



CHAPTER lxvii.

An Act to substitute for the Commissioners of the Port of Arundel and Harbour of Littlehampton a new Harbour Board and to transfer the harbour undertaking to them to change the name of the harbour to empower the West Sussex County Council to raise sums of money and to pay such sums to the Harbour Board to provide for contributions by local and other contributing authorities to amend the West Sussex County Council (Bridges) Act 1918 and for other purposes. [29th July 1927.]

A.D. 1927.

WHEREAS under and by virtue of an Act of Parliament passed in the sixth year of the reign of His late Majesty King George II chapter xii. intituled "An Act for erecting piers in and for repairing and keeping in repair the Harbour of Little Hampton called Arundel Port in the County of Sussex" Commissioners were appointed for carrying out and completing the purposes aforesaid in order to improve and preserve the said harbour :

And whereas under and by virtue of an Act passed in the thirty-third year of the reign of His late Majesty King George III chapter c. intituled "An Act to explain and amend" the above recited Act "and for empowering the Commissioners acting under the said Act to improve the navigation of the River Arun from the said Harbour to the Town of Arundel in the

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“ said County ” the Commissioners were authorised at any time or times after the first day of May one thousand seven hundred and ninety-three to extend the piers at the mouth of the said river and make groynes from the high-water mark on the beach there at any distance within five hundred yards of either of the said piers and to construct other works :

And whereas under and by virtue of an Act of Parliament passed in the sixth year of the reign of His late Majesty King George IV chapter clxx. intituled “ An Act for the more effectual security of the Harbour “ of Littlehampton called Arundel Port in the County “ of Sussex ” the said Commissioners were reconstituted and empowered to levy dues and to borrow sums not exceeding twenty thousand pounds :

And whereas the harbour of Littlehampton is situate at the mouth of the river Arun which has a catchment area of three hundred and forty-nine square miles (almost the whole of which is within the administrative county of West Sussex) and passes out to sea between the harbour piers and it is essential for the drainage of this area that the outfall of the said river should be kept free and unrestricted :

And whereas the harbour piers and works are in a bad state of repair and unless the same are extensively reconstructed repaired and renewed there is grave danger of the drainage outfall becoming blocked and large areas in the said county becoming flooded :

And whereas the said Commissioners are not financially in a position to carry out the urgent works of reconstruction repair and renewal required :

And whereas it is expedient that the said Commissioners shall be dissolved and that the said harbour shall be transferred to the Harbour Board constituted by this Act :

And whereas it is expedient that the county council of the administrative county of West Sussex should be authorised to provide the moneys required for the reconstruction repair and renewal of the works required to maintain the harbour as an outfall for the waters of the river Arun and that the local and other authorities mentioned in this Act should be

empowered to make contributions as in this Act A.D. 1927.
provided :

And whereas an estimate of the cost of carrying out the work of such reconstruction repair and renewal has been prepared and such estimate amounts to seventy-one thousand five hundred and twenty-two pounds :

And whereas the works included in such estimate are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas it is expedient that the provisions of section 46 of the West Sussex County Council (Bridges) Act 1918 should be amended as in this Act provided :

And whereas the objects aforesaid cannot be attained without the authority of Parliament :

And whereas in relation to the promotion of the Bill for this Act the requirements of the Borough Funds Acts 1872 and 1903 have been observed and the approval of the Minister of Health has been obtained :

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 as follows (that is to say) :—

PART I.

PRELIMINARY.

1. This Act may be cited as the Littlehampton Harbour and Arun Drainage Outfall Act 1927. Short title.

2. This Act is divided into Parts as follows :—

Part I.—Preliminary.

Part II.—Incorporation of general Acts and change of name of harbour.

Part III.—Constitution election and meetings of members of Harbour Board.

Part IV.—Transfer of harbour undertaking to the Harbour Board.

Division of
Act into
Parts.

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Part V.—Maintenance of harbour works and drainage outfall.

Part VI.—Rates.

Part VII.—Byelaws and regulations.

Part VIII.—Accounts and audit.

Part IX.—Financial.

Part X.—Miscellaneous.

Interpreta-
tion.

3. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings and the following words and expressions have the several meanings assigned to them (that is to say):—

“The existing Harbour Commissioners” means the Commissioners appointed by and acting under the hereinbefore recited Acts;

“The Harbour Board” means the Harbour Board constituted by this Act;

“The elected representatives” means the representatives elected by traders in accordance with the provisions of this Act;

“Trader” means any person being a British subject of full age entitled to vote in the election of elected representatives;

“The clerk” “the treasurer” “the collector of rates” and “the harbour master” mean respectively the clerk to the existing Harbour Commissioners or the Harbour Board as the context requires the treasurer the collector of rates tolls and dues and the harbour master for the time being of the Harbour Board and respectively include any person duly appointed by the Harbour Board to discharge temporarily the duties of any such officer even though such officer hold a dual appointment;

The expression “the Trinity House” means the master wardens and assistants of the guild fraternity or brotherhood of the most glorious and undivided Trinity and of St. Clement in

the parish of Deptford Strond in the county of Kent commonly called the Corporation of the Trinity House of Deptford Strond; A.D. 1927.

“The Act of 1732” means the Act 6 George II chapter xii.;

“The Act of 1793” means the Act 33 George III chapter c.;

“The Act of 1825” means the Act 6 George IV chapter clxx.;

“The Pilotage Order” means the Arundel Pilotage Order 1921;

“The Acts of 1732 to 1825” means the Act of 1732 the Act of 1793 and the Act of 1825;

“Annual meeting” means the annual meeting of the Harbour Board to be held under this Act;

“The harbour” means the port of Arundel and the harbour of Littlehampton as described in the section of this Act of which the marginal note is “Limits of harbour”;

“The harbour undertaking” means the harbour and all docks basins works yards lands property houses roads ways jetties lighthouses buoys wharves piers quays warehouses sheds slipways rails premises and all moneys stocks funds investments and other property for the time being belonging to and the rights powers and privileges of the existing Harbour Commissioners until the appointed day and the Harbour Board on and after the appointed day;

“The authorised rates” means the rates dues tolls and charges which the Harbour Board are for the time being authorised to levy demand and recover in pursuance of this Act;

“The harbour revenue” means the rates tolls dues rents and all other moneys and receipts which may be taken and received by way of income from or in respect of the harbour undertaking but shall not include the payments to be made to the Harbour Board by the county council under the provisions of this Act or any income received from the investments

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- of the separate funds created under the section of this Act the marginal note whereof is "Creation of reconstruction and repair funds by Harbour Board";
- "The harbour office" means the principal office for the time being of the existing Harbour Commissioners or the Harbour Board;
- "The county council" means the county council of the administrative county of West Sussex;
- "The Arundel Corporation" means the mayor aldermen and burgesses of the borough of Arundel;
- "The Littlehampton Council" means the urban district council of the urban district of Littlehampton;
- "The East Preston Council" means the rural district council of the rural district of East Preston;
- "The commissioners of sewers" means the commissioners of sewers for the rape of Arundel;
- "The constituent authorities" means the county council the Arundel Corporation the Littlehampton Council the East Preston Council and the commissioners of sewers;
- "The railway company" means the Southern Railway Company;
- "The commencement of this Act" means the date of the passing of the Act;
- "The appointed day" means the first day of October one thousand nine hundred and twenty-seven;
- "The Minister" means the Minister of Transport;
- "Vessel" includes any ship or boat or any other description of vessel used in navigation and seaplanes hydroplanes or similar craft;
- "Shipped" "unshipped" and "transhipped" mean respectively loaded on or discharged from any vessel or transhipped from one vessel to another;
- "Statutory security" means any security in which trustees are for the time being by or under

any Act of Parliament passed or to be passed A.D. 1927.
authorised to invest trust money and any
mortgage bond debenture debenture stock stock
or other security authorised by or under
any Act of Parliament passed or to be passed
of any county council or municipal corporation
or other local authority as defined by section 34
of the Local Loans Act 1875 but does not
include annuities rentcharges or securities trans-
ferable by delivery or any securities issued
by the Harbour Board under this Act.

4. The power and duty of carrying into effect As to
the provisions of this Act shall be vested in and carrying
performed— Act into
effect.

(a) until the appointed day by the existing Harbour
Commissioners in office immediately previous
to the commencement of this Act and the
survivors of them. The existing Harbour Com-
missioners shall also have the power and duty
of carrying into effect until that date the
provisions of the Acts of 1732 to 1825 and
the Pilotage Order;

(b) on and after the appointed day by the Harbour
Board appointed and elected under Part III.
of this Act;

and this Act shall be read and construed accordingly.

5. As on and from the appointed day the Acts Repeal of
specified in the first part of the First Schedule to this Acts.
Act so far as such Acts are unrepealed on the appointed
day shall be and the same are hereby repealed save
and except the sections or parts of sections mentioned
in the third column of that schedule which are set out
in full in the second part thereof and are hereby
excepted from repeal.

6. The provisions of the following Parts of this Date of
Act shall come into force and have effect as and from commence-
the appointed day (that is to say) :— ment of
several
Parts of
Act.

Part II.—Incorporation of general Acts and
change of name of harbour.

Part IV.—Transfer of harbour undertaking to
the Harbour Board.

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Part V.—Maintenance of harbour works and drainage outfall.

Part VI.—Rates.

Part VII.—Byelaws and regulations.

Part VIII.—Accounts and audit.

Part IX.—Financial.

PART II.

INCORPORATION OF GENERAL ACTS AND CHANGE OF NAME OF HARBOUR.

Incorporation of Lands Clauses Acts.

7. The Lands Clauses Acts (except the provisions thereof with respect to the taking of lands otherwise than by agreement and except section 127 of the Lands Clauses Consolidation Act 1845) so far as the said Acts are applicable to the purposes and are not inconsistent with the provisions of this Act are incorporated with and form part of this Act.

Incorporation of Harbours Docks and Piers Clauses Act 1847.

8. The Harbours Docks and Piers Clauses Act 1847 (except sections 6 to 13 and 16 to 19 (unless the Harbour Board are required by the Board of Trade to provide and maintain a lifeboat together with a tide gauge and a barometer) 25 26 30 84 and 85 and except where expressly varied by this Act) is incorporated with and forms part of this Act and in construing the said incorporated Act the expression "the harbour dock or pier" shall mean the harbour as in this Act defined and the expression "the Undertakers" shall mean the Harbour Board and the expression "the special Act" shall mean this Act and the following expressions shall have the following respective meanings (that is to say):—

The expressions "packet boat" or "Post Office packet" and "Post Office bag of letters" shall mean respectively a vessel employed by or under the Post Office or the Admiralty for the conveyance under contract of postal packets as defined by the Post Office Act 1908 and a mail bag as defined by the same Act. Provided that nothing in the Harbours Docks and Piers Clauses Act 1847 or in this Act shall exempt from rates or duties regula-

tion or control any such vessel as aforesaid if she also conveys passengers or goods for hire; A.D. 1927.
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The expression "vessel" in section 28 of the Harbours Docks and Piers Clauses Act 1847 shall include any seaplane aeroplane hydroplane or other aircraft belonging to or employed in the service of His Majesty.

9. The Commissioners Clauses Act 1847 (except sections 17 to 35 88 92 93 and 94 and except where expressly varied by this Act) is incorporated with and forms part of this Act and in construing the said Act as incorporated with this Act the expression "the Commissioners" shall mean the Harbour Board the expression "the special Act" shall mean this Act and the expression "mortgage or assignation in security" shall mean and include any bond or other security or voucher of debt granted or to be granted by the Harbour Board. Incorporation of Commissioners Clauses Act.

10. The name of the harbour shall be "Littlehampton Harbour" and for the purposes of this section the provisions so far as appropriate of Part IV. (Change of name) of the Companies Clauses Act 1863 are incorporated with and form part of this Act and shall have effect as if in those provisions the expression "the company" meant the Harbour Board and the expression or reference to "the change of name of the company" meant the change of name of the harbour. Change of name of harbour.

PART III.

CONSTITUTION ELECTION AND MEETINGS OF MEMBERS OF HARBOUR BOARD.

11. The persons who under or by virtue of this Act shall be constituted appointed and elected members of the Harbour Board and their successors in office shall be a body corporate under the name of "The Littlehampton Harbour Board" with perpetual succession and a common seal and shall have power to sue and be sued and to acquire hold use and dispose of lands and other property for the purposes of this Act and shall have all other privileges of a body corporate. Incorporation of Harbour Board.

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 —
 Constitution
 of Harbour
 Board.

12. On and after the appointed day the Harbour Board shall subject to the provisions of this Act be composed of the following persons (namely):—

(a) Ex-officio—

The members of the county council for the following county council electoral divisions of the administrative county of West Sussex as constituted at the passing of this Act:—

Arundel	-	-	-	-	1
Littlehampton	-	-	-	-	2
Lyminster	-	-	-	-	1
				—	4

(b) Appointed—

By the county council	-	-	-	-	9
„ „ Arundel Corporation	-	-	-	-	1
„ „ commissioners of sewers	-	-	-	-	1
„ „ Littlehampton Council	-	-	-	-	5
„ „ East Preston Council	-	-	-	-	1
„ „ railway company	-	-	-	-	1
				—	18

(c) Elected—

By traders	-	-	-	-	-	2
					—	<u>24</u>

Provided that if there be any alteration of the said electoral divisions the number of the ex-officio members shall not be increased but the allocation of membership may be provided for by an order of the Secretary of State.

Appoint-
 ment
 election and
 retirement
 of members.

13.—(1) On or before the appointed day and on or before the thirty-first day of March one thousand nine hundred and thirty and on or before the same date in every third year thereafter the constituent authorities and the railway company subject to the provisions of this Act shall each appoint the members of the Harbour Board to be appointed by them and the traders shall elect the elected representatives as in this Act provided.

(2) The appointment and election of members under this Part of this Act shall take effect if the appointments or elections are made or held on or before the appointed

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day as on and from the appointed day and if made or held in the year one thousand nine hundred and thirty or any subsequent third year as from the commencement of the annual meeting held in such year and at the commencement of each such annual meeting as aforesaid the members then in office shall go out of office and their places shall be filled by the members then last appointed or elected :

Provided that if the first appointment is made by the railway company after the appointed day such appointment shall take effect as from the date of the appointment and the member so appointed shall retire from office when the remaining members retire from office.

(3) Any member other than an ex-officio member absenting himself from the meetings of the Harbour Board for a period of six months shall cease to be a member.

(4) Every person retiring from office as aforesaid shall if qualified as required by this Act be eligible for re-appointment or re-election.

14.—(1) Each appointed member of the Harbour Board (other than the member to be appointed by the railway company) shall be a member or an official of the constituent authority by which he is appointed or be possessed of the requisite qualification to be such a member. The member to be appointed by the railway company shall be a director of or an officer in the service of that company.

Qualifica-
tion of
appointed
members.

(2) If any appointed member who at the date of his appointment is a member or official of a constituent authority by which he is appointed ceases to be a member or official of such authority or ceases to be possessed of the requisite qualification to be such a member or if the member appointed by the railway company ceases to be a director of or an officer in the service of that company such member shall forthwith vacate his office as a member of the Harbour Board.

15.—(1) Any person being a British subject entitled under this Act to vote in the election of elected members may nominate any person being a British subject of full age he thinks fit as a candidate for election.

Nomina-
tion of
candidates
for election.

(2) (i) Where any company incorporated by Act of Parliament or registered under the Companies Acts

A.D. 1927. 1908 to 1917 or any Act amending or extending those Acts is entitled under this Act to vote in the election of elected representatives such company may from time to time appoint under their common seal any person being a director secretary or general manager or local secretary or branch manager of such company (in this section called "the nominator") to nominate candidates for election at and to vote on behalf of the company at elections of elected representatives.

(ii) Any such appointment shall be lodged with the clerk before any nomination is made under the authority thereof and shall continue in force until the same is withdrawn by the company having made the appointment.

(iii) The nominator may nominate any person being a British subject of full age and being a director or officer of the company or any other person being a British subject of full age he thinks fit as a candidate for election.

(iv) Any person so nominated and accepting such nomination by writing addressed to the clerk shall be eligible for election as an elected representative.

(3) Notwithstanding the foregoing provisions of this section only one partner in any firm and only one director or officer of any company shall be qualified for election as an elected representative and if more than one partner in any firm or one director or officer of any company are nominated as candidates for election at any election the nomination of the partner director or officer first nominated shall alone be valid.

Provision
for casual
vacancies.

16. On a casual vacancy occurring in the office of a member of the Harbour Board by reason of the death resignation disqualification or absence of a member or otherwise the vacancy shall be filled—

(a) in the case of an elected representative by a person being a British subject of full age co-opted by the Harbour Board;

(b) in the case of an appointed member by a person being a British subject of full age appointed by the constituent authority or by the railway company as the case may be by whom the vacating member was appointed;

and the person so co-opted or appointed shall hold office until the time when the person in whose place he is

co-opted or appointed should have regularly gone out of office and shall then go out of office. A.D. 1927.

17. Whenever any member is appointed by any of the constituent authorities or by the railway company under this Part of this Act the clerk of the county council the town clerk of the borough of Arundel the clerk of the Littlehampton Council the clerk of East Preston Council or the clerk of the commissioners of sewers or the secretary of the railway company as the case may be shall give notice in writing to the clerk of the appointment stating the name residence and occupation of the member so appointed and such notice shall be conclusive evidence of the appointment of such member No appointed member shall act until notice of his appointment shall have been received by the clerk. Evidence of appointment of appointed member.

18. The Harbour Board may act notwithstanding any vacancy in their body and notwithstanding the refusal or omission of any of the constituent authorities or of the railway company to appoint or of the traders to elect a member or members in accordance with the provisions of this Part of this Act. Harbour Board may act notwithstanding vacancy.

19. If any person is appointed a member of the Harbour Board by one of the constituent authorities or by the railway company and is also elected a member by the traders the appointment shall be null and void and such constituent authority or the railway company shall appoint another person to be a member in his place. As to persons appointed and elected as members.

20. The Harbour Board shall hold their first meeting within fourteen days of the appointed day and the annual meeting of the Harbour Board shall be held during the month of May or such other month as they may from time to time by resolution appoint and all meetings of the Harbour Board shall be held at such place as they think fit The clerk shall give not less than three clear days' notice in writing to each member stating the place date and time of the meeting. First and annual meeting of Harbour Board.

As to election of elected representatives.

21. Any person of full age being a British subject who by himself or by any person on his behalf has and every company incorporated by Act of Parliament or Qualification of electors.

A.D. 1927. — registered under the Companies Acts 1908 to 1917 or any Act amending or extending those Acts which has paid tolls rates or dues in respect of animals or goods shipped unshipped or transhipped in the harbour to the amount of ten pounds or upwards during the year ending the thirty-first day of January in the year of election and any person of full age being a British subject carrying on the business of a shipowner and having an office for the carrying on of business in the administrative county of West Sussex who shall have paid tolls rates or dues to the Harbour Board in respect of ships to the amount of ten pounds or upwards during the year ending the thirty-first day of January in the year of election and every company incorporated by Act of Parliament or registered under the Companies Acts 1908 to 1917 or any Act amending or extending the same carrying on the business of shipowners and having such an office and paying such tolls rates and dues in respect of ships as aforesaid shall be qualified to vote and be entitled respectively to one vote and to one additional vote in respect of every additional ten pounds of tolls rates or dues so paid but no person shall be entitled to more than one hundred votes. Provided that in the case of several persons being traders in partnership they respectively shall with respect to the scale of votes be deemed one person. Provided also that none of the constituent authorities nor the railway company shall be entitled to vote in the election of elected representatives.

List of
persons
entitled to
vote.

22.—(1) The clerk or his duly appointed deputy shall on or before the first day of August in the year one thousand nine hundred and twenty-seven and on or before the first day of March in the year one thousand nine hundred and thirty and on or before the same date in every subsequent year of election make and deliver to the existing Harbour Commissioners or the Harbour Board as the case may be a list of the persons who on the thirty-first day of January in the year of election are entitled to vote during that year or until a new list comes into operation.

(2) Such list shall be made out in alphabetical order and shall contain the names and place of business or residence of every such person and there shall be placed opposite the name of each person the number of votes to which he is entitled under the provisions of this Act.

(3) The list shall be signed by the clerk and shall be certified by him to be accurate to the best of his knowledge and if the clerk wilfully fails to make out such list and deliver the same within the time by this Act provided or knowingly and wilfully makes any false entry therein or knowingly and wilfully omits therefrom any entry that ought to be made therein under the provisions of this Act he shall for every such offence be liable to a penalty not exceeding fifty pounds recoverable summarily as a civil debt.

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23. The clerk or his deputy shall during the seven days ending with the fifteenth day of August in the year one thousand nine hundred and twenty-seven and the fifteenth day of March in every subsequent year of election cause copies of the certified list of electors made out as in this Act provided to be kept posted on the outer door of the harbour office and kept at that office for public inspection during office hours and on payment of such sum as the existing Harbour Commissioners or the Harbour Board as the case may be think reasonable not exceeding one shilling the clerk shall deliver a copy of the list to any person requiring it.

List to be published.

24. The clerk or his deputy shall in every year of election during the seven days next after the fifteenth day of August one thousand nine hundred and twenty-seven and the fifteenth day of March in every subsequent year of election revise at the harbour office the list of the electors made out under this Act giving not less than three nor more than seven days' public notice of the day and time of every such revision. Such notice shall be printed and posted on the outer door of the harbour office.

Revision of list.

25. On every such revision any trader whose name is omitted from the list may in person or by his duly authorised agent claim in writing addressed to the clerk to have his name inserted therein and any person whose name is inserted in the list may in person or by his duly authorised agent claim to have the number of votes attributed to him therein corrected and may object to any person as not being entitled to have his name retained therein or as not being entitled to the number of votes attributed to him therein.

Claims and objections on revision.

26. The clerk shall retain in the list any name or number of votes objected to if the objection is not

Clerk to correct list.

A.D. 1927. — established to his satisfaction and shall insert in the list the name of any person shown to his satisfaction to be entitled to have his name inserted and the number of votes to which he is entitled and shall retain in the list the name of every person to whom and every number of votes to which an objection is not made and shall strike out of the list the name of every person shown to his satisfaction to be dead or not to be entitled to have his name inserted and shall correct the number of votes inaccurately attributed to any person on such inaccuracy being shown to his satisfaction.

Clerk to sign list.

27. The decision of the clerk or his deputy with respect to the list shall be final and conclusive and he shall forthwith after every revision sign his name at the foot of the list revised.

Production of books &c.

28. For the revision of the list the existing Harbour Commissioners or the Harbour Board as the case may be shall produce at the harbour office to the clerk or his deputy such of the books and accounts of the existing Harbour Commissioners or the Harbour Board as the case may be as are proper and sufficient to enable the clerk or his deputy to revise the list and shall afford to him all reasonable and proper facilities in that behalf.

Evidence of revised list.

29. Every list purporting to be a list revised and signed as by this Part of this Act provided shall be *primâ facie* evidence of the same being a list duly made and revised.

Continuance of revised list.

30. Every revised list shall be in force until the revision of the then next list and the persons whose names appear on the revised list from time to time in force shall be the persons entitled to vote at elections of elected representatives and shall at every such election be respectively entitled to such a number of votes as appears by the revised list.

Revised list to be copied and published.

31. Every revised list shall forthwith after the revision thereof be copied and published by the clerk on the outer door of the harbour office and all persons shall be entitled to a copy thereof paying for every copy such a sum not exceeding one shilling as the existing Harbour Commissioners or the Harbour Board as the case may be think reasonable.

32. With respect to the election of elected representatives the following provisions shall have effect:—

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Election of
members.

- (1) The clerk or his duly appointed deputy shall be the returning officer whose decision in reference to any question arising shall be final and the clerk may by writing signed by him appoint a deputy to act for him in his stead:
- (2) Fifteen days at least prior to the day fixed by him for the election the returning officer shall give public notice requiring the nomination of candidates for election to be sent in to him and stating the last day for so doing which day shall be at least eleven days prior to the day of election. Such notice shall be printed and posted on the outer door of the harbour office:
- (3) On or before the day and time stated in the said notice the name of each candidate shall be intimated to the returning officer in the form set forth in the Second Schedule to this Act or a form to the like effect and such form shall be signed by two persons as proposer and seconder whose names appear in the list of electors hereinbefore provided for (in this section referred to as "the list of electors") and by the candidate in approval of his nomination provided that no candidate shall be his own nominator and that no person may subscribe more than two nomination papers nor more than one nomination paper for the same candidate and the clerk shall on request supply such forms to the candidate free of charge:

Provided that in the case of a candidate nominated by a person appointed by a company to nominate candidates for election under the provisions of the section of this Act of which the marginal note is "Nomination of candidates for election" such form need be signed only by the person nominating the candidate and by the candidate in approval of his nomination:

- (4) The provisions of section 74 of the Municipal Corporations Act 1882 shall apply to any nomination papers under this section:

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- (5) Any candidate may provided that there are more than two candidates for a vacancy withdraw from his candidature by notice signed by him and delivered to the returning officer by two o'clock in the afternoon of the day immediately succeeding the last day for sending in nominations No notice received after two o'clock in the afternoon of such day shall be valid :
- (6) If at two o'clock in the afternoon of the day immediately succeeding the last day for sending in nominations the number of candidates is not more than the number of vacancies to be filled there shall be no poll and the returning officer shall on the day of election declare such candidates duly elected but if the number of candidates is greater than the number of vacancies to be filled a poll shall be taken in manner hereinafter provided :
- (7) Seven days at least prior to the day of poll which shall be fixed by the notice of election the returning officer shall in the event of a poll send by post to each elector at the address given in the list of electors a voting paper in the form set forth in the Second Schedule to this Act containing the names of the candidates together with an envelope for the return thereof with the address of the returning officer written or printed thereon and the votes of such elector shall be recorded in accordance with the directions in the said form :
- (8) Every elector may vote for as many candidates as there are members to be elected and the returning officer shall in summing up the votes allow to each of the candidates voted for the number of votes to which the elector is entitled according to the list of electors :
- (9) The votes of a company or partnership shall be given in the corporate name of the company or the partnership name as the case may be :
- (10) It shall not be competent to use any voting paper or to reckon the same for the purposes of any poll unless it has been delivered by post

or otherwise to the returning officer in a sealed envelope addressed to him marked at the top left-hand corner "Harbour voting paper" so that the same shall be received by him at the harbour office not later than six o'clock of the afternoon of the day before the day of the poll and received complete : A.D. 1927.

- (11) On and not before the day of poll the voting papers shall be opened and the votes shall be counted by the returning officer at the harbour office and the two candidates who shall be found to have the greatest number of valid votes shall be declared by the returning officer duly elected members :
- (12) Any candidate or any agent appointed by him in writing notice of which appointment shall be given to the clerk on the date and at the time specified in the notice of election may be present at the opening of the voting papers and counting of the votes and the clerk shall give notice in writing to the candidate or such agent of the time and place of counting of the votes :
- (13) The returning officer shall make a return under his hand to the Harbour Board of the persons elected and every person so returned shall be deemed duly elected :
- (14) In case of an equality of votes the returning officer shall determine by lot between the candidates so equal :
- (15) If the requisite number of members is not elected at any election the Harbour Board shall co-opt a member or members to fill any vacancy or vacancies :
- (16) If any difficulty arises as to the holding of the first election after the commencement of this Act the county council may by order do any matter or thing which appears to them necessary for the proper holding of the first election including the alteration of the dates mentioned in this Part of this Act.

A.D. 1927.

PART IV.

TRANSFER OF HARBOUR UNDERTAKING TO THE
HARBOUR BOARD.

Harbour
undertaking
vested in
Harbour
Board.

33. Subject to the provisions of this Act the existing Harbour Commissioners shall be dissolved and the harbour undertaking shall be and the same is hereby transferred to and vested in the Harbour Board.

Savings.

34. Subject to the provisions of this Act and notwithstanding the transfer to and vesting of the harbour undertaking in the Harbour Board and the repeals effected by this Act—

(a) All acts works matters and things done or commenced under the provisions repealed as aforesaid or any of them which were at the commencement of this Act valid and available or in progress shall be and continue valid and available or in progress for all purposes and may be continued and completed as if this Act had not been passed and any judgment recovered by or against the existing Harbour Commissioners and not yet satisfied may be enforced to the same extent and in the same manner as if this Act had not been passed :

(b) All agreements conveyances contracts deeds and other instruments entered into or made with or by the existing Harbour Commissioners and in force at the appointed day shall so far as the same relate to or affect the harbour undertaking be as binding and of as full force and effect in every respect against or in favour of the Harbour Board and may be enforced as fully and effectually as if instead of the existing Harbour Commissioners the Harbour Board had been a party thereto :

(c) All the provisions of any Act of Parliament or any Special or other Order (other than the provisions repealed by this Act) relating to the existing Harbour Commissioners or the harbour undertaking and in force at the appointed day shall continue and be of as full force and effect in all respects as if instead of the Commissioners named therein the Harbour Board had been referred to :

- (d) If at the appointed day any action arbitration or proceeding or any cause of action arbitration or proceeding is pending or existing against or in favour of the existing Harbour Commissioners and in which no final judgment order or award has been pronounced made or published the same shall not abate or be discontinued or in anywise affected by reason only of such transfer and vesting or repeal but the same may be continued prosecuted and enforced by against or in favour of the Harbour Board as and when and to the extent it might have been continued prosecuted and enforced by against or in favour of the existing Harbour Commissioners if this Act had not been passed : A.D. 1927.
- (e) All books and documents which if the transfer and vesting had not been effected would have been evidence in respect of any matter for or against the existing Harbour Commissioners shall be admitted in evidence in respect of the same or the like matter for or against the Harbour Board :
- (f) All rents rates dues tolls and charges in connection with the harbour undertaking which have been lawfully made charged or imposed and which at the appointed day are due or if this Act had not been passed would have accrued due shall continue in force and be due and payable to and may be collected recovered and enforced by the Harbour Board as and when the same might have been payable to and collected recovered and enforced by the existing Harbour Commissioners if this Act had not been passed :
- (g) All existing byelaws rules regulations orders and licences in execution of or in relation to any of the Acts or Order repealed as aforesaid shall continue in force until repealed altered or revoked under the provisions of this Act or until their expiration and may be enforced in like manner and with the same penalties as if made for like purposes respectively under the provisions of this Act.

A.D. 1927.

Officers of
existing
Harbour
Commis-
sioners.

35.—(1) All officers of the existing Harbour Commissioners who at the appointed day are in the employment of the existing Harbour Commissioners shall thereupon become officers of the Harbour Board and such officers shall subject to the provisions of this Act have the same rights and be subject to the same obligations and incidents in respect of such employment as they would have had or been subject to as the officers of the existing Harbour Commissioners if this Act had not been passed

(2) The Harbour Board may make compensation to any officer transferred to the Harbour Board under the provisions of this section or to any other person regularly employed by the existing Harbour Commissioners whose services shall be dispensed with by the Harbour Board and may continue any pension or annual payments made to any former servants of the existing Harbour Commissioners.

(3) Any compensation payable under the provisions of this section may at the option of the Harbour Board be by way of annuity or by payment of a sum in gross.

PART V.

MAINTENANCE OF HARBOUR WORKS AND DRAINAGE OUTFALL.

Limits of
harbour.

36. The harbour shall include the river Arun and the estuary thereof below the line of high-water mark of ordinary spring tides from the south side of Arundel Bridge to an imaginary line drawn due east and west through an imaginary point situate fifty feet due south of the southern extremity of the western pier at the entrance to the harbour extending for five hundred yards to the east and five hundred yards to the west of that point and from the termination of this line on the east and west sides respectively due north to the high-water mark of ordinary spring tides on the seashore and the wharves lands and works for the time being of the Harbour Board. For the purpose of better identification the seaward limits of the harbour are delineated on the plan signed by the Right Honourable the Earl of Donoughmore the Chairman of the Committee of the House of Lords and by the Right Honourable James

Fitzalan Hope the Chairman of the Committee of the House of Commons to whom the Bill for this Act was referred of which plan copies have been deposited in the Parliament Office of the House of Lords and the Private Bill Office of the House of Commons the Offices of the Board of Trade and of the Minister and at the harbour office. A.D. 1927.

37. Subject to the provisions of this Act the Harbour Board may within the harbour make renew enlarge improve and maintain all piers docks basins sluices retaining and other walls piling bridges quays jetties wharves timber ponds groynes cattle-pens sheds offices warehouses and other buildings hoists lifts cranes coal-tips elevators pumps transporters dolphins buoys moorings slips stairs weighing-machines workshops sewers drains towpaths rails sidings junctions crossing turn-tables roads accesses approaches gates and all such other works machinery and conveniences ancillary to the harbour undertaking as may be necessary or convenient for and in connection with the traffic of the harbour and alter divert or shut up roads or ways and repair improve renew and maintain all or any of the works for the time being constructed by or belonging to them. Provided that nothing in this section shall authorise the Harbour Board to interfere with any public or private rights of way. A line of rails or tramway constructed under the powers of this Act shall not be used for the public conveyance of passengers unless and until it has been inspected and certified by the Minister to be fit for that use. Maintenance and improvement of existing works &c.

38. Subject to the provisions of this Act the Harbour Board shall within three years from the appointed day reconstruct renew and repair and thereafter maintain the western pier and the eastern and western entrance walls of the harbour to the south of the bridge at Littlehampton erected by the Littlehampton Council under the powers of the Littlehampton Urban District Council (Arun Bridge) Act 1905 so as to maintain the harbour as an outfall for the waters of the river Arun and subject to the provisions of the sections of this Act the marginal notes of which are "Works below high-water mark not to be constructed without consent of Board of Trade" and "Crown rights" such reconstruction renewal and repair shall be carried out in accordance with Western pier and entrance walls to be reconstructed.

A.D. 1927. — plans and specifications to be approved by an engineer to be appointed by the county council and to his satisfaction.

Harbour Board to be a drainage authority for part of harbour.

39. The Harbour Board shall be deemed to be the drainage authority for the purposes of the Land Drainage Acts 1861 1918 and 1926 of that portion of the river Arun within the harbour below Littlehampton Toll Bridge and the Harbour Board shall have sole jurisdiction to the exclusion of all other persons or bodies whether statutory or otherwise in drainage matters within such limits and shall maintain and keep open the harbour as an outfall for the waters of the river Arun Provided that nothing herein contained shall affect the right of the commissioners of sewers to drain any part of their drainage area into that part of the river Arun of which the Harbour Board shall be the drainage authority.

Appropriation of lands.

40. The Harbour Board may from time to time appropriate and adapt such parts as they think fit of any lands for the time being vested in them for the purposes of shipbuilding yards warehouses or wharves and generally for manufacturing trading or commercial purposes and lease such lands or any parts thereof for such periods and upon such terms and for such rent or other consideration as they think fit Provided that nothing in this section shall empower the Harbour Board to cause or permit a nuisance upon any such lands.

Powers as to dredging &c.

- 41.** The Harbour Board may from time to time—
- (a) alter dredge and scour the entrance channels and waterways of the harbour;
 - (b) widen deepen enlarge improve and maintain the docks entrances channels and waterways of the harbour and reduce or remove any shoals or accumulations and for that purpose enter into agreements with the owners of land adjoining or in or near the harbour for the purchase of land;
 - (c) abate or remove obstructions and nuisances in the entrance channels and waterways of the harbour or on the banks thereof;
 - (d) sell or dispose of any materials raised by them under this section or lay the same behind

any piers or structure or otherwise use such materials for the purpose of making altering repairing and maintaining the banks and foreshore of and improving the harbour; and

A.D. 1927.
—

- (e) execute all other works which shall be necessary or proper for rendering the harbour safe and commodious and for carrying out the purposes of this Act :

Provided that no materials raised under the provisions of this section shall be deposited in any place below high-water mark otherwise than in such position and under such restrictions as may be fixed by the Board of Trade.

42. The Harbour Board may from time to time build purchase contract for or hire and may maintain use let sell and dispose of steamers tugs lighters and other ships or boats for the use and accommodation of vessels using or passing the harbour and also dredgers eroders hoppers and other machinery and apparatus and may from time to time license for such purposes such number of steamers tugs lighters and other ships or boats belonging to any person for such period and on such terms and conditions as they think fit.

Power to provide steamers tugs dredgers &c.

43. Subject to the provisions of this Act a person shall not make any embankment or erect any building or work in the bed or on the banks of the harbour or drive any pile therein without the written consent of the Harbour Board which consent shall be given unless in the opinion of the Harbour Board any such embankment building work or pile would interfere with or endanger the use of the waterways of the harbour If any person acts in contravention of this section he shall be liable on summary conviction to a fine of twenty pounds and to a further penalty of forty shillings for every day on which the contravention continues after conviction :

Penalty for erections without consent of Harbour Board.

If the Harbour Board shall refuse their consent to any such embankment building or work or to the driving of any piles in the bed or on the banks of the harbour or as a condition of such consent shall require any modification or alteration therein any person dissatisfied by such refusal or by such modification or

A.D. 1927.

alteration shall notify his dissatisfaction and the reasons therefor in writing to the Harbour Board within twenty-eight days of such refusal or consent with modification or alteration as the case may be and thereupon a difference shall be deemed to have arisen between the Harbour Board and such person which shall be determined by an arbitrator to be appointed in default of agreement by the Board of Trade upon the application in writing of either of the parties and the provisions of the Arbitration Act 1889 or any statutory modification thereof shall apply to such arbitration :

Provided that nothing in this section shall affect any rights or powers of the Postmaster-General under the Telegraph Acts 1863 to 1926 :

Provided also that nothing in this section shall affect any rights or powers of the railway company.

Power to appropriate particular portions of docks &c.

44. The Harbour Board may from time to time if they shall deem it expedient so to do and subject to such terms conditions restrictions and regulations and to the payment of such rents or other sums of money as they shall think proper set apart and appropriate any particular portion of any basin dock wharf quay warehouse shed or other work or building of the Harbour Board and any conveniences connected therewith or approaches leading thereto for the exclusive accommodation and use (either temporarily or permanently) of any company body firm or person engaged in carrying on any particular trade who shall be desirous of having such exclusive accommodation for the reception of the vessels and goods belonging to or employed or conveyed by them Provided that every company body firm or person to whom such exclusive accommodation as aforesaid shall be afforded and their vessels crews servants and other persons employed by them or under their control shall be subject to the general byelaws rules and regulations of the Harbour Board applicable to their basins docks wharves quays sheds and other works and the vessels entering or using the same and the crews and other persons employed in and about such vessels.

Power to build sell or let custom house.

45. The Harbour Board may at any time with the approval of the Commissioners of Customs and Excise and the Commissioners of Works erect on such part of

any land for the time being vested in them as seems to them convenient and may maintain a building suitable for the use of the former Commissioners as a custom house and for other purposes and may sell or let the same to the latter Commissioners at such price or at such rent and on such terms and conditions as the Harbour Board and the latter Commissioners from time to time agree upon. Provided that nothing in this section shall affect or restrict the obligations of the Harbour Board under sections 14 and 15 of the Harbours Docks and Piers Clauses Act 1847.

A.D. 1927.

46. The Harbour Board may in addition to any lands owned or leased by them on the appointed day from time to time by agreement purchase or take on lease any lands not exceeding in all twenty-five acres which they may deem requisite or convenient for harbour purposes (including the provision of a harbour master's office and for the deposit of ballast) and any easements rights and interests in over and affecting such lands and may for the purposes of this Act sell or grant leases or underleases of any such lands.

Power to acquire lands by agreement.

47.—(1) The Harbour Board shall subject to any Pilotage Order which may be made by the Board of Trade under the provisions of the Pilotage Act 1913 be the pilotage authority for the pilotage district as defined by the Pilotage Order and the Pilotage Order shall take effect as though the Harbour Board were the Arundel Port Commissioners referred to in the Pilotage Order.

Harbour Board to be pilotage authority.

(2) All property rights and liabilities held enjoyed or incurred by the Arundel Port Commissioners as the pilotage authority shall be and the same are hereby transferred to and vested in the Harbour Board.

(3) The byelaws made by the Arundel Port Commissioners and confirmed by the Board of Trade on the twenty-third day of February one thousand nine hundred and twenty-two shall continue in force until revoked varied or added to.

48. The prescribed limits under section 63 (Penalty on vessels lying near the entrance of harbour or dock without permission) of the Harbours Docks and Piers Clauses Act 1847 shall be five hundred yards measured

Prescribed limits under section 63 of Harbours Docks and Piers Clauses Act 1847.

A.D. 1927. — from the southernmost extremity of the pier at the entrance to the harbour known as the West Pier.

Provision of life-saving apparatus.

49.—(1) The Harbour Board shall whenever required by the Board of Trade provide at their own expense and to the satisfaction of the Board of Trade a site on or near the harbour and build on that site a house or other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus.

(2) If the Harbour Board fail to comply with this section they shall be liable to a penalty not exceeding ten pounds for every month during which the failure continues.

Life-saving apparatus may be attached to harbour.

50. The officers of the coastguard and all persons for the time being actually employed in connection with the lifeboat or the apparatus for saving life may either permanently or temporarily without payment attach or cause to be attached to any part of the harbour spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the harbour.

Lifebuoys to be kept.

51. The Harbour Board shall at all times keep at convenient places in the harbour and in obedience to any requirements which may be made by the Board of Trade lifebuoys and lifelines in good order and fit and ready for use.

Provision against danger to navigation.

52.—(1) In case of injury to or destruction or decay of any work within the harbour so far as the same shall be constructed on or under or over any tidal waters or tidal lands below high-water mark of ordinary spring tides the Harbour Board shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Trinity House and shall apply to that corporation for directions as to the means to be taken.

(2) If the Harbour Board fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding ten pounds and in the case of a continuing offence to an additional penalty not exceeding one pound for every day during which they omit after conviction thereof so to apply or refuse or neglect to obey any direction given in reference to the means to be taken.

53. The Harbour Board shall not nor shall any other body or person under the powers of this Act construct on over or under the shore or bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides any work other than works of repair or do any dredging other than dredging the existing docks entrances channels and waterways of the harbour without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or assistant secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve of in writing under hand as last aforesaid and where any such work may have been constructed the Harbour Board or any other body or person shall not at any time alter or extend the same without obtaining previously to making any alteration or extension the like consent or approval. If any work be commenced altered extended or completed contrary to the provision of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the owner of such work and the amount of such costs and charges shall be a debt due from the owner of such work to the Crown and shall be recoverable as a Crown debt or summarily.

A.D. 1927.
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Works below high-water mark not to be constructed without consent of Board of Trade.

54. The banks of the river Arun above Littlehampton Toll Bridge within the harbour other than the wharves and pile-wharves belonging to the existing Harbour Commissioners shall continue to be maintained by the commissioners of sewers and notwithstanding anything contained in this Act or in the Acts of 1732 to 1825 the Harbour Board shall not be responsible for the repair or maintenance of any of the said banks or of any towing track or path or ditch drain or gate above the said bridge.

Banks above Littlehampton Bridge to be maintained by commissioners of sewers.

PART VI.

RATES.

55. The Harbour Board may subject to the provisions of this Act levy demand and take in respect of all animals and goods shipped unshipped or transhipped within the harbour any sums not exceeding the rates specified in Part I of the Third Schedule to this Act.

Rates on goods.

A.D. 1927.

Rates on
vessels.

56. The Harbour Board may subject to the provisions of this Act levy demand and take for and in respect of every vessel entering or departing from or remaining in the harbour other than fishing vessels registered at Littlehampton any sum not exceeding the rates specified in Parts II III IV and V of the Third Schedule to this Act.

Charges for
steam tugs.

57. The Harbour Board may from time to time fix such rates or charges as may appear to them reasonable for or in respect of the use of any steamers tugs lighters and other ships or boats let or licensed by them and such rates or charges shall be paid by the owner agent master consignee or other person having charge of any vessel obtaining the assistance or use of any such steamers tugs lighters or other ships or boats to the Harbour Board or to their licensee or to the person with whom they may contract or to the owner of the steamer tug lighter or other ship or boat if licensed by the Harbour Board as the case may be and such rates and charges shall be due and payable whether such steamers tugs lighters or other ships or boats shall be actually employed or not provided the assistance or use thereof shall have been required and shall in consequence of such requisition have been tendered by the master or other person having the command of such steamer tug lighter or other ship or boat.

Rates on
passengers.

58. The Harbour Board may subject to the provisions of this Act levy demand and take for and in respect of every passenger embarking within and departing from or entering and disembarking within the harbour any sum not exceeding the sum specified in Part VI of the Third Schedule to this Act.

Ballast
rates.

59. The Harbour Board may from time to time charge such reasonable rates as they think proper for the removal of ballast from and into vessels and such rates shall be payable by the master or owner of every vessel which discharges or loads any ballast in the harbour in respect of that vessel and shall be recoverable by the Harbour Board in the same manner as other rates in respect of vessels are recoverable under this Act.

Charges for
services not
otherwise
provided
for.

60. The Harbour Board may make reasonable charges for all work done services rendered facilities afforded and plant and machinery or appliances provided

by them for the despatch of business at the harbour or the convenience of shipmasters merchants and others concerned with the traffic thereat in so far as such charges are not expressly provided for by this Act. A.D. 1927.
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61.—(1) If it is represented by application in writing to the Minister— Revision of
rates &c.

- (a) by any chamber of commerce or shipping or any representative body of traders or any person who in the opinion of the Minister is a proper person for the purpose; or
- (b) by the Harbour Board;

that under the circumstances then existing the authorised rates or any of them should be revised the Minister if he thinks fit may make an order revising the authorised rates referred to in the application or any of them and may fix the date as from which such order shall take effect and thenceforth such order shall remain in force until the same expires or is revoked or modified by a further order of the Minister made in pursuance of this section. Provided that before making an order under this section the Minister shall cause an inquiry to be held with reference thereto in pursuance of the Board of Trade Arbitrations &c. Act 1874 as applied by this section.

(2) Where upon an application for revision of authorised rates or an authorised rate an order has been made or the Minister has decided not to make an order no further application for a revision of the rates or rate to which the application related shall be made within twelve months from the date of such order or decision as the case may be.

(3) The provisions of Part I of the Board of Trade Arbitrations &c. Act 1874 shall apply for the purposes of this section—

- (a) as if the Minister were referred to therein in lieu of the Board of Trade;
- (b) as if the person or persons duly authorised to hold any inquiry thereunder were the rates advisory committee constituted under the Ministry of Transport Act 1919 or any sub-committee thereof to which the said advisory committee may under section 2 of the Harbours Docks and Piers (Temporary Increase of Charges) Act

A.D. 1927.

1920 have delegated their powers or in the event of the said advisory committee ceasing to exist some persons with similar qualifications to be appointed for the purpose by an order of the Minister under section 2 of the said Act of 1874; and

- (c) as if in section 4 of the said Act of 1874 the words "under the seal of the Minister of Transport" were substituted for the words "by writing under the hand of the president or of one of the secretaries of the Board."

(4) An application made to the Minister under this section shall be accompanied by such information and particulars as the Minister may consider relevant certified in such manner as he may require and the Minister and the body or persons holding an inquiry for the purposes of this section may call for such documents and accounts as they may consider relevant and may hear such witnesses as they shall think fit and shall have power to take evidence on oath and for that purpose may administer oaths.

Fractional part of penny to be reckoned as one penny.

62. In levying and recovering any rates rents tolls duties dues and charges payable under the authority of this Act or any other Act relating to the harbour any fractional part of a penny in the total amount payable at any one time by any person may be reckoned as one penny.

Rates to be charged equally.

63. The rates by this Act authorised to be levied at the harbour shall at all times be charged equally to all persons in respect of the same class or description of vessel and the same class or description of goods and all the said rates shall be paid to the Harbour Board at the harbour offices or at such other place as they may from time to time fix and appoint.

Power to vary exemptions and compound for rates.

64. The Harbour Board may confer vary or extinguish exemptions from and compound with any person with respect to the payment of rates or charges authorised by this Act but so that no preference be in any case given to any person over any other person using the harbour under the like circumstances and that anything done under this section shall not prejudice the other provisions of this Act.

65. The harbour master may prevent the removal or sailing from the harbour of any vessel in respect of which or of the goods imported or exported therein any rates are payable until evidence has been produced to him of the payment of those rates to the collector. A.D. 1927.
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Harbour master may prevent sailing of vessels.

66. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to along and from the harbour without payment. Lifeboat crew exempt from tolls.

67. All barges and other vessels belonging to the commissioners of sewers and all ferry boats belonging to the Littlehampton Council shall at all times be exempt from the rates specified in the Third Schedule to this Act. Sewers commissioners' barges and Council's ferry boats exempt from tolls.

68. All persons for the time being actually employed by the commissioners of sewers in the use and management of their barges or other vessels and all persons for the time being actually employed by the Littlehampton Council in the use and management of their ferry boats shall at such times have free ingress passage and egress to along and from the harbour without payment. Exemption of servants of commissioners of sewers and of Littlehampton Council from rates.

69. Officers of the Board of Trade and Ministry of Transport and police officers acting in the execution of their duty shall at all times have free ingress passage and egress to along and from the harbour without payment. Exemption of officers of Board of Trade &c. from rates.

PART VII.

BYELAWS AND REGULATIONS.

70.—(1) In addition to the byelaws which may be made under the provisions with respect to the byelaws to be made by the undertakers of the Harbours Docks and Piers Clauses Act 1847 the Harbour Board may from time to time make alter and repeal such byelaws as they Additional byelaws.

A.D. 1927. shall think fit for all or any of the following purposes
(that is to say):—

For preventing any part of any basin dock wharf quay warehouse street or other works or buildings specially appropriated or leased by the Harbour Board to or for any particular purpose trade or business being used for any purpose so as to prevent or interfere with its use for the purpose for which it is so appropriated or leased;

For preventing and moving obstructions or impediments within or to the harbour or to any pier quay wharf or work or the approaches thereto respectively;

For preventing and regulating the removal of boulder sand or shingle from the harbour so as to secure that such removal does not injuriously affect the harbour or the works or navigation thereof;

For regulating the use of and the moving of carriages wagons trucks and animals and the moving of goods along the wharves and quays belonging to the Harbour Board and upon any overhead communication rails siding and turn-tables of the Harbour Board;

For regulating the conduct of the owners masters and crews of vessels propelled by mechanical power and the rate of speed at which vessels may proceed within the harbour and for requiring such vessels to stop or slow their engines at such times and places as the Harbour Board may require;

For regulating the taking on board landing or putting out passengers;

For regulating the towing of vessels within the harbour and the size and number of vessels to be towed at one time in one train or by one or more tug-boats the speed at which tug-boats shall proceed whether towing or not the order and manner in which the towage shall be given and the duties and conduct of all persons employed in or upon the tug-boats;

For regulating the conduct and behaviour of boatmen ferry-boatmen lumpers hoblers jobbers

stevedores and others employed at or resorting to the harbour and the quays wharves and works of the Harbour Board whether in the employment of the Harbour Board or not;

For regulating the ballasting of vessels within the harbour or the order and the manner in which they shall be supplied with ballast and the discharging removing or disposal of ballast;

For preventing the placing on the wharves quays and works of the Harbour Board or in or on any part of the harbour of any goods other than such goods as the Harbour Board think fit to be permitted to be placed there and for providing for the removal of any such goods by the Harbour Board;

For regulating the moving whether on water or on land and the storing of and if the Harbour Board deem fit for preventing the bringing into the harbour explosives or other goods which the Harbour Board deem dangerous within the harbour;

For preventing the discharge into the harbour of oil and foul water;

For regulating the use of any overhead communications and works connected therewith;

which byelaws may be enforced in the same manner as byelaws made by the Harbour Board under the Harbours Docks and Piers Clauses Act 1847 and the penalties for any breach or contravention thereof may be enforced by the harbour master and may be recovered in any court of competent jurisdiction.

(2) All byelaws made by the Harbour Board under the powers of the Harbours Docks and Piers Clauses Act 1847 and this section or either of them shall be observed under penalties not exceeding the sum of five pounds for each offence.

71. Notwithstanding anything in the Harbours Docks and Piers Clauses Act 1847 or in this Act no byelaw made by the Harbour Board under the powers of either of those Acts after the passing of this Act shall come into operation until it has received the

As to allowance of byelaws.

A.D. 1927. allowance and confirmation of the Minister and that allowance and confirmation shall be sufficient for all purposes and no byelaw so made shall require allowance or confirmation by a judge of the High Court or by justices at quarter sessions :

Provided that in the case of any byelaws which the Minister in consultation with the Board of Trade shall deem primarily to concern the interests of navigation the provisions of this section shall apply as if the said Board were substituted for the Minister and the allowance and confirmation of any such byelaws by the Minister or the Board of Trade respectively shall be sufficient evidence of compliance with the provisions of this section :

Provided also that no byelaw affecting the foreshore below high-water mark shall come into operation until the consent of the Board of Trade has been obtained.

The provisions of this section shall not apply to byelaws made by the Harbour Board under sections 96 to 98 of the Commissioners Clauses Act 1847.

PART VIII.

ACCOUNTS AND AUDIT.

Separate accounts to be kept by Harbour Board.

72. The Harbour Board shall keep separate accounts of—

(a) All moneys received by them from the county council referred to in the section of this Act the marginal note whereof is "Power to county council to provide money" and any moneys received by them by way of grant towards the cost of the works referred to in the said section and the surplus moneys, stocks, funds and investments referred to in the section of this Act the marginal note whereof is "Application of moneys transferred to Harbour Board" and the expenditure thereof;

(b) Each of the funds referred to in the section of this Act the marginal note whereof is "Creation of reconstruction and repair funds by Harbour Board" and the expenditure thereof;

- (c) All moneys received by them and referred to in the section of this Act the marginal note whereof is "Power for Harbour Board to borrow" and the expenditure thereof; A.D. 1927.
- (d) All other income and expenditure of the Harbour Board.

73. The provisions of section 58 of the Local Government Act 1894 shall apply to the accounts of the Harbour Board and of their committees and officers and to the audit thereof. *Accounts.*

74.—(1) The Harbour Board shall within three months after the date to which their annual accounts and balance sheet are made up send a copy of the same to the Minister. *Annual account to be sent to Minister of Transport.*

(2) The Harbour Board shall as from the expiration of that period be liable to a penalty not exceeding twenty pounds for every week or part of a week during which they refuse or neglect to comply with the foregoing provisions.

(3) The accounts of the Harbour Board referred to in this section and in section 50 of the Harbours Docks and Piers Clauses Act 1847 respectively shall be made up to the thirty-first day of March in each year.

75. The Harbour Board shall in each year as soon as practicable after their annual accounts and balance sheet are audited and passed send a copy thereof to each of the constituent authorities. *Annual accounts to be sent to constituent authorities.*

76. The books and accounts of the Harbour Board shall be open at all reasonable times to the inspection of the constituent authorities or any of them or to any person authorised by them respectively in writing with liberty to take extracts therefrom and without any payment being made therefor. *Account books to be open to inspection.*

PART IX.

FINANCIAL.

77. All moneys stocks funds and investments transferred to the Harbour Board on the appointed day under the provisions of this Act shall be applied in the discharge of any liabilities existing on the revenue account of the harbour undertaking on that day and *Application of moneys transferred to Harbour Board.*

A.D. 1927. in setting aside the sum of five hundred pounds as a working balance on revenue account and any surplus shall be credited to the account to be kept under paragraph (a) of the section of this Act the marginal note whereof is "Separate accounts to be kept by Harbour Board" and shall be applied by the Harbour Board towards payment of the expenses of carrying out of the works of reconstruction renewal and reparation referred to in the section of this Act the marginal note whereof is "Western pier and entrance walls to be reconstructed."

Power to county council to provide money.

78. The county council shall from time to time pay to the Harbour Board the moneys not exceeding in the aggregate seventy thousand pounds required to enable the Harbour Board to carry out the works of reconstruction renewal and reparation referred to in the section of this Act of which the marginal note is "Western pier and entrance walls to be reconstructed."

Power for county council to borrow.

79. In order to provide the money required to pay the costs charges and expenses referred to in the section of this Act the marginal note whereof is "Costs of Act" and to provide the moneys required to be paid by the county council to the Harbour Board under the last preceding section of this Act the county council may borrow on the security of the county fund without the consent of the Ministry of Health such sums as may be required from time to time for such purposes but not exceeding in all seventy-five thousand pounds and with the consent of the Ministry of Health such further sums as may from time to time be found necessary for the purposes of this Act.

Repayment of loans by county council.

80.—(1) All moneys borrowed under this Act by the county council shall be repaid within the following periods :—

- (a) As regards moneys borrowed for the purpose of paying the costs charges and expenses of this Act within a period of five years of the passing of this Act;
- (b) As regards other moneys borrowed from time to time without the consent of the Ministry of Health within a period of fifty years from the date of the borrowing;

(c) As regards moneys borrowed with the consent of the Ministry of Health within such period not exceeding fifty years as the said Minister may sanction. A.D. 1927.

(2) Section 69 of the Local Government Act 1888 so far as applicable and as if the words "not exceeding thirty years" in subsection (5) of that section were omitted therefrom shall apply to the borrowing and re-borrowing of moneys by the county council for the purpose of this Act. Provided that moneys so borrowed shall not be reckoned as part of the total debt of the county council for the purposes of section 69 (2) of the Local Government Act 1888.

81.—(1) The county treasurer or other officer appointed by the county council for the purpose shall within forty-two days after the thirty-first day of March in each year if during the twelve months next preceding the said thirty-first day of March any sum is required to be paid by the county council as an instalment or annual payment or to be appropriated or to be paid by the county council to a sinking fund in pursuance of the provisions of this Act or in respect of any money raised by the county council thereunder and at any other time when the Minister of Health may require such a return to be made transmit to the Minister of Health a return in such form as may be prescribed by that Minister and if required by that Minister verified by a statutory declaration of the county treasurer or other officer as aforesaid showing for the year next preceding the making of such return or for such other period as the Minister may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or investment or of the sums accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return the county treasurer or other officer as aforesaid shall for each offence be liable to a penalty

Return to
Minister of
Health as to
repayment
of debt by
county
council.

A.D. 1927. — not exceeding twenty pounds to be recovered by action on behalf of the Crown in the High Court and notwithstanding the recovery of such penalty, the making of the return shall be enforceable by writ of mandamus to be obtained by the Minister of Health out of the High Court.

(2) If it appears to the Minister of Health by that return or otherwise that the county council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum required for any sinking fund (whether such instalment or annual payment or sum is required by this Act or by the Minister of Health in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purposes other than those authorised the Minister of Health may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made shall be paid or applied as in such order mentioned and any such order shall be enforceable by writ of mandamus to be obtained by the Minister of Health out of the High Court.

Creation of reconstruction and repair funds by Harbour Board.

82.—(1) The following separate funds shall be created by the Harbour Board :—

- (i) A permanent repair fund;
- (ii) A reconstruction fund;
- (iii) A running repairs fund.

(2) (a) The permanent repair fund shall comprise annual payments of one hundred and fifty-three pounds which shall be made by the county council to the Harbour Board until such time as the said payments with the accretions thereto by way of accumulation of income as hereinafter provided shall amount to twenty thousand pounds.

(b) The reconstruction fund shall comprise annual payments of three hundred and eighty-two pounds which shall be made by the county council to the harbour board until such time as the said payments with the accretions thereto by way of accumulation of income as hereinafter provided shall amount to fifty thousand pounds.

A.D. 1927.

(3) The annual payments referred to in the last preceding subsection shall be made by the county council to the Harbour Board within fourteen days of the receipt by the county council of the payment by the last paying constituent authority of the annual contribution for that year payable by such authority under the provisions of the section of this Act the marginal note whereof is "Contributions by Harbour Board and constituent authorities."

(4) The running repairs fund shall be created by the Harbour Board setting aside and charging against the harbour revenue the sum of five hundred pounds per annum until such time as the permanent repairs fund shall amount to twenty thousand pounds.

(5) The said funds shall be applied in the following manner and for the following purposes and no other:—

(a) The permanent repairs fund shall be invested in or upon any statutory security and shall be accumulated by investing the income thereof until the amount of cash so invested amounts to twenty thousand pounds and thereafter the income thereof shall from time to time as and when necessary be applied to the maintenance and repair of the works referred to in the section of this Act the marginal note whereof is "Western pier and entrance walls to be reconstructed" and to the maintenance and repair of any other works necessary to keep open the harbour as an outfall for the waters of the river Arun;

(b) The reconstruction fund shall be invested and accumulated as aforesaid until the total amount of cash invested shall amount to fifty thousand pounds and thereafter the fund and the income arising from the investments thereof shall be applied for the purposes of reconstruction of the said works when necessary and any income not so applied shall be invested by way of accretion to the fund;

(c) The running repairs fund shall be applied to the maintenance and repair of the works referred to in the section of this Act the marginal note

A.D. 1927.

whereof is "Western Pier and entrance walls to be reconstructed" and to the maintenance and repair of any other works necessary to keep open the harbour as an outfall for the waters of the river Arun. Provided that if in any year the fund shall be insufficient to provide for the cost of any such repairs the deficiency shall be made good out of the harbour revenue.

(6) Within three months of the passing of this Act the Harbour Board shall produce to the Commissioners of Inland Revenue a King's Printer's copy of this Act stamped with duty at the rate of two shillings and sixpence for every five pounds of the respective amounts of one hundred and fifty-three pounds and three hundred and eighty-two pounds payable under this section and in default of such production the said duty with interest thereon at the rate of five pounds per centum per annum from the time hereinbefore fixed for production until payment shall be a debt due from the Harbour Board to His Majesty.

Contributions by Harbour Board and constituent authorities.

83.—(1) Within fourteen days after the thirtieth day of November one thousand nine hundred and twenty-eight and within fourteen days after every subsequent thirtieth day of November or within fourteen days after a demand in writing from the county council (whichever shall be the later) the Harbour Board and each of the constituent authorities other than the county council shall pay to the county council their proportionate contribution to any moneys payable by the county council during the then current year ending on the subsequent thirty-first day of March—

(a) to the Harbour Board for such current year under the provisions of the section of this Act the marginal note whereof is "Creation of reconstruction and repair funds by Harbour Board";

(b) for interest and sinking fund payments or repayment of principal in respect of any sums borrowed by the county council under the provisions of the section of this Act the marginal note whereof is "Power for county council to borrow."

(2) The proportionate contributions of the Harbour Board and each of the constituent authorities other than the county council shall be— A.D. 1927.

- (i) in the case of the Harbour Board the sum of three hundred pounds;
- (ii) in the case of the Littlehampton Council $\frac{75}{140}$ ths of the balance of the said moneys after deducting the said sum of three hundred pounds;
- (iii) in the case of the Arundel Corporation $\frac{5}{140}$ ths of the said balance;
- (iv) in the case of the East Preston Council $\frac{10}{140}$ ths of the said balance;
- (v) in the case of the commissioners of sewers $\frac{10}{140}$ ths of the said balance.

(3) Each such contribution shall be a debt due from the Harbour Board or the constituent authority as the case may be to the county council.

(4) Within three months of the passing of this Act the Harbour Board shall produce to the Commissioners of Inland Revenue a King's Printer's copy of this Act stamped with duty at the rate of two shillings and sixpence for every five pounds of the amount of three hundred pounds payable by the Harbour Board to the county council under this section and in default of such production the said duty with interest thereon at the rate of five per centum per annum from the time hereinbefore fixed for production until payment shall be a debt due from the Harbour Board to His Majesty.

84.—(1) The Harbour Board may for the purpose of improving the harbour borrow on mortgage of the harbour revenue with the consent of the Minister and the county council such sum or sums as may be required for such purpose. Power for
Harbour
Board to
borrow.

(2) The county council may lend to the Harbour Board any sums required to be borrowed by them under the preceding subsection and subsection (2) of section 12 of the Local Government Act 1894 shall apply as if for references therein to a parish council there were substituted references to the Harbour Board.

A.D. 1927.

(3) All moneys borrowed by the Harbour Board in pursuance of this section shall be repaid upon such terms and by instalments spread over such period as may be approved by the Minister.

(4) All moneys borrowed under this section shall be applied only for the purposes of this Act for which capital money may be properly applied and not otherwise.

Application
of revenue.

85. The Harbour Board shall apply the harbour revenue—

Firstly In paying the salaries of the harbour master pilot clerk and treasurer and of any other officer or servant together with the costs charges and expenses incurred in the collection and recovery of the revenue of the Harbour Board in setting aside the sum of five hundred pounds referred to in the section of this Act the marginal note whereof is "Creation of reconstruction and repair funds by Harbour Board" and in making good any deficiency referred to in that section and paying any other expenses incident to the working management and maintenance of the harbour undertaking not provided for by this Act;

Secondly In paying their annual contribution to the county council as provided by this Act;

Thirdly In paying interest on and providing for the repayment of the principal of all moneys for the time being borrowed by the Harbour Board under the powers of this Act;

Fourthly Any surplus remaining at the end of any financial year after providing for such payments as aforesaid and retaining a sum of not exceeding five hundred pounds for a working balance shall so long as any payments are required to be made by the county council under the provisions of the section of this Act the marginal note whereof is "Contributions by Harbour Board and constituent authorities" be paid to the county council within fourteen days after the completion of the audit of accounts Provided that the amount so paid shall not

exceed the annual payments to be made by the county council under that section; A.D. 1927.

Fifthly In payment of the cost of improving the harbour.

86. The county council shall within fourteen days of the receipt of the surplus moneys referred to in the foregoing section apportion such moneys among the constituent authorities in the following proportions (namely):— Apportionment of surplus revenue.

The county council - - -	-	-	40/140ths
The Littlehampton Council - -	-	-	75/140ths
The Arundel Corporation - -	-	-	5/140ths
The commissioners of sewers - -	-	-	10/140ths
The East Preston Council - -	-	-	10/140ths

and shall notify the authorities of such apportionment and credit the amount so apportioned to each constituent authority against their next annual contribution.

87. If in any year the harbour revenue is not sufficient to meet the contribution of three hundred pounds to be made by the Harbour Board under this Act and the sum of five hundred pounds referred to in the section of this Act the marginal note whereof is "Creation of reconstruction and repair funds by Harbour Board" the county council shall notify the other constituent authorities and the constituent authorities shall contribute to the deficiency in the proportions referred to in the section of this Act the marginal note whereof is "Apportionment of surplus revenue." Rateable contributions.

88.—(1) Any moneys which the county council may pay to the Harbour Board under this Act otherwise than out of moneys borrowed by them shall be paid out of the general county fund of the county. Payment of contributions by contributing authorities.

(2) Any moneys which the Arundel Corporation or the Littlehampton Council shall contribute under this Act shall be paid out of the general rate fund or general rate of their district.

(3) Any moneys which the East Preston Council shall contribute under this Act shall be deemed to be general expenses of their district.

A.D. 1927.

(4) Any moneys which the commissioners of sewers shall contribute under this Act shall be paid out of the sewers rate.

PART X.

MISCELLANEOUS.

Amend-
ment of
section 46
of West
Sussex
County
Council
(Bridges)
Act 1918.

89. Section 46 of the West Sussex County Council (Bridges) Act 1918 shall be and the same is hereby amended and shall have effect as if for the paragraph commencing "Thirdly" the following paragraph had been substituted:—

"Thirdly" Out of any surplus remaining
" after providing for such payments as aforesaid
" there shall be set aside by the county council
" an annual sum of two hundred pounds which
" shall be accumulated at compound interest
" by investing the same in or upon any securities
" in or upon which the county council may by
" law invest until the fund so formed amounts
" to the sum of eight thousand pounds and there-
" after the interest arising from such fund shall
" be applied from time to time to the repair of
" the new bridge and any portion of such interest
" not so applied shall be invested as an addition
" to the fund but so that such addition may
" be resorted to in any future year to defray
" the cost of the repair of the new bridge as
" aforesaid Provided that the investments for
" the time being representing the said fund
" shall not thereby be reduced so as to produce
" an annual gross income of less than four
" hundred pounds."

Crown
rights.

90. Nothing in this Act affects prejudicially any estate right power privilege or exemption of the Crown and in particular nothing herein contained authorises the Harbour Board or any other body or person to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land hereditaments subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of

the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose. A.D. 1927. —

91. Nothing in this Act shall affect prejudicially any estate right power privilege liberty franchise or exemption of the most Noble Bernard Marmaduke Duke of Norfolk and Earl of Arundel and every such estate right power privilege liberty franchise or exemption shall continue to be vested in and be enjoyed by the said Duke of Norfolk and Earl of Arundel and his sequels in estate as though this Act had not been passed. For protection of Duke of Norfolk and his sequels in estate.

92. For the protection of the railway company the following provisions shall unless otherwise agreed in writing apply and have effect (that is to say) :— For protection of railway company.

- (1) The Harbour Board shall not deepen dredge scour or excavate any portion of the harbour within fifty feet of the wharf bridges railways works or other property of the railway company as existing at the passing of this Act until the Harbour Board shall have given to the railway company fourteen days' notice in writing of their intention so to do (except in case of emergency when they shall give as long a notice as is practicable) and stating the position depth and extent of the intended deepening dredging scouring or excavation :
- (2) Any such works of deepening dredging scouring or excavation carried out within the aforesaid limits under the powers of this Act shall be executed under the supervision (if given) and to the reasonable satisfaction of the engineer of the railway company and in the event of any injury or damage to the said wharf bridges railways works or property being caused by any such works or operations the Harbour Board shall make full compensation to the railway company in respect thereof :
- (3) The Harbour Board shall not construct or execute any works or deepen dredge scour or excavate any portion of the harbour in such a manner as to prevent access to the wharf or other property of the railway company :

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(4) Any difference which may arise between the railway company and the Harbour Board under this section shall be referred to the arbitration of an engineer or other fit person to be appointed failing agreement between the parties on the application of either party after notice in writing to the other by the President of the Institution of Civil Engineers and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.

Costs of
Act.

93. All costs charges and expenses preliminary to and of and incidental to the preparing applying for and passing of this Act as taxed by the taxing officer of the House of Lords or House of Commons shall be paid by the County Council and such costs shall include any sum allowed to the clerk to the county council as solicitor acting in the promotion of this Act.

The SCHEDULES referred to in the
 foregoing Act.

A.D. 1927.

THE FIRST SCHEDULE.

PART I.

ENACTMENTS REPEALED.

Acts.	Title.	Extent of Repeal.
6 Geo. II c. xii.	An Act for erecting piers in and for repairing and keeping in repair the Harbour of Little Hampton called Arundel Port in the county of Sussex.	The whole Act.
33 Geo. III c. c.	An Act to explain and amend an Act made in the sixth year of the reign of His late Majesty King George the Second intituled "An Act for erecting Piers in and for repairing and keeping in repair the Harbour of Little Hampton called Arundel Port in the County of Sussex" and for empowering the Commissioners acting under the said Act to improve the navigation of the River Arun from the said harbour to the town of Arundel in the said county.	The whole Act save part of section 1 sections 2 and 17.
6 Geo. IV c. clxx.	An Act for the more effectual security of the Harbour of Littlehampton called Arundel Port in the county of Sussex.	The whole Act save section 36.

PART II.

PART OF SECTION I AND OTHER SECTIONS OF THE ACT
 OF 1793 EXCEPTED FROM REPEAL.

(1) That it shall and may be lawful to and for the several persons appointed to be, or now acting as Commissioners under or by virtue of the said recited Act, and their Successors, to be

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Commissioners
authorized
to extend
the piers
and make
groins &c.

and
empowered
to rent
lands for
improving
the river
and
navigation

and to
make a
towing
track &c.

hereafter nominated and appointed in pursuance of and according to the Directions therein contained, or any nine or more of them, at any time or times from and after the 1st day of May 1793 and they are hereby authorized and empowered to cause the Piers now erected and standing at the Mouth of the said River Arun at or near Littlehampton aforesaid, or either of them, to be extended as much farther into the Sea as may be thought necessary or proper; and also to make such Groins and other Works from the High-Water Mark on the Beach there, at any distance within 500 yards of either of the said Piers, as shall appear to be useful for turning or breaking off the Force of the Tide, or otherwise for the preservation or improvement of the aforesaid Harbour; and also from time to time to rent and take for and during such Term or Terms for Years as they the said Commissioners for the Time being, or any Nine or more of them, shall think proper to hold the same, so much and such Part or Parts of the Lands or Ground immediately adjoining to or lying near either of the Banks of the said River Arun, from the Mouth or Entrance of the said Harbour, and through or near the several Parishes of Leominster, Littlehampton, Climping, Ford and Tortington, to the West End of a certain Piece of Land, called The Tanners Slupe, in the Parish of Arundel aforesaid, as shall or may from Time to Time be thought necessary for the purpose of amending and improving the said River, and the Navigation thereof, as hereinafter is directed: And the said Commissioners for the Time being, or any Nine or more of them, shall and may, and they are hereby authorized and empowered; at any Time or Times after the 1st day of May 1793, by themselves, their Deputies, Agents, Workmen, or Servants, to lay out, order, and direct, where, and in what manner, a proper and convenient Track, or Path, Bank or Way, may be made, for the Towing, Drawing or Conveying of Vessels, Boats, Barges, Lighters, or other Craft, up or down the said River, from the Harbour of Littlehampton to Arundel aforesaid, with or by Men, Horses, or otherwise; and shall and may order and cause the same to be made and perfected accordingly, so as that such Track or Path, Bank or Way, shall follow the Course of the said River, or within the Distance of Fifty Yards from the Edge thereof at Low-Water Mark; and shall and may at any time or Times hereafter, nominate and appoint their Officers, Agents, Workmen, Servants, or Labourers, who shall be and are hereby authorized and empowered to make, repair, amend and improve the same, in such manner as they shall think necessary and convenient for the purposes aforesaid.

(2) Provided nevertheless, and it is hereby enacted and declared, That nothing herein contained shall authorize or empower the said Commissioners or their Successors to make any Road, Way, or Passage in, through, or over any of the Lands and Grounds the Property of the Most Noble Charles, Duke of Norfolk, situate

in the Parishes of Arundel or Tortington, for the purpose of going to any Quays, Wharfs, or Landing-Places, or for any other purpose, save and except a Road to the West End of The Tanners Slupe in Arundel aforesaid, from the High Road near the Rooks-Pond leading from Arundel aforesaid, to the City of Chichester, in the said County of Sussex, for the Purposes of passing to and from the Towing-Path only; and that it shall and may be lawful to and for the said Duke and his Successors, Owners of the said Lands, at any Time or Times to shut up the said Road against any Person or Persons other than the said Commissioners or their Successors and all such other Persons as shall or may use the said Track or Path for the purpose of towing or hauling any Vessel up or down the River Arun. A.D. 1927.

17. Provided also and it is hereby further enacted That it shall and may be lawful to and for all and every Persons, having or possessing any Right or Rights of Fishery in the said River Arun, to draw out their nets upon or over such Track or Path as aforesaid, or any Part thereof; and also to and for the Proprietors or Owners of Land lying near or contiguous to the said River to pass over, upon, or across the same Track or Path, or any Part thereof (except so much of the same, and such Land or Ground, Place or Places, as shall be used or taken by the said Commissioners for the Purpose of making, erecting, constructing, or placing any Quay, Wharf, Landing-Place, Weighing-Beams or Cranes, Posts, Stoops, Winches, or other Engines thereon), either for repairing the Banks of such River, or for landing of Chalk or other Goods, or for any other Purpose whatsoever. Powers for persons having right of fishery and owners of land in and near the river to pass over or upon the towing-track.

SECTION OF THE ACT OF 1825 EXCEPTED FROM REPEAL.

36. Provided also, and it is hereby further enacted, That it shall and may be lawful to and for all and every Person having or possessing any Right or Rights of Fishery in the said River Arun to draw out their Nets upon or over any Lands or Grounds adjoining the said River belonging to the said Commissioners. Saving rights of fishery.

THE SECOND SCHEDULE.

LITTLEHAMPTON HARBOUR.

NOMINATION OF ELECTED MEMBERS OF HARBOUR BOARD.

We A.B. [here insert name and designation] and B.C. [here insert name and designation] hereby nominate [here insert name

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A.D. 1927. and designation of candidate] for election as an elected member of the Littlehampton Harbour Board.

Given under our hands this [] day of [] 19 .

Two
 electors.

And I the said [] hereby sanction and approve of the said nomination.

Candidate.

To the clerk to the Littlehampton Harbour Board.

DIRECTIONS FOR SIGNING.

This nomination shall be signed by two electors and the candidates and delivered to the returning officer eleven days at least prior to the [] day of [] 19 being the day of election.

Each candidate must be nominated by a separate nomination paper.

Each elector may sign as many nomination papers as there are vacancies to be filled but no more.

The nomination papers shall be signed in case of a partnership by one of the partners in the partnership name and in the case of a company shall be signed by the person appointed to nominate candidates.

No person may subscribe more than two nomination papers nor more than one nomination paper for the same candidate.

LITTLEHAMPTON HARBOUR.

Election of elected representatives on the day of
 19 .

VOTING PAPER.

No. of Voting Paper.	Name and Address of Voter.	No. of Votes.

A.D. 1927.

Name and Address of Candidates.	Nominated by	Column for Voter's Cross.

I [or as the case may be] vote for the persons in the above list against whose names I [or we] have placed a cross.

Signed [].

Signature of witness

Address of witness

DIRECTIONS FOR VOTING.

The voter shall place a **X** against the name of each candidate for whom he votes in the column for that purpose and shall sign the voting paper in the presence of a witness who must affix his signature and address in verification of the signature of the voter.

The voter can only vote once for each candidate and for as many candidates as there are members to be elected.

The cross placed against the name of each candidate voted for will entitle him to the number of votes specified in the above voting paper.

The voting paper must be delivered by post or otherwise to the returning officer in a sealed envelope addressed to him marked in the top left-hand corner "Harbour Voting Paper" so that the same shall be received by him at the harbour office at _____ not later than six o'clock of the afternoon of the day before the day of election and must be delivered complete.

In case of a partnership the voting paper is to be signed by one of the partners in the partnership name and in the case of a company in the corporate name and countersigned by the person nominated to vote.

A.D. 1927.

THE THIRD SCHEDULE.

PART I.

RATES IN RESPECT OF ANIMALS AND GOODS SHIPPED
 UNSHIPED OR TRANSHIPPED IN THE HARBOUR.

	Per	s.	d.
Aerated waters	ton	1	0
Agricultural implements	ton	2	3
Alum	ton	1	8
Ammonia	ton	1	0
Anchors iron or steel	ton	2	3
Animals live :—			
Asses	each	0	6
Bulls	each	0	6
Calves	each	0	3
Cows	each	0	6
Dogs	each	0	3
Goats	each	0	3
Horses	each	1	0
Lambs	each	0	1
Mules	each	0	6
Pigs	each	0	2
Sheep	each	0	2
Not otherwise stated	each	0	3
Aniseed	ton	1	0
Arrowroot	ton	1	0
Ashes	ton	0	4
Asphalt	ton	0	3
Bacon	ton	3	4
Ballast	ton	0	2
Bark	ton	1	0
Barrels empty	each	0	1
Bars iron or steel	ton	2	3
Baskets over 12 inches diameter	dozen	1	6
Baskets under 12 inches diameter	dozen	1	2
Beer in casks	36 gallons	0	3
Beer bottled	ton	0	6
Bicycles	each	0	6
Biscuits	ton	0	6
Bleaching powder	ton	0	6
Blubber	ton	1	0
Boats	each	2	0
Bolts iron or steel	ton	2	3
Books	ton	5	0
Boots and shoes	ton	1	0
Bottles	gross	0	3

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	Per	s.	d.	A.D. 1927.
Bottles broken	ton	0	2	—
Boxes empty	ton	0	2	
Brass	ton	2	3	
Bricks :—				
Common	1,000	0	4	
Fireclay and bath	1,000	1	0	
Brimstone	ton	0	6	
Brooms and brushes	gross	1	6	
Burnt ore	ton	0	4	
Butter	ton	1	8	
Candles	ton	1	8	
Canvas	ton	1	8	
Carpets	ton	1	0	
Carriages and carts :—				
Four wheels	each	5	0	
Two wheels	each	2	6	
Castings iron or steel	ton	2	3	
Cement	ton	0	9	
Chaff	ton	1	0	
Chains iron or steel	ton	2	3	
Chalk	ton	0	2	
Charcoal	ton	0	6	
Cheese	ton	1	8	
Chemicals not otherwise specified	ton	1	0	
Chimney pots clay	ton	0	8	
Chimney pots or tops metal	ton	0	8	
Chinaware	ton	1	0	
Chocolate	ton	1	6	
Cider	ton	1	0	
Cigarettes	ton	1	8	
Cigars	ton	1	8	
Cinders	ton	0	8	
Clay	ton	0	1	
Cloth	ton	1	8	
Coal	ton	0	10	
Cocoa	ton	2	0	
Cocoanuts	ton	0	6	
Coffee	ton	2	0	
Coke	ton	0	5	
Confectionery	ton	1	0	
Copper	ton	2	3	
Copperas	ton	2	0	
Cordage	ton	3	4	
Cork	ton	6	8	
Corn meal &c. :—				
Barley	ton	1	3	
Beans	ton	1	0	

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A.D. 1927.	Corn meal &c.— <i>cont.</i>	Per	s.	d.
—	Bran	ton	1	0
	Flour	ton	0	8
	Maize (Indian corn)	ton	1	0
	Malt	ton	1	0
	Oats	ton	1	2
	Oatmeal	ton	1	0
	Peas	ton	1	0
	Rye	ton	1	0
	Tares	ton	1	0
	Wheat	ton	0	8
	Cotton :—			
	Manufactured	ton	2	0
	Raw	ton	2	0
	Culm	ton	0	8
	Drugs	ton	2	0
	Dye stuffs not otherwise specified	ton	2	0
	Earthenware	ton	1	8
	Eggs	480	0	1
	Feathers	ton	10	0
	Felt	ton	0	6
	Fish (other than shell-fish) :—			
	Fresh or salted	cwt.	0	1
	Shell-fish	cwt.	0	2
	Flax	ton	2	0
	Fruit :—			
	Fresh not otherwise specified	ton	2	6
	Dried	ton	1	8
	Furniture household	£l	0	1
	Game	ton	1	0
	Ginger	ton	0	6
	Ginger preserved	ton	0	6
	Glass :—			
	Broken	ton	0	2
	Window	ton	1	8
	Glassware	ton	1	8
	Glue	ton	1	0
	Gramophones	ton	2	0
	Granite	ton	0	4
	Grates	ton	2	3
	Gravestones	ton	0	6
	Grease	ton	1	0
	Grindstones	ton	0	6
	Groceries not otherwise specified	ton	0	6
	Gunpowder	ton	5	0
	Gypsum	ton	2	0
	Haberdashery	ton	2	0
	Hams	ton	3	4
	Hair	ton	1	0

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	Per	s.	d.	A.D. 1927.
Hardware	ton	1	8	—
Handspikes wooden	doz.	0	3	
Hats	ton	2	0	
Hay	ton	1	0	
Hearthstones	ton	0	6	
Hemp	ton	2	6	
Hides and skins	ton	1	0	
Honey	ton	3	4	
Hoops iron or steel	ton	2	3	
Hops	cwt.	0	3	
Ice	cwt.	0	3	
Jute	ton	2	0	
Kelp	ton	1	8	
Lard	ton	1	8	
Lead black red white	ton	1	8	
Lead sheet	ton	1	8	
Leather	ton	1	8	
Lemons	1,000	0	6	
Lime	ton	0	2	
Limestone	ton	0	3	
Lint	ton	1	0	
Machines and machinery not otherwise specified...	ton	2	3	
Manure :—				
Chemical	ton	0	6	
Street	ton	0	6	
Marble	ton	1	6	
Masts and spars wooden :—				
Not exceeding 16 inches in diameter	each	1	6	
Above 16 inches in diameter	each	2	6	
Mats	ton	1	0	
Meat :—				
Fresh and salted	ton	2	0	
Milk	ton	0	2	
Millinery	ton	2	0	
Mill stones	each	0	6	
Mineral waters	ton	1	0	
Mirrors... ..	ton	2	0	
Molasses	ton	1	6	
Moss litter	ton	0	3	
Motor cars	each	2	6	
Motor cycles	each	1	0	
Musical instruments	ton	2	0	
Nails iron or steel	ton	1	8	
Nitrate of soda	ton	1	0	
Nuts iron or steel	ton	1	8	
Nuts not otherwise specified	ton	1	0	
Oakum	ton	1	8	
Oars	doz.	0	6	

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	Per	s.	d.
Ochre	ton	1	8
Oil not otherwise specified	ton	0	10
Oilcake... ..	ton	1	0
Onions	ton	1	0
Oranges	ton	0	6
Ore :—			
Crude or partly manufactured... ..	ton	0	4
Paints and colours	ton	1	8
Paper	ton	1	8
Paraffin	ton	0	9
Patent fuel	ton	0	3
Paving stones	ton	1	0
Peats	ton	1	0
Perry	ton	1	0
Petrol	ton	0	9
Pewter	ton	0	10
Pictures	ton	2	0
Pig iron	ton	0	6
Pipe clay	ton	1	0
Pipes drain	ton	1	0
Pipes iron or steel	ton	1	8
Pipes tobacco	ton	2	0
Piping lead	ton	1	8
Pitch	ton	0	3
Plants shrubs or trees	ton	2	0
Plaster of Paris	ton	1	0
Plates iron or steel	ton	2	3
Potatoes	ton	1	0
Poultry	cwt.	0	6
Preserves :—			
Fish fruit meat and provisions	ton	1	0
Pyrites	ton	2	0
Rabbits dead	two doz.	0	1
Rags	ton	1	8
Rails iron or steel	ton	2	3
Rice	ton	1	8
Ropes new	ton	3	4
Ropes old	ton	0	5
Rods iron and steel	ton	2	3
Rosin	ton	1	8
Rugs	ton	1	0
Salt	ton	1	0
Saltpetre	ton	1	0
Sand	ton	0	1
Scrap iron or steel	ton	0	6
Screws iron or steel	ton	1	8
Scythes	ton	1	8

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	Per	s.	d.	A.D. 1927.
Seeds agricultural and vegetable not otherwise specified	ton	1	0	
Sewing machines	ton	2	0	
Sheets iron or steel	ton	2	3	
Shot lead	ton	1	8	
Shovels	ton	1	0	
Shumac	ton	0	6	
Slates common	ton	0	8	
Slates writing	ton	0	8	
Snuff	ton	2	0	
Soap	ton	1	8	
Soda	ton	1	8	
Spades	ton	1	0	
Starch	ton	1	8	
Stationery	ton	0	6	
Stoneware	ton	1	8	
Stoves	ton	2	3	
Straw	ton	0	2	
Stucco	ton	0	8	
Sugar	ton	1	8	
Tallow	ton	1	8	
Tar	ton	0	2	
Tea	ton	2	0	
Tiles roofing	ton	0	6	
Tin	ton	1	8	
Tinplate	ton	1	8	
Tobacco	ton	1	8	
Tow	ton	2	0	
Toys	ton	1	0	
Twine	ton	2	0	
Treenails	1,000	0	9	
Varnish	ton	1	8	
Vegetables not otherwise specified	ton	1	0	
Vinegar	ton	0	6	
Vitriol	ton	2	0	
Wheels carriage or cart	pair	0	2	
Whitening	ton	0	8	
Wines and spirits	ton	5	0	
Wire iron or steel	ton	2	3	
Wood all timber	per load of 50 cubic feet	0	9	
Firewood	per fathom of 216 cubic feet	2	6	
Wool	ton	1	0	
Worsted	ton	1	0	
Yarn cotton	ton	1	0	
Yeast	ton	1	8	
Zinc	ton	1	0	

For all articles not specified in this Part of the schedule sums may be charged equal to the rates payable in respect of

A.D. 1927. goods specified therein which are as nearly as may be of like nature package and quantity.

In charging rates on goods the gross weight or measurement of all goods shall be taken Fractional parts of any weight measure number or value shall be charged proportionately and the minimum charge for a single packet shall be 1*d.*

PART II.

RATES IN RESPECT OF VESSELS OTHER THAN SUCH AS ARE MENTIONED IN PARTS III IV AND V.

(a) Tonnage rates.

For every vessel which shall load or unload within the harbour (fishing vessels excepted) the several rates following videlicet :—

Under 100 tons	...	...	...	3 <i>d.</i>	per register ton.
Of 100 tons and under 150 tons	...	...	...	4 <i>d.</i>	„ „
Of 150 tons and under 200 tons	...	...	...	5 <i>d.</i>	„ „
Of 200 tons and upwards	...	...	...	6 <i>d.</i>	„ „

For every vessel which shall enter the harbour and shall neither load nor unload therein the several rates following videlicet :—

Under 100 tons	...	...	...	2 <i>d.</i>	per register ton.
Of 100 tons and under 150 tons	...	...	...	3 <i>d.</i>	„ „
Of 150 tons and under 200 tons	...	...	...	4 <i>d.</i>	„ „
Of 200 tons and under 250 tons	...	...	...	5 <i>d.</i>	„ „
Of 250 tons and upwards	...	...	...	6 <i>d.</i>	„ „

(b) Light dues.

For every vessel entering the harbour the following light dues in addition to the above-mentioned rates videlicet :—

For every foot depth of water drawn on entering the harbour up to 12 feet	...	...	...	4 <i>d.</i>	per foot.
For every additional foot above 12 feet	...	...	...	6 <i>d.</i>	„

(c) Remaining in the harbour more than 30 days.

For every month or part of a month during which a vessel remains in the harbour more than 30 days in addition to the above rates the several rates following :—

Not exceeding 50 tons register tonnage	...	...	...	2 <i>d.</i>	per register ton.
Exceeding 50 tons but not exceeding 100 tons register tonnage—					
For the first 50 tons	2 <i>d.</i>	„ „
For every ton beyond 50 tons	1½ <i>d.</i>	„ „

Exceeding 100 tons register tonnage—

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For the first 50 tons 2*d.* per register ton.

For the second 50 tons 1½*d.* „ „

For every ton beyond 100 tons... 1*d.* „ „

PART III.

RATES IN RESPECT OF VESSELS USED FOR PLEASURE.

EVERY CRAFT EXCEPT AS HEREIN PROVIDED USED
 PRIVATELY.

	Annual Rates.			Monthly Rates.			Weekly Rates.			24 hours Rates.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
<i>Not mechanically propelled.</i>												
1. Not exceeding 10 feet in length	0	5	0	0	2	0	0	0	9	0	0	6
2. Exceeding 10 feet and not exceeding 16 feet in length	0	7	6	0	3	0	0	1	3	0	0	6
3. Exceeding 16 feet and not exceeding 20 feet in length	0	11	3	0	4	6	0	1	9	0	0	9
4. Exceeding 20 feet and not exceeding 30 feet in length	1	13	9	0	13	6	0	5	0	0	2	0
5. Exceeding 30 feet and not exceeding 40 feet in length	2	16	3	1	0	0	0	7	6	0	2	6
6. Exceeding 40 feet and not exceeding 50 feet in length	4	0	0	1	10	0	0	10	0	0	3	6
7. Exceeding 50 feet and not exceeding 100 feet in length	5	12	6	2	0	0	0	15	0	0	5	0
8. Exceeding 100 feet in length	8	8	9	3	0	0	1	2	6	0	7	6
9. Rowing skiffs not exceeding 30 feet in length ...	0	7	6	0	3	0	0	1	3	0	0	6
<i>Mechanically propelled.</i>												
10. Not exceeding 10 feet in length	0	7	6	0	3	0	0	1	3	0	0	6
11. Exceeding 10 feet and not exceeding 15 feet in length	0	9	4	0	4	0	0	1	6	0	0	6
12. Exceeding 15 feet and not exceeding 20 feet in length	1	2	6	0	8	0	0	3	0	0	1	0

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	Annual Rates.	Monthly Rates.	Weekly Rates.	24 hours Rates.
<i>Mechanically propelled—cont.</i>	£ s. d.	£ s. d.	£ s. d.	£ s. d.
13. Exceeding 20 feet and not exceeding 30 feet in length	1 17 6	0 15 0	0 5 6	0 2 0
14. Exceeding 30 feet and not exceeding 50 feet in length	5 12 6	2 0 0	0 15 0	0 5 0
15. Exceeding 50 feet and not exceeding 100 feet in length	7 10 0	2 12 6	1 0 0	0 7 6
16. Exceeding 100 feet in length	9 7 6	3 5 0	1 5 0	0 10 0

EVERY PASSENGER-CARRYING CRAFT PLYING FOR HIRE
 EXCEPT AS HEREIN OTHERWISE PROVIDED.

	Annual Rates.	Monthly Rates.	Weekly Rates.
<i>Not mechanically propelled.</i>	£ s. d.	£ s. d.	£ s. d.
1. Not exceeding 10 feet in length ...	0 5 0	0 2 0	0 0 9
2. Exceeding 10 feet and not exceeding 16 feet in length	0 7 6	0 3 0	0 1 3
3. Exceeding 16 feet and not exceeding 20 feet in length	0 15 0	0 6 0	0 2 6
4. Exceeding 20 feet and not exceeding 30 feet in length	2 5 0	0 16 0	0 6 0
5. Exceeding 30 feet and not exceeding 50 feet in length	3 15 0	1 7 6	0 10 0
6. Exceeding 50 feet and not exceeding 100 feet in length	7 10 0	2 12 6	1 0 0
7. Exceeding 100 feet in length ...	11 5 0	3 17 6	1 7 6
8. Rowing skiffs not exceeding 30 feet in length	0 7 6	0 3 0	0 1 3
<i>Mechanically propelled.</i>			
9. Not exceeding 10 feet in length ...	0 15 0	0 6 0	0 2 6
10. Exceeding 10 feet and not exceeding 15 feet in length	0 18 9	0 7 6	0 3 0
11. Exceeding 15 feet and not exceeding 20 feet in length	2 5 0	0 16 0	0 6 0

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	Annual Rates.			Monthly Rates.			Weekly Rates.		
<i>Mechanically propelled—cont.</i>									
	£	s.	d.	£	s.	d.	£	s.	d.
12. Exceeding 20 feet and not exceeding 30 feet in length	3	15	0	1	7	6	0	10	0
13. Exceeding 30 feet and not exceeding 50 feet in length	11	5	0	3	17	6	1	7	6
14. Exceeding 50 feet and not exceeding 100 feet in length	15	0	0	5	5	0	2	0	0
15. Exceeding 100 feet in length	18	15	0	6	10	0	2	7	6

In calculating the length of any craft for the purpose of this Schedule all measurements shall be taken over all that is from the foreside of the stem to the afterside of the sternpost measured along the midship line.

PART IV.

SEAPLANES &C.

For every seaplane hydroplane or similar craft such reasonable rates as may from time to time be fixed by the Harbour Board with the consent in writing of the Minister.

PART V.

SPECIAL CRAFT.

Every tug—	£	s.	d.
Not exceeding 100 indicated horse-power per entry	1	0	0
Exceeding 100 indicated horse-power per entry ...	2	0	0
If remaining in the harbour per week or part of a week after the first calendar month	0	5	0
Every river barge (other than barges carrying materials for harbour or Sewers Commissioners' works) per annum	2	0	0
Every fishing boat (other than fishing boats registered at Littlehampton) per entry	0	4	0
Every house boat not exceeding 45 feet in length per calendar month	0	7	6
Exceeding 45 feet in length per calendar month	0	15	0
Every vessel entering the Harbour through stress of weather which shall not remain more than 48 hours and shall neither load nor unload	No rates other than the appropriate light dues and pilotage charges.		

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PART VI.

PASSENGERS.

	<i>s.</i>	<i>d.</i>
Every passenger landing from or embarking on a vessel cleared by customs from other ports	1	0
Every passenger landing from or embarking on a vessel (other than a vessel belonging to Littlehampton or Arundel) plying for hire	0	2

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