



ANNO TERTIO

# GEORGIIV. REGIS.

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## *Cap. cii.*

An Act for erecting and maintaining a Chain Pier  
and other Works connected therewith, at the  
Town of *Brighthelmston* in the County of  
*Sussex*. [5th July 1822.]

**W**HEREAS the Town of *Brighthelmston*, in the County of  
*Sussex*, is situate in or near the Centre of an extensive  
Bay, which is subject to a heavy Surf, so as frequently  
to render it inconvenient and at Times dangerous for Mariners and  
other Persons to embark and disembark in and from Boats or  
Vessels: And whereas the said Town is a Place of great Public  
Resort, not only for Persons passing and repassing to and from  
*France*, but likewise for Persons frequenting the same as a Water-  
ing Place; but there is at certain Times and Seasons great Diffi-  
culty in landing and shipping Passengers, Goods, Wares, and  
Merchandize, for the Want of a Landing Place for that Purpose:  
And whereas the erecting and maintaining a good and sufficient  
Suspension Pier and Landing Place, with the Works necessary for  
completing and perfecting the same, would be of Benefit and Con-  
venience to the Inhabitants of the said Town and Neighbourhood  
and Persons resorting to the said Town, and would be of Public  
Utility; but the same cannot be carried into Effect without the Aid  
and Authority of Parliament: May it therefore please Your Majesty  
that it may be enacted; and be it enacted by the King's most Ex-  
cellent Majesty, by and with the Advice and Consent of the Lords  
[Local.] 38 Q Spiritual



Proprietors.

Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Vice Admiral Sir *Pulteney Malcolm* K. C. B., Rear Admiral Sir *Edward Codrington*, Captain *Samuel Brown*, Captain *Charles Malcolm*, Sir *Robert Sepplings* Knight, *George Crichton*, *Gabriel Gillett*, *G. E. Gillett*, *W. S. Gillett*, *Hugh Edwards*, *Joseph Hume*, *Thomas Attree*, *Stephen J. Hodd*, *Robert Rolles*, *M. Brown*, *Thomas West*, *John Miles*, and Sir *Henry Rycroft* Knight, together with such other Person or Persons, and Body or Bodies Politic or Corporate, as shall at any Time or Times hereafter be possessed of one or more Share or Shares of and in the Pier, and other Works to be constructed and made by virtue of and under the Authority of this Act, and their several and respective Executors, Administrators, Assigns, and Successors, shall be and they are hereby united into and declared to be a Company, for the constructing, erecting, maintaining, and supporting a Suspension Pier and other Works requisite for the same, for the landing and shipping of Passengers, and lading and unlading of Ships and Vessels at *Brighthelmston* aforesaid, and for the other Purposes of this Act, according to the Directions and subject to the several Provisions, Regulations and Restrictions hereinafter contained, and shall for those Purposes be One Body Politic and Corporate, by the Name and Style of "The *Brighthelmston* Suspension Pier Company," and by that Name shall have Perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable by the Laws of this Realm, and by that Name and Description shall and may have full Power and Capacity to purchase, take, have, hold, and enjoy any Messuages, Lands, Tenements, and Hereditaments whatsoever, to the Use of themselves and their Successors, for the Purposes of this Act, notwithstanding the Statutes of Mortmain or any of them, or any other Law or Statute to the contrary thereof in anywise notwithstanding.

Company to  
build the  
Pier;

II. And be it further enacted, That it shall and may be lawful for the said Company to erect and support on or adjoining the Land or Shore opposite to the Centre of the *New Steine* at *Brighthelmston* aforesaid, a Pier of Suspension, not exceeding Thirty Feet in Width, for the embarking and disembarking, landing and shipping of Passengers, and of Horses, Cattle, and other live Stock, and lading and unlading Ships and Vessels, in such Manner and subject to such Rules and Directions as the Directors for the Time being of the said Company, or the major Part of them present at any Meeting or Meetings as hereinafter mentioned, shall deem necessary or expedient, and subject to the Provisions in this Act contained; and also that it shall be lawful for the said Company, and they are hereby required, to construct and build in a Workman-like Manner with Grey Lime Mortar a Sea Wall of the Thickness of Five Feet at the least at the Base thereof, and to be built into the Chalk Rock to the Depth of Eighteen Inches at the least, and so that the said Sea Wall shall incline towards the North from the Line of the Base on the South thereof;

and a Sea  
Wall.



thereof; and so that the said Wall shall not be less than Eighteen Inches in Breadth at the Top, and shall be carried or built so as to be on a Level with the Floor of the said intended Pier, and to be on the South at the Distance of Twenty-seven Feet at the least from the Sea Wall now erected at the Base of the Cliff; and the said Sea Wall so to be built as aforesaid shall extend from the *Old Steine Groyne* as far as that Point of the Cliff which is immediately South of the Centre of the *New Steine*, or such further Distance as may be deemed necessary, not exceeding Fifty Feet to the Eastward thereof.

III. And whereas there is now a Flight of Steps leading from the Top of the Cliff, opposite the *New Steine*, to the Sea Beach, for the Convenience and Accommodation of Foot Passengers resorting thereto; be it therefore enacted, That nothing herein contained shall extend or be deemed or construed to extend to impede or stop up such Flight of Steps, or otherwise prevent, hinder, or obstruct the Public Use and Enjoyment thereof from the *Marine Parade Road* to the Sea Beach as heretofore.

Not to impede the Use of Steps opposite the *New Steine*.

IV. And be it further enacted, That it shall be lawful for the said Company, and they are hereby required, after forming such Sea Wall as aforesaid, to make or cause to be made between the said Sea Wall and Cliff a good and sufficient Carriage Road of the Width of Eighteen Feet at the least, running the whole Extent of the said Wall, being in the Length about Four hundred Yards, and extending from the *Old Steine Groyne* to the *New Steine* as aforesaid, so as to form a safe and commodious Access to and from the said intended Pier, and to lay down a Pavement made of Brick or Stone on the South Side of the same, of the Width of Nine Feet at the least, for Foot Passengers, and to cause such Foot Pavement to be bounded by a Curb-stone along the North Side thereof, and to cause the said Road and Pavement to be substantially fenced along the South Side thereof to a Height not less than Four Feet from the Level of the Pavement; and it shall be lawful for the said Company, and they are hereby required to make and construct sufficient Watercourses to keep the Road and Pavement aforesaid free from Water; and to cause all the present and future Drains that do now lie open or shall hereafter be made in front of the said Cliff, on the Line of the said intended Road, to be continued, so that the Water and Soil coming therefrom may pass under the said intended New Road, and through the said Sea Wall into or upon the Beach to the South Side thereof.

Company to make a Road and Foot Pavement.

V. And be it further enacted, That the said Company of Proprietors shall and may erect and set up a Toll Bar or Gate with a suitable Office for a Toll Collector at the Western Extremity of the said intended Road, and also shall and may erect and set up any Side Bar or Side Bars with a suitable Office for a Toll Collector at the Eastern Extremity or any other Part of the said intended Road, the Tops of such Offices and Gates or Bars, or either of them, not exceeding in Height Twelve Feet from the Level of the End of the said intended Road: Provided always, that the said Company of Proprietors or their Successors shall not erect or make any Warehouse, Shop, or other

To set up Toll Bars.



other Erection on the Line of the said Road, between the *Old Steine Groyne* and the Eastern Extremity of the *New Steine*, except such Bars, or Gates and Offices as aforesaid.

The Works  
to be kept in  
Repair by the  
Company.

VI. And be it further enacted, That the said Company shall, from and after the several Works hereinbefore authorized to be made shall be completed and finished at their own Costs and Expence, cause the same to be for ever thereafter kept in good and sufficient Order and Repair, and also well and sufficiently lighted throughout the whole Length thereof.

May drive  
Piles for  
Booms,  
Chains, &c.  
150 Feet  
from Pier.

VII. Provided also, and be it further enacted, That it shall and may be lawful for the said Pier Company, on any Part of the Site of the said intended Pier below Low Water Mark at the lowest Spring Tide, to drive down or fix Piles, Posts, or Standards at any Distance not exceeding One hundred and fifty Feet from either Side of the said Pier, and extending the whole Length of the same, for the Purpose of extending and supporting Chains, Cables, Booms, or other Barriers, to protect and defend the said Pier against Damage by any Ships or Vessels running upon or coming in contact with the same; and to renew such Piles, Posts, or Standards, from Time to Time, as there may be Occasion.

May widen  
Pier to 30  
Feet, but not  
alter its ge-  
neral Con-  
struction.

VIII. And be it further enacted, That if the said Pier shall be first constructed of a less Width than Thirty Feet, it shall and may be lawful for the said Pier Company to widen and extend the said Pier; provided that the said Pier, when so extended, shall not exceed in the Breadth thereof Thirty Feet, nor be so altered at any Time as to become other than a Pier of Suspension, or so as to prevent Carts and other Carriages passing under the said Pier between high and low Water Mark.

Proprietors  
to raise Mo-  
ney for erect-  
ing the Pier.

IX. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute amongst themselves a competent Sum of Money for making and maintaining the said Pier, Road, and other Works and Conveniences belonging or requisite thereto, not exceeding in the whole the Sum of Twenty-eight thousand Pounds, save and except as herein mentioned; and the same shall be divided into Two hundred and eighty Shares of One hundred Pounds each, and the said Shares shall be and the same are hereby vested in the several Persons who have already subscribed, or who shall hereafter subscribe to such Shares respectively, and their several and respective Executors, Administrators, Successors, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they severally have contributed or shall contribute; and that all Bodies Politic and Corporate, and all other Persons, their several and respective Successors, Executors, Administrators, and Assigns, who have subscribed or shall severally subscribe for One or more Share or Shares, and shall pay such Sum or Sums as shall be demanded on account thereof, according to the Provisions in that Behalf hereinafter contained, towards carrying on and completing the said Pier and other Works and other the Purposes of the said Undertaking, shall be entitled to



to receive such a Share of the Profits and Advantages that shall and may arise and accrue by the Rates or Duties and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act, as shall be proportionate to their respective Shares and Interests in the Joint Stock of the said Company, after deducting the several Disbursements herein-after provided for.

X. And be it further enacted, That all Shares in the said Undertaking, and in the Joint Stock or Fund of the said Company, shall be and be deemed to be Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Shares to be Personal Estate.

XI. And be it further enacted, That it shall and may be lawful to and for any Number not being less than a Majority of the Proprietors of the Shares aforesaid, at any Special Meeting to be appointed and held in Manner herein-after mentioned, to authorize and empower the Directors to be appointed in Manner herein-after directed, to create, sell, and dispose of any Number of new Shares of One hundred Pounds each, of and in the said Undertaking, not exceeding One hundred and fifty Shares, to such Person or Persons, and in such Manner as they shall think proper; and the Purchaser or Purchasers of such new Share or Shares shall be, and shall be considered, deemed, and taken to be a Member or Members of the said Company of Proprietors, in the same Manner as if he, she, or they had been a Proprietor or Proprietors of any of the original Shares of and in the said Undertaking.

Power to create new Shares of 100l. each.

XII. And be it further enacted, That all Bodies Politic or Corporate and other Persons, being Proprietors as aforesaid, shall be entitled to One Vote at the several Meetings of Proprietors to be holden pursuant to this Act, in respect of each and every Share to which they shall be respectively entitled in the Joint Stock of the said Company; (provided nevertheless that no Proprietor or Proprietors although entitled to more than One hundred Shares shall have more than One hundred Votes;) which Vote or Votes may be given in Person or by Proxy or Proxies constituted under the Seal of such Body Corporate or Politic, or the Hand of such other Person or Persons, every such Proxy being a Proprietor in the said Undertaking; and every Question, Matter, or Thing that shall be proposed, discussed, or considered at any Meeting of the said Company of Proprietors shall be determined by the Majority of Votes; which Appointment of Proxy shall be in the Form and to the Effect following; (that is to say,)

Subscribers possessing One Share of 100l. shall have One Vote at every General Meeting, &c.

I of one of the Proprietors of the *Brightelmston* Suspension Pier Company, and possessed of Share [or Shares] therein, do hereby nominate and appoint of to be my Proxy, in my Name and in my Absence to vote or give my Assent to or Dissent from any Business, Matter, or Thing relating to the same Undertaking that shall be mentioned or proposed at any Meeting of the said Company of Proprietors, in such Manner as my said Proxy shall think for the Benefit of the said Undertaking, or any thing appertaining thereto. In Witness whereof I have hereunto set my Hand, the Day of  
 [Local.] 38 R XIII. And



Nomination  
of Directors.

Their Meet-  
ings.

Directors  
dying, &c.  
how Vacan-  
cies shall be  
supplied.

Power of Di-  
rectors, &c.  
to call for  
Accounts,  
and for Pay-  
ments of In-  
stalments  
upon Shares,  
&c.

XIII. And be it further enacted, That a Board of Directors consist-  
ing of not less than Five Persons, being Members of the said Company,  
shall be constituted and appointed, and from Time to Time kept up,  
for managing the Affairs and Business of the said Company; and  
that Captain *Samuel Brown*, *John Miles*, *Thomas Read Kemp*, Rear  
Admiral Sir *Edward Codrington*, Captain *Charles Malcolm*, *Thomas*  
*West*, and *George Crichton*, shall be, and they are hereby consti-  
tuted and appointed Directors in the first instance; and the said  
Directors hereby appointed shall hold their First Meeting at such  
Time and Place as they or any Three of them shall appoint; and  
that the Directors for the Time being shall and may thenceforth  
meet at such Place or Places, and at such Time or Times as the  
major Part present at any Meeting of the Court of Directors (the  
whole Number present not being less than Three) shall deem con-  
venient for executing the Powers vested in them by this Act; and that  
the Directors for the Time being, or any Three of them, so assembled as  
aforesaid, shall be and constitute a Court of Directors for all the Pur-  
poses of this Act; and the Directors appointed by this Act, and to be  
appointed as herein-after mentioned, shall respectively continue in  
Office until others shall be chosen in their Stead, or until such Directors  
respectively shall die or decline to act, or shall have disposed of or  
become otherwise dispossessed of his or their Shares and Interests in  
the said Stock; and in the Room and Place of every such Director or  
Directors who shall so die or decline to act, or dispose of his or their  
Stock as aforesaid, there shall be appointed out of the Members of the  
said Company, by the Majority of the Proprietors of the Joint Stock  
of the said Company attending at a Special Meeting of the said Com-  
pany to be called for that Purpose, (of which the Directors for the  
Time being are hereby required to give Ten Days Notice, by Ad-  
vertisement in some One Newspaper usually circulated in the County  
of *Sussex*;) some other Person or Persons to fill up the Vacancy of  
such Director or Directors.

XIV. Provided always, and be it enacted, That the said Directors or  
any Three or more of them shall have Power from Time to Time to  
call for all Accounts of Monies received, and of Monies laid out and  
disbursed for the Purposes of this Act, by the Receivers and other  
Officers and Persons employed under the Authority of this Act, and  
to make such Call or Calls for Money from the said Subscribers, their  
Successors, Executors, Administrators, and Assigns, according and in  
Proportion to the Amount of their respective Subscriptions, so that no  
Call shall exceed the Sum of Thirty-three Pounds Six Shillings and  
Eight-pence *per Centum* on the Sum or Sums so subscribed, and so  
that no more than Three Calls be made in One Year; and Thirty-one  
Days Notice at least shall be given of all such Calls, in such Manner  
as the said Proprietors or the Majority of them shall at the first or  
any subsequent General or Special Meeting decide; which Money  
so called for shall be paid to such Person or Persons and in such  
Manner as the said Directors shall from Time to Time appoint  
or order, for the Use of the said Undertaking; and the Owner or  
Owners of such Stock shall pay his, her, or their Proportion or Pro-  
portions of the Monies so called for as aforesaid, at such Time  
and Place and in such Manner as shall be appointed for that Pur-  
pose

pose as aforesaid; and if any Person or Persons, or Body or Bodies Politic or Corporate, shall neglect or refuse to pay his, her, or their proportionable or rateable Part or Share, Parts or Shares of the said Monies to be called for as aforesaid, at the Time and Place to be appointed by the said Directors, the Person or Persons, Body or Bodies Politic or Corporate, so neglecting or refusing to pay the same, shall forfeit the Sum of Fifty Pounds for each and every Share subscribed for by them respectively; and in every such Case the said Company shall and they are hereby empowered to sue for and recover, in any Court of Law or Equity, with full Costs, every or any such rateable Part or Share so neglected or refused to be paid, together with the Sum so forfeited as aforesaid; and in all Cases where Two or more Persons shall have jointly subscribed for or shall be jointly possessed of any One or more Share or Shares in the said Undertaking, then the said Company shall and may for the Purposes aforesaid sue all, any, or either of such Persons; and in case such Person or Persons, Body or Bodies Politic or Corporate, shall neglect or refuse to pay such his, her, or their rateable or proportionable Part or Share as aforesaid, for the Space of Six Calendar Months next after the Time or respective Times appointed for Payment thereof, then and in every such Case the same may be sued for and recovered by the said Company of Proprietors as last herein-before mentioned, or otherwise at the Option of the said Directors, or any Three or more of them, the Person or Persons, Body or Bodies Politic or Corporate, so neglecting or refusing to pay the same, shall forfeit all his, her, or their respective Stock or Parts and Interest in the said Undertaking and Premises, all which Forfeitures shall go to and for the Benefit of the rest of the said Proprietors, their respective Successors, Executors, Administrators, and Assigns, holding for the Time being Shares of the said Stock, in proportion to their respective Shares and Interests.

XV. Provided always, and be it further enacted, That no Advantage shall be taken of any Forfeiture of any such Stock, or of any Part thereof, until Notice in Writing of such Forfeiture shall have been previously given or left to or with the Owner or Owners of such Stock, or left at his, her, or their usual or last known Place of Abode, nor unless the same shall be declared to be forfeited at some General Meeting of the said Company, held at any Time after Six Calendar Months after such Forfeiture shall happen to be made; but that such Owner or Owners having incurred such Forfeiture as aforesaid, may at any Time previous to such General Meeting pay or cause to be paid for the Use of the said Company, and into the Hands of the Person appointed to receive the Monies due upon such Instalments, the further Sum of Twenty Pounds for every Share the Instalment on which shall have been so neglected to be paid, together with all the Monies which shall be then due upon such Instalments so neglected to be paid as aforesaid; and in case such Payments shall be so made, such Forfeiture shall be annulled, as if such Instalment had been regularly paid at the Time appointed for the Payment thereof; and such Payments when made shall be an Indemnification against all Actions, Suits, or Prosecutions whatsoever;

No Advantage of Forfeiture to be taken till Notice thereof is given, and the same declared at a General Meeting.



soever; to be commenced for Non-payment of the Sum so originally neglected to be paid as aforesaid.

No Transfer of Shares to be made until Instalments actually called for be paid.

XVI. And be it further enacted, That after any Call of such Money shall have been made by the Directors as herein-before mentioned, no Person or Persons, Body or Bodies Politic or Corporate, shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, upon the Penalty of forfeiting his, her, or their respective Share or Shares therein to the said Company, in trust for the Benefit of the other Proprietors, unless he, she, or they shall, at the Time of such Sale or Transfer, have paid the whole Sum of Money which shall have been called for upon such Share or Shares so sold or transferred; and that every Transfer made contrary to this Provision shall be null and void to all Intents and Purposes whatsoever.

Subscribers dying, and their Executors not paying Instalments;

XVII. And be it further enacted, That in case any Person or Persons subscribing for or holding any Share or Shares in the said Undertaking shall die before any Call or Calls shall have been made thereon, or before the full Sum payable in respect of such Share or Shares shall have been called for, without having made Provision by Will or otherwise in Writing how the Money shall be paid upon the future Calls, then and in every such Case the Executors or Administrators of every such Person or Persons having Assets shall be chargeable in respect of such Calls as for the Debts of their Testator or Intestate; or in case the Executors or Administrators, or the Person or Persons entitled to the Personal Estate of such Testator or Intestate, shall refuse or neglect for the Space of Six Calendar Months to answer such Calls and Payments, the said Directors, or any Three of them, shall be and are hereby authorized and required to admit any other Person or Persons, or Body or Bodies Politic or Corporate, to be a Proprietor or Proprietors of the Share or Shares of such Owner or Owners so deceased, on Condition that he, she, or they so admitted do and shall, on or before such Admission, pay to the Executors, Administrators, or Successors of such deceased Owners the full Sum or Sums of Money (if any) which shall have been paid by such Owner or Owners in his, her, or their Lifetime on account of such Share or Shares.

Shares to be sold, and Produce paid to Executors, &c.

Shares how transferable.

XVIII. And be it further enacted, That it shall and may be lawful for the several Proprietors of the said Company, his, her, or their respective Executors, Administrators, or Assigns, to sell any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Transfer of which Share or Shares shall be in the Form and to the Effect following:

I *A. B.* of \_\_\_\_\_ in consideration of \_\_\_\_\_  
 do hereby  
 bargain, sell, assign, and transfer to the said *C. D.* one Share [or  
 or more Shares, as the Case may be] of the Capital Stock of the  
*Brighthelmston* Suspension Pier Company, being Number \_\_\_\_\_, to  
 hold to the said *C. D.*, his or her Executors, Administrators, and  
 Assigns, subject to the same Rules, Orders, and Restrictions, and on  
 the same Conditions that I held the same immediately before the  
 Execution



Execution hereof; and I the said C. D. do hereby agree to take and accept the said Share [or Shares] of the said Capital Stock, subject to the same Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals, the Day of

And on every such Sale the said Deed of Assignment or Transfer, being executed by the Seller or Sellers, and the Purchaser or Purchasers of such Share or Shares, shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk or Clerks to the said Company shall have entered in a proper Book or Books for that Purpose a Memorial of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid for each Share so transferred, and the said Clerk and Clerks is and are hereby required to make such Entry or Memorial accordingly; and until such Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote in respect thereof as Proprietor or Proprietors of the said Undertaking.

XIX. And be it further enacted, That the said Company shall and they are hereby required to cause the Names and proper Additions of the Persons who shall be entitled to the several Shares in the said Undertaking, with the Number of Shares they are respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be entered in a Book or Books, to be kept by the Clerk or Clerks to the said Company, and after such Entry made, the said Company shall cause their Common Seal to be affixed thereto, and shall cause a Certificate or Instrument, with the Common Seal of the said Company affixed thereto, to be delivered to every Proprietor upon Demand, specifying the Shares to which he or she is entitled in the said Undertaking, every such Proprietor paying to the Clerk or Clerks to the said Company Five Shillings for every Share contained in such Certificate, (exclusive of the Stamp Duty, if any, thereon,) and such Certificate or Instrument shall be admitted in all Courts whatever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified.

Names of Proprietors to be entered in a Book, &c.

XX. And be it further enacted, That it shall be lawful for the Directors of the said Company to appoint a Treasurer or Treasurers, Clerk or Clerks, Collector or Collectors, Receiver or Receivers, Pier Master, and such other Officers and Servants as they shall find necessary for the Purposes of this Act, and to appoint others in their Stead, as they shall die, resign, be removed, or become incapable of discharging the Duties of their Offices respectively, taking such Security or Securities for the faithful Execution of their respective Offices as the Directors, or the Majority of them, shall from Time to Time think fit; and the said Directors shall, out of the Money to be raised by virtue of this Act, pay or allow unto such Person or Persons

Directors to appoint Treasurer and other Officers and Servants.



such Salaries, Allowances, or Recompences, yearly or otherwise, for their Time and Trouble, as to them shall seem meet and reasonable; and that it shall be lawful from Time to Time for the Directors at any Meeting, at which Three Directors at least shall be present, to remove or suspend any such Officers as aforesaid, for any reasonable and sufficient Cause.

Same Person  
not to act as  
Clerk and  
Treasurer.

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

Officers to  
account,  
deliver up  
Papers, and  
pay over Ba-  
lance to Di-  
rectors when  
required.

XXII. And be it further enacted, That the said Treasurer, Pier Master, Clerk, and all other Officers or Servants to be appointed by virtue of this Act, shall at such Time, and as often as the said Directors shall order, render to them or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing, of the Execution of their respective Offices, and of all Matters and Things committed to their Charge by virtue of this Act, and also of the Monies which shall have been by them respectively received by virtue and for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper and legal Receipts or Vouchers for such Payments, and shall pay all such Monies as shall remain in their Hands to the said Directors, or to such Person or Persons as they shall appoint; and if any such Officer or Servant shall refuse or neglect to render such Account, or to produce such Receipts or Vouchers, or to make such Payments as aforesaid, or shall not deliver to the said Directors, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Directors or by such Person or Persons so appointed, all Books, Papers, and Writings, in his or their Custody or Power, relating to the Execution of this Act, or of their respective Offices, or Duplicates thereof; then, and in either of the Cases aforesaid, the said Directors, or such Person or Persons as they shall appoint, may, and they are hereby authorized and empowered to make Complaint thereof to any Justice of the Peace for the County or Place wherein such Officer or Servant so neglecting or refusing shall be or reside; and such Justice may and is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Servant to be brought before him, and upon his appearing, or not being to be found, to hear and determine



determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by Testimony of any credible Witness or Witnesses upon Oath, which Oath such Justice is hereby empowered to administer, it shall appear to such Justice that any of the Monies which shall have been collected and raised by virtue of this Act, shall be in the Hands of or shall be due from any such Officer or Servant, such Justice may, and is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied upon the Goods and Chattels of such Officer or Servant; and if sufficient Goods and Chattels to pay and satisfy the said Money, and the Charges of levying the same, and of the Proceedings for the Recovery thereof, cannot be found, or if it shall appear to such Justice that such Officer or Servant hath refused or neglected to render and give such Accounts as aforesaid, or to deliver up all such Books, Papers, and Writings as aforesaid, or Duplicates thereof, then, and in any or either of the Cases aforesaid, such Justice shall commit every such Offender to the Common Gaol or House of Correction for the County, Town, or Place where he shall be or reside, there to remain without Bail or Mainprize until he shall comply with the aforesaid Direction, or make Satisfaction to the said Company; but no such Officer or Servant who shall be so committed for Want of sufficient Goods and Chattels as aforesaid only shall be detained in Prison by virtue of this Act for a longer Term than Twelve Calendar Months.

XXIII. And be it further enacted, That the said Directors, at their several Meetings for executing this Act, shall elect a Chairman by whom all Acts and Orders of the said Directors shall be signed in the Name and Style of the said Company; and in case of an equal Number of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive or casting Vote.

Chairman of Courts of Directors, how to be appointed, and to have the casting Vote.

XXIV. And be it further enacted, That a General Meeting of the several Persons so as aforesaid subscribing towards carrying the said Works into Execution shall be called within Twenty-one Days next after the passing of this Act, and that such Meeting shall be held at the *Old Ship Tavern* in *Brighthelmston*, of which Meeting and the Hour thereof Ten Days Notice shall be given by Advertisement in some One Newspaper usually circulated in the said County of *Sussex*; and that such Persons so assembled shall and may authorize the Directors named in this Act to proceed to put the same in Execution; and that all subsequent Meetings of the said Company shall be held at such Time and Place as shall from Time to Time be determined on at some preceding General Meeting, so that no such Meeting shall be held at less than Ten Days from the Appointment thereof; and that Notice of such respective subsequent Meetings shall be given by Advertisement in some One Newspaper usually circulated in the said County of *Sussex*, Ten Days at least, including both Days, before such intended Meetings respectively; and that all such Orders and Determinations of a General Meeting of the said Company as shall be authorized by this Act, and which shall be made by the Majority of such Votes and Proxies of the Proprietors of Shares

First and other General Meetings of Proprietors.

in



in the Joint Stock of the said Company as shall be given at any such Meetings respectively to be holden by virtue of this Act and not otherwise, shall be binding and conclusive on all the Members of the said Company.

Annual  
Meetings.

XXV. And be it further enacted, That One General Meeting of the said Company shall be held on the Twenty-fourth Day of *June* in every Year at the Place aforesaid, or at such other Place as may be appointed by the Directors at a General or Special Meeting; and Notice of such General Meeting so to be held shall be stuck up at least Twenty-one Days before the Day appointed for such Meeting on or near to the said Pier, and, if thought necessary by the Directors, be inserted in some One Newspaper usually circulated in the said County of *Sussex*, at which Annual Meeting Five at the least of the said Proprietors, who shall respectively be possessed of Two Shares at least in the said Pier, shall by the Majority of Votes be chosen Directors, and shall be the Directors for One whole Year then next ensuing, and shall have all the same Powers and Authorities as the Directors appointed by this Act.

Special  
Meetings.

XXVI. And be it further enacted, That if any Seven or more Members of the said Company of Proprietors who shall together be Possessors of Fourteen Shares or upwards, or Three of the said Board of Directors, shall judge it necessary or expedient for carrying into Execution any of the Purposes of this Act, or for calling in question any Matter or Thing ordered by the Directors, or for inspecting the Accounts of Receipts, Payments, and Disbursements, to have an extraordinary General Meeting of the said Company called, and shall request the same to be called by Notice in Writing under their respective Hands, delivered to the Secretary, Clerk, or Treasurer of the said Company for the Time being, specifying in every such Notice the Business intended to be proceeded on at every such Meeting; then and in every such Case the said Directors or any Three or more of them shall and they are hereby authorized and required, within Ten Days after the Delivery of such Notice, to call such extraordinary Meeting, of which extraordinary Meeting Notice shall be given in Manner herein-before directed respecting ordinary Meetings, to assemble at such Place as aforesaid as they shall judge expedient within Ten Days from and after such Notice, and such Meeting shall be deemed a General Meeting of the said Company; and all Proceedings of such Meetings shall be as valid and effectual to all Intents and Purposes whatsoever as if the same had been done at Meetings called and holden in the Manner herein-before appointed.

Chairman  
to be ap-  
pointed at  
a General  
Meeting.

XXVII. And be it further enacted, That the said Company of Proprietors, at their several Meetings to be held as aforesaid, shall and may proceed to the Election and Appointment of a Chairman, by whom all Acts, Resolutions, and Orders of the said Meetings shall be signed, in the Name and Style of the said Company; and such Chairman shall have the same Right of voting and acting as a Proxy as any other Proprietor; and he shall also, in case of an Equality of Votes upon any Question proposed or discussed, have the casting Vote, although he shall have given one or more Votes before.

XXVIII. And



XXVIII. And be it further enacted, That in case the said Company of Proprietors shall deem it expedient to borrow Money for the Purpose of enabling them to carry on the Works aforesaid, it shall and may be lawful to and for them and they are hereby authorized and empowered from Time to Time to borrow and take up at Interest on the Credit of the Rates and Duties of the said Pier and Works, any Sum or Sums of Money which they shall deem necessary for effectuating the Purposes of this Act, not exceeding Fifteen thousand Pounds, and to mortgage, grant, bargain, and sell the Property of the said Pier and other Works and the Capital Stock therein, and the Tolls, Rents, and Duties arising or to arise to the said Company of Proprietors by virtue of this Act, (the Costs and Charges of preparing such Mortgage or Mortgages to be paid out of such Tolls, Rates, and Duties,) as a Security for any Sum or Sums of Money which shall be so borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees, who shall advance and lend the same; which said Mortgage or Mortgages shall be made and granted under the Seal of the said Company, and in the Name and Style of the said Company, signed by the Chairman of the said Directors present at the Meeting at which the said Money shall be borrowed, or by the Clerk of the said Company, and shall be in the Form or to the Effect following; (that is to say,)

Company may borrow Money not exceeding 15,000*l*.

BY virtue of an Act of Parliament made in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled [here insert the Title of this Act,] We the *Brighthelmston* Suspension Pier Company incorporated by and under the said Act, in consideration of the Sum of \_\_\_\_\_ advanced and paid to us by \_\_\_\_\_ of \_\_\_\_\_, do hereby mortgage, grant, bargain, and sell unto the said \_\_\_\_\_, his Executors, Administrators, and Assigns, the aforesaid Pier and Works belonging thereto, and all and singular the Rates, Rents, and Duties payable to us by virtue of the said Act, and all our Right, Title, and Interest of, in, and to the same, to be holden by the said \_\_\_\_\_ Executors, Administrators, and Assigns, until the said Sum of \_\_\_\_\_, with the legal Interest thereof, shall be fully satisfied and paid. In Witness whereof we have to these Presents caused our Common Seal to be put, the \_\_\_\_\_ Day of \_\_\_\_\_

Which said Mortgage, in Form aforesaid, shall be valid and effectual for securing the Repayment of the Money therein mentioned.

XXIX. And be it further enacted, That it shall and may be lawful to and for the Person or Persons to whom any such Mortgage or Mortgages shall be made as aforesaid, and his, her, or their Executors, Administrators, or Assigns, to transfer his, her, or their Right or Interest therein to any Person or Persons, by Writing under his, her, or their Hands and Seals, which shall be in the Form and to the Effect following; (*videlicet*,)

Mortgage transferable.

I \_\_\_\_\_ of \_\_\_\_\_ in consideration of the Sum of \_\_\_\_\_ paid to me by \_\_\_\_\_ of \_\_\_\_\_ do hereby assign and transfer the Mortgage made by \_\_\_\_\_ to me, bearing Date the \_\_\_\_\_ Day of \_\_\_\_\_ for securing the Sum of \_\_\_\_\_ and

[Local.]



and Interest; and I also assign and transfer all my Right and Pro-  
 perty therein, and to the said Sum of \_\_\_\_\_ and Interest,  
 to the said \_\_\_\_\_ Executors, Administrators, and  
 Assigns. In Witness whereof I have hereunto set my Hand and  
 Seal, the \_\_\_\_\_ Day of \_\_\_\_\_

Mortgages  
 and Transfers  
 thereof to be  
 duly entered  
 in a Book.

XXX. And be it further enacted, That such Mortgages and Trans-  
 fers shall be entered, or a Memorial thereof made, in the Book or Books  
 of the said Company, by the Clerk to the said Company of Pro-  
 prietors, and there shall be indorsed thereon a Memorandum of such  
 Entry or Memorial on Payment of Two Shillings and Sixpence; and  
 until such Entry and Memorial be made of such Mortgages and  
 Transfers, and such Indorsements made thereon respectively, the same  
 shall not be valid or effectual.

Principal not  
 to be paid off  
 or called in  
 without Six  
 Months No-  
 tice.

XXXI. And be it further enacted, That in case the said Company  
 shall be at any Time desirous of paying off and discharging any Sum or  
 Sums of Money borrowed as aforesaid, they shall and are hereby re-  
 quired and directed to cause Six Calendar Months Notice in Writing,  
 signed by their Clerk, of such their Intention, to be given to the Person  
 or Persons entitled to receive the same, or left at his, her, or their usual  
 Place or Places of Abode, unless such Person or Persons shall consent  
 to receive the same without such Notice; and every Mortgagee or  
 Assignee, his, her, or their Executors or Administrators, who shall re-  
 quire Payment of the Principal Sum or Sums of Money due to him,  
 her, or them, shall give unto the Treasurer of the said Company, at any  
 annual or special Meeting, Six Calendar Months Notice of the Day  
 on which the same shall be required to be paid.

To compel  
 Payment of  
 Subscrip-  
 tions.

XXXII. And be it further enacted, That the several Persons who have  
 subscribed for and towards the said Undertaking, or who shall at any  
 Time hereafter have or hold any Share or Shares in the same, shall and  
 they are hereby required to pay the Sum or Sums of Money by them  
 respectively subscribed for, or such Parts or Portions thereof as shall from  
 Time to Time be called for, pursuant to or by virtue of the Powers and  
 Directions of this Act, at such Times and Places, to such Person or Per-  
 sons, and in such Manner as shall be ordered and directed by the Directors  
 for the Time being; and in case any Person or Persons shall neglect or  
 refuse to pay any such Money at such Times and in such Manner as  
 shall be ordered and directed by the Directors for the Time being as  
 aforesaid, it shall be lawful for the said Company to sue for and reco-  
 ver the same, together with lawful Interest for the same from such  
 appointed Time of Payment, from such Person or Persons; and in all  
 Cases where Two or more Persons shall have jointly subscribed for, or  
 be jointly possessed of any one Share in the said Undertaking, then  
 from all, any, or either of such Persons.

Subscribers  
 answerable  
 only to the  
 Extent of  
 Sum sub-  
 scribed.

XXXIII. Provided always, and be it further enacted, That no Sub-  
 scriber to or Proprietor of the said Pier, and the Works appertaining  
 thereto, shall be liable for any Losses, or for any Debts, Dues, or De-  
 mands, that may be set up by any Person or Persons whatsoever against  
 the said Pier Company, or for the Consequences of any Act or Deed done  
 by the said Pier Company, by virtue of and under the Authority of  
 this



this Act, or by any individual Proprietor of the said Pier, or for any Lawsuits or Prosecutions, beyond the original Value or Amount of the Shares or Interest which such individual Proprietor may hold in the said Pier, and the Works erected and put up under the Authority of this Act.

XXXIV. And be it further enacted, That the Money already subscribed and the Money to be raised under and by virtue of this Act, or a sufficient Part thereof, shall be laid out and applied in the first Place in Payment, Satisfaction, and Discharge of the Costs, Charges, and Expences attending the obtaining and passing of this Act, and the making the proper Plans, Surveys, and Estimates, and the doing and providing of all the Matters and Things preparatory and previous thereto, and that all the Residue of such Money shall be applied and disposed of for and towards the making, carrying on, completing, and maintaining of the said Pier, Road, and other Works belonging thereto, and for other the Purposes of this Act.

Application  
of Subscrip-  
tions.

XXXV. And be it further enacted, That when and as soon as the said Pier, Road, and other Works shall be sufficiently completed to answer the Purposes intended by this Act, it shall be lawful for the said Directors to make out a List, Table, Rate, and Assessment of Tolls, Dues, Duties, and Payments, not exceeding those specified in the Schedule to this Act, to be paid and payable to the said *Brighthelmston* Pier Company, by, for, or in respect of Passengers and other Persons, Carriages, Horses, Cattle, Packages, Goods, Wares, Merchandize, Ships, Vessels, and Boats, specified or referred to in the said Schedule, and thereby and by this Act charged or intended to be charged respectively with such Tolls, Dues, Duties, and Payments; a Table of which Rates, Tolls, Dues, and Duties shall be provided and fixed up in some conspicuous Part of the said Pier, or other Works, in legible Characters; and that it shall and may be lawful to and for the said Company of Proprietors, or such Person or Persons as they shall appoint, and they are hereby authorized and empowered from Time to Time, and at all Times thereafter, to ask, demand, take, receive, collect, and recover such Tolls, Dues, Duties, and Payments accordingly: Provided always, that nothing in this Act contained, or in the Schedule hereunto annexed, shall subject and charge the Lords or Ladies of the Manor of *Brighthelmston* for the Time being, or their Stewards and Agents, or any other Person or Persons employed by them, going with or without Horses, Carts, or other Carriages, to or with the Payment of any Toll or Duty whatsoever, for passing and repassing over the said intended Road unto and across the Northern Point of the said intended Pier, to and from the Sea Beach at the Eastern Side thereof; provided also, that the Lords or Ladies for the Time being of the said Manor of *Brighthelmston*, and their Stewards and Agents, and all Persons employed by them, shall at all Times hereafter have a free Passage, with or without Horses, Carts, or other Carriages, and loaded or unloaded, under the said Pier, without being obstructed by the said Pier, or any Works connected therewith.

Table of  
Rates to be  
made.

Rates shall  
be pub-  
lished.

Power to  
levy Rates.

XXXVI. Pro-



Exemption  
from Duties  
of Troops in  
His Majes-  
ty's Service.

XXXVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to charge His Majesty, or any other Person on His Behalf, or the Commissioners or Officers of the Customs or Excise, or the Postmaster General for the Time being, or the Persons employed by them, or the Masters or Mariners of any Transport or other Vessels in His Majesty's Service or Employ, with Payment of any of the Rates or Duties imposed by this Act for the landing or shipping of any Troops in His Majesty's Service, nor any Horses, Arms, Ammunition, or Baggage, really and *bonâ fide* the Property of His said Majesty, or to any Soldier or Soldiers whilst on Duty or Service, or the said Commissioners or Postmaster respectively, or any of them, nor the Master only of the Vessel employed in carrying the Mail to and from *Brighthelmston* aforesaid, or any Goods, Wares, or Merchandize seized as contraband, or any Articles, Matters, or Things really and *bonâ fide* the Property of His said Majesty; but if any Person or Persons shall claim and take the Benefit of any Exemption as aforesaid, without being entitled thereto, every such Person shall, for every such Offence, forfeit and pay the Sum of Five Pounds, over and above the Rates and Duties as aforesaid imposed by this Act.

Pier to be a  
legal Quay.

XXXVII. And be it further enacted, That the said Pier, when completed fit for Use, shall be deemed and taken to be a legal Quay, for the landing or shipping of any such Goods, Wares, or Merchandize, to or from Foreign Parts, as may now be lawfully landed or shipped at *Brighthelmston*; but so nevertheless as that the same shall not prevent or be construed to prevent the Commissioners of His Majesty's Customs from authorizing the Use of any other Landing Place, Quay, Wharf, or Warehouse within the Parish of *Brighthelmston* as a legal Quay.

Owners of  
Boats, &c.  
to be liable  
to the Tolls,  
and Power  
of Distress.

XXXVIII. And be it further enacted, That the Masters and Owners of all such Ships, Vessels, and Boats as aforesaid, shall be answerable and accountable for and liable to the due Payment and Satisfaction of the respective Tolls or Sums of Money by this Act granted, or that may at any Time hereafter be demandable under the Authority of this Act, for or in respect of all Persons, Horses, Cattle, Carriages, Goods, Wares, and Merchandize shipped or landed into or from their respective Ships, Vessels, and Boats; and if any such Master or Owner, or the Person or Persons for the Time being navigating or managing any such Ship, Vessel, or Boat, shall after Demand made thereof by the said *Brighthelmston* Pier Company, or any Collector or Collectors to be appointed by them as aforesaid, refuse to pay the same, it shall be lawful for the said Pier Company, and their Lessee and Lessees, Tenant or Tenants, and also for such Collector and Collectors, either with or without proper Assistance, to stop and prevent the Passage of any such Master or Owner, or other such Person or Persons neglecting or refusing to pay the said Tolls or Rates, or any of them, or the Goods and Chattels of such Person or Persons, and to seize and distrain any Masts, Sails, Tackle, or Furniture belonging to any such Ship or Vessel, or Boat, if a sufficient Distress can be readily found thereof; or if no sufficient Distress can be readily found and taken of any such Articles, then to  
seize



seize and distrain such Ship, Vessel, or Boat, and to keep and detain the same until all such Tolls or Sums of Money then due for such Persons, Horses, Cattle, Carriages, and Goods so shipped or landed as aforesaid, together with the reasonable Expences of making such Seizure and Distress, and of keeping the same, shall be fully paid and satisfied; and in case all such Tolls, or Sums of Money for which such Seizure and Distress shall at any Time or Times be made, and the reasonable Charges for making such Seizure and Distress and of keeping the same, shall not be paid within the Space of Five Days after such Seizure and Distress shall be made, then it shall be lawful for the said *Brighthelmston* Pier Company, and their Lessee or Lessees, Tenant or Tenants, Collector or Collectors, to cause the same or any Part or Parts thereof to be appraised and sold, not earlier than Five Days after the Expiration of such Five Days, and out of the Money to arise by such Sale or Sales to deduct and retain all Tolls or Sums of Money due for or in respect of Persons, Horses, Cattle, Carriages, and Goods shipped or landed on or off the Pier aforesaid, from or into such Ship, Vessel, or Boat, returning the Overplus (if any), and what shall remain unsold, upon Demand, to the Owners thereof.

XXXIX. And be it further enacted, That if any Dispute shall happen about the Amount of any of the said Rates, Tolls, or Dues due, or the Charges of making, keeping, or selling any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), until the Amount of the Rates, Tolls, or Dues which shall be due, and of the Charges of the Distress and Sale, and of keeping the Distress (as the Case may happen), shall be ascertained by some Justice of the Peace for the said County of *Sussex*, who, on Application made to him for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, and shall determine the Amount of the Rates, Tolls, or Dues which shall be due, and shall award such Costs and Charges to either Party, as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Nonpayment thereof forthwith, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

For settling  
Disputes  
concerning  
the Tolls.

XL. And be it further enacted, That in case the Master, or other Person having the Rule or Command of any Vessel, Boat, Wherry, Goods, Wares, or Merchandize liable to any of the Duties imposed by this Act, or any other Person whomsoever, shall obstruct or hinder the said Company, or the Person or Persons appointed to collect the Tolls, Rates, or Duties hereby made payable, or any other Person employed or appointed by the said Company in the Collection of such Tolls, Rates, or Duties, such Master or other Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Penalties on  
Persons ob-  
structing the  
collecting of  
Rates or  
Duties.

[*Local.*]

38 U

XLI. Pro-



Penalty on  
the Evasion  
of Rates.

XLI. Provided always, and be it further enacted, That if the Master or Owner of any Ship, Vessel, or Boat of whatever Denomination or Description, shall embark or disembark any Passengers, or put on board or land any Packages, Parcels, Goods, Wares, or Merchandize at or from the said Pier, without describing and accounting for the same, and paying the Duties, Rates, or Dues of the said Pier, the Master or Owner or Owners of every such Ship, Vessel, or Boat, shall be subject and liable to pay a Penalty to the said Pier Company for every such Offence, upon Conviction, not exceeding Forty Shillings nor less than Ten Shillings.

Punishing  
Persons  
destroying  
Works or  
extinguish-  
ing Lights.

XLII. And be it further enacted, That all and every Person or Persons whomsoever who shall at any Time or Times hereafter wilfully or maliciously demolish or break down the said Pier, or any of the Works, or any Part or Parts thereof, or the Fence or Fences, or Buildings respectively which shall be constructed in or which shall belong to the said Pier, or shall extinguish any Light or Lights for the lighting the said Pier, and the Ships, Vessels, or Boats resorting thereto, shall be adjudged guilty of a Misdemeanor, and the Courts by and before whom such Person or Persons shall be tried and convicted shall have Power and Authority to cause such Person or Persons to be imprisoned to hard Labour for any Period not exceeding Twelve Calendar Months, as the Court shall think proper.

Masters of  
Vessels an-  
swerable for  
Damages  
done by Crew  
through Ne-  
glect or Un-  
skilfulness.

XLIII. And be it further enacted, That in case any Damage or Mischief shall be done to the Pier, or any of the Works which shall be constructed in pursuance of this Act, by any Ship, Vessel, or Boat, through the Mismanagement or Negligence of any Person having the Rule or Command of any such Ship, Vessel, or Boat, or any of the Mariners or Persons employed therein, that then every Master, Owner, or other Person having the Rule or Command of such Ship, Vessel, or Boat, shall be and is hereby made answerable and accountable to the said Company for the Amount or Value of any such Damage or Mischief; and the same, if not forthwith paid and satisfied, shall and may be recovered in such Manner as the Penalties and Forfeitures hereby imposed are in and by this Act directed to be recovered.

Directing  
what shall  
be deemed  
a Service of  
Notices, &c.  
on the Com-  
pany.

XLIV. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service upon the Clerk of the said Company, or at the Office of such Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any Agent, or other Officer employed by the said Company, or left at his last or usual Place of Abode, or on any One of the Directors of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.



XLV. And be it further enacted, That it shall and may be lawful for the said Directors from Time to Time to make, frame, ordain, and establish, revoke, repeal, annul, or alter such Bye-Laws, Rules, Orders, and Regulations as they shall think fit, for the good Government of the said Company, and their Clerks, Treasurer, Collectors, Officers, Assistants, Servants, and others appointed or employed under or by virtue of this Act; and for the better regulating the said Pier, and the mooring and the stationing of Ships, Vessels, and Boats resorting thereto, and for the well-governing, ordering, and managing of the Officers and Crews of such Ships, Vessels, and Boats, and the Boatmen, Servants, and others employed therein or belonging thereto, and for the more safe and convenient landing and shipping of Passengers, and shipping, lading, discharging, carrying, conveying, laying, and depositing of Goods, Wares, and Merchandize, upon, to, or from the said Pier and the Places belonging thereto; and for the better governing and regulating Porters, Carters, Carmen, and others carrying Goods, or using or driving Horses, Waggons, Carts, Drays, Trucks, Sledges, or other Carriages for conveying Goods, Wares, and Merchandize, to or from the said Pier or Road; and for the managing the general Concerns of the said Company; which Bye-Laws, Rules, Orders, and Regulations shall be and remain in full force until and unless the same shall be repealed, amended, or altered from Time to Time by the Proprietors and Members of the said Company, at any Special Meeting to be held as herein-before directed, and to annex, impose, and appoint reasonable pecuniary Penalties or Forfeitures not exceeding Five Pounds for any one Offence, to be recovered in manner herein-after mentioned for the Non-observance, Non-performance, or other Breach of or Offence against any of such Bye-Laws, Rules, Orders, and Regulations; and all such Bye-Laws, Rules, Orders, and Regulations, and all Alterations thereof, shall be reduced into Writing under the Common Seal of the said Company, and signed by the Clerk or Chairman, and shall be printed, and a Copy or Copies thereof shall be painted on Boards with White Letters on a Black Ground, and set up or affixed on some conspicuous Place or Building near unto or adjoining the said Pier, for the Inspection of all Persons interested therein, and shall be renewed from Time to Time as often as the same shall be defaced, obliterated, or destroyed; and all such Bye-Laws, Rules, Orders, and Regulations shall be binding upon, observed, and obeyed by all Persons whomsoever using or in any way concerned in the said Pier or Road, or any of the Works to be made, erected, or maintained by virtue of this Act, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under or in pursuance of the same, provided that such Bye-Laws, Rules, Orders, and Regulations be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, or to any of the Clauses, Provisoos, and Directions in this Act contained; and all such Bye-Laws, Rules, Orders, and Regulations shall be subject to Appeal in manner herein directed: Provided always, that no such Bye-Law, Rule, or Order to be made as aforesaid, shall be valid, or have any Effect until the same shall have been submitted to the Commissioners for the Time being acting under and by virtue of an Act of Parliament made and passed in the Fiftieth Year of the Reign of His late Majesty, and intituled *An Act to repeal an Act made* 50 G. 3. c. 38.

Directors to  
make Bye-  
Laws.



*in the Thirteenth Year of His present Majesty, for paving, lighting, and cleansing the Town of Brighthelmston in the County of Sussex, and removing and preventing Nuisances and Annoyances therein; for regulating the Market; for building and repairing Groyns to render the Coast safe and commodious; for landing Coal and Culm, and laying a Duty thereon; and for making other Provisions in lieu thereof; and for regulating Weights and Measures, and building a Town Hall; at some General or Special Meeting, and shall be approved by the Majority of such Meeting.*

If Pier not completed in Two Years, Powers to cease.

XLVI. Provided always, and be it further enacted, That in case the said intended Pier shall not have been completed and made (unless prevented by inevitable Accidents) within the Space of Two Years, to be computed from the passing of this Act, then, from and after the Expiration of the said Term of Two Years, all the Powers, Authorities, and Privileges given by this Act shall cease and determine, save only and except as to so much (if any) of the said intended Pier and Works as shall have been completed within the said Term, by the Justices of the Peace of the said County of *Sussex*, assembled at any Quarter Sessions of the Peace to be holden in and for the said County, at any Time before the Expiration of the said Term of Two Years, or within Six Calendar Months next after the Expiration thereof, upon the Evidence of One or more Witness or Witnesses upon Oath, to be produced before them for that Purpose.

Capital to be subscribed before Works begun.

XLVII. And whereas the probable Expence of making the said Pier and other Works hereby authorized to be made, will amount to the Sum of Twenty-eight thousand Pounds; and the Sum of Twenty-two thousand nine hundred Pounds, being more than Four-fifths Parts thereof, has been already subscribed by several Persons under a Contract, binding themselves, their Heirs, Executors, Administrators, and Assigns, for the Payment of the several Sums by them subscribed respectively; be it further enacted, That the Whole of the said Sum of Twenty-eight thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

Penalties, how to be recovered.

XLVIII. And be it further enacted, That all Fines, Penalties, and Forfeitures by this Act inflicted or authorized to be imposed or levied (the Manner of levying and recovering whereof is not otherwise hereby 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 Justice of the Peace for the County, Borough, City, Riding, Division, or Place wherein such Offender shall be or reside (which Warrant or Warrants the said Justice is hereby empowered and required to grant), upon Conviction of the Offender or Offenders on his or their own Confession, or on the Information of any One or more credible Witness or Witnesses upon Oath; and such Fines, Penalties, and Forfeitures when recovered, after rendering the Overplus (if any) to the Party or Parties whose Goods and Chattels shall be distrained and sold (the Charges of such Distress and Sale being first deducted), shall (if not otherwise directed to be applied and disposed of by this Act)



Act) be paid to and belong to the said Company; and for want of sufficient Distress the said Justice is hereby empowered and required to commit the Person or Persons so convicted to the Common Gaol or other public Prison of or within the said County, Borough, City, Riding, Division, or Place, there to remain for any Time not exceeding the Space of Two Calendar Months, unless such Fine, Penalty, or Forfeiture, and all the necessary Charges attending the Recovery thereof shall be sooner paid and satisfied.

XLIX. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, or against any Order of Sessions, or against any Bye-Law, Rule, Orders, or Regulations made in pursuance of this Act, the Form of Conviction shall be in the Words or to the Effect following; (that is to say),

‘ **B**E it remembered, That on this  
 ‘ in the *A. B.* is  
 ‘ convicted before me One of His  
 ‘ Majesty’s Justices of the Peace for the  
 ‘ of having [*as the Offence shall be*]; and I the said  
 ‘ do adjudge him, her, or them to forfeit  
 ‘ and pay the Sum of  
 ‘ Given under my Hand and Seal the Day and Year aforesaid.’

Form of Conviction.

L. 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 unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect in the Summons, Conviction, Warrant of Distress, or other Warrant or Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity by him or them done or committed after such Distress made or taken; 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.

Distress not to be deemed unlawful for Want of Form.

LI. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in anywise relating to the said Rates or Duties, or any of them, the Person or Persons acting by or under the Authority of the said Company of Proprietors shall not be disqualified from giving Evidence in any such Dispute, Suit, or Litigation by reason of his, her, or their being appointed to collect such Rates or Duties.

Collectors of the Rates to be competent Witnesses.

LII. And be it further enacted, That in case any Person shall think himself or herself aggrieved by any Order or Judgment, made or given in pursuance of any Bye-Law, Rule, Order, or Regulation of the said Directors or Company of Proprietors, or by any Rate, Assessment, Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing done in pursuance of this Act, and for which no particular Method of Relief is hereby otherwise provided, it shall and may be lawful for such Person to appeal to the next Quarter Sessions of the Peace, to be

Allowing an Appeal to the Quarter Sessions.

[Local.]

held



held for the County, District, or Place in which the Cause of Appeal shall have arisen; and after the Expiration of Twenty-one Days from the Time when the Cause of such Appeal shall have arisen, such Appellant or Appellants 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 said Company, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace or other Magistrate acting within such Jurisdiction, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and to pay such Costs as shall be awarded by the said Magistrates assembled at such General or Quarter Sessions, and upon due Proof of such Notice having been given as aforesaid, and the entering into such Recognizance, the said Magistrates of such Sessions before whom such Appeal shall be brought shall hear and finally determine the Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against as the said Justices shall think proper; and the said Justices may, if they see cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Bye-Law, Rule, Order, or Regulation, and may also award such further Satisfaction to be made to the Party injured as to them the said Justices shall seem reasonable; and the Determination of such Justices thereupon shall be final, binding, and conclusive upon all Parties.

Proceedings  
not to be  
quashed for  
Want of  
Form.

LIII. And be it further enacted, That no Verdict, Judgment, or other Proceedings touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction 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 anywise notwithstanding.

Notice of  
Actions.

LIV. Provided always, and be it enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing, signed by his, her, or their Attorney (specifying the Cause of Action), shall have been given to the Defendant or Defendants, at least Twenty-one Days before the same shall have been brought, nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before such Action brought; but in case no Tender of Amends shall have been made, it shall and may be lawful for the Defendant or Defendants (by Leave of the Court), at any Time before Issue joined, to pay into Court such Sum or Sums of Money as he, she, or they shall think fit; whereupon such Proceedings, Orders, and Judgments shall be made and given in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Limitations  
of Actions.

LV. And be it further enacted, That no Action against any Person or Persons, for or on account of any thing done in pursuance of this Act,



Act, shall be commenced after the Expiration of Six Calendar Months next after the Cause of Action shall arise; and every such Action or Suit shall be laid or brought in the County where the Cause of Action shall have arisen and not elsewhere; and the Defendant or Defendants in all Actions or Suits so brought shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or that such Action or Suit was brought before Twenty-one Days' Notice given to the Defendant or Defendants, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then and in every such Case the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or may have for Costs of Suit in any other Cases by Law.

General Issue.

Treble Costs.

LVI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice or derogate from the Estates, Rights, Interests, Privilege, or Authority of the King's most Excellent Majesty, His Heirs and Successors, or to prejudice or abridge the Powers and Authorities granted to the Commissioners named or authorized under or by virtue of the Act of Parliament passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, herein-before mentioned or referred to, or of the Lords or Ladies of the Manor of *Brighthelmston* for the Time being, or of any Bodies Politic and Corporate, or other Person or Persons whomsoever, his, her, or their Heirs, Successors, Executors, and Administrators, other than and except those meant and intended to be barred and regulated by this Act.

General Saving.

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

Public Act.



The SCHEDULE referred to by this Act.

	£	s.	d.
For every Passenger or other Person who shall land on the said Pier from, or embark from it on board of any Ship, Vessel, Packet, or Passage Boat, not being Boats or Vessels used for Pleasure only, for each and every Time, any Sum not exceeding	0	2	0
For every Person who shall land on the said Pier from, or embark from it on board of any Boat or Vessel used for Pleasure only, for each and every Time, any Sum not exceeding	0	0	6
For every Person who shall use the said Pier, or the said Road connected therewith, for the Purpose of walking for Exercise, Pleasure, or any other Purpose, except for embarking or disembarking, for each and every Time, any Sum not exceeding	0	0	2
For every Four-wheel Carriage which shall be drawn upon the said Road or Pier (not being landed or embarked therefrom), if drawn by Four or more Horses, any Sum not exceeding	0	1	6
For d <sup>o</sup> drawn by Two or Three Horses, any Sum not exceeding	0	1	0
For d <sup>o</sup> d <sup>o</sup> One Horse, any Sum not exceeding	0	0	6
For every Two-wheel Carriage which shall be drawn upon the said Road or Pier (not being landed thereon or embarked therefrom), if drawn by more than One Horse, any Sum not exceeding	0	0	9
For d <sup>o</sup> if drawn by One Horse, any Sum not exceeding	0	0	6
For every Four-wheel Carriage drawn upon the said Road or Pier (not being landed thereon or embarked therefrom), if drawn by Two or more Mules or Asses, any Sum not exceeding	0	1	3
For every Four, Three, or Two-wheel Carriage drawn upon the said Road or Pier (not being landed thereon or embarked therefrom), if drawn by One Mule or Ass, any Sum not exceeding	0	0	9
For every Horse used for riding, or any other Purpose, except for Draught, on the said Road or Pier, not being landed thereon or embarked therefrom, any Sum not exceeding	0	0	3
And for every Mule or Ass, d <sup>o</sup> d <sup>o</sup>	0	0	2

For



	£	s.	d.
For every Four-wheel Carriage embarked from, or disembarked upon, the said Pier, any Sum not exceeding	3	10	0
For every Two-wheel Carriage, d <sup>o</sup> d <sup>o</sup>	2	10	0
For every Horse, d <sup>o</sup> d <sup>o</sup>	1	10	0
For every Mule or Ass, d <sup>o</sup> d <sup>o</sup>	0	5	0
For every Dog, d <sup>o</sup> d <sup>o</sup>	0	2	6
For every Bull, Cow, Ox, or Calf, d <sup>o</sup> d <sup>o</sup>	0	2	6
For every Hog or Pig, d <sup>o</sup> d <sup>o</sup>	0	2	6
For every Score of Sheep, d <sup>o</sup> d <sup>o</sup>	0	1	2
If less than a Score, then per head, any Sum not exceeding	0	0	1
For every Score of Lambs, d <sup>o</sup> d <sup>o</sup>	0	1	2
If less than a Score, then per head, any Sum not exceeding	0	0	1
For every Trunk, Portmanteau, Box, Parcel, or other Package, falling within the Description of Luggage, that shall be landed upon, or embarked from, the said Pier, and that shall not exceed the Weight of 7lbs. for each Article, any Sum not exceeding	0	0	1
For d <sup>o</sup> that shall exceed the Weight of 7lbs. for every lb. any Sum not exceeding	0	0	0 $\frac{1}{2}$
For all Goods, Wares, or Merchandize, of whatever Description, not falling under the Denomination of Luggage, that shall be landed upon, or embarked from, the said Pier, the Rates and Duties following, viz.			
If the Measure of such Goods, Wares, or Merchandize, after the Rate of 40 Cubic Feet in Measure for one Ton in Weight, shall exceed the Weight, then for every such Ton Measure, and so in Proportion for any Quantity more or less than a Ton Measure, provided the same exceed 5 Cwt. the Duty or Rate per Ton Measure of any Sum not exceeding	3	10	0
But if the Measure of such Goods, Wares, or Merchandize after the Rate aforesaid, shall be less than the Weight, then for every Ton Weight, and so in Proportion for any Quantity more or less than a Ton Weight, provided the same exceed 5 Cwt. the Duty or Rate per Ton Weight of any Sum not exceeding	2	6	8
But if such Goods, Wares, or Merchandize, shall not exceed 5 Cwt., then at the Rate per Cwt., and so in Proportion for any Quantity more or less than 1 Cwt., the Rate or Duty per Cwt. of any Sum not exceeding	0	6	8
For every Ship or Vessel, Packet or Passage Boat, exceeding 10 Tons Burthen, that shall come alongside of, and have Communication with the said Pier, for the Purpose of landing or embarking Passengers, Horses, Cattle, or Carriages, or landing or taking on board Goods, Packages, Wares, or Merchandize, a Rate or Duty per Ton of any Sum not exceeding	0	1	0



For every Boat or Vessel of less than 10 Ton Burthen, that shall come alongside of, and have Communication with the said Pier, for the Purpose of landing or embarking thereon or therefrom any Persons, Packages, Goods, Wares, or Merchandize, any Sum not exceeding

£ s. d.  
0 10 0

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