



ANNO QUADRAGESIMO OCTAVO

GEORGI II. REGIS.

Cap. 29.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *New Chappel* in the County of *Surrey*, to *Ditcheling Bost Hills* in the County of *Suffex*; and for amending the Road from *Ditcheling Bost Hills* to *Brightbelmstone* in the County of *Suffex*.

[14th April 1808.]

WHEREAS an Act was made in the Tenth Year of the Reign of His present Majesty, intituled, *An Act for repairing, widening, and keeping in Repair, the Road from New Chappel in the County of Surrey, over Cophorn in the County of Suffex, through Lindfield to the Town of Ditchling, up to the Top of Ditchling Bost Hills in the said County of Suffex*: And whereas another Act was made in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act for continuing the Term and enlarging, altering, and amending the Powers of an Act, made in the Tenth Year of His present Majesty, for repairing, widening, and keeping in Repair, the Road from New Chappel in the County*

[Loc. & Per.] 5 I of

Former Acts
continued.

of Surrey, over Copthorn in the County of Suffex, through Lindfield to the Town of Ditchling, up to the Top of Ditchling Bost Hills in the said County of Suffex: And whereas the Trustees acting in the Execution of the said Acts have borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due, and cannot be repaid, nor the said Road effectually amended and kept in Repair, unless the Term of the said Acts be further continued, the Tolls increased, and some of the Powers thereof altered and enlarged: And whereas the Road leading from the Top of *Ditcheling Bost Hills* to the Town of *Brightelmstone* is much out of Repair, incommodious and dangerous for Travellers, and cannot be effectually amended and kept in Repair by the ordinary Course of Law, and it would be a great Accommodation to the Neighbourhood, and of publick Utility, if the same were to be repaired, and put under the Care and Management of the Trustees for executing the said recited Acts and this Act: 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 Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained (except such Parts thereof as relate to Exemptions from Stamp Duties, and also such as are hereby varied, altered, or repealed), shall be and remain in full Force and Effect, and together with this present Act, shall be put in Execution for and during the Term herein-after mentioned, as well for the Purpose of amending, widening, improving, and keeping in Repair the Road included in the said recited Acts, as for amending, widening, and keeping in Repair the Road leading from the Top of the said Hills, called *Ditcheling Bost Hills*, to the Town of *Brightelmstone*, as fully and effectually in all Respects, and to all Intents and Purposes, as if the said Acts, and the Clauses, Powers, and Provisions therein respectively contained, were expressly repeated and re-enacted in the Body of this present Act, and as if the said additional Road had been Part of the Road included in the said Acts; but subject nevertheless to the Alterations and Amendments herein contained, and which shall commence and take Effect upon the passing of this Act; and that this Act, and the Term and Powers hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing, or which shall or may hereafter be borrowed and become due on the Credit of the said recited Acts and of this present Act, or any of them, and all Interest due and to become due for the same respectively.

Impowering
the Trustees
to make the
new Piece of
Road.

II And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, or for such Persons as they, or any Seven or more of them, shall employ for that Purpose, and they are hereby fully authorized and empowered, to enter into and upon the Lands and Grounds of any Person or Persons, in or through which the said new Piece of Road is intended to pass, to set out, form, make, and complete the same, from the Top of *Ditcheling Bost Hills* to the Town of *Brightelmstone* aforesaid, and to cut and make such Drains, Gutters, and Tunnels, for draining the Lands adjoining or near such Road, as shall be

by them thought necessary or proper for draining the Water from such Road, according to the true Intent and Meaning of this Act, doing as little Damage as may be in the Execution of the Powers to them hereby granted, and making reasonable Satisfaction to the Owners or Proprietors of, and all Persons interested in the Lands, Tenements, and Hereditaments, for all Damages which shall be sustained by executing the Powers and Authorities hereby given; and in case any Difference concerning the same shall arise between the said Trustees and such Owners or Proprietors and Persons interested as aforesaid, that then it shall and may be lawful for the Justices of the Peace, or the major Part of them assembled, at the next General Quarter Session of the Peace for the said County of *Suffex*, or at the Second General Quarter Session of the Peace there, to settle, adjudge, and determine what Recompence shall be made to such Owners or Proprietors and Persons interested, for the Damages they shall have sustained as aforesaid; which Determination shall be final: Provided always, that nothing herein contained shall authorize or empower the said Trustees, or any Person or Persons acting by or under their Authority, to take, use, injure, or damage, for the Purposes of the said Road, or any the Purposes aforesaid, any House or other Building, or any Land or Ground set apart or used as a Garden, Orchard, Park, or planted Avenue to a House, without the Consent of the Owner or Owners thereof.

III. And whereas a Map or Plan describing the Line of the said new Piece of Road, and the Lands through which the same is to be carried, together with a Book of Reference containing a List of the Names of the Owners and Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Suffex*, be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at any reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said new Piece of Road shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politick, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made.

For restraining the Trustees from deviating beyond a certain Distance of the Line described in the Plan, &c.

IV. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees to make the said new Piece of Road into, through, across, or over the several Lands or Grounds of any Person or Persons who is or are, or may be Owner or Owners of Land, over which the same is set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees may make Road through Grounds although the Owners Names are not in the Book of Reference,

V. And

and to erect
Turnpike
there.

V. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, or such Person or Persons as they or any Seven or more of them shall appoint, when and so soon as the said intended Road from the Top of *Ditcheling Bost Hills* to the said Town of *Brighthelmstone* shall be made and completed, to erect and set up, or cause to be erected and set up, One Gate or Turnpike upon or across the said Road, and also a Toll House with suitable Outbuildings thereto, and also to take in and inclose from the said Road a Garden Spot suitable and convenient for such Toll House, and pull down and remove the same, as they the said Trustees, or any Seven or more of them, shall judge proper; and One Half of the Tolls hereby granted and made payable, at the several Gates or Turnpikes between *New Chappel* and *Ditcheling Bost Hills* aforesaid, shall be demanded and taken before any Horse, Mare, Gelding, Mule, Ass, Beast or other Cattle, Coach, Waggon, Cart or other Carriage whatsoever, shall be permitted to pass through the said Gate or Turnpike to be erected and set up between the Top of *Ditcheling Bost Hills* and the said Town of *Brighthelmstone*.

No Turnpike
Gate to be
erected with-
in One Mile
of Brighton.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to erect such Gate or Turnpike upon the said new Piece of Road between *Ditcheling Bost Hills* and *Brighthelmstone*, within One Mile of the said Town of *Brighthelmstone*.

For repeal-
ing the pre-
sent Tolls,
and granting
new ones.

VII. And whereas the Tolls granted by the said recited Acts have been found insufficient for amending and keeping the said Road from *New Chappel* to the Top of *Ditcheling Bost Hills* aforesaid in good Repair, and for executing the several other Purposes of the said Acts, be it therefore further enacted, That from and after the Twenty-ninth Day of *September* next, the Tolls payable in and by the said recited Acts shall cease, determine, and be no longer paid; and that in lieu thereof the following Tolls shall be demanded and taken, before any Horse, Mare, Gelding, Mule, Ass, Beast or other Cattle, Coach, Waggon, Cart or other Carriage whatsoever, be permitted to pass through any Turnpike or Toll Gate, Side Bar or Side Gate, erected or to be erected by virtue of the said recited Acts or this Act, upon or across the said Road between *New Chappel* and the Top of *Ditcheling Bost Hills* aforesaid, or upon or across any Lane or Way leading into the same; (that is to say),

Tolls.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing in any Carriage of whatsoever Description, the Sum of Sixpence:

For every Horse, Mare, Gelding, or Mule, laden or unladen, and not drawing, the Sum of Two-pence:

For every Ass or other Beast of Burthen, laden or unladen, and not drawing, the Sum of One-penny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence *per* Score, and so in Proportion for any less Number: And,

For every Drove of Calves, Hogs, Swine, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in Proportion for any less Number:

And that Double the said respective Tolls shall be demanded and taken on every *Sunday* during the Continuance of this Act:

Which

Which said respective Tolls or Duties shall be and are hereby declared to be vested in the Trustees appointed or to be appointed for the Purposes of the said recited Acts or this present Act; and that it shall and may be lawful for the said Trustees to demand and take, or cause to be demanded and taken, the said Tolls at the respective Gates erected or to be erected across or near the said Road between *New Chappel* and the Top of *Ditcheling Bost Hills* aforesaid; and One Half of the said Tolls at the Gate to be erected between the Top of *Ditcheling Bost Hills* and the said Town of *Brightelmstone*; and they the said Trustees, or such Person or Persons as they shall authorize and appoint for that Purpose, shall have such and the same Powers, Authorities, and Remedies for collecting, demanding, recovering, levying, assigning, transferring, leasing, reducing, advancing, and compounding for the Tolls and Duties hereby granted or made payable, as are in and by the said recited Acts or either of them given and expressed with respect to the Tolls thereby granted or made payable, so that such Advancement of the said Tolls or any of them, after the said Tolls or any of them shall have been reduced, do not exceed the Tolls hereby granted; but Twenty-one Days Notice thereof at least shall be given upon all the Toll Gates or Turnpikes which shall be then standing upon the said Roads, previous to any such Alterations in the said Tolls; and that the said Tolls and Duties hereby granted and made payable shall be paid, applied, and disposed of, to and for such Uses, Intents, and Purposes, as are in the said recited Acts and this Act directed and appointed in that Behalf.

VIII. Provided always, and it is hereby further enacted and declared That all and every of the said Tolls and Duties, being paid at any One of the said Gates or Turnpikes erected or to be erected by virtue of the said Acts or either of them, or this Act, on any Part of the said Road by the said Acts directed to be repaired between *New Chappel* and the Town of *Lindfield*, shall not be looked upon or deemed to be an Exemption from the Payment of the like Tolls and Duties at any other of the said Gates or Turnpikes erected or to be erected between the said Town of *Lindfield* and the Top of *Ditcheling Bost Hills*, but that the same Tolls shall be paid Twice between *New Chappel* and the Top of *Ditcheling Bost Hills* aforesaid for all Horses, Cattle, Beasts, and Carriages, that is to say, Once between *New Chappel* and the Town of *Lindfield* aforesaid, and Once between the said Town of *Lindfield* and the Top of *Ditcheling Bost Hills* aforesaid; any Thing in the said recited Acts or either of them, or in this Act contained to the contrary thereof notwithstanding.

IX. Provided always, and it is hereby further enacted, That no more than Two Tolls in the Whole shall be demanded or taken from any Person for Once passing and repassing the same Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the succeeding Night, with the same Horses, Cattle, Beasts, and Carriages, through all the said Toll Gates or Turnpikes erected or to be erected by virtue of the said recited Acts or either of them, or of this Act, between *New Chappel* and the Top of *Ditcheling Bost Hills* aforesaid, but that all and every Person and Persons, having paid the said Two Tolls in the Whole, between *New Chappel* and *Ditcheling Bost Hills* aforesaid, and producing a Note or

[Loc. & Per.]

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Ticket,

Tolls taken at certain Gates not to be an Exemption from Payment at other Gates.

That Persons passing Twice on the same Day, shall only pay One Toll between *New Chappel* and *Ditcheling Bost Hills*; but if more than Twice, additional Tolls to be taken

Ticket, Notes or Tickets, denoting the Payment of such Tolls (which Notes or Tickets the Collectors of the Tolls are hereby required to give *gratis* on Receipt of the Toll), shall Once pass and repass the same Day, with the same Horses, Cattle, Beasts, and Carriages, Toll-free through all the Turnpikes or Toll Gates erected or to be erected on the said Road between *New Chappel* and *Ditcheling Bost Hills* aforesaid; but if any Person or Persons shall pass through any such Gate or Turnpike a Third Time with the same Horses, Cattle, Beasts, or Carriages, then and in that Case such Person or Persons shall again be liable to pay the said Toll, and so *toties quoties* for every Third Time the said Person or Persons shall pass the same Day through the same Gate or Turnpike on the said Roads with the same Horses, Cattle, Beasts, or Carriages as aforesaid.

One Toll only to be taken, between New Chappel and Lindfield for passing Twice in the same Day, and only Half a Toll for passing Once; but if more than Twice, additional Tolls to be taken.

X. Provided also, and it is hereby further enacted, That no more than One Toll shall be demanded or taken from any Person or Persons for Once passing and repassing the same Day with the same Horses, Cattle, Beasts, or Carriages, through all the said Gates or Turnpikes erected or to be erected on any Part of the said Road by the said recited Acts, or either of them, directed to be repaired, between *New Chappel* and the Town of *Lindfield*; nor shall any more than One Toll be demanded or taken from any Person or Persons for Once passing and repassing the same Day with the same Horses, Cattle, Beasts, and Carriages through all the said Gates or Turnpikes erected or to be erected between the Town of *Lindfield* and *Ditcheling Bost Hills* aforesaid; nor shall any more than One Half Toll be demanded or taken from any Person or Persons for Once passing and repassing the same Day with the same Horses, Cattle, Beasts, and Carriages, through the said Gate or Turnpike to be erected between *Ditcheling Bost Hills* aforesaid and the said Town of *Brightelmstone*; but that all and every Person and Persons, having paid such respective Tolls, and producing a Note or Ticket, or Notes or Tickets as aforesaid, shall Once pass and repass the same Day with the same Horses, Cattle, Beasts, and Carriages, Toll-free through all the Turnpikes or Toll Gates erected or to be erected on the said Roads between the respective Places aforesaid; but if any Person or Persons shall pass through any Gate or Turnpike between the respective Places aforesaid a Third Time with the same Horses, Cattle, Beasts, or Carriages, then and in that Case such Person or Persons shall again be liable to pay the said Toll, and so *toties quoties* for every Third Time the said Person shall pass the same Day through the same Gate or Turnpike on the said Roads, between the respective Places aforesaid, with such Horses, Cattle, Beasts, or Carriages as aforesaid: Provided always, that nothing in this Act contained shall authorize the said Trustees, or the Collectors of the said Tolls, to demand or take from any Person or Persons passing or repassing with the same Horse, Mare, Gelding, Mule, Ass, or other Cattle, and not drawing in any Carriage upon the said Roads, more than One Toll in any One Day, to be computed as aforesaid, between the respective Places aforesaid.

For repealing a Clause in the former Acts, respecting Double

XI. And whereas by the said last recited Act it is enacted, That all and every Carriage laden with Chalk, Timber, Timber in Boards, Plank or Scantlings, Guns or other Iron, Mine Ore, Hay or Straw for Sale, Bricks, Tiles, Sand, Stone, Flints, Marl, Coal, Firewood, Faggots, Hop-poles, or Hoops,

Hoops, passing through any of the Gates or Turnpikes then or thereafter to be erected by virtue of the said recited Acts, between the First Day of *November* and the First Day of *April* in every Year during the Continuance of the said Acts, should pay the Sum of Four Shillings for each Time every such Carriage should pass through any such Gate or Turnpike, so laden as aforesaid: And whereas such Part of the said last recited Act imposing the same Toll on Carts as on Waggon has been found inconvenient and prejudicial to the Publick, be it therefore enacted, That so much of the said last recited Act shall be and the same is hereby repealed; and that from and after the Commencement of this Act all and every Carriage and Carriages whatsoever laden with Chalk, Timber, Timber in Boards, Plank or Scantling, Guns or other Iron, Mine Ore, Hay or Straw for Sale, Bricks, Tiles, Sand, Stone, Flints, Marl, Chalk Marl, Coals, Fire-wood, Faggots, Hop-poles, or Hoops, passing through any of the Gates or Turnpikes now erected or hereafter to be erected by virtue of the said recited Acts or this Act, between the Twentieth Day of *October* in each Year and the First Day of *April* in every succeeding Year, during the Continuance of this Act, shall pay Double the Tolls or Duties hereby granted at each Gate or Turnpike through which such Carriage or Carriages so laden shall pass; any Thing in the said recited Acts or either of them, or this Act contained to the contrary notwithstanding.

Tolls on certain Carriages and for taking other Tolls in lieu thereof.

XII. And, in order to prevent the Misconduct of the Persons employed as Collectors of the said Tolls; be it further enacted, That every Person employed to collect any of the Tolls hereby granted and made payable, shall affix his or her Christian and Surname on a Board on some conspicuous Part of the Toll House at which he or she shall be appointed to collect the said Tolls, on each and every Day that he or she shall continue in such Collection, under the Penalty of any Sum not exceeding Forty Shillings for every Neglect thereof; and if any such Collector shall wilfully misbehave himself or herself in the Collection of the said Tolls, or shall make use of any opprobrious or improper Language to any Person or Persons passing through any of the Turnpikes already erected or hereafter to be erected, by virtue of the said recited Acts or either of them, or of this Act, and shall be thereof convicted on his or her own Confession, or on the Oath of One or more credible Witnesses or Witnessess, before One or more of His Majesty's Justices of the Peace for the said Counties of *Surrey* or *Suffex* (where the Offence shall be committed), he or she shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and in Default of Payment thereof shall be committed to the Common Gaol or House of Correction, for any Time not exceeding One Month.

For preventing Misconduct in Collectors.

XIII. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, or Beast, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the said Roads, or any of the Roads in the Townships or Parishes in which any Part of such Roads lie; or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the

Exemptions from Toll.

Outhouses

Outhouses or on the Lands of the Owners, for the Purpose of threshing out such Corn, or of feeding out such Hay or Straw; or for any Horse, Cattle, or Beast, employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, Corn for seeding the Ground, or any Dung, Compost, or Manure employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands (Chalk, Chalk Marl, *Ditcheling* Sandy Mould and Lime excepted); or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Townships or Parishes; or from any Clergyman going to or returning from visiting any sick Person, or going to or returning from other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle, or Carriage, of whatever 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 the same; or for any Horse, Cattle, or Beast, attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horse, Cart, Cattle, or Beast, employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle, or Beast, carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Surrey* 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 that no Toll shall be demanded or taken for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry, or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall 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; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Application
of Compensation
Money
when amount-
ing to 200l.

XIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert,

Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to or exceed 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 the said Acts and this Act, to the Intent that such Money shall be applied, 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 towards the Discharge of any Debt or Debts, or such other Incumbrances, 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 therewith to the same or the like Uses, Trusts, 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 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 Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or 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 said 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 Lands, Tenements, or Hereditaments, by the said recited Acts or this Act directed to be purchased, in case such Purchase or Settlement were made.

XV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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 Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account

[*Loc. & Per.*]

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Application where the Compensation is less than 200l. and more than 20l.

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 Seven or more of the ſaid Trustees for executing the ſaid recited Acts and 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 be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application
where the
Money is leſs
than 20l.

XVI. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next 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 Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, in ſuch Manner as the ſaid Trustees, or any Seven 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.

In caſe of not
making out
Titles, Pur-
chafe Money
to be paid
into the
Bank; ſub-
ject to the
Order of the
Court of
Chancery on
Motion or
Petition.

XVII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed by virtue of the ſaid recited Acts or this Act, ſhall reſuſe 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 ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Trustees, or any Seven or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the 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 of Chancery, 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 ſaid 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 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

to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XVIII. 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 the said recited Acts or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts or this Act, 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, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court 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.

Respecting
disputed
Titles.

XIX. 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 the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts and this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or any Seven or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XX. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said Counties of *Surrey* and *Suffex*, and they are hereby empowered and required, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or

Persons
chargeable to
Statute Work
to continue
so.

Justices to
determine
Differences
touching Sta-
tute Work.

Places

Places in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them, paid to the said Trustees, or to their Treasurer; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Five Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay Time or Harvest), and in such Parts of the said Roads, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the
said

said Trustees, and applied towards the amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, every such Surveyor so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politick or Corporate, for the Statute Work to be by them done on the said Roads, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any the Parishes or Places in which the said Roads are situate, for a certain Sum of Money by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Roads; which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer to the said Trustees in Advance, on or before the Twenty-ninth Day of *September* in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

Trustees may compound for Statute Work.

XXII. And be it further enacted, That the several Persons who have subscribed, or who shall hereafter subscribe, to advance any Sum or Sums of Money for the Purposes of paying the Expences of this Act, and for paying for Land which may be necessary to be purchased for making and completing the said new Branch of Road, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Part or Parts thereof as shall from Time to Time be called for by the said Trustees, or any Seven or more of them, by an Order in Writing to be made and subscribed by them, at any publick Meeting or Meetings to be held for the Purposes of this Act, to be paid to their Treasurer at such Time or Times, Place or Places, as they shall in and by such Order direct or appoint; and in case any Person or Persons shall neglect or refuse to pay the same at the Time and in Manner required as aforesaid for that Purpose, it shall and may be lawful for the said Trustees, or any Seven or more of them, and they are hereby empowered, in the Name of their Treasurer for the Time being, to sue for and recover the same by an Action or Actions of Debt on this Act in any of His Majesty's Courts of Law at *Westminster*.

To compel the Payment of Subscriptions.

XXIII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring and obtaining this Act, together with lawful Interest from the Time of advancing the same till the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby directed and required to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the First Monies that shall be collected, borrowed, or received, by virtue of the said recited Acts and this Act, in preference to all other Payments and Disbursements whatsoever.

For paying the Expences of the Act.

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

Term and
Continuance
of the Act

XXV. And be it further enacted, That the Term granted by the said recited Act shall, on the passing of this Act, cease and determine; and the said recited Acts (subject to the Alterations, Variations, and Additions herein-before contained) and this Act shall from thenceforth commence, 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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