



ANNO TRICESIMO NONO

# GEORGI III. REGIS.

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## *Cap. 65.*

An Act to continue for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and alter and enlarge the Powers of an Act, passed in the Seventeenth Year of the Reign of His present Majesty, intituled, *An Act for more effectually amending, widening, and keeping in Repair, several Roads therein mentioned, leading from a Gate in the Town and County of Poole, called Poole Gate, and for repealing Two Acts of Parliament, of the Twenty-ninth and Thirtieth Years of His late Majesty, relating to the said Roads; and also for applying a certain Sum of Money therein mentioned, towards paving and repairing a certain Street or Way within the said Town and County.* [1st July 1799.]

[Loc. & Per.]

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WHEREAS

Preamble.

17 Geo. III.

Former Act continued.

**W**HEREAS an Act was passed in the Seventeenth Year of the Reign of His present Majesty King George the Third, intituled, *An Act for more effectually amending, widening, and keeping in Repair, several Roads therein mentioned, leading from a Gate in the Town and County of Poole, called Poole Gate, and for repealing Two Acts of Parliament, of the Twenty-ninth and Thirtieth Years of His late Majesty, relating to the said Roads; and also for applying a certain Sum of Money therein mentioned, towards paving and repairing a certain Street or Way within the said Town and County*: And whereas, by virtue of the said Act of the Seventeenth Year of His present Majesty, and of the said Two former Acts, some or One of them, considerable Sums of Money have been from Time to Time borrowed by the Trustees appointed in or by virtue of the said Acts, on the Credit of the Tolls thereby granted, which Money, together with the said Tolls, have been applied in carrying the said Acts into Execution; and a considerable Part of such Money still remains due and owing on the Credit of the said recited Act of the Seventeenth Year of His present Majesty, and cannot be repaid, nor can the said Roads be kept in Repair, unless the Term of the said Act be continued; and it is expedient that the Powers and Provisions thereof be in some Respects altered and amended: 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 the said recited Act of the Seventeenth Year of His said present Majesty, and all and every the Clauses, Powers, Privileges, Exemptions, Provisions, Matters, and Things, therein contained, and which are now in Force, (except such Parts thereof as relate to Exemption from Stamp Duties), shall remain in Force, and be exercised and executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted; but subject nevertheless to the Alterations, Additions, and Amendments, herein contained, and which shall commence upon the passing of this Act; and this Act, and the Term and Tolls hereby granted, shall be, and are hereby made subject to the Payment of all Money now due and owing upon the Credit and on Account of the said recited Act, or of the Tolls thereby granted, or which shall be hereafter borrowed on the Credit of the said Act and of this Act, and the Interest due and to grow due for all such Money respectively, as fully and effectually, to all Intents and Purposes, as if all such Money and Interest had been borrowed and become due on the Credit of this Act.

Trustees of former Act to execute this.

II. And be it further enacted, That the Trustees, appointed or to be appointed by or in pursuance of the said Act of the Seventeenth Year of His present Majesty, shall be, and they are hereby, to all Intents and Purposes, authorized and empowered to put this present Act in Execution, together with the said Act.

Repealing a Provision in the former Act for disqualifying Trustees who may have neglected to act for Three Years.

III. And whereas by a Clause in the said Act of the Seventeenth Year of His present Majesty, it is among other Things enacted, that upon every Vacancy which should happen by the neglecting, for the Space of Three Years, of any Trustee to act, the remaining Trustees should elect another Person in the Stead of every such Trustee, as in the said Act is particularly

particularly mentioned: And whereas the disqualifying of Trustees for neglecting to act as aforesaid, has been found inconvenient, be it therefore further enacted, That so much of the said recited Clause as relates to the Disqualification of any Trustee, by reason of his neglecting to act for the Space of Three Years, shall be, and the same is hereby repealed, and that no Trustee shall incur any Disqualification by such neglecting to act, nor shall another Trustee be elected in his Stead as aforesaid; any Thing in the said recited Act contained to the contrary notwithstanding.

IV. Provided always, and be it further enacted, That no Trustee shall be capable of voting or acting in any Nomination or Appointment of any Officer or Officers, to succeed upon a Vacancy to any Office or Place of Trust held under the said Trustees, unless he shall have acted as a Trustee within the Space of Twelve Calendar Months next preceding such Vacancy.

Trustees not to vote for the Appointment of Officers on Vacancies, if they have not acted within a certain Space preceding.

V. And whereas the present Entrance into the said Town of *Poole*, at *Poole Gate* aforesaid, is inconvenient, and it would be a great Convenience and Accommodation to the Inhabitants of the said Town, and of all Persons resorting thereto, if a new Entrance was made at or near a certain Place called *Mount Rails*: And whereas, for the Purpose of making such Entrance, it may be necessary to remove a certain Rope Walk, situate near *Mount Rails* aforesaid; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Thirteen or more of them, at any Time assembled at a Meeting to be held within the said Town of *Poole*, (of which Meeting, and of the Purpose thereof, Fourteen Days Notice at least shall be given by Advertisement in the *Salisbury Journal*, in case the same shall be then printed, and if not, then in some Newspaper printed or circulated in the said Town, and the Neighbourhood thereof, and by Notice affixed on all the Gates then erected by virtue of the said Act and this Act), and they are hereby authorized and empowered, if they think proper, to determine that such new Entrance shall be made as aforesaid, and to make such Orders, and give such Directions, for carrying such Determination into Effect, as to them shall seem requisite; and thereupon it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized and empowered to enter into a Treaty, and to contract and agree with *Edward Arrowsmith* Esquire, the Devisee in Trust named and appointed in and by the last Will and Testament of Sir *John Webb*, late of *Great Canford*, in the County of *Dorset*, Baronet, deceased; and also with *Richard Ledgerd* of *Poole* aforesaid, Ropemaker, the Lessee of the said Sir *John Webb* of the said Rope Walk, situate near the said *Mount Rails*; and also with all and every other Person and Persons for the Time being entitled to or interested in the said Rope Walk, or in any Lands or Hereditaments adjoining or near thereupon, for removing or altering the Situation of the said Rope Walk, and the Buildings thereon or belonging thereto, in such Manner that the same may not thereafter hinder, obstruct, or incommode the Entrance into the said Town at the said Place called *Mount Rails*; and the said Trustees shall pay and defray the Expences incident to or occasioned by such Removal or Alteration, or such Part thereof as shall be agreed on between the said Parties, by and out of any Monies to come to their Hands by virtue of the said Act and this Act; which Treaty, Contract, and Agreement, the said *Edward Arrowsmith* and his Heirs,  
and

For removing the Rope Walk near *Mount Rails* if the Trustees think it necessary.

and all other the said Trustee and Trustees of the said Sir *John Webb*, and all and every other Person and Persons, is and are hereby empowered to enter into and make; and for the Purpose of carrying the same into proper Effect, the said *Edward Arrowsmith* and his Heirs, and such other Trustee or Trustees as aforesaid, is and are hereby authorized and empowered to grant to the said *Richard Ledgard*, his Heirs, Executors, Administrators, and Assigns; a Lease of the new Rope Walk, and the Buildings thereon, when so removed or altered as aforesaid, and of the new Ground to be taken in or added to the same, for the Residue of the Term which shall be then unexpired of the Lease by which the said Rope Walk and Buildings are now held, and under the like Rent, and on the same Terms and Conditions, in every Respect, as the said Premises are now held by the said *Richard Ledgard*, or on such other Terms and Conditions as by the said *Edward Arrowsmith*, or such other Trustee or Trustees, shall be thought proper, and also to do and execute all other Acts and Things requisite for carrying such Agreement into complete Execution; any Thing in the last Will of the said Sir *John Webb*, or any Law to the contrary thereof notwithstanding.

If the Trustees come to a Determination and Agreement for making a new Entrance at *Mount Rails*, the Way from *Port Mahon Castle* up to such Entrance to be made Turnpike.

VI. And be it further enacted, That in case the said Trustees shall come to such Determination, and make such Contract and Agreement as aforesaid, then it shall be lawful for the said Trustees, or any Seven or more of them, to cause an Entrance for Horses, Cattle, and Carriages, to be made into the said Town at the said Place called *Mount Rails*, and also to cause the Road or Way leading from thence into the present Turnpike Road, near a certain Inn called *Port Mahon Castle*, to be widened, amended, repaired, and kept in Repair, by and under the Powers and Provisions of the said Act and this Act, and the same shall from thenceforth for ever after be, and be deemed and taken to be a common Highway, and the same shall also be Part of the Turnpike Roads included in the said Act and this Act, to all Intents and Purposes, as if the same had been comprized in, and directed to be repaired, widened, and kept in Repair by the said Act, and the said Entrance shall also from thenceforth for ever after be, and be deemed and taken to be a common Highway and Entrance into the said Town, for the Passage of Horses, Cattle, and Carriages.

The Trustees may set up a Gate at the new Entrance at *Mount Rails*, or at any Place between that and the Junction of the *Wimborne* and *Ringwood* Roads.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, to cause a Gate or Turnpike, and a Toll House thereto, to be erected at the said new Entrance into the said Town at *Mount Rails*, or at any Place between the same, and the Junction of the Two Roads leading from *Wimborne* and *Ringwood*, and to cause the several Tolls by the said Act granted to be demanded and taken at such Gate or Turnpike, for the Passage of all Horses, Cattle, and Carriages; and also to cause the said Gate, called *Poole Gate*, to be taken down and removed; and if such new Gate or Turnpike shall be erected at the said new Entrance at *Mount Rails*, then and in such Case it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized and empowered, to cause the Entrance into the said Town at *Poole Gate* to be stopped up with Posts and Rails, or any other Fence, so as to prevent the Passage of Horses, Cattle, and Carriages, but not of Foot Passengers, and from thenceforth the Road leading from the said Entrance to the Place where the said  
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new Road will branch out of the present Turnpike Road, at or near *Port Mahon Castle* as aforesaid, shall cease to be a Turnpike Road, or to be under the Care and Management of the said Trustees, or be repaired by them, as Part of the Roads included in the said Act and this Act, but the said Trustees shall be discharged from the Care thereof; and if the said Trustees shall not cause a Gate or Turnpike to be set up at the said new Entrance into the said Town at *Mount Rails*, but shall cause such Gate to be set up at any Place between the same, and the Junction of the said Roads leading from *Wimborne* and *Ringwood*, then and in such Case the said Trustees shall nevertheless cause the said *Poole Gate* to be taken down as aforesaid; but it shall not be lawful for them to cause the said Entrance into the said Town at *Poole Gate* to be stopped up as aforesaid, but the same shall remain open for the Passage of Horses, Cattle, and Carriages; and it shall be lawful for the said Trustees to erect or cause to be erected a Side Gate at the North-east Side of the present Toll House there; together with proper Fences extending from the same to *John Major's Rope Walk* in *Heckfordfield*, to prevent the Passage of Horses, Cattle, and Carriages, and to cause the respective Tolls by the said former Act granted, to be taken for the Passage of all Horses, Cattle, and Carriages through such Side Gate; and the said Piece of Road between *Poole Gate*, and the Junction of the said new Road leading from *Mount Rails*, shall in that Case continue to be Part of the Roads included in the said Act and this Act, and shall be repaired and kept in Repair by the said Trustees accordingly.

VIII. And be it further enacted, That if such new Gate or Turnpike shall be erected and set up any where between the Junction of the said *Wimborne* and *Ringwood* Roads, and the Place where the Lane called *Sandy Lane*, leading from *Seldown*, joins the said Turnpike Road, then and in such Case it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, to cause the East End of the Lane to be stopped up by Posts and Rails, or any other proper Fence, so as to prevent the Passage of Horses, Cattle, and Carriages, and to cause the same to be so stopped up during the Continuance of the said Act and this Act, and from thenceforth it shall not be lawful for any Person or Persons to pass along the same into the said Turnpike Road, with any Horse or Horses, Cattle or Carriages, during the Continuance of the said Act and this Act, but the same shall cease to be a Common Highway to all Intents and Purposes.

If the new Gate be set up any where between the Junction of the *Wimborne* and *Ringwood* Roads and *Sandy Lane*, that Lane may be stopped.

IX. And be it further enacted, That in case any Money or Recompence shall be paid for any Lands, or Hereditaments, which shall be purchased, taken, or used for the Purposes of this Act, to any Corporation, Feme Covert, Lunatick, or other Person under any other Disability or Incapacity as aforesaid, shall, in case the same be not less than the Sum of One hundred Pounds, with all convenient Speed be invested in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations, as the said Lands, Tenements, or Hereditaments belonging to such Corporation or other Person as aforesaid, so to be purchased, taken, or used for the Purposes of this Act, were settled, limited, or assured; and in the mean Time, and until such Purchase can be had, such Money shall be paid into the Bank of *England*, in the Name and with the Privity of

For re-investing Purchase Monies.

[*Loc. & Per.*]

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the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills, and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall respectively be paid off by Government, shall be laid out, in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy and Victualling, and Exchequer Bills, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Trustees, or any Five or more of them, and until the same shall, upon a Petition setting forth such Approbation, (to be preferred to the Court of Chancery in a summary Way, by the Person or Persons who would be entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments to be purchased therewith, if the same were purchased and settled); be ordered to be sold by the said Accountant General, for completing such Purchase, in such Manner as the said Court shall think just and direct; and it shall and may be lawful for the said Court to make such Order or Orders, in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit; but in case such Money shall be less than the Sum of One hundred Pounds, and not less than the Sum of Twenty Pounds, then such Money shall be paid to such Person or Persons as the Party or Parties entitled thereto shall respectively nominate to receive the same, in Trust with all convenient Speed to be reinvested in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed to, and settled upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, Hereditaments, and Premises, which shall be purchased from them respectively by the said Trustees, were respectively settled, limited, or assured to, upon, or subject to at the Time of purchasing the same, or such of them as at the Time of making such Conveyances and Settlements shall be existing and capable of taking Effect; and in the mean Time, and until such Purchase or Purchases shall be made, the said Money shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons as aforesaid, in some of the Publick Funds, or on Government or Real Securities, in the Names of Two or more Persons, to be nominated by the Party or Parties interested therein, and to be approved of by the said Trustees, or any Five or more of them, and the Dividends or Interest arising or to be produced from such Funds or Securities, shall be paid to such Person or Persons respectively, as would for the Time being be entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments, so to be purchased, conveyed, and settled by virtue of this Act.

X. And

X. And whereas the Tolls by the said recited Act granted are insufficient, be it therefore further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized and empowered to order and cause to be demanded and taken at the Gate, called *Walford Gate*, in *Wimborne Minster*, on every *Sunday* throughout the Year, double the several and respective Tolls and Duties which are in and by the said Act of the Seventeenth Year of His present Majesty granted and made payable.

Double Tolls on *Sunday* may be taken at *Walford Gate*.

XI. And be it further enacted, That in case the new Entrance into the said Town of *Poole*, at the said Place called *Mount Rails*, shall be made as herein-before mentioned, it shall be lawful for the said Trustees, or any Seven or more of them, assembled at a Meeting to be held within the said Town of *Poole*, (of which Meeting, and of the Purpose thereof, Fourteen Days Notice at least shall be given as herein-before mentioned), to order and cause to be demanded and taken, at the new Gate or Turnpike which shall be erected as aforesaid under and by virtue of this Act, on every *Sunday* throughout the Year, and at the Side Gate between the present Toll House at *Poole Gate* and *John Major's Rope Walk*, (in case such Side Gate shall be set up), double the several and respective Tolls and Duties, which are in and by the said Act of the Seventeenth Year of His present Majesty granted and made payable.

Double Toll on *Sunday* may be taken at the new *Poole Gate*.

XII. Provided nevertheless, and it is hereby enacted and declared, That none of the Tolls by this Act granted shall be demanded or taken for or in respect of the Horses, or Carriages of any Rector, Vicar, or Curate, going to or returning from any Church, Chapel, or other Place of Religious Worship; or of any Person or Persons, being Inhabitants of the Parish of *Wimborne Minster*, going to or returning from any Church, Chapel, or other Place of Religious Worship, in the said Parish of *Wimborne Minster*; or of any Person or Persons, being Inhabitants of the Tythings of *Parkstone* or *Longfleet*, going to or returning from any Church, Chapel, or other Place of Religious Worship in the said Town of *Poole*; or for or in respect of any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying or guarding the same; or any Horses belonging to Officers or Soldiers upon their March, or upon Duty or Exercise, or Carriages employed in carrying or conveying any such wounded or disabled Officers or Soldiers; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person, for every such Offence, shall forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings.

Exemptions.

XIII. And be it further enacted, That the Tolls hereby granted and made payable shall be, and the same are hereby vested in the said Trustees, and the same, and every Part thereof, shall be collected, levied, recovered, paid, applied, assigned, varied, and disposed of, in such and the same Manner, and by such Ways and Means, and with such Remedies for Nonpayment or Evasion thereof, and with such Powers, Provisoos, Exemptions, and Restrictions, as in the said recited Act are contained

Tolls vested in Trustees.

with respect to the Tolls thereby granted and made payable; subject nevertheless to the Exemptions herein-before contained.

XIV. And be it further enacted, That all Mortgages of the Tolls to be made and executed by the said Trustees, at any Time or Times hereafter, shall be in the Words or to the Effect following; (that is to say),

Form of  
Mortgage.

‘ BY virtue of an Act made in the Thirty-ninth Year of the Reign of  
 ‘ His Majesty King *George* the Third, intituled, *An Act*, [*here insert*  
 ‘ *the Title of this Act*], and by virtue of the Act of the Seventeenth Year  
 ‘ of the Reign of His present Majesty therein recited, we whose Names  
 ‘ are hereunto subscribed, and Seals affixed, being Trustees acting in  
 ‘ Execution of the said Acts, in Consideration of the Sum of  
 ‘ to the Treasurers of the said Roads in Hand paid by  
 ‘ *A. B.* of do grant, bargain, sell, and demise unto  
 ‘ the said *A. B.* his Executors, Administrators, and Assigns, such Pro-  
 ‘ portion of the Tolls arising upon the Roads mentioned in the said Acts,  
 ‘ and of the Turnpikes and Toll Houses for collecting the same, as the  
 ‘ said Sum of doth or shall bear to the whole Sum  
 ‘ due and owing on the Credit of the said Tolls, to be had and holden  
 ‘ from this Day of in the Year of our  
 ‘ Lord One thousand for and during the Continuance  
 ‘ of the said Acts, unless the said Sum of with Interest,  
 ‘ at the Rate of *per Centum per Annum*, shall be sooner  
 ‘ repaid and satisfied. Witness our Hands and Seals, this Day  
 ‘ of One thousand hundred and .’

And Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; and all Persons to whom any such Mortgage shall be made as aforesaid, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit therein, and the Principal and Interest thereby secured, to any Person or Persons whomsoever, indorsing on the Back of such Security, before One credible Witness, the following Words, or Words to the like Effect; *videlicet*,

Form of  
Transfer.

‘ I DO transfer this Mortgage, with all my Right and Title to the Prin-  
 ‘ cipal thereby secured, and to all the Interest now due upon the same,  
 ‘ unto his Executors, Administrators, and Assigns.  
 ‘ Dated this Day of One thousand  
 ‘ hundred and

‘ *A. B.*’

Which Transfer shall be produced and notified to the said Clerk, who shall cause an Entry or Memorial to be made thereof in the before mentioned Book or Books, containing the Numbers, Dates, Names of the Parties, and Sums of Money therein transferred, for which the said Clerk shall be paid such Sum as the said Trustees, or any Five or more them, shall appoint, not exceeding the Sum of Three Shillings and Sixpence; and such Transfer shall then entitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon, and such Assignee may in like Manner transfer the same again, and so *toties quoties*; but in case any Sum or Sums of Money so to be transferred, shall not exceed the Sum of One hundred Pounds, it shall be lawful for the respective Persons entitled thereto, by an Indorsement of



of his, her, or their Name or Names, without any Witness, to transfer his, her, or their Property therein, to any other Person or Persons, without any Entry being made thereof in Manner aforesaid; and the said Trustees, or any Five or more of them, may and shall, if thereunto required, receive in and cancel all or any Mortgages now standing out; that were made by virtue of the said former Acts, or either of them, and give or execute another or others for the respective Sums mentioned in such Mortgages, in Manner, and transferrable as above mentioned, instead and in lieu thereof respectively.

XV. And whereas it is in and by the said Act of the Seventeenth of His present Majesty enacted, that the Surveyors of the Highways of the several Towns, Parishes, Hamlets, and Places, wherein the Roads by the said Act directed to be repaired do lie, should, and they were thereby required, at the Times therein mentioned, to deliver to the said Trustees true and perfect Lists in Writing, of the Names of all the Inhabitants of the said Towns, Parishes, Hamlets, and Places respectively, who are liable to do Statute Labour in and upon the said Highways, and should in such Lists distinguish and set forth which of such Inhabitants should be deemed to keep a Team or Teams, and which of them were Labourers only, or did not, or by the said Act were not deemed to keep a Team or Teams: And whereas the said Clause hath been found insufficient to compel the said Surveyors to deliver in proper Lists of such Inhabitants, be it therefore further enacted, That such Surveyors shall and they are hereby required, at the First Meeting of the said Trustees, after the Twenty-fifth Day of *March* in every Year, (Ten Days Notice of such Meeting being inserted and affixed in Manner herein-before mentioned), to return and deliver in to the said Trustees at such Meeting, true and perfect Lists in Writing upon Oath, according to the best of their Knowledge and Belief, if thereunto required, (such Oath to be administered by the said Trustees, or any One or more of them), of the Names of all the Inhabitants and Occupiers of Lands, Tenements, and Hereditaments, in such Towns, Parishes, Hamlets, and Places respectively, that are liable to do Statute Labour or Duty, and shall in such Lists distinguish and set forth which of such Inhabitants and Occupiers keep a Team or Teams, and what Lands, Tenements, or Hereditaments, and of what Annual reputed Value, they respectively occupy, and which of them are Labourers, or liable to do their Statute Duty as Labourers only, and shall, within Ten Days after Notice shall be given them, or any of them, by the respective Turnpike Surveyor, of the Time when and how many of the Persons so charged as aforesaid he would have to do their Statute Work in and upon any Part or Parts of the said Road, summon or give publick Notice thereof to the respective Persons so chargeable as aforesaid; and if any such Parish Surveyor or Surveyors shall not deliver in such Lists respectively at or before such Times, and in such Manner as by this Act are required and directed to be delivered, or shall refuse to verify the same upon Oath if thereunto required, or if the Name or Names of any Person or Persons which ought to have been inserted in such List or Lists shall be omitted, or if such Surveyor or Surveyors shall refuse or neglect to give publick Summonses or Notices to such Persons, who ought by Law to do Statute Labour or Duty as aforesaid, according to the Directions of the Surveyor appointed by the said Trustees, such Parish Surveyor or Surveyors, and every of them, shall forfeit and pay, for every

For better enforcing the Performance of Statute Duty.

[*Loc. & Per.*]

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such

such Default, any Sum not exceeding Ten Pounds, nor less than Forty Shillings.

Statute Duty  
may be com-  
pounded for.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, or their Surveyors to be by them respectively appointed, being authorized or empowered so to do by the said Trustees, or any Five or more of them, to compound and agree with the Inhabitants and Occupiers of any Lands, Tenements, and Hereditaments, of and in all or any of the Towns, Parishes, Hamlets, or Places in which the said Roads hereby intended to be repaired, or any Part or Parts thereof, doth or do, or shall lie; (their Consent being first signified in Writing at a Vestry or other publick Meeting of such Inhabitants, summoned to assemble for that Purpose), or with any of the said Inhabitants respectively, for a certain Sum of Money by the Year or otherwise, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of the Statute Work to be by them or any of them done, provided such Composition Money be paid yearly in Advance by the Surveyor or Surveyors, or other Officer of the Parish, or by the respective Persons so compounding, to the respective Treasurers of the said Trustees, on or before the Fifth Day of *April* in each Year.

Occasional  
Meetings of  
Trustees may  
be held.

XVII. And be it further enacted, That if, after any Adjournment of the said Trustees made by virtue of the said Act of the Seventeenth of His present Majesty, 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 to the said Trustees, upon an Order in Writing signed by Three or more of the Trustees, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in Writing, on all the Gates or Turnpikes then erected by virtue of the said Act and this Act, and of the Time and Place of Meeting which shall be mentioned in the Order of the said Trustees, (such Time not being less than Seven Days after such Notice), and such earlier Meeting shall and may be held accordingly; and all the Orders and Determinations of the said Trustees at all such Meetings, shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments.

Gate Keepers  
and others  
employed by  
the Trustees,  
to be compe-  
tent Witnesses  
on Disputes  
about Tolls.

XVIII. And be it further enacted, That in case any Dispute, Suit, or Litigation, shall arise, touching or in anywise relating to the Tolls by the said Act and this Act made payable, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be, and he and they is and are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

For paying the  
Expences of  
the Act.

XIX. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, shall be paid out of any Money already raised by virtue of the said recited Act, or out of the First Monies which shall be raised or borrowed upon the Credit of the said Act and this Act.

Publick Act.

XX. And be it further enacted, That this Act shall be adjudged, deemed, and taken to be a Publick Act, and shall be judicially taken  
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Notice

Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

XXI. And be it further enacted, That the Term of the said recited Act shall, from and after the passing of this Act, cease and determine; and the said Act and this Act shall from thenceforth continue and be in Force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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