



ANNO QUADRAGESIMO SEXTO

GEORGI III. REGIS.

Cap. 46.

An Act for repealing Two Acts passed in the Second and Twenty-fourth Years of His present Majesty, for repairing the Road from *Cosham* in the County of *Southampton* to the City of *Chichester*; and for more effectually repairing the said Road.

[23d May 1806.]

WHEREAS by Two several Acts of Parliament passed in the Second and Twenty-fourth Years of the Reign of His present Majesty, several Tolls and Powers were granted to the Trustees thereby appointed for repairing, amending, and keeping in repair the Road leading from *Cosham*, in the County of *Southampton*, through the Parishes of *Widley*, *Wymering*, *Farlington*, *Bedhampton*, *Havant*, and *Warblington*, in the said County, and through the Parishes of *Westbourne*, *Chidham*, *Bosham*, *New Fishbourne*, and *Saint Bartholomew*, in the County of *Sussex*, to the said City of *Chichester*, in the said County of *Sussex*; which Tolls and Powers were to continue during the respective Terms of Years therein mentioned, and which are near expiring: And whereas the Trustees authorized to put the said Acts in Execution have, in pursuance of the Powers in them reposed, borrowed several Sums of Money on the

[*Loc. & Per.*]

108

Credit

Credit of the Tolls arising upon the said Road and a considerable Part of the Money so borrowed still remains due and cannot be repaid, nor can the said Road be effectually improved and kept in repair, unless additional Tolls, Powers, and Provisions for those Purposes be granted for a further Term, and it will be more convenient that all the Tolls, Powers, and Provisions for the Purposes aforesaid, should be comprized in one Act of Parliament; 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 all the Tolls, Powers, Penalties, Forfeitures, Punishments, Exemptions, Clauses, Provisions, Matters, and Things contained in the said Acts of Parliament of the Second and Twenty-fourth Years of the Reign of His present Majesty, or either of them, shall, from and after the Thirty-first Day of *May* in the present Year of our Lord One thousand eight hundred and six, be and the same are hereby repealed; and that from thenceforth the several Tolls, Powers, Penalties, Forfeitures, Punishments, Exemptions, Clauses, Provisions, Matters, and Things in this present Act contained, shall be put in Execution, and shall continue in force during the Term herein-after mentioned, for the Purpose of amending, widening, turning, altering, keeping in repair, and improving the said Road from *Cosham* to the City of *Chichester* aforesaid.

Term granted by former Acts continued.

Debts contracted under the former Acts secured by this Act.

II. And be it further enacted, That all and every Sum and Sums of Money which, on the said Thirty-first Day of *May* One thousand eight hundred and six, shall be due and owing on the Credit of the said former Acts, or either of them, or on the Security of the Tolls thereby granted, together with the Interest on such of the same Sums as carry Interest, shall stand and be charged and chargeable on the Tolls by this Act granted, and may be recovered in like Manner as if the same had been contracted on the Credit of this Act, or secured on the Tolls hereby granted.

Trustees Appointed.

III. And be it further enacted, That the Dean and Canons residentiary of the Cathedral Church of *Chichester* for the Time being, the Reverend the Archdeacon of *Chichester* for the Time being, the Mayor, Recorder, and Aldermen of the City of *Chichester* for the Time being, the Mayor, Recorder, and Aldermen of the Borough of *Portsmouth* for the Time being, the Honourable Admiral *George Berkeley*, *William Battine*, Admiral *Charles Buckner*, Admiral *Edward O'Brien*, *Thomas Bennett*, *Richard Bingham Clerk*, *Joseph Bingham*, *Henry Budd*, *William Brereton*, *John Breton*, *John Butler*, *Walter Butler*, *John Blagden*, *James Brown*, Captain *James Brisbane*, *John Burrough D. D.*, *Charles Baker*, *John Barney*, *Thomas Bradford*, *John Crawford*, *James Baden Carpenter Clerk*, *Sir Roger Curtis*, *John Cogan Clerk*, *John Cooper*, *Lucius Curtis*, *William Challen*, *Richard Cockburn Clerk*, *William Copis*, *George Copis*, *Francis Diggins*, *John Diggins*, *William Darling*, *James Sholto Douglas*, *Charles Dendy*, *James Deacon*, *William Deacon*, *Francis Diggins the younger*, *John Diggins the younger*, *John English*, *Sir Henry Featherstonehaugh Baronet*, *William Fowler*, *Richard Fuller*, *Henry Cromwell Frankland*, *James Holmes Goble*, *William Guy*, *Tudor Griffiths*, *Joseph Godman*, *George Guy Clerk*, *William Gruggen*, *Thomas Garwe*, *William Garrett*, *George Garnier*, *John Gage*,

Gage, George Garrett, William Groome Clerk, William Guy the younger, John Guy of Westwitting, Cornelius Green Clerk, William Hack, Thomas Haylor, Nicholas Harman, John Hobby, Robert Harfield, Joseph Harfield, John Hendy, John Hardkam, James Hack, Philip Humphry, William Humphry, John Harris, John Hicks, Henry Hobbs, Gawen Holloway, William Halsted, Thomas Hobgen, Thomas Humphry, Edward Humphrey, George Hemmings Clerk, Moses Hawker, Edward Johnson, William Johnson, Jervoise Clark Jervoise, Thomas Clark Jervoise, Samuel Fellicoe, Richard Knapp, Thomas Knott, James Knapp, Thomas William Knott, Lieutenant General Charles Lenox, Samuel Leeke, John Legge, Andrew Lindigreen, James Lacy, Henry Leeke, Admiral George Murray, John Miller, John Marsh, Bartholomew Middleton Clerk, John Frederick Francis Matthews, Richard Maidman, Charles Mant, Gideon Murray, John Moore Clerk, Richard Bingham Newland, Captain Charles Newland, William Newland, William Norris Clerk, Benjamin Hooper Newbam, William Norris the younger, James Norris, Thomas Newman Clerk, the Honourable John Peachy, John Peachey, Arthur Peskett, Jacob Pope, John Phipps, John Painter, Thomas Peerman, William Postlethwaite, John Child Purvis, George Purvis, Charles Pilkington Clerk, Henry Postlethwaite, Theophilus Pritzler, Joseph Paddon, John Poole, Richard Pittis, John Quantoek, David Renaud Clerk, Griffith Richards Clerk, John Reynolds, William Roper, William Ridge the younger, Charles Ridge, Thomas Rhoades, Willoughby Rhoades, George Renaud Clerk, Edward Tew Richards, Henry Richards, Miles Rowe, the Right Honourable Thomas Steele, Thomas Sanden M. D. John Shakespear, Robert Steele, Charles Smith, Thomas Smith, James Street, William Silver, George Sayers, John Souter, Silver M. D., George Souter, Thomas Souter, Edmund Sadler, George Stamper, Joseph Smith, John Snook, John Stubington, Sir George Thomas Batt., George White Thomas, George Francis Tyson, Edward Tew Clerk, Thomas Thistlewaite, William Todd, Jolliffe Tuffnell Clerk, Charles William Taylor, William Turner, William Tireman, John Tresher, William Tresher, John Victor, William Walker Clerk, Thomas Walker M. D., Lewis Way, Edmund Woods, John Wackett, John Woods of Chilgrove, John Woods, John Williams, Richard Wilmot, John Weller, John Woolferstan, and James Young, shall be, and they are hereby appointed Trustees for amending, widening, turning, altering, improving, and keeping in repair the said Road herein-before described or mentioned, and for putting this Act into Execution.

IV. And be it further enacted, That when and as often as any of the Trustees hereby nominated and appointed, or who shall be elected and appointed in the Manner herein-after mentioned, shall die, or by Writing under their respective Hands, refuse to act in the Execution of this Act, it shall be lawful for the surviving or continuing Trustees, from Time to Time, at any Meeting to be holden in pursuance of this Act, by Writing under their respective Hands, to elect and appoint some fit Person to be a Trustee in the Room of every Trustee so dying, or refusing to act as aforesaid, Ten Days previous Notice of the Time and Place of Meeting of the said Trustees for every such Election being given by the Clerk or Treasurer herein-after directed to be appointed, by affixing such Notice in Writing upon all the Turnpike Gates then erected across the said Road, and published in one or more of the Newspapers printed or circulated in the said Counties of *Southampton* and *Sussex*; and every Person who shall be elected and appointed a Trustee, pursuant to the Directions of this Act,

Power to appoint new Trustees.

shall

shall and may act with the surviving and continuing Trustees in the Execution of this Act, to all Intents and Purposes as if he had been named and appointed a Trustee in and by this Act.

All Acts may be done by Five Trustees, unless otherwise directed.

V. And be it further enacted, That all Proceedings, Orders, Matters, and Things relative to the Execution of this Act, may be done and executed by any Five or more of the said Trustees hereby nominated and appointed, or who shall hereafter be elected and appointed as aforesaid, except only in the Cases hereby particularly directed or authorized to be done and executed by any greater or less Number of such Trustees.

Qualifications of Trustees.

VI. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be in his own Right, or in Right of his Wife, seised of or entitled to Messuages, Lands, or Hereditaments, for some Estate for Life, or of Inheritance in Possession of the clear yearly Value of Forty Pounds above Reprises, or shall be Heir Apparent to some Person or Persons so seised of or entitled to Messuages, Lands, or Hereditaments, for some Estate for Life, or of Inheritance, of the clear yearly Value of Eighty Pounds above Reprises, or shall be possessed of a Personal Estate of the Amount or Value of Eight hundred Pounds above what will be sufficient to pay all his just Debts; and if any Person not being so qualified shall presume to act as a Trustee in the Execution of this Act, every Person so offending shall forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered 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, or more than one Imparlance shall be allowed; and every Person so prosecuted, shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act.

The Acts of unqualified Trustees, previous to Conviction, shall be valid.

VII. Provided always, That all the Acts and Proceedings of any Person as a Trustee in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act.

Trustees to be sworn.

VIII. Provided also, That every Trustee, before he shall act as such (except in administering the following Oath), shall take an Oath before one or more of the said Trustees (who is and are hereby empowered to administer the same), in the Form following; (that is to say),

The Oath.

I *A. B.* do swear, That I am truly and *bond fide* in my own Right [*or*, in Right of my Wife] seised of or entitled to Messuages, Lands, or Hereditaments, for some Estate for Life, or of Inheritance in Possession, of the clear yearly Value of Forty Pounds above Reprises; [*and in case of an Heir Apparent*] I *A. B.* do swear, That I am Heir Apparent to *C. D.* who to the best of my Knowledge and Belief, is truly and *bond fide* seised of or entitled to Messuages, Lands, or Hereditaments, for some Estate for Life or of Inheritance, of the clear yearly Value of Eighty Pounds

“Pounds, above Reprises, [and in case of Personal Estate And do swear,
 “That I am truly and *bona fide* possessed of a Personal Estate of the Amount
 “or Value of Eight hundred Pounds above what will be sufficient to pay
 “all my just Debts; and that I will truly and impartially, according to
 “the best of my Judgement, execute and perform the several Powers,
 “Authorities, and Trusts, reposed in me as Trustee, by Virtue of an
 “Act passed in the Forty-sixth Year of the Reign of King George the
 “Third, intituled, *[here set forth the Title of the Act]* GOD:

The Trustee
 you hold of
 the said Act
 of 1775

IX. And be it further enacted, That the said Trustees shall meet at the
 House of *Richard Triggs*, bearing the Sign of the *Swan*, in the City of
Chichester, or at some other convenient House in the same City, on the
 Day of the Commencement of this Act, or as soon after as conveniently
 may be, and shall then proceed to carry this Act into Execution; and
 that the said Trustees, or any Two or more of them, shall then and from
 Time to Time afterwards, adjourn themselves to meet at the same House,
 or at such other House or Place, near some Part of the said Road, and at
 such Times as they shall from Time to Time order and direct; provided
 that no Adjournment shall be made for a longer Time than Three Cales-
 dar Months; and if at any Meeting appointed to be holden by virtue of
 this Act, there shall not appear a sufficient Number of Trustees to act or
 to adjourn to another Day, or in case the Trustees at any Meeting as-
 sembled, shall not adjourn themselves, the Clerk or Treasurer of the said
 Road shall from Time to Time, as often as such Case shall happen (by
 Notice in Writing to be affixed upon all the Turnpike Gates then erected
 across the said Road, at least Ten Days before the next intended Meeting)
 appoint the Trustees to meet at the Place where the last Meeting was ap-
 pointed to have been holden, or at any other Place near any Part of the
 said Road, on the Day Three Weeks after the Day on which such last Meet-
 ing was appointed.

Meetings of
 the Trustees,
 in 1775

X. Provided always, and be it further enacted, That if after any Ad-
 journment 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 Road,
 upon an Order in Writing, signed by any Three or more of the said Trus-
 tees, (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, in the Manner last herein before directed, (such
 Time not being less than Ten Days after such Notice); and such earlier
 Meeting shall and may be held accordingly; and the said Trustees, at all
 their Meetings, shall defray their own Expences.

Meetings on
 Emergencies.

Trustees to
 defray their
 own Expences.

XI. And be it further enacted, That it shall be lawful for the said
 Trustees, or the Majority of them present at any Meeting which shall be
 held in pursuance of this Act, from Time to Time to make all necessary
 Orders, Directions, Appointments, Agreements, and Determinations,
 in the Execution of this Act; and no such Order, Direction, Appoint-
 ment, Agreement, or Determination, shall be made, unless the Number
 of Trustees by this Act authorized to make the same, shall be present, and
 the Majority of the Trustees present shall concur therein; and no such
 Order, Direction, Appointment, Agreement, or Determination, shall
 be revoked or altered at any subsequent Meeting, unless Sixteen Trus-
 tees,

How Orders
 of the Trus-
 tees are to be
 made and re-
 voked.

[Loc. & Per.]

to T

tees,

tees, at least shall be present, and the Majority of them shall concur therein.

Trustees not to hold any Place of Profit.

XII. And be it further enacted, That if any Person or Persons appointed, or to be appointed, a Trustee or Trustees for putting this Act in Execution, shall have or accept of any Place of Profit arising out of, or by reason of the same Act, or the Tolls or Duties hereby imposed, such Person or Persons shall, from the Time of accepting such Place, be incapable of acting as a Trustee or Trustees during his or their Enjoyment of such Place of Profit as aforesaid.

Trustees in Commission of the Peace may act as Justices.

XIII. And be it further enacted, That such of the Trustees of this Act for the Time being, as are or shall be in the Commission of the Peace for the said Counties of *Southampton* or *Suffex*, shall and may act as Justices of the Peace in the Execution of this Act notwithstanding such Justices being Trustees as aforesaid.

Powers to erect Toll Gates,

XIV. And be it further enacted, That the said Trustees, or such other Person or Persons as they shall appoint, shall and may continue, erect, or otherwise provide, such and so many Toll Gates, or Turnpikes, in, upon, or across such Parts, and in such Places of the said Road, and also such and so many Toll Gates, or Turnpikes, on the Sides of the said Road, and in, upon, or across, any Lane or Bye-way that doth or shall lead into or out of the same, as the said Trustees shall think proper, and also shall and may continue, erect, or otherwise provide a Toll House to each of the said Toll Gates or Turnpikes, with suitable Buildings and other Conveniences thereto, and enclose from the Sides of the said Roads convenient Gardens for the same.

and take Tolls.

XV. And be it further enacted, That the several Tolls herein-after particularly mentioned shall be demanded and taken at each and every of the Toll Gates or Turnpikes, which shall be continued, erected, or provided, in pursuance of this Act, (except as herein-after is expressly directed or provided to the contrary), before any Horse, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

For every Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Hearse, or other such Carriage, drawn by Six Horses, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four Horses, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, or other Beasts of Draught, the Sum of Nine-pence:

For every Chaise, Chair, or other such Carriage, drawn by One Horse, or other Beast of Draught, the Sum of Four-pence Halfpenny:

For every Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling a Surface of that breadth so flat or level as not to deviate more than an Inch from a flat Surface, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Six or Seven Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four or Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling
and

and Four-pence; and drawn by Two or Three Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence Half-penny:

For every Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling such flat or level Surface as aforesaid, and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Sixpence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Three-pence:

For every Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling such flat or level Surface as aforesaid, and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four or Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence Halfpenny:

For every Two-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling such flat or level Surface as aforesaid, and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence Halfpenny:

For every Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence Halfpenny:

For every Two wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Ninepence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Six-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Four-pence Halfpenny:

For every Horse, Mare, Gelding, or Mule, laden or unladen and not drawing, the Sum of One Penny; and 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

Shilling, and Eight-pence *per* Score, and so in Proportion for a greater or less Number:

For every Drive of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in Proportion for a greater or less Number: And,

For every Coach, Chariot, Landay, Berliſh, Chaise, Curricie, Chair, Pleasure Cart, or other Carriages, and for every Horse, Mare, Gelding, or Mule, passing any of the said Toll Gates or Turnpikes on *Sundays*, Double the Sum of Sums of Money herein before mentioned and directed to be taken for the same respectively.

Power for
compelling
Payment of
Tolls.

Which said respective Tolls or Sums of Money shall be demanded and taken by such Person or Persons as the said Trustees shall from Time to Time authorize and appoint to receive the same; and if any Person or Persons subject to the Payment of any such Tolls, or any Part or Parts thereof, shall, after Demand thereof made by any Collector or Collectors, or other Person or Persons authorized to receive the same, neglect or refuse to pay the said Tolls, or any of them, or any Part or Parts thereof, it shall be lawful for the Person or Persons so authorized to seize and distrain any Horse or Cattle, Beast or Carriage, upon which any Toll is by this Act imposed, or any of the Loading, Harness, or Accoutrements thereof respectively, or any of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same; and if such Tolls, and the reasonable Costs of such Distress and keeping the same, shall not be paid within the Space of Four Days after the Day of making such Distress, the Person or Persons so distraining shall and may, at any Time or Times thereafter, sell the Horse, Cattle, Beast, Carriage, Goods and Chattels so distrained, and out of the Monies which shall arise by such Sale, pay or retain such Tolls, and all reasonable Charges incurred by such Distress and Sale, returning the Overplus of the Money which shall arise by such Sale, and what shall remain unfold, (if any), upon Demand, to the Owner or Owners thereof.

For settling
Disputes
concerning
Tolls.

XVI. And be it further enacted, That if any Dispute shall happen concerning any Tolls due, or the Charges occasioned by any such Distress as aforesaid, it shall be lawful for the Person or Persons so distraining to retain such Distress, or the Money arising from the Sale thereof, until the Quantity of the Tolls and the Charges of such Distress shall be ascertained by some Justice of the Peace for the County or District in which such Distress shall be made; who, upon Application made to him for that Purpose, shall examine the Matter by Oath of the Parties, or of a Witness or Witnesses, and shall determine the Toll due and assess the Charges of such Distress, and of the Collector's Attendance upon the said Justice for that Purpose; all which Sums so determined and assessed, shall be paid to the said Collector before he or she shall be obliged to return the Goods so distrained, or the said Overplus, or any Part thereof respectively.

II. And be it further enacted, That no Windmill shall be erected within the Space of Two hundred Yards from any Part of the said Road.

Collectors
declared
competent
Witnesses.

XVIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in any Way relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or

or Persons acting under the Authority of the said Trustees shall not be incompetent, on Account of his being appointed to collect such Tolls, to give Evidence in any such Dispute, Suit, or Litigation.

XIX. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, when and as often as they shall think proper, to lessen, vary, or alter, all or any of the Tolls hereby granted or made payable at all or any of the Turnpikes to be continued, erected, or provided by virtue of this Act, and to raise the same again, so as they do not at any Time exceed the Tolls by this Act granted or made payable, and so as every such Reduction thereof be made with the Consent of the Person or Persons for the Time being entitled to Three-fourth Parts of the Money then due on Security of the said Tolls; but no such Alteration shall be made after the Second Meeting of the said Trustees, unless Twenty-one Days previous Notice thereof shall be affixed in Writing upon all the Turnpikes then erected across the said Road, and also inserted in one or more of the Newspapers printed or circulated in the Counties of *Southampton* and *Suffex*.

Tolls may be varied.

XX. And be it further enacted, That no more than Two Tolls shall be demanded or taken from any Person or Persons for passing and repassing with the same Horses, Cattle, Beasts, and Carriages on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock the succeeding Night, through all the Turnpikes to be continued or erected on the whole Extent of the said Road by virtue of this Act.

Tolls to be paid but Twice on the Whole on the Road.

XXI. And be it further enacted, That in case more than Three Toll Gates or Turnpikes shall at any Time be erected or continued in the whole Extent of the said Road hereby directed to be repaired, it shall be lawful for the said Trustees from Time to Time, when and as often as they think proper, to divide and apportion all or any of the Tolls or Sums of Money herein-before charged or made payable at each Toll Gate or Turnpike, into such Parts and Proportions, and to collect the same at such several Toll Gates or Turnpikes as they shall order and appoint, but no such Division and Apportionment shall be made as last aforesaid, unless Twenty-one Days previous Notice thereof shall be given in Writing, upon all the Turnpikes or Toll Gates then erected across the said Road.

Power to apportion the Tolls.

XXII. Provided always, and be it further enacted, That no Person or Persons who shall have paid the Toll or Duty for passing through any of the said Turnpikes or Toll Gates, shall be liable to pay any Toll or Duty for repassing through any of the same Turnpikes or Toll Gates with the same Horses, Cattle, Beasts, and Carriages, the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night, such Person producing a Ticket denoting the Payment of such Toll; which Ticket the Collectors of the Tolls are hereby required to give gratis, upon the Payment of such Toll; but that all and every Person or Persons who shall have passed and repassed once in the same Day through the same Turnpikes or Toll Gates as aforesaid, shall remain and be subject and liable to the Payment of the same Toll or Duty for every Time such Horses, Cattle, Beasts, or Carriages shall afterwards pass

Number of Tolls limited.

[Loc. & Per.]

10 U

and

and repass through the same Turnpike or Toll Gate during the same Day, any Thing herein contained to the contrary notwithstanding.

Exemptions
from Toll.

XXIII. Provided also, and it is hereby further enacted, That no Person or Persons shall be charged with any of the Tolls hereby granted for or in respect of any Horse or other Beast, Cart, or other Carriage, when employed in carrying or conveying Stones, Gravel, or other Materials for repairing the said Road, or any Bridge thereon, or any Highway in any of the Parishes or Townships through which the said Road doth or may lead, or in any of the adjoining Parishes or Townships; or in carrying or conveying any Hay or Corn in the Straw, or other Produce of Lands lying within the same respective Parishes or Townships, to be laid up, used, or consumed in the Houses, Out-Houses, or Barns of the Owners thereof, and not for Sale, or being unladen when so employed; or for or in respect of any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the Inhabitants of the same Parishes or Townships, or for or in respect of any Carts, Waggons, or other Carriages employed in carrying or conveying any Lime, Dung, Mould, Compost, or Manure of any Kind whatsoever, (except Chaik, which shall be exempted from Toll only between the First Day of *May* and the First Day of *October* in every Year), to be employed in Husbandry for Manure of Lands in the same Parishes or Townships, or being unladen when so employed; nor shall any of the said Tolls be taken of any Person residing in any Parish through which the said Road, or any Part thereof, doth or shall lead, who shall pass through any Turnpike to or from Church, Chapel, or other Place of Religious Worship on *Sundays*, or when attending the Funeral of any Person who shall be buried in any such Parish, or for or in respect of any Horses, Cattle, or Carriages, when employed in carrying or conveying any Corn, Grain, or Grist to or from any Corn Mill, for private Use only and not for Sale, or being unladen when so employed; or for or in respect of any Horses or Cattle going to or returning from Plough, Water, or Pasture, within the several Parishes to which they shall belong, or any of the neighbouring Parishes: Provided that such last-mentioned Exemption, as to Horses or Cattle going to or from Water or Pasture, shall only extend to such Horses or Cattle as shall be driven to or from Water or Pasture from One Parish to the next adjoining Parish, or to such Horses or Cattle as shall not pass upon the same Road more than Two Miles in going to or returning from Water or Pasture; or for or in respect of the Horses or Cattle of any Inhabitant of any of the said Parishes going to be shod or farried, or returning therefrom; or for any Bricks, Lime, Stone, Plaster, Timber, Wood, or other Materials used for building or repairing of any Church, Chapel, House, Out-House, Barn, Stable, or Hovel, within the same Parish or Township where such Bricks, Lime, Stone, Plaster, Timber, Wood, or other Materials, were made, gotten, or felled; or shall any Toll or Duty be demanded or taken for any Horse or Carriage employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General or his Deputies; nor for any Carriage, Horse, or Beast, which shall only cross the said Road, or shall not pass above One Hundred Yards thereon; nor for the Horses of any Officers or Soldiers passing upon their March or upon Duty; nor for the Horses, Carts, Carriages, or Waggons employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers upon their March or upon Duty, or carrying any wounded, sick, or disabled Officers

Officers or Soldiers, or returning empty after having been so employed, (provided such Horses, Cattle, or Carriages shall return within the same Day); nor for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry respectively, and rode by them; nor Carriages conveying Volunteer Infantry in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Person or Persons be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; nor for Horses, Carts, or Waggon, travelling with Vagrants sent by legal Passes; nor for any Horses, Carts, or Carriages carrying or conveying any Elector or Electors going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Southampton* or *Suffex*, on the Day or Days of such Election or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every Person so offending and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Five Pounds at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

XXIV. And be it further enacted, That if any Person or Persons shall with any Horse, Cattle, Beast, or Carriage, upon which any Toll is by this Act imposed, pass through any Land or Ground within the Distance of One Mile from any Toll Gate or Turnpike, which shall be continued, erected, or provided by virtue of this Act, the same not being a Publick Road, or if any Owner or Occupier of any such Land or Ground shall knowingly permit or suffer any other Person or Persons, with any Horse, Cattle, Beast, or Carriage to pass through the same, whereby the Payment of any of the said Tolls, or any Part or Parts thereof shall be evaded; or if any Person or Persons shall give to or receive from any Person (other than a Collector of the said Tolls), or shall forge or counterfeit any Ticket by this Act directed to be given by a Collector of the said Tolls, or shall forcibly pass through any such Toll Gate or Turnpike as aforesaid, with any Horse, Cattle, Beast, or Carriage; or shall at any Time or Times take off, or cause to be taken off any Horse, Cattle, or Beast from any Carriage, whereby the Payment of any of the said Tolls, or any Part or Parts thereof, shall be evaded; or if any Person or Persons shall leave, or cause to be left upon or near to any Part of the said Road, any Horse, Cattle, Beast, or Carriage, with an Intent to evade the Payment of any of the said Tolls, or any Part or Parts thereof, or with such Intent shall unload any Horse, Cattle, Beast, or Carriage, every Person offending in any of the Cases aforesaid, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Five Pounds, at the Discretion of the Justice or Justices before whom such Offender shall be convicted; one Moiety whereof shall be for the Use of the Informer or Informers, and the other Moiety thereof shall be applied for the Purposes of this Act in Manner herein-after mentioned.

XXV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, as they shall see convenient, to compound and agree for any Term not exceeding One Year at any

To prevent
evading the
Tolls.

Power to
compound
for Tolls.

one

one Time, with all or any of the Inhabitants of the several Parishes through which the said Road leads, for the Passage of their Horses, Cattle, or Carriages, through all or any of the Toll Gates or Turnpikes erected or to be erected on the said Road or the Sides thereof.

Power to
lease the
Tolls.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, after giving Twenty-one Days previous Notice thereof in Writing to be affixed upon all the Turnpikes erected across the said Road, and to be inserted in One or more of the *Southampton* or *Suffex* Newspapers, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts thereof, for any Term not exceeding Three Years, for the best Rent or Price that can reasonably be gotten for the same, payable at such Times and in such Manner, and with, under, and subject to such Covenants, Conditions, and Agreements, as the said Trustees or any Seven or more of them shall think fit, they the said Trustees having a Counterpart of such Lease or Leases, and taking such other sufficient Security for Payment of the Rents and Performance of the Covenants to be reserved and comprised in such Lease or Leases as the said Trustees or any Seven or more of them shall think fit.

Power to
remove Toll
Gates.

XXVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, from Time to Time, when and as often as they shall think proper, to cause any of the Toll Gates or Turnpikes which now are, or hereafter shall be erected in, upon, or across, or on the Side of the said Road, to be removed to, and erected in, upon, or across or on the Side of such other Part or Parts of the said Road, as the said Trustees or any Nine or more of them shall from Time to Time order and direct; but none of the said Toll Gates or Turnpikes shall be removed as aforesaid, unless Twenty Days previous Notice of the Intention to remove the same shall have been affixed in Writing upon all the Toll Gates or Turnpikes then erected across the said Road, and inserted in One or more of the Newspapers printed or circulated in the Counties of *Southampton* and *Suffex*.

Toll Houses,
&c. vested in
the Clerk and
Treasurer.

XXVIII. And be it further enacted, That the Right, Interest, and Property of and in all the Toll Gates or Turnpikes and Toll Houses which shall be erected and provided in pursuance of this Act, with the several Conveniencies and Appurtenances thereunto belonging respectively, and the Materials of which the same shall consist, and all Materials, Matters, and Things which shall be purchased or provided for the Purposes of this Act, shall be vested in the Clerk or Clerks and Treasurer or Treasurers of the said Road for the Time being, and he and they is and are hereby empowered to sell, assign, transfer, apply, and dispose of the same as Occasion shall require, and as the said Trustees from Time to Time shall order, direct, and appoint; and under the like Order, Direction, and Appointment of the said Trustees, to bring or cause to be brought any Action or Actions, or to prefer and prosecute any Indictment or Indictments against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, destroy, injure, or damage any of the said Toll Gates, Turnpikes, or Toll Houses, or any of the Conveniencies and Appurtenances thereunto belonging, or any of the Materials, Matters, or Things aforesaid,

aforesaid, or any Fences which shall be made and repaired by the said Trustees; or who shall do any Act to hinder or obstruct any Person or Persons employed by the said Trustees in the Execution of this Act.

XXIX. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, at any of their Meetings to be held in pursuance of this Act, to borrow and take up at Interest upon the Credit of the Tolls to arise by virtue of this Act, in such Manner as they shall think proper, any Sum or Sums of Money they or any Seven or more of them shall think fit to borrow for all or any of the Purposes of this Act, giving Twenty-one Days previous Notice thereof in Writing to be affixed on all the Toll Gates, or Turnpikes, then erected across the said Road, and to be published in One or more of the *Southampton* or *Suffex* Newspapers; and they the said Trustees, or any Seven or more of them, are hereby empowered from Time to Time, at any of their Meetings, by any Writing or Writings under their Hands, to assign over, or mortgage, the respective Tolls or Duties hereby granted, or any Part or Proportion, Parts or Proportions thereof, during the Continuance of this Act, (the Charges of such Assignments and Mortgages to be paid out of such Tolls), as a Security or Securities to any Person or Person who shall advance such Sum or Sums of Money, his, her, or their Trustee or Trustees, their respective Executors, Administrators or Assigns, for the Money so to be advanced, with such Interest for the same as shall be agreed upon in that Behalf, which Mortgage may be in the Form, or to the Effect following; (that is to say),

For borrow-
ing Money
on Security
of the Tolls:

BY virtue of an Act made in the Forty-sixth Year of the Reign of His Majesty King George the Third, intituled, [*here set forth the Title of this Act*], We _____ Seven of the Trustees for executing the said Act, in Consideration of the Sum of _____ this Day paid to the Treasurer of the said Road, do assign unto the said _____ such Proportion of the Tolls to arise upon the said Road as the said Sum of _____ shall bear to the Whole of the Principal Money, for the Time being, due on Security of the said Tolls, to hold the same unto the said _____ his Executors, Administrators, and Assigns, until the said Sum of _____, with Interest, at the Rate of _____ per Centum per Annum shall be fully paid.

And Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer of the said Road, and which said Book or Books shall and may, at all seasonable Times, be perused and inspected without Fee or Reward; and it shall be lawful for all Persons respectively, to whom any Mortgage shall be made as aforesaid, or who shall be from Time to Time entitled to the Money thereby secured, to assign and transfer his, her, or their Right, Title, and Interest, in or to such Mortgage, and the Principal Money and Interest thereby secured, to any other Person or Persons whomsoever; which Transfer shall be produced and notified to the said Clerk or Treasurer within Three Calendar Months next after the Day of the Date thereof, who shall enter the same in the said Book or Books; for which Entry the said Clerk or Treasurer shall be paid the Sum of Three Shillings and Sixpence, and no more; and such Transfer shall then entitle such Assignee, his Executors, Admi-

Copies to be
entered.

Transfer to
be entered.

[*Loc. & Per.*]

to X

nistrators,

nistrators, and Assigns to the full Benefit of such Mortgage Security; and every such Assignee may in like Manner assign and transfer the same, and so *toties quoties*; and after such Entry as aforesaid, it shall not be in the Power of any Person or Persons who shall have made such Transfer, to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof; and all Persons to whom any Mortgage or Transfer shall be made as aforesaid, shall, in Proportion to the Sum or Sums of Money thereby secured, be Creditors on the Tolls by this Act granted in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing their Monies, or of the Dates of their respective Securities.

No Priority among Mortgages.

Application of the Money.

XXX. 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 Two preceding Acts of the Second and Twenty-fourth Years of the Reign of His said present Majesty, or either of them, and shall be undisposed of on the Day of the Commencement of this Act; and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable; 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 this Act, and not herein otherwise appropriated or directed to be applied, shall be vested in the said Trustees for the Time being, and 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 Payment of all the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act; in the Second Place, in paying the Interest accruing upon the several Principal Sums of Money which shall from Time to Time be due and owing on Mortgage or Security of the Tolls granted by this Act; in the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houses, and other Buildings, and repairing the same, and of altering, widening, turning, repairing, and improving the said Road; and purchasing Lands for those Purposes, and of executing the other Purposes of this Act; and lastly, in reducing, paying off, and discharging such several Principal Sums as last aforesaid.

Trustees not to repair Pavements in Town Streets.

XXXI. Provided always, That nothing in this Act contained shall authorize the said Trustees, or any of them, to repair or amend the Pavements of the Streets of any Town through which the said Road doth or may pass.

Appointing Officers.

XXXII. And be it further enacted, That it shall and may be lawful for the said Trustees, by Writing under their respective Hands, to appoint One or more Collector or Collectors of the said Tolls, and One or more Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the said Road, and such other Officers as the said Trustees shall think necessary; and such Collectors, Clerks, Treasurers, Surveyors, and other Officers, or any of them, from Time to Time to remove, and on the Removal, Death, or Resignation, of any of them, to appoint others in their Stead; and the said Trustees are hereby authorized to allow, and pay to the several Collectors, Clerks, Treasurers, Surveyors, and other Officers, and to such Person or Persons as shall be assisting in the Execution of this Act, such Salaries and Allowances for their Trouble, Labour, and Service, as the said Trustees

Salaries to Officers.

tees shall deem reasonable: Provided nevertheless, that no Person shall be capable of holding any Place of Profit under the said Trustees, who shall sell any Ale, Beer, Wine, or Spirituous Liquors by Retail; or who shall be the Servant of any Trustee of this Act; and all such Officers and Persons shall from Time to Time, when thereunto required by the said Trustees, deliver to them, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing, under their respective Hands, upon Oath, (which Oath any One or more of the said Trustees is and are hereby empowered to administer), of all the Monies which they and every of them respectively shall have received to that Time; by virtue of this Act, and how much thereof hath been paid and disbursed; and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to give such Account, or to produce or deliver up such Vouchers as aforesaid, or to verify the Articles thereof upon Oath, or to pay the Money due upon such Account in Manner aforesaid, or to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Trustees, all the Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, then and in every or any of the said Cases, it shall be lawful for any Two or more Justices of the Peace, for the County or Place where the Officer or Person so making Default shall be, or reside; and such Justices, upon Complaint thereof made to them by any Two or more of the said Trustees, are hereby authorized and required to make Inquiry concerning such Refusal, Default or Neglect, as well by the Confession of the Parties themselves respectively, as by the Testimony of any credible Witness or Witnesses upon Oath, which Oath the said Justices or either of them are and is hereby empowered and required to administer without Fee or Reward; and if any such Officer or Person shall be convicted of any of the Offences aforesaid, such Justices shall, upon such Conviction, commit him to the common Gaol or House of Correction of the same County or Place, there to remain without Bail or Mainprize, until he shall have given or made such true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees, (which Composition the said Trustees are hereby empowered to make), and shall have paid such Composition, in such Manner as the said Trustees shall appoint, or until he shall have delivered up such Books, Papers, and Writings, as aforesaid, or made Satisfaction in respect thereof, to the said Trustees: Provided, that no Person shall be so committed as last aforesaid, for a longer Space of Time than Six Calendar Months.

How Officers shall account.

Penalty on Refusal.

XXXIII. And be it further enacted, That upon the Death, Incapacity, or Absence of any Collector of the Tolls, it shall be lawful for any Three or more of the said Trustees, though not assembled at a Meeting appointed in pursuance of this Act, by any Writing under their respective Hands, to nominate and appoint a proper Person to be a Collector of the said Tolls, to continue until the then next Meeting of the said Trustees, in the Place or Stead of such Collector as shall so die; or become incapable, or absent himself.

Trustees may appoint temporary Collectors.

XXXIV. And

Treasurer,
&c. to give
Security.

XXXIV. And be it further enacted, That the said Trustees shall and they are hereby required to take such Security from the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, and from any other Officers to be appointed in pursuance or for the Purposes of this Act, for the faithful Execution of their respective Offices, as the said Trustees shall think proper.

Surveyors
may get Ma-
terials for the
Road.

XXXV. And be it further enacted, That it shall be lawful for the Surveyor of the said Road to be so appointed as aforesaid, and such other Person and Persons as shall be employed by such Surveyor, to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials for repairing the said Road, in, upon, out of, and from any Waste Grounds, Commons, Common Quarries, Rivers, Brooks, or Sea Banks, in any Parish, Township, or District within or near to which the said Road doth or shall pass, without paying any Thing for the same; such Surveyor or other Person or Persons filling up the Pits, and levelling the Ground from whence such Materials shall be taken, or sufficiently fencing off such Pits so that the same may not be dangerous to Passengers of Cattle; and in case such Materials cannot conveniently be had in such Waste Grounds, Commons, Quarries, Rivers, Brooks, or Sea Banks as aforesaid, then to cut, dig, gather, take, and carry away any such Materials as aforesaid, in, upon, out of, or from and over any other Lands, Grounds, and Quarries, (except as herein-after is mentioned), making such Compensation and Satisfaction for the Damage done to the Owners and Occupiers of such Lands, Grounds, and Quarries, where, through, and from whence the same shall be dug, gathered, taken, and carried away, or over which any Materials gotten in any Waste Ground, Common, Common Quarry, River, Brook, or Sea Bank, shall be conveyed, as any Two or more of His Majesty's Justices of the Peace for the County in which the Lands are situate shall judge reasonable, and shall order and direct; which Compensation and Satisfaction shall and may be levied or recovered in like Manner as any Penalties, Forfeitures, or Fines are herein-after authorized to be levied or recovered.

Materials not
to be taken
from enclosed
Grounds
without an
Order from
Two Jus-
tices.

XXXVI. Provided always nevertheless, and be it further enacted, That it shall not be lawful for any Person or Persons, under the Authority of this Act, to dig, gather, take, or carry away any such Materials as aforesaid, in or from any inclosed or private Lands, Grounds, or Quarries, until after Ten Days previous Notice in Writing signed by the said Surveyor, or some other Officer of the said Trustees, shall have been given to the respective Owners, or Occupiers of the Lands or Grounds from which such Materials are intended to be taken, or left at their usual Place of Residence respectively, requiring them to appear before Two or more Justices of the Peace, acting for the County or District in which the Lands are situate, at a certain Time and Place, to be specified in such Notice, to shew Cause why such Materials should not be taken away; and such Justices after hearing the Parties concerned, shall if they think proper, authorize such Surveyor or other Officer to dig, gather, take, and carry away such Materials, at such Time or Times, and in such Manner as to such Justices shall seem proper; or if such respective Owners or Occupiers shall not by themselves or their respective Agents attend pursuant to such Notice, such Justices may make such Order therein as they shall think fit, in like Manner

as

as if such respective Owners or Occupiers had attended pursuant to such Notice.

XXXVII. And be it further enacted, That if any Person or Persons shall take or carry away any Materials which shall have been dug or gathered for the Purpose of making or amending the said Road, or shall get or take away any Materials out of any Pit or Quarry, which shall have been made for the Purpose of getting Materials for the said Road before the said Surveyor or his Workmen shall have discontinued working therein, for the Space of Thirty Days, (except the Owners or Occupiers of any private Lands or Grounds, and the Person or Persons authorized by such Owners or Occupiers), and who may get Materials therein for their own Use only, and not for the Use of any other Highway, or for Sale; every Person so offending, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Five Pounds, at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

Penalty on taking away Materials got by Surveyors.

XXXVIII. And be it enacted, That no Dung, Ashes, Compost, Manure, or other Thing, shall be unloaded or laid down upon the said Road, or upon any Moor, Common, or Waste Ground, nearer to the Centre of the said Road than the Distance of Thirty Feet, upon Pain that every Person so offending and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Ten Shillings; and if after the Removal of any such Dung, Ashes, Compost, Manure, or other Thing as aforesaid, any Person shall offend again in like Manner, every Person so offending again, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Twenty Shillings.

For preventing Obstructions on the Sides of the Road.

XXXIX. And be it further enacted, That it shall be lawful for the said Surveyor, and such Person or Persons as he shall appoint, from Time to Time to remove and prevent all Nuisances, Annoyances, Encroachments, and Obstructions, on any Part or Parts of the said Road, by Timber, Stone, Carriages, Saw-Pits, or other Pits, Ashes, Dung, Filth, Rubbish, or otherwise, and also to turn any Watercourses, Gutters, Conduits, or Drains, running into the same to the Prejudice thereof, and to open, scour, and cleanse deepen and enlarge, any Gutter, Ditch, Conduit, or Watercourse adjoining, or near to any Part of the said Road, and also to cut down, top or lop, any Trees, Branches, or Bushes, growing in the said Road, or in the Hedges, Fences, Banks, or Grounds adjoining thereto, and to take and carry away the same, in case the respective Owners or Occupiers of the Lands or Grounds where such Annoyances shall happen to be, shall neglect so to do, for Ten Days after Notice in Writing, given for that Purpose under the Hand of such Surveyor, and the Charges thereof respectively (being settled by the said Trustees), shall be reimbursed to such Surveyor, by such respective Owners or Occupiers so neglecting as aforesaid; and in case such Charges shall not be paid on Demand, the same shall be levied and recovered in the Manner the Penalties, Forfeitures, and Fines, by this Act authorized to be imposed, are herein-after directed to be levied and recovered; and if after the Removal of any such Nuisances, Annoyances, Encroachments, and Obstructions as aforesaid, any Person shall offend again in like Manner, every Person so offending again, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Twenty Shillings.

Surveyors may remove Annoyances.

[Loc. & Per.]

102

XL. And

Surveyors empowered to remove sudden Obstructions, without Notice.

XL. And be it further enacted, That it shall be lawful for the said Surveyor, and such Person or Persons as he shall appoint, from Time to Time without giving any previous Notice, to remove all such Earth, Trees, Roots of Trees, and other Things, as shall suddenly fall, or be blown down from any Hedge, Bank, or Land, into or upon any Part of the said Road by this Act authorized to be repaired, so as to narrow or obstruct the Passage along the same, and to carry and place the same on any Waste Ground near thereto, so as the same be no Annoyance to Travellers, and such Surveyor or Surveyors shall forthwith give Notice thereof to the Owners or Occupiers of the Lands from whence such Earth, Trees, Roots, or other Things, shall so slide, or fall, or be blown down as aforesaid; and the Charges of carrying away the same (to be settled by the said Trustees) shall be reimbursed, and paid to such Surveyor or Surveyors, by such Owners or Occupiers, and be recovered in such Manner as the Penalties and Forfeitures for Offences against this Act are hereby directed to be recovered.

Penalty on leaving Obstructions, or hawling Timber or Stones on the Road.

XLI. And be it further enacted, That if any Person or Persons shall wilfully set, place, or leave any Timber, Stones, or other Thing whatsoever, in or upon any Part or Parts of the said Road, so as to interrupt or hinder the free Passage along the said Road of any Carriage, or of any Person or Persons; or shall hawl or draw, or cause to be hawled or drawn, upon any Part of the said Road, (excepting only in crossing the same,) any Tree or Piece of Timber, or any Stone, otherwise than upon wheeled Carriages, or shall suffer any Part of any Tree, or Piece of Timber, which shall be conveyed upon wheeled Carriages, to drag upon any Part of the said Road, to the Prejudice thereof, every Person so offending in any of the Cases last mentioned, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Twenty Shillings for every such Offence.

Penalty on damaging Footways, or causing Nuisances, or Obstructions on the Road.

XLII. And be it further enacted, That if any Person or Persons shall ride upon any Footway adjoining the said Road by this Act authorized to be repaired, or shall lead or drive any Horse, Ass, Cattle, Sheep, or Swine, or any Carriage on such Footway, or shall cause any Damage to be done thereto, or shall put or turn any Horse, Ass, Sheep, Swine, or other Beast or Cattle of any Kind into or upon the said Road, or the Sides thereof, or if any Horse, Ass, Sheep, Swine, Beast or Cattle shall be found loose, or trespassing on the said Road; or if any Person shall (except in case of Accident) leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, Plough or other Instrument of Husbandry in or upon the said Road, or the Sides thereof, either with or without any Horse or Beast of Draught harnessed or yoked thereto; every Person so offending, or the Owner of such Cattle so found trespassing, shall forfeit and pay, for the first Offence a Sum not exceeding Twenty Shillings; and for the second, and any subsequent Offence, a Sum not exceeding Five Pounds.

Surveyors may make Causeways, Drains, &c.

XLIII. And be it further enacted, That it shall be lawful for the said Surveyor, and any other Person or Persons, by Order of the said Trustees, to make Causeways, and to cut and make Ditches, Drains, and Watercourses, in, upon, and on the Sides of the said Road, and also through any Grounds lying contiguous thereto, and to erect, rebuild, and keep in Repair,

Repair, Bridges and Arches upon the said Road, and across any such Ditch, Drain, or Watercourse as aforesaid, and to make sufficient Barriers, and other Erections, on any Part or Parts of the said Road, in order to prevent the same from being flooded or overflowed with Water; and to cut down and remove any Trees or Underwoods growing in or upon the said Road, or any Part thereof, where such Road is not Thirty Feet wide, and also to cause any Part of the Stream, of any private River, Rivulet, Brook, or Watercourse, to be diverted and conveyed, and to flow constantly or occasionally into, through, and upon any Part of the said Road; and to cause every Act which shall be necessary for that Purpose, to be done upon any Land or Ground (not herein-after excepted), in such Manner as such Surveyor or other Person or Persons, by such Order as aforesaid, shall judge necessary for the widening, or better amending and keeping the said Road in good Repair, and also to make or cause to be made any temporary Road or Roads through, over, and along the Grounds adjoining to any narrow or ruinous Part or Parts of the said Road, (except as herein-after is mentioned), to be made use of as a Road whilst the old Road shall be repairing, and until the same shall be made safe and convenient for Travellers, making such Satisfaction to the Owners and Occupiers of such Grounds so to be used, cut through, or built upon, and to the Owners or Occupiers of any such private River, Rivulet, Brook or Watercourse, or of any Ground through which the Stream thereof shall be so diverted and conveyed, or on which such necessary Acts shall be done as aforesaid, for the Damages which they, or any of them shall sustain thereby, as the said Trustees shall judge reasonable; and in case any Difference shall happen between such Owners or Occupiers, and the said Trustees, touching such Damages, the same shall be settled by the Justices of the Peace for the said County or District in which the Lands are situate, at their General Quarter Sessions of the Peace to be held for such County next after such Difference shall arise; and if any Owner or Occupier of any Watercourse or Watercourses, Ditch or Ditches, adjoining to the said Road, shall refuse or neglect to scower, deepen, and cleanse the same twice in every Year, in such Manner as the said Surveyor or such other Person or Persons as aforesaid shall order and direct, after Ten Days Notice shall be given for that Purpose by such Surveyor or other Person or Persons, then and in every such Case it shall and may be lawful to and for such Surveyor, or other Person or Persons, and he and they is and are hereby authorized to employ any Person or Persons to scower, deepen, and cleanse the same; and by Warrant from the said Trustees to levy the Charges thereof upon the respective Owners or Occupiers of such Watercourse or Watercourses, Ditch or Ditches, by Distress and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any) to him, her, or them, upon Demand.

Owners refusing to scower Watercourses, the Surveyor may set Men to cleanse the same, and levy the Charge.

XLIV. And be it further enacted, That in case the said Trustees, or any Nine or more of them, shall at any Time or Times during the Continuance of this Act, think proper to widen, turn, or alter any Part or Parts of the said Road, either for shortening or rendering the same more commodious, or for avoiding any Hill or Ascent, or otherwise for the better Accommodation of Passengers, then and so often, (except in the Case herein-after mentioned), they the said Trustees for the Time being or any Nine or more of them, shall have full Power and Authority from Time to Time to widen any Part or Parts of the said Road, and to divert, turn, or alter

Power to widen, turn, or alter the Road;

alter the Course or Direction of any Part or Parts thereof, and to make a new and more convenient Carriage Road through or over any Moor, Common, or Waste Ground, without making any Satisfaction for the same; and also through or over any private Lands or Grounds (except as hereinafter is mentioned), first making Satisfaction to the Owners thereof, and Persons interested therein, for the Damages they may thereby sustain; and for that Purpose it shall be lawful for the said Trustees, or any Nine or more of them, to treat, contract, and agree with the Owners of, and Persons interested in, any private Lands or Grounds, for the Purchase thereof, or for the Loss or Damage such Owners and Persons interested, or any of them, shall or may any way sustain by such widening, turning, or altering any Part or Parts of the said Road, or the making any such new Road as aforesaid.

and to purchase Land.

Power to Corporations to sell.

The Recompense to be settled by a Jury in certain Cases.

XLV. And be it further enacted, That it shall be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations aggregate or sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees whatsoever, for and on Behalf of any Infants, Females Coverts, Cestuique Trusts, and for all and every Person and Persons whomsoever, who are and shall be seized, possessed of, or interested in any such Lands or Grounds, to contract and agree with the said Trustees, or any Nine or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to sell to them, or any Nine or more of them, all or any of such Lands or Grounds as Occasion shall require; and all Contracts and Sales which shall be so made, shall, without any Conveyance or Assurance in the Law, be valid and effectual, to all Intents and Purposes whatsoever, any Law, Statute, Usage, or any other Matter or Thing to the contrary thereof notwithstanding; and all such Bodies Politick, Corporate, or Collegiate, Corporations aggregate or sole, Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any of such Owners, Proprietors, Occupiers, Bodies Politick, Corporate, or Collegiate, Corporations aggregate or sole, Trustees, or any other Person or Persons, interested in any such Lands or Grounds, upon Notice in Writing to him, her, or them, given or left at the respective Dwelling Houses or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, Corporations aggregate or sole, or at the House of the Tenant in Possession of the Lands or Grounds so to be taken in and added to any Part of the said Road, or into which any Part or Parts of such Road is or are to be turned or altered as aforesaid, shall, by the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by Reason of Absence shall be prevented from treating, then and in every or any such Case, the said Trustees, or any Nine or more of them, shall cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County where the Lands are situate, (which Oaths any One or more of the said Trustees is and are hereby empowered and required to administer), what Damages will be sustained by, and what Recompense and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested for or on Account of the taking of such Lands or Grounds into the said Road, or of turning any Part or Parts of such Road into or through the same Lands or Grounds; and in order thereto, the said Trustees

Trustees, or any Nine or more of them, are hereby empowered and required, from Time to Time, as Occasion shall require, to summon and call before the said Jury, and examine upon Oath, all and every the Person or Persons whomsoever, who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises, (which Oath any One or more of the said Trustees is and are hereby empowered to administer); and they shall also order and cause the said Jury to view the Places in Question, if there be Occasion, and use all other lawful Ways and Means, as well for their own as for the Jury's better Information in the Premises, as the said Trustees, or any Nine or more of them, shall think fit; and after the said Jury shall have inquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said Trustees, or any Nine or more of them, shall thereupon order the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners or Occupiers of or other Persons interested in the said Lands or Grounds, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition and Order so had and made shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, or Years, in Possession, Reversion, Remainder, or otherwise, their Heirs, Successors, Executors, and Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, or under any other Disability whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations aggregate or sole, as well as all other Persons whomsoever; and for the summoning and returning of such Jury or Juries, the said Trustees, or any Nine or more of them, are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County where the Lands are situate; or in case such Sheriff or his Deputy or Deputies, shall be anywise interested in the Matters in question, then to some One of the Coroners of the same County not interested therein, thereby commanding and requiring such Sheriff or Coroner to empanel, summon, and return a Jury of Twenty-four honest and indifferent Men, qualified, according to Law, to be returned for Trials of Issues in His Majesty's Courts of Record at *Westminster*, to appear before the said Trustees, or any Nine or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, his Deputy or Deputies, or the said Coroner, is and are hereby required to impanel, summon, and return such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees or any One or more of them, shall swear or cause to be sworn Twelve who shall be a Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, his Deputy or Deputies, or the said Coroner, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured, to attend that Service, (being qualified as last aforesaid), to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Trustees, or any Nine or more of them, acting in the Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, or on such Coroner making Default in the Premises, and on any of the Persons that shall be summoned and returned on such Jury, and shall not appear, nor who shall refuse to be sworn on the said Jury, or being so sworn refusing to give, or not giving their Verdict, or in any other Manner wilfully neglect-

Their Verdict
to be final.

Sheriff to
summon Jury.

Sheriff to be
fined on Neg-
lect of Duty.

[*Loc. & Per.*]

192

ing

ing their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence; provided, that no such Fine shall exceed the Sum of Ten Pounds upon any such Sheriff, his Deputy or Deputies, or Coroner, and the Sum of Five Pounds upon any other Person, for any One Offence.

How the Purchase Money is to be paid.

XLVI. And be it further enacted, That every Sum of Money, Rempence, and Satisfaction, which shall be agreed for or assessed as aforesaid, shall be paid out of the Monies which shall arise and be produced by virtue of this Act to the Parties or Persons respectively entitled thereto, or to their Agents; and upon Payment thereof, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Treasurer of the said Road for the Use of such Parties or Persons; and after Ten Days Notice thereof to such Parties or Persons, or their Agents, all Owners and Occupiers of and Persons interested in such Lands or Grounds, shall from thenceforth be divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of the same; and such Lands or Grounds shall be laid into and made Part of the said Road, in such Manner as the said Trustees, or any Nine or more of them, shall direct, and shall be by them, or by such Person or Persons as they, or any Nine or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose, and shall from thenceforth, to all Intents and Purposes whatsoever, become, and for ever afterwards be a common Highway, and shall be deemed Part of the Road to be repaired by virtue of this Act, and shall be repaired accordingly; and after such new Road shall be completed, the Lands constituting the former Road, or any Part thereof, unless leading over some Moor or Waste Ground, or to some Town, Village, or Hamlet, to which such new Road doth not lead, shall be vested in the said Trustees, for the Time being; and such Trustees, or any Nine or more of them, shall sell and convey the same for the best Price that can be gotten, and the Money arising from such Sale shall be applied for the Purposes of this Act, and the said Trustees, or any Nine or more of them, are hereby empowered to give in Exchange any Part or Parts of the Lands constituting the former Road, for any Part or Parts of such new Road; and the Sale or Sales, Conveyance or Conveyances, Exchange or Exchanges, to be made of such Lands or Grounds, being executed by the said Trustees, or any Nine or more of them, shall be good and effectual in Law, to all Intents and Purposes whatsoever.

Trustees may sell or exchange any Part of the old Road, when any Road shall be made in lieu thereof.

No Building to be damaged, or any Garden Ground, &c. to be taken for the Purposes of this Act.

XLVII. Provided always, and be it further enacted, That nothing in this Act contained shall empower the said Trustees, or any of them, or any other Person or Persons, to pull down or damage any Dwelling House or other Building, or to take, use, or possess any Ground having been used as a Garden, Orchard, Yard, Walk, or Avenue to a House or Plantation, or Nursery of Trees, for the Space of Twelve Calendar Months then last past, without the Consent in Writing of the Owner or Owners of every such Dwelling House or other Building, Garden, Orchard, Yard, Walk, Avenue, or Plantation, or Nursery of Trees, respectively, his, her, or their Agent or Agents, under their respective Hands, for that Purpose first had and obtained, other than and except a certain Dwelling House situate in the Town Street of *Havant* aforesaid, belonging to *Elizabeth Midlane*;

Midland; and also a certain Garden in the Parish of *Havant* aforesaid, belonging to *Thomas Hewitt Tanner*; and also so much of a certain Garden in the Parishes of *Widley* and *Wymering* aforesaid, or One of them, belonging to *Francis Matthews*, and in the Occupation of *Biden*, and of the Buildings thereon erected, and of so much of a certain Tenement and Garden in the said Parishes, or one of them, belonging to *James Steed*; and so much of a certain Carthouse, Stable, and Farm Yard belonging to and in the Occupation of *William Padwick*, on the South Side and at the Western Extremity of the said Road, as shall be sufficient to widen that Part of the said Road which lies between a Lane on the East Side of the said Garden in the Occupation of the said *Biden* and the Turnpike Road leading from *Portsmouth* to *London*; and also for the like Purpose, Part of a certain Garden, nearly opposite to the said last-mentioned Premises, not exceeding Three Feet in width, at the East End, and running in a bevel Line to a Point at the West End of the said Garden, also belonging to the said *William Padwick*, and in his Occupation, and situate in the said last-mentioned Parishes, or one of them, which it shall be lawful for the said Trustees to purchase, with or without any such Consent as aforesaid; but adequate Compensation shall be made by the said Trustees to the respective Owners for such of the said Premises as shall be taken for the Purposes of this Act; which Compensation shall be ascertained and paid in such Manner as is herein-before provided in that Behalf, any Thing herein contained to the contrary notwithstanding.

XLVIII. Provided also, and be it further enacted, That in case the ancient or former Road over any Moor or Waste Ground shall by virtue of this Act, be turned or diverted, the Inhabitants of the Parish, Township, or Hamlet, wherein the ancient or former Road which shall thereby be left or discontinued lieth, shall not be obliged to repair such ancient or former Road, unless the same leads to some Town, Village, or Hamlet, with which the new Road doth not communicate.

Roads dis-
continued
not to be re-
paired.

XLIX. Provided always, and be it further enacted, That the said Trustees, before they shall sell and dispose of any Piece or Pieces of old Roads, shall first offer the same to the Person or Persons whose Lands shall adjoin thereo; and in case such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase the same respectively, any Affidavit to be made and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where such Piece or Pieces of old Road or Ground shall lie, by some Person or Persons noways interested in the said Piece or Pieces of old Road or Ground, stating that such Offer was made by or on the Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall be sufficient Evidence and Proof that such Offer was made, and was not agreed to, or was refused by the Person or Persons to whom such Offer was made [as the Case may be]; and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they, and the said Trustees, shall differ and not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury in Manner herein-before directed with respect to disputed Value of Lands to be purchased by the said Trustees in pursuance of

Directing
Pieces of old
Roads to be
offered for
Sale to the
Proprietors
of the adjoining
Lands.

of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as herein directed with respect to Purchases made by the said Trustees *mutatis mutandis*, and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Parcel of old Road or Ground as aforesaid, shall be applied to the Purpose of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

Trustees not
to act where
interested.

L. Provided also That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands, Grounds, or Hereditaments, wherein he shall be personally interested.

Application
of Compensation
when
amounting to
200l.

LI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of this Act, which shall belong to any Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two Hundred Pounds, with all convenient Speed 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 *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid under the Direction and with the Approbation of the said Court (to be signified by an Order made upon a Petition to be preferred 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), in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 mean Time and until such Purchase shall be made, the said Money shall by Order of the Court of Chancery, 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; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities 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 the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

LII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politick, 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 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 entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privy of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and 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), in order that such Principal Money and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application when the Compensation is less than 200l. and exceeds 20l.

LIII. Provided also, and be it further enacted, That when such Money, so agreed or assessed to be paid as herein-before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, for the Purposes of this Act, in such Manner as the said Trustees, or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application when the Money is less than 20l.

LIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed, for any Lands, Tenements, or Hereditaments, to be purchased by virtue 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 so awarded or assessed 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 Sum or Sums of Money so awarded or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; 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 is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the

In case of not making out Titles,

or if Persons cannot be found, Purchase Money to be paid into the Bank,

subject to the Order of the Court of Chancery, on Motion or Petition.

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, 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 into the Bank, as aforesaid.

Persons in Possession shall be deemed well entitled, unless the contrary be shown.

LV. Provided always, and be it further enacted, That where any Question shall arise, touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and 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 be 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 of Chancery, 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.

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

LVI. 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 under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands 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 the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall, from Time to Time, pay such Sums of Money for such Purposes as the said Court shall direct.

New Roads to be fenced by the Trustees.

LVII. And be it further enacted, That in all Cases where the said Trustees shall widen, turn, or alter any Part or Parts of the said Road, or make any new Road over and through any inclosed Lands or Grounds, the said Trustees shall make or cause to be made Quickset or other proper Fences where necessary, as the Case shall require, so as effectually to guard and fence off the Lands adjoining to the said Road, and also proper Gates, Bridges, and Arches where necessary, out of the said Road into the Lands adjoining, and shall keep the Quickset or other Fences so to be made, in

in proper Order and Repair, for the Term of Six Years from the Time such Quickset Fences shall have been made and planted.

LVIII. Provided always, and be it further enacted, That where any particular Part or Parts of the said Road, or any Bridges, Arches, Drains, Sewers, or Watercourses, lying in and upon the same Road; have been accustomed, or ought to be repaired and maintained by any particular Person or Persons, Bodies Politick or Corporate, by Reason of the Tenure of any Lands, Tenements, or Hereditaments, or by the said Counties of *Southampton* or *Sussex*, or either of them, or any Ward, Parish, or Township therein, or otherwise howsoever, all and every such Part or Parts of the said Road, and all such Bridges, Arches, Drains, Sewers, and Watercourses, shall from Time to Time be maintained and kept in Repair by such Person or Persons, Bodies Politick and Corporate, County, Wards, Parishes, or Townships respectively, in such Manner as the same ought to have been respectively maintained and kept in Repair in case this Act had not been made.

Persons liable, and Lands chargeable to the Repair of Roads and Bridges, to continue for

LIX. Provided always, That all Persons by Law chargeable towards repairing any Part or Parts of the said Road, or any Bridges thereon, shall still remain so chargeable, and shall do their respective Statute and other Work, in or upon the other Highways of the Parishes, Townships, or Districts in which the said Road doth or shall lie, in like Manner as before the passing of this Act, (subject nevertheless, to the Regulations hereinafter expressed concerning the same); and where any old Road shall be discontinued by virtue of this Act, such Statute and other Work shall be performed upon the new Road made in lieu thereof,

Statute Work to be continued.

LX. And, for ascertaining and determining what Part of the Statute Work ought to be performed on the said Road by the Inhabitants of the several Parishes, Townships, and Districts through which the said Road doth or may pass; be it further enacted, That it shall be lawful for any Two or more Justices of the Peace for the County or District in which the Parish or Township is situate, and they are hereby required, at any Petty or Special Sessions of the Peace, upon Application to them made by the said Trustees, to adjudge and determine what Part or Proportion of the Statute Work shall yearly and every Year be done in and upon the Road hereby directed to be repaired by the Inhabitants of each or any of the Parishes, Townships, or Districts, in or through which the said Road doth or may pass.

How the Statute Work is to be apportioned,

LXI. And be it further enacted, That the respective Surveyors of the Highways, in all the Parishes, Townships, and Districts through which the said Road doth or may pass, shall yearly and every Year, during the Continuance of this Act, within Ten Days after Demand made to them respectively in Writing, by the Surveyor, Clerk, or Treasurer of the said Road, in pursuance of an Order under the Hands of Two or more acting Justices of the Peace for the County in which the Parish or Township is situate, give and deliver to the Person making such Demand, a true and exact List or Account in Writing, under their respective Hands, of the Christian and Surname of every Person in their said respective Parishes, Townships, and Districts, who are by Law chargeable towards repairing the said Road in such Parishes, Townships, and Districts, and shall set forth

and to be performed.

forth in such List what each Person is respectively chargeable with for and towards the same; and such respective Parish or Township Surveyors, within Four Days after Notice to them given by the said Turnpike Surveyor of the Time or Times when and where, and how many of the Persons so chargeable as aforesaid he would have to perform their respective Statute or Days Work, shall summon or give Notice thereof in the Mode prescribed by Law, to the Person so chargeable as aforesaid; and if any such Parish or Township, Surveyor or Surveyors, shall neglect or refuse to do as he and they is and are hereby required and directed to do, or shall wilfully return incorrect or imperfect Lists, he and they shall respectively forfeit and pay a Sum not exceeding Five Pounds for every such Refusal or Neglect; and if any Person or Persons keeping a Team or Teams, Draught or Draughts, Cart or Carts, Wain or Wains, and chargeable towards repairing the said Road shall after such Summons or Notice as aforesaid, neglect or refuse to send their respective Teams, Draughts, Carts, or Wains, furnished with Labourers, and Oxen or Horses, according to the Custom of the Country, and proper Tools to do and perform such their respective Days Work upon the said Road, so to be adjudged and appointed as aforesaid, he, she, or they so neglecting or refusing, shall forfeit and pay a Sum not exceeding Forty Shillings for every Day that each Team, Draught, Cart, or Wain, shall be wanting, or shall not be duly employed in that Service; and if any Labourers or other Persons so chargeable towards repairing the said Road, shall, at any Time neglect or refuse, (after such Summons or Notice as aforesaid), to do and perform such their respective Days Work upon the same Road, they shall respectively forfeit and pay a Sum not exceeding Two Shillings and Sixpence, for every Day's Neglect; and if any Person or Persons who shall, according to such Summons or Notice as aforesaid, come to work as Labourers, or shall be sent with any Team, Draught, Cart, or Wain, to work on the said Road, shall be found idle or negligent by the said Turnpike Surveyor or Surveyors respectively, where the Work is to be done, then and in every such Case, such Turnpike Surveyor or Surveyors may, and is and are hereby authorized and required, to discharge and dismiss every such Person or Persons who shall be so found idle or negligent, or not doing their Work, and it shall be deemed and taken as if such Persons had not come, or as if such Team, Wain, Draught, or Cart, had not been sent to work on the said Road, and the same Sum shall be accordingly forfeited and paid; and if any Statute Work shall not be performed within the Year in which the same is due, the same shall be performed in the Course of the succeeding Year.

How Trustees
may compel
Surveyors of
Highways to
account for
Composition
Money.

LXII. Provided always, and be it further enacted, That it shall be lawful for any Two or more acting Justices of the Peace for the said Counties of *Southampton* or *Suffex*: respectively, by Writing under their Hands, to summon all, every, or any of the Surveyor or Surveyors of the Highways of all, every, or any of the Parishes or Places, (the Inhabitants whereof shall be liable to perform Statute Work on the Road by this Act authorized to be made or repaired), to appear before the said Justices, and then to deliver in to them a full, true, and just Account, in Writing, of all Sums of Money by them respectively received for in lieu of or by way of Composition for Statute Work in their several or respective Parishes or Places, (which Account shall be verified upon Oath); and in case the Person or Persons so summoned shall neglect to appear at the Time and Place therein appointed, or shall refuse or neglect to deliver in such Account as aforesaid;

said;

said; or if required to verify the same upon Oath, or to pay to the Treasurer of the said Road, or as the said Justices shall direct, within Five Days from the Time of producing the said Account, or whereon the same ought to have been produced, such proportionable Part of all such Composition Money as such Surveyor or Surveyors, or any of them, shall have received, or, without their wilful Neglect or Default, might have received, that then and in all or any of the said Cases the Person or Persons so offending shall, for every separate Offence, forfeit and pay a Sum not exceeding Twenty Shillings.

LXIII. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, to compound and agree, by the Year or otherwise, with the Owners or Occupiers of any Lands, Tenements, or Hereditaments, or other Persons, Bodies Politick or Corporate, liable to or chargeable with or towards the Repair of any Part or Parts of the said Road, or any Bridges, Arches, Drains, Sewers, or Watercourses lying in and upon the same, or the Performance of Statute Work thereon, for the Payment of a Sum or Sums of Money in lieu of such Repairs and Statute Work respectively, and also for the respective Surveyors of the Highways of any of the said Parishes, Townships, and Districts, through which the said Road shall pass, to compound and agree by the Year or otherwise with the said Trustees for and in lieu of the Statute Work to be performed by the Inhabitants of such Parishes, Townships, and Districts, upon any Part or Parts of the said Road.

Statute and other Work may be compounded for.

LXIV. And be it further enacted, That in case the Composition Money agreed to be paid for passing through any Turnpikes or Toll Gates, or in lieu of any such Repairs or Statute Work as aforesaid, or any Part or Parts of such Composition Money respectively, shall not be paid within Fifteen Days after the same shall become payable, it shall be lawful for any Two or more Justices of the Peace for the Counties of *Southampton* and *Sussex* respectively, by Writing under their respective Hands and Seals, to empower the Person or Persons authorized to receive such Composition Money, (Oath having been first made before such Justices, that the same hath been demanded, and remains due, which Oath they are hereby respectively empowered and required to administer), to levy such Composition Money by Distress and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, or other Person or Persons so having compounded or agreed to pay such Composition Money as aforesaid, returning the Overplus, (if any), after deducting such Composition Money and the reasonable Charges of such Distress and Sale, upon Demand, to the Owner or Owners thereof.

Power to recover the Composition Money for Tolls, Statute, and other Work.

LXV. And be it further enacted, That the respective Surveyors of the Highways, who shall pay any such Composition Money, or of whom the same shall be recovered as aforesaid, shall be repaid or reimbursed the Composition Money paid by or recovered of them respectively, with the Costs and Charges attending such Recovery, by the several Ways and Means, and in such Manner, as by the Laws in being Surveyors of the Highways are to be repaid or reimbursed the Monies by them expended in buying Materials for repairing the said Highways.

How Surveyors of the Highway are to be reimbursed the Composition Money.

LXVI. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose appoint, are hereby empowered to contract with any Person or Persons for making, altering, raising, widening, and repairing the said Road, or any Part or Parts thereof

Trustees may contract for Repairs.

[Loc. & Per.]

11 B-D

respectively,

respectively, or any Arches or Bridges upon the same, and for doing any other Work by this Act authorized to be done, in such Manner, and for such Sum or Sums of Money, as the said Trustees shall think proper; and all Contracts in Writing for any of the Purposes aforesaid, which shall be entered into, pursuant to an Order made at any Meeting by the said Trustees, shall be binding to all Parties who shall sign the same, his, her, and their Executors and Administrators, and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Parties failing in the Execution thereof.

Mile Stones
and Direction
Posts to be
erected.

Penalty on de-
facing them.

LXVII. And be it further enacted, That the said Trustees shall cause Mile Stones or Posts to be set up, and from Time to Time renewed on the Sides thereof respectively, with Inscriptions thereon, denoting the Number of Miles, and Distances of Places, and also Direction Posts where any other Roads lead out of or into the same Road; and if any Person or Persons shall wilfully break, pull down, destroy, or damage any of the Stones or Posts which shall be so fixed or set up, or erase, obliterate, or deface any of the Inscriptions or Letters which shall be engraven or made thereon, or any Part thereof, or cause or procure the same to be done, every Person so offending, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Five Pounds at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

How Penal-
ties, Forfei-
tures, and
Fines, are to
be recovered
and applied.

LXVIII. And be it further enacted, That all Penalties, Forfeitures, and Fines, by this Act imposed, or authorized to be imposed (the Manner of levying and recovering of which is not herein otherwise particularly directed), shall, upon Proof of the Offences, and Conviction of the Offenders respectively, before any One or more Justice or Justices of the Peace for the County wherein such Offences shall be committed, either by the Confession of the Party or Parties offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by virtue of a Warrant or Warrants under the Hand and Seal, or Hands and Seals of such Justice or Justices, (which Warrant or Warrants such Justice and Justices is and are hereby authorized and required to grant, and to administer such Oath); and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned, on Demand, to the Owner or Owners of such Goods and Chattels; and all such Penalties, Forfeitures, and Fines, (if not otherwise directed by this Act), shall be paid to the said Trustees or their Treasurer, and applied for the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, such Justice or Justices is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol, or House of Correction for such County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

LXIX. And, for the more easy Conviction of Offenders against this Act, be it further enacted, That the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, may cause the Conviction to be drawn up in the Form, or in the Words

to the Effect following, *mutatis mutandis*, as the Case shall happen to be :

County of }
to wit. } BE it remembered, That on [Time of Conviction] at [Place of Conviction] A. B. [Name of Offender] of [Addition of Offender] was duly convicted before me [or us,] [Name and Style of convicting Justice or Justices], for that the said A. B. [Name of Offender] on [Time of committing Offence] at [Place of committing Offence] did [here state the Offence against the Act according to the Fact] contrary to the Form of the Statute made in the Forty-sixth Year of the Reign of His Majesty King George the Third, intituled, [here set forth the Title of this Act] and I [or, we] do therefore declare and adjudge that the said A. B. [Name of Offender] hath forfeited for his said Offence the Sum of [Fine] or shall be committed to [Place of Imprisonment] for the Space of [Time of Imprisonment]. Given under my Hand and Seal [or, our Hands and Seals] the Day and Year first above written.

Form of Convictions

LXX. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Matter or Thing done in pursuance of this Act, for which no particular Relief hath been herein-before provided (save and except the Verdict of the Jury, and any Determination, Proceeding, Matter, or Thing herein-before directed to be final), such Person or Persons may within Six Calendar Months after the Cause of Complaint shall arise, appeal to the Justices of the Peace at their General Quarter Sessions to be holden for the County wherein the Cause of Appeal shall arise, such Appellant or Appellants first giving, or causing to be given Ten Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Causes or Matter thereof, to the Clerk or Treasurer of the said Road, and within Four Days next after such Notice, entering into a Recognizance before some Justices of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of the Justices at such Quarter Sessions, and to pay such Costs as shall be awarded against him, her, or them by such Justices ; and such Justices at their said Sessions, on due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall proceed to hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award Costs to the Party appealing or appealed against as they shall think proper, and their Determination shall be final, binding, and conclusive, to all Intents and Purposes whatsoever.

Appeal to the Quarter Sessions.

LXXI. And be it further enacted, That all Orders and Proceedings of the said Trustees in the Execution of this Act shall be entered in a Book or Books to be kept for that Purpose, and shall be signed by the same Number of Trustees as are empowered to make or direct the same, and shall then be deemed original Orders and Proceedings ; which Book or Books, as also the Book hereby directed to be kept for registering Mortgages and Transfers, shall and may be produced and read in Evidence in all Courts, and before all Justices and other Persons having Jurisdiction in the Premises.

Books to be kept.

LXXII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing which shall be done contrary to or by virtue of this Act, in the Name of their Clerk or Treasurer for the Time being ; and that no Action or Suit to be brought or commenced by

Trustees may sue and be sued in the Name of their Clerk or Treasurer.

the

the Direction of or against the said Trustees, in the Name of their Clerk or Treasurer, by virtue of this Act shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees; but that the Clerk or Treasurer for the Time being to the said Trustees shall be deemed to be Plaintiff or Defendant (as the Case may be) in every such Action; and every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences as, by the Event or in consequence of any such Action or Proceedings, he shall pay, bear, expend, or be put unto, or become chargeable with, by Reason of his being made Plaintiff or Defendant as aforesaid.

Limitation of
Actions.

LXXIII. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty Days Notice thereof shall be given to the Clerk or Treasurer of the said Road, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after the Expiration of Six Calendar Months from the Time of the Fact or Offence being committed; and every such Action or Suit shall be laid or brought in the County in which the Cause of Action shall happen, and not elsewhere; and the Defendant or Defendants in every such Action shall or may, at his, her, or their Election, plead specially or the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit shall have been brought before Twenty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Expiration of the Time limited for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if such Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath in other Cases by Law.

Commence-
ment and Con-
tinuance of
the Act.

Publick Act.

LXXIV. And be it further enacted, That this Act shall commence upon the Thirty-first Day of *May* One thousand eight hundred and six, and continue in force until the Thirty-first Day of *May* One thousand eight hundred and twenty-seven, and from thence to the End of the then next Session of Parliament; and this Act shall be adjudged, deemed, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without the same being specially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1806.