



ANNO TRICESIMO NONO

GEORGII III. REGIS.

Cap. 17.

An Act to continue, for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and to amend the Powers, of an Act, passed in the Twentieth Year of the Reign of His present Majesty, for repairing and widening the Roads from Gosport, through Fareham and Wickham, to Bishop's Waltham, and from Wickham aforesaid, to Chawton Pond, in the Parish of Chawton, all in the County of Southampton.

[21st March 1799.]

WHEREAS by an Act, passed in the Twentieth Year of the Reign of His present Majesty, for repairing and widening the Roads from Gosport, in the County of Southampton, through Fareham and Wickham, to the Town of Bishop's Waltham, and from Wickham aforesaid, through Droxford, Exton, Warnford, Westmeon, and Rumsdean Bottom, to Chawton Pond, in the Parish of Chawton, in the said County, several Tolls, Powers, and Authorities, were granted to Trustees, for repairing the said Roads, which were to commence on the Second Thursday next after the Day of passing the said Act, and to continue for the Term of Twenty-one Years, and from thence to the End of the next Session of Parliament: And whereas several Sums of Money have been
[Loc. & Per.] 3 A borrowed

Preamble,
20 Geo. III.
recited.

Former Act
continued.

borrowed on the Credit of the Tolls by the said Act granted and made payable, great Part of which still remains due and cannot be discharged; nor can the said Roads be kept in sufficient Repair, unless the said Act be continued for a further Term: 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 Authority of the same, That the said recited Act, and all and every the Tolls, Powers, Authorities, Remedies, Penalties, Forfeitures, Punishments, Exemptions, Directions, Provisions, Clauses, Matters, and Things, in the said recited Act contained, (except such as relate to Exemptions from Stamp Duties), and all the Powers, Directions, and Provisions, contained in this Act, shall be, and are hereby declared to be, in full Force and Effect, and shall be practised, applied, and put in Execution, during the Term herein-after granted, for repairing and improving the said Roads herein-before described, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if all the Tolls, Powers, Authorities, Remedies, Penalties, Forfeitures, Punishments, Exemptions, Directions, Provisions, Clauses, Matters, and Things, herein referred to, were expressly inserted and enacted in this Act, which said additional Term, and also the Tolls hereby granted or made payable, shall be subject and liable to the Payment of all Monies, now due and owing on the Credit or on Account of the said former Act and the Interest due and to grow due thereon, in like Manner as the Monies which shall be borrowed, or become due on the Credit of this Act.

New Trustees
appointed.

II. And be it further enacted; That *Henry Atkins* Clerk, *William Henry Bennett*, *John Bogue*, *James Bradby junior*, *John Brett*, *James Bowen*, *Francis Love Beckford*, *Thomas Blatherwick*, *Richard Bingham* Clerk, *Joseph Bingham*, *John Calland* Clerk, *James Collins*, *Thomas Carpenter*, *John Davies* Clerk, *William Dumaresq*, *Docker* Clerk, *Brett Docker* Clerk, *John Dutby*, *John Ellis*, *William Garnier* Clerk, *Thomas Garnier*, *John Guitton*, *William Gale*, *Thomas Grant*, *William Grant*, *George Grant*, *Charles Gough* Clerk, *James Green*, *James Green junior*, *William Garrett*, *Christopher Hodges*, *James Henville*, *Charles Henville*, *Moses Hawker*, *Henry Hawker*, *John Hawkins*, *George Purefoy Jervoise*, *Jervoise Jervoise* Clerk, *Charles Shaw Lefevre*, *Robert Linzee*, *Edward Linzee* Clerk, *William Lee*, *Thomas Lee*, *John Frederick Francis Mathews*, *Nathaniel Middleton*, *Richard William Missing*, *Aaron Moody*, *William Woodrow Maidman*, *Edward O'Brien*, *Henry Reeks*, *Sir Charles Thompson* Baronet, *Charles William Taylor*, *John Tekell*, *Thomas Stares junior*, and *William Webb*, (being severally qualified according to the Directions of the said recited Act), shall be, and they are hereby appointed Trustees for putting the said recited Act and this Act into Execution, and shall and may act in conjunction with the Trustees appointed by virtue of the said recited Act, as fully and effectually, to all Intents and Purposes, as if the Trustees, hereby appointed, had been appointed Trustees in the said Act.

For prevent-
ing Nuisances
on the Sides
of the Roads.

III. And be it further enacted, That it shall not be lawful for any Person or Persons (other than the said Trustees in Execution of this Act), to erect, lay, or place, any Buildings, Aqueducts, Pipes, or other Works, in, upon, under, or on the Sides of the said Roads, within the Distance of Thirty Feet from the Centre, without a previous Order for that Purpose,

pose, made by Ten or more of the said Trustees, at a Publick Meeting to be holden for that Purpose, of which the like Notice shall be given, as herein-after is required, with respect to Meetings on Emergencies:

IV. Provided always, and be it further enacted, That if, after any Adjournment of the said Trustees, it shall at any Time be thought necessary, that an earlier Day of Meeting should be appointed, than the Day appointed by such Adjournment, in that Case, the Clerk, or Treasurer, of the said Roads, upon an Order in Writing, signed by any Three or more of the said Trustees, (mentioning the Time, Place, and Purpose of such Meeting), shall forthwith give Notice thereof, and of the Time, Place, and Purpose, mentioned in such Order, by Writing to be affixed on all the Turnpikes then erected upon the said Roads, and also by Advertisement, to be inserted in One or more of the Newspapers, printed or circulated in the County of *Southampton*, (such Time not being less than Ten Days after the Publication of such Notice), and such earlier Meeting shall and may be held accordingly.

Meetings on Emergencies.

V. And be it further enacted, That the Money to be paid as a Recompence for any Messuages, Buildings, Lands, or Hereditaments, which shall be purchased, taken, or used, for the Purpose of this Act, of any Corporation, Feme Covert, Infant, Lunatick, or Person under any other legal Disability or Incapacity, shall, in case the same be not less than One hundred Pounds, with all convenient Speed, be invested in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations, as the said Messuages, Lands, Tenements, or Hereditaments, belonging to such Corporation, or other Person as aforesaid, so to be purchased, taken, or used, as aforesaid, were settled, limited, or assured; and in the mean Time, and until such Purchase can be made, such Money shall be paid into the Bank of *England*, in the Name, and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twenty-fourth of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy and Victualling Bills, and Exchequer Bills, shall be deposited in the Bank, in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Trustees, or any Three or more of them, and until the same shall, upon a Petition, setting forth such Approbation, (to be preferred to the Court of Chancery, in a summary Way, by the Person or Persons who would be entitled to the Rents and Profits of any of the Lands, Tenements, or Hereditaments, to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General

Directing the Application of Purchase Monies for Estates belonging to Corporations, &c.

General for the completing such Purchase, in such Manner as the said Court shall think just and direct; and it shall and may be lawful for the said Court to make such Order or Orders in a summary Way, touching the Payment or Application of the Monies, so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit; but in case any such Money shall be less than the Sum of One hundred, and not less than the Sum of Twenty Pounds, then such Money shall be paid to such Person or Persons as the Party or Parties entitled thereto shall respectively nominate to receive the same, in Trust, with all convenient Speed, to be reinvested in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, Hereditaments, and Premises, which shall be purchased from them respectively by the said Trustees, were respectively settled, limited, or assured to, upon, or subject to, at the Time of purchasing the same, or such of them as, at the Time of making such Conveyances and Settlements, shall be existing and capable of taking Effect; and in the mean Time, and until such Purchase or Purchases shall be made, the said Money shall be placed out by such Corporation, or other Person or Persons as aforesaid, in some of the Publick Funds, or on Government or Real Securities, in the Names of Two or more Persons to be nominated by the Party or Parties interested therein, and to be approved of by the Trustees, or any Three or more of them; and the Dividends or Interest arising, or to be produced from such Funds or Securities, shall be paid to such Person or Persons respectively, as would, for the Time being, be entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments, so to be purchased, if the same were purchased, conveyed, and settled, in pursuance of this Act.

Expences of
the Act.

VI. And be it further enacted, That the Costs, Charges, and Expences, incident to and attending the obtaining and passing of this Act, shall be paid and defrayed by the said Trustees, or any Five or more of them, out of the Monies now remaining in their Hands, or which shall first come to their Hands, by virtue of the said recited Act, and this Act, or either of them.

Publick Act.

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

Continuance
of the Act.

VIII. And be it further enacted, That the Term granted by this Act shall commence on the Day of the passing of this Act, and shall continue for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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Printers to the King's most Excellent Majesty. 1799.