money shall be paid into the Hands of the Trustees, or of the Treasurer or Treasurers by them appointed.

Writings to be without Stamps.

And be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Deposition, Order, Judgement, Conviction, Warrant, Lease, Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or any other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by, any Commissioner or Commissioners for putting this Act in Execution, or any Lessee or Lessees of the said Rates or Duties, or any Owner of any of the Securities aforesaid, or any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any Power or Authority hereby vested in them, or any of them respectively, shall be charged or chargeable with any Stamp or Duty whatsoever.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any One Justice of the Peace for the said County of Sussex, (which Warrant such Justice is hereby impowered to grant, upon Confession of the Party or Parties, or upon the Information of any One or more credible Witness or Witnesses upon Oath, which Oath such Justice is hereby impowered to administer), and the Penalties or Forfeitures, when recovered, shall be paid to the Treasurer, or such other Person as the said Commissioners at any Meeting shall appoint for that Purpose, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorised and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol, or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, nor less than Ten Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Distress not to be deemed unlawful for want of Form;

And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress shall not be deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers ab initio, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings 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; Pro-

nor the Party distraining a Trespasser *ab initio*.

vided that no Plaintiff or Plaintiffs shall recover in any Action or Actions, for such Irregularity, unless Notice in Writing shall be given Ten Days before such Action shall be commenced of such intended Action, signed by the Attorney for the Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiffs recover in such Action, if sufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought.

And be it further enacted, That no Order, Verdict, Assessment, Judgement, or other Proceeding made, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable 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 any wise notwithstanding. Proceedings not to be quashed for want of Form; nor removable by *Certiorari*.

Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act by Order of the said Commissioners, or any Seven or more of them, until Ten Days Notice shall be thereof given to the Clerk or Clerks to the said Commissioners, or after sufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, and not elsewhere; and the Defendant and Defendants in every such Action or Suit, shall or may, at his or their Election, plead specially, or 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 be so done, or if such Action or Suit shall be brought before Ten Days Notice shall be thereof given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, Limitation of Actions. General Issue.

said, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants have or hath in other Cases of Law.

Treble Costs

Expences of this Act how to borne.

And it is hereby further enacted and declared, 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 this Act, in Manner following; that is to say, One Third Part thereof out of the Money to be raised for paving, cleansing, and lighting the said Streets, One other Third Part thereof out of the Money to be raised for constituting the Market, and the remaining Third Part thereof out of the Money to be raised for repairing the said Quays.

Saving Clause, as to the Privilege of the said Town.

Provided also, and it is hereby further enacted, That nothing in this Act shall extend, or be deemed or construed to extend, to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said Town, or of any of the Magistrates, Officers, or Servants thereunto belonging.

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 whatsoever, without being specially pleaded.

FINIS.