



ANNO QUINTO

GEORGIIV. REGIS.

Cap. lxxxviii.

An Act for more effectually repairing the Roads leading from *Saint Dunstan's Cross* to *North Lane* near to the City of *Canterbury*, and to the Sea Side at *Whitstable*, in the County of *Kent*, and for widening and improving the Road from *North Lane* aforesaid, over *West Gate Bridge*, to the West Gate of the said City, and for making a Foot Bridge on each Side of the said Bridge and Gate into the said City. [28th May 1824.]

WHEREAS an Act was passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for keeping in repair the Roads leading from Saint Dunstan's Cross to North Lane near to the City of Canterbury, and to the Sea Side at Whitstable, in the County of Kent*: And whereas the Trustees appointed in and by virtue of the said Act have proceeded in the Execution thereof, and have borrowed several Sums of Money upon the Credit of the Tolls authorized by the said recited Act to be demanded and taken, and a Part of such Money still remains due and owing, which cannot be repaid, and the said Roads be kept in sufficient Repair, unless the Term of the said Act is continued, and the Powers and Provisions of the said Act are altered and enlarged;

[Local.]

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and

44 G. 3. c. 1.

and it would be convenient if such Act were repealed, and the Powers and Provisions thereof were altered and enlarged, and the Tolls for that Purpose increased: And whereas a certain Road, commencing at the West Corner of *North Lane* aforesaid, and from thence passing over a certain Bridge called *West Gate Bridge*, in the Parish of *Holy Cross Westgate* in the said County of *Kent*, to the West Gate of the said City of *Canterbury*, and being in Length about Twenty-five Yards, is repaired and maintained by the Commissioners acting in Execution of an Act passed in the Twenty-seventh Year of the Reign of His

27 G. 3. c. 14. said late Majesty King *George* the Third, intituled *An Act for paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Walls of the City of Canterbury, and the Liberties thereof, and also several Streets and other Places near or adjoining to the said City, and for removing and preventing Incroachments, Obstructions, Nuisances, and Annoyances therein*: And whereas the said Road herein-before described, and particularly the Approach to and over the said Bridge, is very narrow, and extremely inconvenient for Carriages and Passengers; and it will be not only of great Benefit and Convenience to the Inhabitants of the said City of *Canterbury* and the Neighbourhood (the said Road leading to the West Gate aforesaid, which is One of the principal Entrances into the said City of *Canterbury*), but it will be highly beneficial to the Public, as the said Road forms Part of the Post Road from *London* to *Dovor*, and is much frequented by Foot Passengers and by Stage and other Coaches and Carriages, and other public and private Conveyances, if Powers were given to the Trustees to be appointed by this Act, with the Consent of the said Commissioners, to repair, widen, alter, and improve the said Roads and Bridge, and to make and repair a Foot Bridge or Way for Passengers on each Side of the said Bridge and Gate, to lead into the said City of *Canterbury*, and to make and repair a Footpath or Way for Passengers in and through Part of the Churchyard of the Church of the said Parish of *Holy Cross Westgate*:

3 G. 4. c. 126. His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas an Act was passed in the Fourth Year

4 G. 4. c. 95. of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-ninth Day of *July* One thousand eight hundred and twenty-four, the said recited Act passed in the Forty-fourth Year of the Reign of His said late Majesty King *George* the Third, (except so much thereof as repeals former Acts therein recited), shall be and the same is hereby repealed, and instead thereof this Act shall commence and take effect, and shall continue in force and be put into execution for and during the Term herein-after mentioned, for the Purpose of more effectually widening, altering, and repairing, and keeping in repair the said Roads and Bridge herein-

after

Recited Act
44 G. 3. c. 1.
repealed, and
this Act to be
executed in-
stead thereof.

after mentioned; (that is to say), the Road leading from *Saint Dunstan's Cross* near to the City of *Canterbury*, through the several Parishes of *Saint Dunstan*, *Harbledown*, *Blean*, *Hernhill*, *Seasalter*, and *Whitstable*, to the Sea Side at *Whitstable*, and also the Road leading from *Saint Dunstan's Cross* aforesaid, through the several Parishes of *Saint Dunstan* and *Holy Cross Westgate*, to the West Corner of a certain Lane called *North Lane*, in the said Parish of *Holy Cross Westgate* in the said County of *Kent*, and also the Road leading from the West Corner of *North Lane* aforesaid, through the said Parish of *Holy Cross Westgate*, to and over a certain Bridge there called *Westgate Bridge*, to the West Gate of the said City of *Canterbury*, which said Roads and Bridge shall be and are hereby vested in the Trustees herein-after nominated and appointed, and their Successors, and shall be by them repaired, maintained, and supported, under the Provisions of this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Powers of recited Acts 3 & 4 G. 4. extended to this Act.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit of the Tolls authorized to be taken by the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty on the said Roads, mentioned in the same Act, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due and owing on the Credit or Security of the Tolls granted by this Act; and all and every Person and Persons who may owe or be subject or liable to the Payment of any Sum or Sums of Money to the Trustees of the said Roads mentioned in the said Act, or to any other Person or Persons, for the Benefit of the said Trust, shall be liable to the Payment of all such Sum and Sums of Money to the Trustees for executing this Act.

New Term and Tolls liable to Debts, &c. already owing on the Credit of the Roads.

IV. And be it further enacted, That all Bonds, Covenants, and Agreements, Contracts and Securities entered into by any Person or Persons, to or with the Trustees of the said Roads mentioned in the said Act, or to or with their Clerk, Treasurer, or other Officer, or any of them, according to the Provisions and Directions of the said last-mentioned

Agreements made under former Acts to remain in force.

mentioned Act of the Forty-fourth Year of the Reign of His said late Majesty, or of the said Acts respectively of the Third and Fourth Years of the Reign of His present Majesty, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account and for the Benefit of the Trustees by this Act appointed, and shall be vested in such Trustees, and shall and may be enforced and recovered upon in any Action or Suit to be brought and carried on in the Name of any one of such Trustees, or of their Clerk for the Time being; and all Contracts or Agreements duly made or entered into by the Trustees of the said Roads mentioned in the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty, to or with any Person or Persons, shall remain in full Force and Effect, and be observed and kept by the Trustees for executing this Act, according to the Terms or Stipulations thereof respectively, and shall and may be enforced and recovered upon in any Action or Suit to be brought against any one of the said last-mentioned Trustees, or their Clerk for the Time being, notwithstanding the Repeal of the said last-mentioned recited Act.

Commissioners.

V. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Kent*, together with *John Abbott, James Abbott, Thomas Adams, John Baker, George Baker, William Henry Baldock, Richard Hobday Baldock, John Bowes Bunce Clerk, John Court, Thomas De Lasaux, Charles Delmar, Henry Dower, Henry Godfrey Faussett, Thomas Foord, Richard Friend, Robert Francis, John Peachey Francis Clerk, Thomas Fleet, Rest Flint, William Hougham, Richard Halford, William Hyder, John Headdey, William Hobday, William Homersham, James Homersham, William Horsley, John Knott, Thomas Kingsford, James Large, Richard Mount, James Marlborough, Deane John Parker, John Peirce, Edward Pillow, John Zachariah Plummer, Thomas Pain, Charles Eaton Plater Clerk, Charles Pearson the younger, Robert Rushbrooke, Joseph Royle, James Robertson, Benjamin Ricketts, John Hollingbery Stringer, Thomas Starr, John Sanders*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for carrying this Act into Execution, and such of the Powers and Provisions of the said recited Act of the Third Year of the Reign of His present Majesty as are not expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act, and also such of the Powers and Provisions of the said recited Act of the Fourth Year of the Reign of His present Majesty as are not expressly varied, altered, or otherwise provided for by this Act.

Power to appoint additional or new Trustees.

VI. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act, at a Meeting to be holden for that Purpose (of which Meeting, and of the Purpose thereof, Fourteen Days Notice shall be given, as is directed by the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty respecting the Appointment of new Trustees on Vacancies),
to

to elect, nominate, and appoint any Number of fit Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected and appointed, being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities for executing the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty and this Act, as if they had been named and appointed in and by this Act.

VII. And be it further enacted, That the said Trustees shall meet at the *Falstaff Inn*, or at some other convenient House in the Parish of *Holy Cross Westgate* aforesaid, on the Thirtieth Day of July One thousand eight hundred and twenty-four, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Morning and Three of the Clock in the Afternoon, and shall then and there proceed to put the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution.

First Meeting of Trustees.

VIII. Provided always, and be it further enacted, That the Clerk, Surveyor, and all other Officers (except the Treasurer) who have been appointed under and employed in the Execution of the said former Act hereby repealed, shall respectively continue to exercise their Offices under this Act until they shall respectively die, resign, or be displaced, or be removed by the said Trustees hereby appointed, or be incapable of executing them, and shall be subject to the like Rules and Regulations, and Pains and Penalties in all respects whatsoever, as if they had been appointed by the Trustees for carrying this Act into Execution.

Former Officers (except the Treasurer) to continue.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, shall accept the Office of Treasurer, or being the Partner of any such Treasurer shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Impar lance shall be allowed.

Treasurer and Clerk not to be the same Person.

X. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money on

Books, &c. relative to former Act

to be delivered to the Trustees under this Act.

account of the said Roads mentioned in the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the Roads by this Act directed to be improved and repaired, shall account for and pay and deliver over the same, and every Part thereof, to the Trustees in and by this Act named and appointed, in like Manner and under the like Penalties and Forfeitures as the several Collectors and other Persons receiving any Money by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act are by the said last recited Act of the Fourth Year of the Reign of His present Majesty required to pay or account for the same.

Power to continue and erect Toll Gates, Toll Houses, &c.

XI. And be it further enacted, That the said Trustees may and they are hereby authorized to continue or remove all or any of the Toll Gates and Toll Houses and Weighing Machines which have been erected in, upon, or across any Part or Parts of the said Roads mentioned in the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty, by virtue of the same Act, and shall and may erect or cause to be erected such and so many other Toll Gates and Toll Houses and Weighing Machines in, upon, or across any Part of the same Roads, and also such and so many Toll Gate or Toll Gates on the Sides of the same Roads, as they the said Trustees shall think proper or expedient.

Power to take Tolls.

XII. And be it further enacted, That it shall be lawful for the said Trustees acting in Execution of this Act, and their Lessees, Collectors, and other Persons duly authorized, to demand and take the several Tolls following, at each and every of the Toll Gates or Toll Bars, or Toll Gate or Toll Bar, or Side Gates or Side Bars, or Side Gate or Side Bar, already erected upon the said Roads mentioned in the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty, and which by virtue of this Act shall be continued or erected in, upon, or across any Part of the said Roads, and across or on the Side of any Road or Way leading into or out of any Part of the said Roads, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say),

Tolls.

For every Horse, Mule, or other Beast, drawing any Carriage, of whatever Name or Description, the Sum of Four-pence :
 For every Ass, drawing any Carriage, of whatever Name or Description, the Sum of One Penny Halfpenny :
 For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :
 For every Ass, laden or unladen, and not drawing, the Sum of One Halfpenny :
 For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number than a Score :
 And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number than a Score.

XIII. And be it further enacted, That the said respective Tolls shall be subject to the Restrictions and Regulations contained in, and shall be levied and recovered under the Powers granted by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, and shall be demanded and taken before any Horse, Mule, Ass, or other Beast whatsoever, or Drove of Oxen or Neat Cattle, Calves, Sheep, Lambs, or Swine, be permitted to pass through any Toll Gate or Toll Bar erected or to be erected or continued on the said Roads mentioned in the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty, by virtue of this Act, or in, upon, or across any Road or Way leading into or out of the same.

Tolls to be paid before Cattle pass the Gate.

XIV. And be it further enacted, That all and every the Tolls by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act authorized to be taken, shall be vested in the said Trustees hereby appointed, and their Successors, and the same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned in Manner directed by the said last mentioned Acts and this Act.

Tolls to be vested in Trustees.

XV. And be it further enacted, That no Person who shall have paid Toll for passing through any of the Toll Gates, Toll Bars, or Side Gates now erected and continued, or hereafter to be erected upon, across, or on the Sides of the Roads mentioned in the said recited Act of the Forty-fourth Year of the Reign of His said late Majesty, shall be subject or liable to any Toll for returning, passing, or re-passing through the same Toll Gate, Toll Bar, or Side Gate the same Day, before Twelve of the Clock at Night, with the same Horse, Beast, Cattle, or Carriage, for which Toll shall have been paid on that Day; but that every such Person, on producing a Note or Ticket denoting the Payment of such Toll, shall (except in the Cases herein-after mentioned) be permitted to pass through such Toll Gate, Toll Bar, or Side Gate, with such Horse, Beast, Cattle, or Carriage, Toll-free; which Note or Ticket the Collectors of the Tolls are hereby respectively required to give *gratis* on the Receipt of the Toll.

Tolls to be paid only Once a Day.

XVI. Provided always, and be it further enacted, That no Person shall be liable to the Payment of more than One full Toll for passing or re-passing with the same Horse, Beast, Cattle, or Carriage, the same Day, the whole Length of the said Roads.

Limiting the Number of Tolls.

XVII. Provided also, and be it further enacted, That for or in respect of all Horses or other Beasts of Draught drawing any Stage Coach or Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Toll Gate, Toll Bar, or Side Gate, the Tolls hereby made payable shall be paid for every Time of passing and re-passing through every such Toll Gate, Toll Bar, or Side Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts of Draught, travelling for Hire, drawing any Post Chaise

Stage Coaches, &c. to pay each Time of passing.

Chaise or other Carriage, for every Time of passing and re-passing along the said Roads on the same Day, as often as a fresh Hiring thereof shall take place.

Application
of the Mo-
ney.

XVIII. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said Act hereby repealed for or in respect of the said Roads mentioned in the said Act, and by this Act directed to be kept in repair by the Trustees hereby appointed, and all Monies which shall arise and be produced by and from the Tolls granted and made payable by this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of the same Acts, and not otherwise appropriated or directed to be applied, shall be vested in the Trustees for the Time being for putting this Act into Execution, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say), in the first Place in the Payment of the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; secondly, in defraying the Expences of erecting and providing Toll Gates, Toll Bars, Toll Houses, and other Buildings, and keeping the same in repair, and of making, altering, widening, repairing, preserving, and maintaining the said Roads and Bridge, Alterations and Improvements by this Act directed to be made, altered, widened, maintained, and kept in repair by the said Trustees, and of erecting and making other necessary and convenient Bridges upon the same Roads, and otherwise executing the other Powers of this Act; thirdly, in paying and discharging all the Interest which shall, at the Commencement of this Act, be owing to any Mortgagee or Mortgagees of the Tolls or Duties heretofore payable under the said recited Act hereby repealed; fourthly, in paying and discharging all Interest which shall hereafter accrue or become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls or Duties heretofore payable on the said Roads mentioned in the said recited Act hereby repealed, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties which shall hereafter be payable on the said Roads comprized in this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which shall have been borrowed and secured in pursuance of and for the Purposes of the said recited Act hereby repealed; and also the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act or of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and all other Debts and Sums of Money now due, and which may hereafter become due and owing by or or on account of this Trust.

No Priority
of Mort-
gages.

XIX. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any Sum or Sums of Money on the Credit of the Tolls granted by the said recited Act hereby repealed, or who shall hereafter advance any Sum

Sum or Sums of Money on the Credit of the Tolls granted by this Act, or to his, her, or their Assignee or Assignees, in respect to the Priority of the Mortgage or Assignment, or Mortgages or Assignments, or other Security or Securities for the same, or of advancing such Sum or Sums of Money; but that as well all Persons to whom any such Mortgage or Assignment, or Mortgages or Assignments shall hereafter be made or given, his, her, or their Assignee or Assignees, as also all and every Person or Persons to whom any such Mortgage or Assignment, or Mortgages or Assignments hath or have heretofore been made or given, shall (in proportion to the Sum or Sums therein mentioned) be Creditors under this Act, and in equal Degree one with another, without any Preference or Priority.

XX. And be it further enacted, That it shall and may be lawful to and for the said Trustees, at their first Meeting, or at any Adjournment thereof, to declare, order, and determine that all Demises, Leases, and Agreements for Leases of the existing Tolls heretofore granted, and payable under the said recited Act hereby repealed, at the several Toll Gates on the said Roads mentioned in the said Act, and of the several Toll Houses, Buildings, and Appurtenances thereto belonging, shall cease and be vacated from and after the said Twenty-ninth Day of *July*, and that from and after such Declaration, Order, and Determination, the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive, recover, and compel Payment of all Rents and Arrears of Rent, and Payments due and to become due thereon; and the said Trustees shall and may and they are hereby required to make a fair and just Compensation and Satisfaction to the present Lessee or Lessees, or Hirer or Hirers of the said Tolls, for any Loss or Damage which he, she, or they shall or may respectively sustain thereby, to be paid at such Time or Times, and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction shall and may be recovered by such Lessee or Lessees, or Hirer or Hirers respectively, his, her, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Six Calendar Months after the same shall be due and be demanded of the Clerk or Treasurer, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case the said Trustees, and Lessee or Lessees respectively, cannot agree upon the Amount of such Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees, at their first or any other Meeting, if they shall think fit, from entering into any new or other Agreement with all or any of the present Lessees or Hirers of the Tolls, for such additional Rent for the additional Tolls hereby granted and made payable, as they shall think reasonable and proper, for the unexpired Term of his, her, or their respective Leases or Terms, or Agreements for Leases or Terms.

Leases, &c.
vacated upon
Compensa-
tion being
made.

XXI. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not in any Case be construed to extend to empower or authorize the said Trustees to take or pull

Trustees re-
strained from
pulling down

[*Local.*]

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down

Dwelling Houses, without Consent of the Owners.

down any Dwelling House or other Building, or to take in or make use of any Garden, Yard, Park, Paddock, Planted Walk, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except so much and such Part of such Dwelling Houses, or other Buildings, Gardens, Yards, and Plantations, as are described in the Schedule to this Act.

Misnomers or wrong Descriptions in the Schedule not to prevent the Execution of this Act.

XXII. Provided also, and be it further enacted, That if any of the Houses mentioned and described in the Schedule to this Act, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated, or are or is described to be, shall happen to be omitted, misnamed, or incorrectly described, then and in such Case, on the same being certified to any Two or more of His Majesty's Justices of the Peace for the said County of *Kent*, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises, and every Part thereof, shall and may be purchased and sold, or assessed and valued, and conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually as if the same was or were properly named or described in the said Schedule.

Two Carts, when fastened together, to be esteemed in Weighing only one Cart.

XXIII. And whereas Two or more loaded Waggon, Wains, or Carts, affixed, tied, or secured together, are sometimes used or drawn upon the said Roads, which is injurious thereto; be it therefore further enacted, That if any Two or more loaded Waggon, Wains, or Carts, affixed, tied, or secured together, shall be used or drawn upon any Part of the said Roads, they shall be deemed and considered, so far as relates to the Weight thereof, to be One loaded Waggon, Wain, or Cart; and in the weighing thereof shall be paid for accordingly.

Carriers Dogs to be tied to Carriages.

XXIV. And be it further enacted, That if any Person or Persons having the Care of any Waggon, Wain, Cart, or other such Carriage, conveying or returning from conveying Goods for Hire or Reward, or for Sale, on any of the said Roads, shall not chain or fasten any Dog that may be attending him or them on such Road to such Waggon, Wain, Cart, or Carriage, every Person so offending shall forfeit and pay any Sum not exceeding Twenty Shillings.

Application of Purchase Money when above 200l.

XXV. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person or Persons under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient

venient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, and shall, when so paid in, there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, or to the same or the like Uses, Trusts, Intents, or Purposes as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall upon the like Application be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Order can be made, the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

XXVI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being

Where less than 200*l.* and above 20*l.*

1 G. 4. c. 35.

being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed, or otherwise the same may be paid, at the like Option, and with the like Approbation, to Three Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Interest arising thereon, shall be applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

Where under
20l.

XXVII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons, or Corporation, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit; or in case of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of
not making
out a good
Title, Money
to be paid
into the
Bank.

XXVIII. And be it further enacted, That in case the Person or Persons, or Corporation, to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case the Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and
Disposition

Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and he is hereby empowered in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money (therein mentioning and specifying for what and for whose Use the same is or are received) to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

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

In case of disputed Titles, the Person in Possession to be deemed lawfully entitled.

XXX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the

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

Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money, for such Purposes as the said Court shall direct.

Public Act.

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

Commence-
ment and
Continuance
of this Act.

XXXII. And be it further enacted, That this Act shall commence on the Twenty-ninth Day of *July* One thousand eight hundred and Twenty-four, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The SCHEDULE to which this Act refers.

In the Parish of Holy Cross Westgate.

A House and Shop belonging to Thomas Dean, and in the Occupation of James Crouch.

Part of another House and Shop belonging to the said Thomas Dean, and in his own Occupation.

Part of a House used as a Public House, and called or commonly known by the Name or Sign of the Gun, belonging to Rest Flint and Thomas Ringsford, and in the Occupation of Spencer Hammond.

Part of a House and Shop belonging to John Wiltshire Court, and in his own Occupation.

Part of a House and Shop belonging to Mary Tilbe, Widow, and in her own Occupation.

Part of a House and Shop belonging to William Lepine, and in the Occupation of William Davey.

Part of a House and Shop belonging to Mary Goulden, Widow, and in her own Occupation.

Part of the Church Yard of the Church of the said Parish of Holy Cross Westgate.

In the Parish of Saint Dunstan.

Part of a Garden belonging to William Pilcher, and in his own Possession.

Part of another Garden belonging to the said William Pilcher, and in the Possession of Ann Stains.

A Cottage and Garden, with sundry Outbuildings, belonging to Henry Dower, Esquire, and in the Occupation of Henry Dingley.

Part of a Plantation belonging to the said Henry Dower, and in his own Possession.

In the Parish of Saints Cosmus and Damian on the Blean.

Part of a Garden belonging to John Anderson, and in the Possession of Henry Keene.

In the Parish of Whitstable.

Part of a Garden belonging to James Horn, and in the Possession of Daniel Baker.

Part of a Garden belonging to Robert Beal, and in the Possession of Ann Smith.

Part of a Yard and Pigsties belonging to ——— Anderson, Widow, and in the Possession of John Jarman.

Part of a Garden belonging to Elizabeth Sinnock, Widow, and in her own Possession.

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THE HISTORY OF THE UNITED STATES

CHAPTER I. THE DISCOVERY OF AMERICA

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The first discovery of America was made by Christopher Columbus in 1492. He sailed from Spain in search of a westward route to the Indies. On October 12, 1492, he landed on the island of San Salvador in the West Indies. This event marked the beginning of European exploration and settlement in the Americas.

CHAPTER II. THE EARLY YEARS OF THE COLONIES