

ANNO QUARTO

GEORGII IV. REGIS.

Cap. lxxix.

An Act for better and more effectually improving and keeping in Repair the Road leading from the Town of *Kingston-upon-Thames* in the County of *Surrey*, to a Place called *Sheetbridge*, near *Petersfield*, in the County of *Southampton*.

[30th *May* 1823.]

WHEREAS an Act was passed in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually amending, widening, improving, and keeping in Repair the Road leading from the Town of* Kingston-upon-Thames *in the County of* Surrey, *to a Place called* Sheetbridge, *near* Petersfield, *in the County of* Southampton: And whereas it was by the said recited Act enacted, that the said Road should from thenceforth be divided into and be Two separate Districts; and that the Road leading from the End of *Surton* otherwise *Surbiton Street*, near the River *Thames*, at the West End of the Town of *Kingston-upon-Thames* aforesaid, through the Towns of *Esher*, *Cobham*, *Ripley*, and *Guildford*, to a certain Watercourse on the *Pease Marsh*, at the East End of the Parish of *Godalming* in the said County of *Surrey*, should be and was thereby declared to be One of such Districts, and to be called the "Upper District;" and that the Road leading from the said Watercourse on the said *Pease Marsh*, through 43 G. 3. c. 111.

through the Town of *Godalming*, *Milford Street*, in the Parish of *Witley* and the Parish of *Thursley*, over *Hindhead Heath* in the said County of *Surrey*, and through *Liphook* in the said County of *Southampton*, and *Rake* in the County of *Sussex*, to a Place called *Sheetbridge*, near the Town of *Petersfield*, in the said County of *Southampton*, should be and was thereby declared to form the other of such Districts, and to be called the "Lower District:" And whereas the public Carriage Road leading from the House known by the Sign of the *King's Arms*, situate at the West End of a certain Street called *Norbiton Street*, at the Entrance into the Town of *Kingston-upon-Thames* aforesaid, passing by the House of Correction in the said Town of *Kingston-upon-Thames*, and ending at *Surton*, otherwise *Surbiton Street*, near the River *Thames*, at the West End of the said Town of *Kingston-upon-Thames*, (at which Place the present Turnpike Road commences) communicates with the said Turnpike Road; and it is desirable that such public Carriage Road should be made Part of the Upper District of the said Road, and be put under the Management of the Trustees for such District: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth,
3 G. 4. c. 126. intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas the Trustees appointed in or by virtue of the said first recited Act for the said Upper and Lower Districts of Road have proceeded to put the same into Execution; and several considerable Sums of Money have from Time to Time been borrowed upon the Credit of the Tolls, and now remain due with an Arrear of Interest, which Monies cannot be repaid, nor the said Road effectually amended, widened, and kept in Repair, unless the Term granted by the said first recited Act be continued, some of the Tolls varied and altered, and further Powers granted: And whereas it is expedient that the Road leading from the *King's Arms* Inn in the Town of *Kingston-upon-Thames*, through the Towns, Villages, or Places of *Esher* and *Cobham*, to a certain Bridge at the North-east End of the Village of *Ripley* in the County of *Surrey*, should become and be the Upper District of the said Road, and that that Part of the Road leading from the said Bridge at the North-east End of the said Village of *Ripley*, through the Towns, Villages, or Places of *Ripley*, *Guildford*, *Godalming*, *Milford Street*, in the Parish of *Witley* and the Parish of *Thursley*, over *Hindhead Heath* in the said County of *Surrey*, and through *Liphook* in the said County of *Southampton*, and *Rake* in the County of *Sussex*, to a Place called *Sheetbridge*, near the Town of *Petersfield*, in the said County of *Southampton*, should become and be the Lower District of the said Road, instead of the said Districts heretofore subsisting: And whereas it would be more convenient and of public Utility that the Tolls hereafter to be raised upon the Upper District of the said Road should be wholly paid to and received by a Treasurer to be appointed for that District, and that the Tolls to arise from the Lower District of the said Road, should be wholly paid to and received by a Treasurer to be appointed for that District, and that One-half Part of the Interest of the present Debt upon the Tolls arising upon the Road from *Kingston-upon-Thames* to *Sheetbridge* aforesaid, should be paid out of the Tolls to arise from the Upper District, and that One-half Part of such Interest should be paid out of the Tolls to arise from the Lower District of the said Road, and that separate Clerks, Treasurers, and other Officers should be appointed for each District, and that each District should be abso-

lutely independent of each other, except as herein-after is mentioned; but the several Purposes aforesaid cannot be effected without the Authority 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 from and after the Fifth Day of *October* next after the passing of this Act, the said first recited Act shall be and the same is hereby declared to be repealed, and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, improving, and keeping in Repair the said Turnpike Road; which said Road shall from thenceforth be divided into and be Two separate Districts, and that the Road leading from the *King's Arms* Inn in the Town of *Kingston-upon-Thames* aforesaid, through the Towns, Villages, or Places of *Esher* and *Cobham*, to a certain Bridge at the North-east End of the Village of *Ripley* in the County of *Surrey*, shall be and is hereby declared to be One of such Districts, and shall be called the "Upper District;" and that the Road leading from the said Bridge, at the North-east End of the Village of *Ripley* aforesaid, through the Towns, Villages, or Places of *Ripley*, *Guildford*, *Godalming*, *Milford Street*, in the Parish of *Witley* and the Parish of *Thursley*, over *Hindhead Heath* in the said County of *Surrey*, and through *Liphook* in the said County of *Southampton*, and *Rake* in the County of *Sussex*, to a Place called *Sheetbridge*, near the Town of *Petersfield* in the said County of *Southampton*, shall be and is hereby declared to form the other of such Districts, and shall be called the "Lower District:" Provided always, that the repealing hereby of the said first recited Act shall not extend or be construed to extend to revive either of the Acts repealed by the said first recited Act, but such Acts shall be and continue repealed in such and the like Manner as if this Act had not been made.

First recited Act repealed, and this Act to be put in force.

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

Powers of 3 G. 4. c. 126. extended to this Act.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Surrey*, together with *William Anderson*, the Reverend *Christopher D'Oyley Aplin*, *John Arewater*, *James Attfield*, *Osborn Barwell*, *John Balchim*, *Samuel Belchier*, *David Baillie*, Sir *George Henry Frederick Berkeley*, the Honourable *Henry Grey Bennet*, *Richard Bonsey* junior, Sir *John Delves Broughton* Baronet, the Reverend *Brian Broughton*, *Henry Boulton*, *Charles Brooke*, *Charles Brown*, *James Carter*, *Harvey Coombe*, *Lewis Corkran*, *William Collins*, *Thomas Crawter*, *Thomas Crawter* junior, *James Hewitt*, *Massey Dawson*, *James Dewdney*, *William Dewdney*, *William Joseph Denison*, *William Disney*, *John Dyke*, *Thomas Dyke*, *John Earl*, *George Edmunds*, *Richard Edmunds*, the Right Honourable Lord *Fitzgerald*, Colonel *John Frederick*, *John Flinn*, Sir *John Frederick*,

Trustees appointed for the Upper District.

derick, *William French*, *John Garratt*, *Bartholomew Gibson*, *Henry Gosse*, *Thomas Hamborough*, *Anthony Harden*, *Ardern Hulme*, *Joseph James*, *Charles Jemmett*, *Charles Edward Jemmett*, *Charles Blaney Murray Johnston*, *John Jolly*, *William Henry Kempster*, *Edward Kent*, *John King* of *Kingston*, *Henry Knight*, Admiral *Robert Lambert*, *Arthur Lambert*, *Thomas Langley*, *William Machell*, *William Greening Martin*, *William Mercer*, *Samuel Nicholson*, *Thomas Page*, the Honourable *Berkeley Paget*, *William Pamphilon*, *Charles Pepper*, *William Pepper*, *Edward Peppin*, *Charles Thomas Phillips*, *Thomas Piper*, *William Ranyard*, *Alexander Raphael*, *Francis Robertson*, *William Roots*, *Peter Nathan Roberts*, *William Shrubsole*, *John Skyram*, *Robert Sinclair*, *John Smallpeice* of *Kingston*, *John Smith* of *Kingston*, *John Smith* of *Thames Ditton*, *William Speer*, *John Spicer*, *Joseph Stedman*, *John Sudlow*, Sir *Charles Sullivan*, *John Sykes*, *Henry Swann*, *Charles White Taylor*, *Thomas Taylor*, *Joseph Taylor*, *William Taylor*, *Robert Taylor*, *Henry Taylor*, *Christopher Terry*, *Samuel Thornton*, *William Turner* of *Lower Green*, *William Turner* of *East Moulsey*, *Samuel Urquhart*, *Alexander Urquhart*, the Reverend *Phillip Vaillant*, *William Waabrook*, *William Walter*, *William Walton*, *William Walton* the younger, the Reverend *Charles Weston*, *Edward White*, Sir *Thomas Williams*, *Rowland Edward Williams*, *David Willis*, *William Woodland*, *Alexander Wyllie*, and *John Woods*, and their Successors, shall be and are hereby appointed the Trustees with respect to the said Upper District; and that all His Majesty's Justices of the Peace acting for the several Counties of *Surrey*, *Sussex*, and *Southampton*, together with *Samuel Andrews* the younger, *James Arnold*, *Henry Clifton Atkinson*, *James Arnold*, *Henry Edmund Austen*, *James Baker*, *John Baker* of *Wokeing*, *George Barrett*, *Thomas Bicknell*, *Thomas Bonham*, *Charles Booker*, *Robert Boughton*, *Robert Boughton* junior, *Humphry Bowles*, *William Bragge*, *William Bray*, the Honourable *John Broderick*, *Richard Henry Budd*, *James Butler*, *John Butler*, the Reverend *John Flutter Chandler*, *George Chandler*, *John Coleman*, *George Coleman*, Major *Harry Court*, the Right Honourable Lord Viscount *Cranley*, *John Chase*, *James Crooke*, *John Daws*, *Robert Daws*, *James Bogle Delap*, *Thomas Drewitt*, *Henry Drummond*, *Edmund Elkins*, *William Elkins*, the Reverend *Lawrence William Eliot*, *William Evershed* junior, *Robert Devereaux Fancourt*, Sir *Henry Featherstonehaugh* Baronet, *Benjamin Kington Finnimore*, *George Foster*, *James Henry Frankland*, *John French*, the Reverend *Edward Fulham*, *John Gardner*, ... *Gates*, *Nathaniel Godbold*, *Samuel Godbold*, *Thomas Gooch*, *Henry Grant*, *John Hall Grinham*, *John Grinham*, *James Grinham*, *Charles Greetham*, *Henry William Richard Westgarth Halsey*, *Edward Harbroe*, *George Charman Haines*, *Samuel Haines*, Sir *Charles Hamilton* Baronet, *John Hawkins*, *Edmund Knapp Harland*, *Richard Haydon*, *William Haydon*, *Thomas Haydon*, *Joseph Haydon*, *Richard Harrison*, *Joseph Hockley*, *Henry Holland*, *William Holland*, *Moses Hoper*, *Thomas Hudson*, *Edward Jackson*, *William Paxton Jarvis*, *James Joyce*, *William Keene*, . . *Kent*, *Richard Kidd*, *Benjamin Kidd*, *Daniel Knight*, *John Knowles*, *James Weller Ladbroke*, *William Lee*, *Lawrence Lee*, *Anthony Lee*, *John Leech*, *Edward Leech*, *Edward Beeston Long*, *James Mangles*, *Robert Marshall*, *George Marshall*, *Henry Marshall*, *John Martyr*, *John Mellersh*, *Thomas Mellersh*, *Charles Mitford*, *William Mitford*, *Robert Moline*, *Benjamin Moline*, *Robert Moline* the younger, *John Nealds*, *John Neale*, *William Newland*, *George Newman*, *George Chapple Norton*, *George Norton*, *George Oliver*, the Honourable *Thomas Cranley Onslow*, the Honourable *Edward Mainwaring*

Trustees appointed for the Lower District.

waring Onslow, *Arthur Onslow* Serjeant at Law, the Reverend *George Walton Onslow*, the Reverend *Arthur Onslow*, *William Padwick* the younger, the Reverend *James Parson*, *William Parson*, *Charles Parson*, *Edward Patrick*, *William Stephen Poyntz*, the Reverend Doctor *Price*, *Robert Prickett*, *Aldborough Richardson*, the Reverend *William Roberts*, *John Roker*, *Gabriel Ryde*, *William Sadler*, *John Sargent*, *John Sharp*, *John Peyto Shrubb*, *George James Shrubb*, the Reverend *Charles Shrubb*, the Reverend *Henry Shrubb*, *Thomas Sibthorpe*, *Francis Skurray*, *Francis Skurray* junior, *John Smallpeice* of *Guildford*, *George Smallpeice*, *George Smallpeice* junior, *Job Smallpeice*, *Richard Smith*, *Richard Smyth*, *Richard Sparks* of *Stoke*, *William Sparks*, Lord *Robert Spencer*, *Richard Stedman*, *James Stedman*, *John Stilwell*, *George Stovell*, *William Street*, *George Holme Sumner*, *William Holme Sumner*, *Charles Vernon Holme Sumner*, *Richard Sumner*, *Charles William Taylor*, *John Taylor*, *James Tickner*, *John Tickner*, *Henry Hare Townsend*, *Chauncey Hare Townsend*, *Trimmer* of *Pasfield*, *William Tringham*, *Hutchers Trower*, Lord *Turnour*, *Samuel Twyford*, *Thomas Vanner*, *George Waugh*, *James Weale*, *John Weale*, the Reverend *James Weller*, *John Webb Weston*, *John Webb Weston* the younger, *Robert Whitburn*, *Charles Whitbourn*, *Frederick Winkworth*, *Arthur Winkworth*, *William Winkworth*, *Henry Woods*, *John Woods*, *Caleb Woodyer*, *Samuel Wrightson*, and *George Wyndham*, and their Successors, shall be and they are hereby appointed the Trustees with respect to the said Lower District, for amending, widening, altering, improving, and keeping in Repair the said Turnpike Road, leading from the Town of *Kingston-upon Thames* in the County of *Surrey*, to a Place called *Sheetbridge*, near *Petersfield* in the County of *Southampton*, and for carrying into Execution this Act, and such of the Powers and Provisions of the said recited Act of the Third Year of the Reign of His present Majesty, as are not expressly varied, altered, or otherwise provided for by this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, in their respective Districts, at a Meeting to be held for that Purpose (of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given as is directed by the said last recited Act respecting the Appointment of Trustees on Vacancies), to elect, nominate, and appoint any Number of fit Persons, not exceeding Three for each District, to be Trustees for the Purposes of this Act in the said respective Districts, in Addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing the said last recited Act and this Act, in their said respective Districts, as if they had been named and appointed by this Act.

Trustees to be sworn.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act into Execution, unless he shall be qualified and take the Oath in such Manner as in and by the said recited Act passed in the Third Year of the Reign of His present Majesty is directed and prescribed, and unless, (being so qualified), he shall, before he shall act as a Trustee (except in administering the Oath mentioned in the said last-mentioned Act, and the Oath hereinafter mentioned), take and subscribe, before One or more of the said

Trustees (who is and are hereby empowered to administer the same) the Oath following; that is to say,

'I do swear, That I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee by virtue of an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here set forth the Title of this Act*], and also an Act passed in the Third Year of the Reign of His said Majesty, intituled [*here set forth the Title of the General Turnpike Act.*] So help me GOD.'

And if any Person shall act (except as aforesaid) before he shall have taken and subscribed the said Oath, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said Act of the Third Year of the Reign of His present Majesty or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath by this Act prescribed, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had taken such Oath previously to his having acted as such Trustee as aforesaid.

First and other Meetings of Trustees.

VI. And be it further enacted, That the said Trustees for the said Upper District shall meet at the *Bear Inn*, or some other convenient Place at *Esher* aforesaid, on the Seventh Day of *October* next, or as soon after as conveniently may be, between the Hours of Ten in the Forenoon and Two in the Afternoon, and shall then proceed to carry the said recited Act of the Third Year of the Reign of His present Majesty and this Act into Execution, with respect to the said Upper District; and that the said Trustees for the said Lower District shall meet at the *Council Chamber*, or some other convenient Place at *Guildford* aforesaid, on the Seventh Day of *October* next, or as soon after as conveniently may be, between the Hours of Ten in the Forenoon and Two in the Afternoon, and shall then proceed to carry the said recited Act of the Third Year of the Reign of His present Majesty and this Act into Execution, with respect to the said Lower District; and that all Meetings of the Trustees of the said Upper District shall be held alternately at *Esher* and *Cobham*; and that all Meetings of the Trustees of the said Lower District shall be held alternately at *Guildford* and *Godalming*; and that such Meetings shall from Time to Time be adjourned to and held at any Place or Places within the said respective Towns, Villages, or Places of *Esher* and *Cobham*, and *Guildford* and *Godalming*, as the said respective Trustees shall from Time to Time direct.

Public Notice to be given of Meetings.

VII. And be it further enacted, That in all Cases where Notice is by this Act directed to be given of any Meeting of the said respective Trustees, or of any thing to be done by them or any of them in Execution of

any of the Powers hereby granted at such Meeting, such Notice shall be signed by the Clerk, or any Two or more of the Trustees of each respective District; and as respects the said Upper District, affixed upon a conspicuous Part of the Outside of the Market House of the Town of *Kingston*, and of the Turnpike Gates of such District, or otherwise inserted in some public Newspaper which shall then be circulated in the County of *Surrey*; and that as respects the Lower District, affixed upon a conspicuous Part of the Outside of the Town Hall of *Guildford*, the Market House of *Godalming*, and on the Turnpike Gates of that District, or otherwise inserted in some public Newspaper which shall be then circulated in the County of *Surrey*, at least Fourteen Days before the intended Meeting for the doing of such Act.

Appointing Officers, Salaries, &c.

VIII. And be it further enacted, That the said Trustees in their said respective Districts may and they are hereby empowered by Writing under their Hands to appoint such Collector or Collectors of the Tolls arising on the Road within their respective Districts, and Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the Road within their respective Districts, and such other Officers as the said respective 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 Removal, Death, or Resignation of any such Collectors, Clerks, Treasurers, Surveyors, or other Officers, to appoint others in their Stead; and may and are hereby authorized and empowered, out of any of the Monies arising by virtue of the said last recited Act and this Act, within their respective Districts, to allow and pay to the several Collectors, Clerks, Treasurers, Surveyors, and other Officers, and to such other Person or Persons as shall be assisting them or any of them in or about the Execution of the said last recited Act and this Act within their respective Districts, such Salaries, Rewards, and Allowances for their Attendance, Care, Labour, and Services, as the said respective Trustees shall deem reasonable.

Former Officers to continue.

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

Books, &c. relative to former Acts to be delivered to the Trustees under this Act.

X. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money on account of the said Road, or who have or shall have in their Custody or Possession any Money, Books, Accounts, Papers, Writings, or other Things relating to the Road by this Act directed to be improved and repaired, shall account for and pay and deliver over the same and every Part thereof to the respective Trustees in and by this Act named and appointed, in like Manner and under the like Penalties as the several Collectors

and

and other Persons receiving any Money by virtue of this Act, are by the said recited Act passed in the Third Year of the Reign of His present Majesty and this Act required to pay or account for the same.

Books used under former Acts to be Evidence.

XI. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act hereby repealed, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Act had not been repealed.

Clerk not to act as Treasurer and vice versâ.

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

Bonds and Securities entered into under the former Act to remain in force until satisfied and paid.

XIII. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the said Trustees for executing the said first recited Act, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law until the same are fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities, duly made and entered into by the Trustees for executing the said first recited Act hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act, and be observed and kept by them according to the Terms, Stipulations, and Tenor thereof.

Trustees to continue Turnpikes.

XIV. And be it further enacted, That the said Trustees in their respective Districts shall and may, and they are hereby authorized and empowered, to continue all the Gates, Turnpikes, and Toll Houses now erected upon, across, or near the Sides of the said Road within each respective District, and also to erect such other Gates, Turnpikes, and Toll Houses upon or across or on the Sides of the said Road, and also to remove and discontinue the said Gates, Turnpikes, and Toll Houses,

or

or any of them, and from Time to Time to erect another or others in the Place or Stead thereof, as to them shall seem right and proper; and also to continue on the Sides of the said Road a Railing on the Southern Side of the said Road, from the Gate erected and set up at *Sandown Farm* to a Place called *Hitchener's Corner*, and a Side Gate or Toll Bar in the said Railing near to the said *Hitchener's Corner*, and also a Side Gate or Toll Bar on *Cattshill Lane*, Care being taken by the Trustees of the said Upper District that the Intercommonage upon the Common there called *Ditton Marsh*, otherwise *Weston Common*, be not interrupted by such Railing, the said Railing being only One Rail to the Posts, and that of Height sufficient for Sheep to pass under, and that a Bar of not less than Six Feet in Length be left open at each End of the said Railing for the Passage of large Cattle; and also to cause to be erected and set up such Number of Toll Houses with suitable Outbuildings and Conveniences thereto, and to inclose such Gardens for the said Toll Houses as they may think fit, the whole Scite of each Toll House and Garden not to exceed One Quarter of an Acre; and to erect One or more Weighing Engine or Weighing Engines upon the said Road, as they shall think necessary, and from Time to Time to cause any such Weighing Engine or Weighing Engines to be taken down, altered, or removed, as they shall judge proper.

Power to sell the present Toll Houses.

XV. And be it further enacted, That it shall be lawful for the said Trustees in their respective Districts absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Act hereby repealed on the said Road, to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, when they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same; and in case of Sale to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said respective Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land as is by the said last recited Act directed to be given where any Piece or Pieces of Ground or old Road, not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of.

Power to take Tolls.

XVI. And be it further enacted, That it shall be lawful for the said respective Trustees, or any Person or Persons to be appointed by virtue of this Act Collector or Collectors as aforesaid, to demand and take the several Tolls following at the Toll Gates or Toll Bars, or Toll

Gate or Toll Bar, or Side Gate or Side Bar already erected by virtue of the said first recited Act upon the said Road to be repaired by virtue of this Act, and which by virtue of this Act shall be continued or erected in, upon, or across any Part of the said Road, and across or on the Side of any Lane, Road, or Way leading into or out of any Part of the said Road within their respective Districts, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say),

Tolls.

For every Horse, Mule, or Ass, drawing any Coach, Landau, Berlin, Phaeton, Curricle, Chariot, Chaise, Calash, Hearse, Caravan, Chair, or such like Carriage, the Sum of Four-pence Halfpenny:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage, the Fellies of the Wheels whereof are of the Breadth of Six Inches or upwards, the Sum of Four-pence:

For every Horse or other Beast, drawing any Waggon, Wain, Cart, or other such like Carriage, the Fellies of the Wheels whereof are of less Breath than Six Inches, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

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 Hogs or Pigs, Calves, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any less Number.

Tolls to be paid before Cattle pass the Gates.

And the said respective Tolls shall (subject to the Restrictions in the said last recited Act and this Act contained) be demanded and taken before any Horse, Mule, or other Beast, Coach, Waggon, Cart, or other Carriage whatsoever, or Drove of Oxen or Neat Cattle, Calves, Sheep, Lambs, or Swine, be permitted to pass through any Toll Gate erected or to be erected or continued upon the said Road by virtue of this Act, or in, upon, or across any Lane, Street, or Way leading into the same.

Tolls to be vested in Trustees.

XVII. And be it further enacted, That all and every the Tolls by the said recited Act of the Third Year of the Reign of His present Majesty and this Act authorized to be taken within the respective Districts, shall be vested in the said respective Trustees for the said respective Districts, and the same and every Part thereof shall be levied, collected, paid, applied, disposed of, and assigned in manner directed by the said last mentioned Act and this Act.

Tolls to be paid but Once a Day.

XVIII. And be it further enacted, That if any Person or Persons shall pay the respective Tolls herein-before mentioned and by this Act granted and made payable for the passing of any Horse, Beast, or other Cattle, at any of the Gates or Turnpikes to be continued or erected on either of the said respective Districts, then upon producing a Note or Ticket of the Day denoting such Payment, he or they shall be permitted to return and repass with the same Horse, Mare, Beast, or other Cattle, at any Time or Times, as often as he or they shall think proper during the same Day (to be computed from Twelve of the Clock of the Night

to Twelve of the Clock of the next Night), Toll-free, through the same Gate or Turnpike; which said respective Notes or Tickets the Collectors of the said Tolls are hereby required to give *gratis* on Receipt of the Tolls.

No more than Two full Tolls on the Upper District and Five on the Lower District to be taken in any One Day.

XIX. And be it further enacted, That no more than Two full Tolls shall be taken upon the said Upper District of Road, nor more than Five full Tolls shall be taken upon the said Lower District of Road, for the same Horses, Beasts, Cattle, and Carriage passing through all or any of the Toll Gates erected or to be erected across or on the Sides of the said Road within the said respective Districts in any one Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night.

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

XX. Provided always, and be it further enacted, That for and in respect of all Horses drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through each Toll Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Road on the same Day, with a Ticket denoting a fresh Hiring.

Chalk and Lime exempt from Toll.

XXI. And be it further enacted, That all Chalk and Lime passing through any of the Turnpike Gates or Toll Bars on the said Road, shall be and the same is hereby exempted from the Payment of any Toll, provided the same be used only for Manure.

Trustees restrained from pulling down Dwelling Houses without Consent of the Owners.

XXII. Provided also, and be it enacted, That the Powers and Authorities hereby given shall not in any Case be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained for that Purpose.

Application of the Money in the Upper District.

XXIII. And be it further enacted, That all the Monies which shall arise and be produced by or from the Tolls in the District from *Kingston* to the said Bridge at the North-east End of the Village of *Ripley* aforesaid, called the Upper District, by this Act granted or made payable, together with the Monies which shall be hereafter borrowed upon the Credit of the Tolls arising upon the same District, and all other Monies which shall arise and be produced by virtue of this Act, so far as relates to the Upper District, and not herein otherwise appropriated or directed to be applied, shall be vested in the Trustees for the Time being of the said last mentioned District, and applied to and for the several Uses, Intents,

tents, and Purposes, and in the Order and Manner following; that is to say, in the First Place, in Payment of One Moiety of the Costs, Charges, and Expences incident to or attending the preparing, obtaining, or passing this Act; in the Second Place, in the Payment of the additional Costs, Charges, and Expences to be incurred in dividing the said Road into separate Districts; in the Third Place, in paying to the Treasurer for the Time being to the Trustees of the said Lower District the yearly Sum of Two hundred and seventy Pounds on or before the Fifth Day of *October* in every Year, for and toward the Repair of the said Lower District of Road; in the Fourth 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 comprised in the said Upper District, and purchasing Lands for those Purposes, and for executing the other Purposes of this Act as to the said Upper District; in the Fifth Place, in paying One Half Part of the Interest due or to become due upon the several principal Sums of Money which now are due and owing on Mortgage or Security of the Tolls arising between *Kingston* and *Sheetbridge* aforesaid; in the Sixth Place, in paying the Interest to become due upon all and every principal Sum or Sums of Money as shall or may hereafter be borrowed upon the Credit of the Tolls arising within the said Upper District; and lastly, in reducing, paying off, and discharging such principal Sums of Money respectively.

Application of the Money in the Lower District.

XXIV. And be it further enacted, That 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 hereafter be borrowed upon the Credit of the Tolls arising upon the said District, from the said Bridge at the North-east End of the Village of *Ripley* aforesaid, called the Lower District, and also the said yearly Sum of Two hundred and seventy Pounds herein-before directed to be paid out of the Monies to arise upon the said Upper District for and towards the Repair of the said Lower District of Road, and all other Monies which shall arise and be produced by virtue of this Act, and not herein-before otherwise appropriated or directed to be applied, shall be vested in the said Trustees of the said last mentioned District, from the said Bridge at the North-east End of the Village of *Ripley* to *Sheetbridge* aforesaid 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 One Moiety of the Costs, Charges, and Expences incident to or attending the passing of this Act; in the Second Place, in the Payment of the additional Costs, Charges, and Expences to be incurred in dividing the said Road into separate Districts; in the Third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houses, and other Buildings, and of repairing the same, and of altering, widening, turning, repairing, and improving of the said Road called the Lower District, from the said Bridge at the North-east End of the Village of *Ripley* to *Sheetbridge* aforesaid, and purchasing Lands for those Purposes, and of executing the other Purposes of this Act as to the said District; in the Fourth Place, in paying the remaining One Half Part of the Interest due or to become due upon the said principal Sums of Money which now are or shall from Time to Time be due and owing on Mortgage or Security of the

the Tolls arising between *Kingston* and *Sheetbridge* aforesaid; in the Fifth Place, in paying the Interest to become due upon all and every Sum and Sums of Money as shall or may hereafter be borrowed upon the Credit of the Tolls arising within the said Lower District; and lastly, in reducing, paying off, and discharging such several Sums respectively.

Saving to Holders of present Securities.

XXV. Provided always, and be it further enacted, That nothing herein contained shall extend or be deemed, construed, or taken to alter, abridge, lessen, or in anywise prejudice or affect the Securities of the present Creditors on the said Road, or any or either of them, or their Rights, Claims, and Interests in or upon the whole of the Tolls arising thereon and therefrom.

Treasurer of the Upper District to pay One full Moiety or Half Part of the Interest to Treasurer of Lower District to pay Holders of Securities.

XXVI. Provided always, and be it further enacted, That for the Purpose of paying the Interest accruing or to become due to the several Mortgagees or Creditors of the said Road from *Kingston* to *Sheetbridge*, the Treasurer of the Upper District, after such Proportion of the Costs, Charges, and Expences incident to or attending the preparing, obtaining, and passing this Act, and the additional Costs, Charges, and Expences to be incurred in dividing the said Road into separate Districts shall have been paid as herein-before directed, shall yearly and every Year within the Space of Three Calendar Months after such Interest shall have become due (out of the Monies then in his Hands on account of the said District, or the first Monies which he shall receive enabling him so to do) pay to the Treasurer of the Lower District One Moiety or Half Part of such Interest, to which One Moiety or Half Part of the Interest so to be paid over as aforesaid, the Treasurer of the Lower District shall, after such Proportion of the Costs, Charges, and Expences incident to or attending the preparing, obtaining, and passing of this Act shall have been paid as herein-before directed, out of the Monies then in his Hands on account of the said District, or the first Monies which he shall receive enabling him so to do, add the remaining Moiety or Half Part of such Interest, and apply the Whole thereof in satisfying and paying the Interest due to the said Mortgagees or Creditors; and that the Receipt and Receipts of the Treasurer of the Lower District for such One Moiety or Half Part as aforesaid, shall be a good and effectual Discharge and Discharges to the Treasurer of the Upper District, and shall be a Voucher and Vouchers from Time to Time in his Accounts for so much Money as shall be therein expressed to have been received, without his being liable to see to the Application, or answerable or accountable for the Misapplication or Nonapplication thereof.

The Treasurer of the Lower District having Money in Hand, and neglecting to pay Interest, may be sued, or Gates may be seized.

XXVII. And be it further enacted, That in case the Treasurer for the Time being of the Lower District of the said Road, in any Year, after having received such One Moiety or Half Part of the Interest in manner and for the Purpose by this Act directed to be paid, shall neglect or refuse to apply the same in and towards the Payment of the Interest then due to such Creditors as aforesaid, for the Space of Three Calendar Months after a Demand thereof shall have been made by or on account of any such Creditors, then and in such Case it shall and may be lawful to and for the Trustees for the Time being of the Upper District, acting in the Execution of the said last recited Act and of this Act, upon Appli-

cation made to them by or on account of any such Creditors, to sue for and recover the same by Action of Debt or on the Case, against the Treasurer for the Time being of the said Lower District, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit; or otherwise, upon such Application as aforesaid, it shall and may be lawful to and for the said Trustees of the said Upper District for the Time being, or such Person or Persons as they shall from Time to Time appoint, and he and they are hereby fully authorized and empowered from Time to Time to enter into and upon, and to take Possession of all and every or any of the Toll Houses, Gates, and Bars erected or to be erected and then standing within the said Lower District, and to demand, collect, and receive the Tolls granted by this Act, and then payable at such Toll Houses, Gates, or Bars, until thereby and therewith full Payment of such One Moiety or Half Part of such Interest, together with the reasonable Costs, Charges, and Expences attending such Entry and Possession, and of collecting and receiving the said Tolls for the Purpose aforesaid, shall have been fully paid and satisfied in the Manner by this Act directed; and after full Payment and Satisfaction aforesaid, returning the Overplus (if any) on Demand to the Treasurer for the Time being of such last-mentioned District.

The Treasurer of the Upper District having Money in Hand, and neglecting to pay the yearly Sum of 270*l.* and Interest to the Treasurer of the Lower District, may be sued or Gates seized.

XXVIII. And be it further enacted, That in case the Treasurer for the Time being of the Upper District of the said Road shall (out of any Monies then in his Hands on account of the said District) neglect or refuse to pay such yearly Sum of Two hundred and seventy Pounds, so directed to be paid to the Treasurer of the Lower District as aforesaid, or such One Moiety or Half Part of such Interest, or either of them respectively, or so much thereof respectively as shall then be in his Hands on account of the said Upper District, in the Manner and at the Times by this Act directed, then and in either of the said Cases, it shall and may be lawful to and for the Trustees of the said Lower District for the Time being, acting in the Execution of this Act, upon Application made to them by or on account of the Treasurer of the Lower District, to sue for and recover the same, or either of them respectively, in an Action of Debt or on the Case against the Treasurer for the Time being of the said Upper District, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit; or otherwise, upon such Application as aforesaid, it shall and may be lawful to and for the said Trustees of the said Lower District for the Time being, or such Person or Persons as they from Time to Time shall appoint, and he and they is and are hereby fully authorized and empowered from Time to Time to enter into and upon, and to take Possession of all and every or any of the Toll Houses, Gates, or Bars erected or to be erected and then standing within the said Upper District, and to demand, collect, and receive the Tolls granted by this Act, and then payable at such Toll Houses, Gates, or Bars, until thereby and therewith full Payment of all Arrears of such yearly Sum of Two hundred and seventy Pounds, and such One Moiety or Half Part of such Interest, together with the reasonable Costs, Charges, and Expences attending such Entry and Possession, and of collecting and receiving the said Tolls, for such Purposes as aforesaid, shall have been fully paid and satisfied in the Manner by this Act directed, and after full Payment and Satisfaction aforesaid, returning the Overplus (if any) on Demand to the Treasurer for the Time being of such last-mentioned District.

XXIX. And

Trustees not to borrow Money except upon the Tolls of their own District.

XXIX. And be it further enacted, That the Trustees of the said Districts of the said Road shall not have any Power or Authority to borrow Money upon the Security of the Tolls arising upon the said Road, save and except upon the Tolls arising within their own Districts of the said Road only, and save as to the said Lower District, upon the Money directed to be paid to that District from the said Upper District.

Power to borrow Money.

XXX. And be it further enacted, That in case the Trustees of the said respective Districts, or either of them, shall at any Time or Times hereafter have occasion or think it necessary, for the Purposes of this Act, to borrow and take up at Interest any Sum or Sums of Money, then and in such Case it shall and may be lawful to and for the said respective Trustees to borrow and take up at Interest such Sum or Sums of Money on the Credit of the Tolls granted by this Act, and payable in the District for which the same shall be required, and to secure the Repayment thereof with Interest to the Person or Persons advancing the same, in the Way, Form, and Manner mentioned and prescribed in and by the said recited Act passed in the Third Year of the Reign of His present Majesty.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

XXXI. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees within their said respective Districts, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees of the said respective Districts to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said respective Trustees by virtue of this Act, or of the Goods and Chattels of their respective Treasurers for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said respective Trustees, or to their Treasurer for the Time being, (as the Case may be): Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall receive in pursuance of the

said

said last recited Act or this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of any such Order as aforesaid.

Statute Labour.

XXXII. 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 the repairing and amending the said Road, shall be and remain liable thereto in like Manner in every respect as they now are or have heretofore been; and it shall be lawful for any Two or more Justices of the Peace in and for the said County of *Surrey*, as respects the said Upper District, or for any Two or more Justices of the Peace in and for the said Counties of *Surrey*, *Sussex*, or *Southampton*, as respects the said Lower District, and they are hereby required and empowered upon Application made to them by the Treasurer, Clerk, or Surveyor of the said respective Districts of the Road, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Hamlets, and Places in or through which the said Road does or shall lie, lead, or pass; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, 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 respective Trustees, or their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Hamlet, or Place, to bring in a List before the said Justices, at some Place to be expressed in such Summons within Ten Days after the serving of such Summons, of the Names of the several Persons who within such Parish, Hamlet, 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 are or may be directed by any Law or Statute in force or effect for the Repairs of the Public 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 do Statute Work in every Year upon the said Road within the said respective Districts, 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 on such Part of the said Road, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Hamlets, and Places respectively, to pay over to the said respective Trustees or their Treasurer, such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; 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 respective Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams,

Draught

Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Fines, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for Repairs of the Public 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 any Part of the said Road, shall be found idle or negligent by any Surveyor to the said respective Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle and negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments as 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 Road; all which Forfeitures shall be paid to the Treasurer of the said respective Trustees, and applied towards amending the said Road; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money or any Part thereof in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the County of *Surrey*, as respects the Upper District, and by Warrant under the Hands and Seals of any Two Justices of the Peace for the Counties of *Surrey*, *Sussex*, or *Southampton*, as respects the said Lower District, within their respective Jurisdictions, on Complaint made to such Justices by the Surveyor to the said respective Trustees.

Trustees may contract for the Repair of County Bridges.

XXXIII. And whereas several Bridges on the said Upper and Lower Districts are repaired and maintained by the respective Counties in which the same are situated, and it would tend greatly to the Improvement of the said Bridges and the Roads over the same, if the Trustees of the said respective Districts were authorized and empowered to contract for and take upon themselves the Repairs of such Bridges and Roads; be it therefore further enacted, That it shall and may be lawful for the Trustees of the said Upper and Lower Districts respectively, and for any such County or Counties respectively, to enter into a Composition and Agreement with each other, whereby in consideration of such Sum or Sums of Money as shall be agreed upon being yearly paid to the Treasurer of the said respective Trustees, out of the Rates to be raised for such County or Counties respectively or otherwise, the Repairs of any such Bridges and the Road over the same shall, during such Time as shall be agreed upon, be undertaken and carried on by the said Trustees respectively.

Trustees of Upper District not to repair Clutton Bridge.

XXXIV. Provided always, and be it enacted, That nothing in this Act contained shall authorize, compel, or empower the said Trustees of the said Upper District to repair and amend the Bridge called *Clutton Bridge* in the said Town of *Kingston-upon-Thames*, or the Embankments of the River *Thames* adjoining the public Carriage Road by this Act made Turnpike, or the Fences there.

Trustees of Upper District may assist Trustees of Lower District.

XXXV. And be it further enacted, That it shall and may be lawful to and for the Trustees of the said Upper District, and they are hereby empowered from Time to Time to advance and pay to the Treasurer for the Time being to the Trustees of the said Lower District any Sum or Sums of Money not exceeding the Sum of Five hundred Pounds *per Annum* (over and above the aforesaid yearly Sum of Two hundred and seventy Pounds), as they may deem expedient, for and towards the Repair of the said Lower District of Road, without requiring any Return of the Monies so to be advanced; any thing in this Act to the contrary thereof notwithstanding.

Money advanced in passing this Act to be repaid with Interest.

XXXVI. And be it further enacted, That in case the Money which shall be advanced for the Purpose of defraying the Expences of obtaining and passing this Act shall not be repaid within the Space of Three Calendar Months after the passing thereof, that then and in such Case lawful Interest shall be paid to the Person or Persons advancing the same, from the Time such Money shall have been advanced to the Day of Payment, in addition to the Money so advanced.

For paying the Expences of this Act.

XXXVII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining of this Act, together with lawful Interest from the Time of advancing the same, until Payment thereof, shall be paid and discharged in the Manner herein-before directed by the said respective Trustees, out of the Monies already collected or received, or out of the first Monies to be collected or received by virtue of the said last recited Act or this Act, or either of them, in preference to all other Payments whatsoever, any thing herein contained to the contrary notwithstanding.

Public Act.

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

Term and Continuance of this Act.

XXXIX. And be it further enacted, That this Act shall take place upon the Fifth Day of *October* next after the passing thereof, and shall be and continue in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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