ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 49.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Hand Cross* to *Henfield*, and from *Beeding* to *Horsham*, in the County of *Sussex*.

[12th *May* 1809.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Roads from* Hand [Cross *to* Corner House, *and from thence to the Turnpike Road leading from* Horsham *to* Steyning, *and from* Corner House *aforesaid to the* May Pole *in the Town of* Henfield, *in the County of* Sussex: And whereas another Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and altering the Powers of an Act made in the Eleventh Year of His present Majesty's Reign, for repairing and widening the Roads from* Hand Cross *to* Corner House, *and from thence to the Turnpike Road leading from* Horsham *to* Steyning, *and from* Corner House *aforesaid to the* May Pole *in the Town of* Henfield, *in the County of Sussex*; *and also for keeping in Repair a certain Branch of Road leading from the Direction Post near a certain Place called the* Crab Tree, *in the Parish of* Beeding *otherwise* Seal, *through the Parishes of* Nuthurst *and* Horsham *to the Town of* Horsham, *in the said County*: And whereas the Trustees acting in the Execution of the said Acts have made great Progress in the Repair of the said Roads, and for that Purpose have borrowed a considerable Sum of Money upon the Credit of the Tolls thereby granted, which still remains due and cannot be repaid, nor the said Roads kept in proper Repair, unless

11 G. 3. c. 119.

32 G. 3. c. 115.

unleſs the Term granted by the ſaid Acts is continued, the Tolls increaſed, and the Powers and Proviſions thereof altered, enlarged, and rendered more effectual; 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, Penalties, Forfeitures, Matters, and Things therein contained (except ſuch Parts thereof as relate to Exemptions from Stamp Duties, and alſo ſuch as hereby varied, altered, or repealed), ſhall be and remain in full force and effect, and together with this preſent Act ſhall be put in Execution for and during the Term herein-after mentioned, as 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 expreſſed, repeated, and re-enacted in this preſent Act, but ſubject nevertheleſs to the Alterations and Amendments herein contained; and that this Act ſhall commence and take Effect upon the paſſing thereof, and the Term and Powers hereby granted ſhall be and are hereby declared to be ſubject and liable to the Payment of all Sums of Money 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 thereon reſpectively.

Former Acts continued.

New Truſtees appointed.

II. And be it further enacted, That from and after the paſſing of this Act, Sir *Charles Merrik Burrell Walter Burrell*, *John Borrer*, *John Hamlin Borrer*, *Edward Borrer*, *Cecil Biſhopp*, *John Beckett*, *John Botting*, *John William Commerell*, *William Henry Commerell*, *Henry Chatfield* Clerk, *William Charman* junior, *Iſſaac Clutton*, *Edward Carter*, *John Chatfield*, *William Henry Digby*, *Peter Du Cane* junior, *John Ellis*, *James Ellis* Clerk, *Thomas Fuller*, *Robert Faulconer*, *Charles Grome*, *Thomas Groome*, *Richard Gates*, *Robert Henry Hurſt*, *John Hurſt*, *John Hughes*, *Nathaniel Hall*, *Nathaniel Hall* junior, *John Heath*, *John Hughes*, *John Knowles*, *Knowlys*, *John Lanham*, *John Slade Lanham*, *Matcham*, *William Margeſſon*, *George Marſhall* Clerk, *George Marſhall* junior, *Charles Marchant*, *John Marchant*, *John Morris*, *Thomas Muzzell*, *James Newcombe* Clerk, Rector of *Edburton*, *John Newland*, *James Tuder Neltborpe*, *John Lewis Newnham*, *John Penfold* Clerk, *Richard Penfold*, *Barré Phipps* Clerk, *John Pringle*, *Gillery Piggott*, *John Rice*, *John Rideout* Clerk, *Byſhe Shelley*, *Thomas Steele*, *Edward Steele*, *William Smith* Clerk, *William Scrace*, *Lawrence Dennett Smith*, *Warden Serjiſon*, *William Stanford*, *William Stanford* of *Eatons*, *Richard Thornton*, *James Thornton*, *Henry Tredcroft*, *Robert Tredcroft*, *James Vincent*, *Richard Vincent*, *John Wood* of *Keymer*, *William Woodward* Clerk, and their Succeſſors (being qualified in the Manner directed by the ſaid firſt recited Act), ſhall be added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Acts, for putting the ſame and this Act into Execution, as fully and effectually to all Intents and Purpoſes as if they had been appointed Truſtees in or by virtue of the ſaid recited Acts.

For diſcontinuing the preſent Tolls and granting new ones.

III. And whereas the Tolls granted by the ſaid recited Acts have been found inſufficient for amending and keeping the ſaid Roads in good Repair, and for executing the ſeveral other Purpoſes of the ſaid Acts; be it

it therefore further enacted, That from and after the paſſing of this Act, 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, Braſt, 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 Roads, or upon or acroſs any Lane or Way leading unto the ſame; (that is to ſay),

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing any Coach, Chariot, Landau, Berlin, Hearſe, Coach, or Calaſh, or any ſuch like Carriage drawn on Four Wheels, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, or Pair of Oxen, drawing any Waggon, Wain, Cart, or other Carriage of the like nature, the Fellies of the Wheels being of the Breadth of Six Inches or upwards, and rolling on a flat Surface, the Sum of Four-pence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, or Pair of Oxen, drawing any Waggon, Wain, Cart, or other Carriage of the like nature, the Fellies of the Wheels being of leſs Breadth than Six Inches, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, or Pair of Oxen, drawing any Waggon, Wain, Cart, or other Carriage of the like nature, (being for Hire), the above mentioned Tolls, and One-half in Addition:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing a Chaiſe, commonly called a Single-Horſe Chaiſe, Tax Cart, or other Cart, the Sum of Sixpence, and being for Hire, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, laden or unladen and not drawing, the Sum of Two-pence, and for every Aſs the Sum of One Penny:

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

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

Double Tolls on Sunday.

And that double the ſaid reſpective Tolls ſhall be demanded and taken on every *Sunday* during the Continuance of this Act; 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; 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 or 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 Fourteen Days Notice thereof at leaſt ſhall be given upon all the Toll Gates or Turnpikes which ſhall be then ſtanding upon

the ſaid Road 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.

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

IV. Provided always, and it is hereby 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 Roads by the ſaid Acts directed to be repaired between *Hand Croſs* and the Village of *Cowfold*, or the Town of *Horſham* and the ſaid Village of *Cowfold*, ſhall not be looked upon or deemed to be an Exemption from the Payment of like Tolls and Duties at any other of the ſaid Gates or Turnpikes, erected or to be erected, between the ſaid Village of *Cowfold* and the Town of *Henfield*; but that the ſame Tolls ſhall be paid Twice between *Hand Croſs* and the Town of *Henfield*, and between the ſaid Town of *Horſham* and *Henfield*, (that is to ſay), once between *Hand Croſs* and *Cowfold* and *Horſham* and *Cowfold*, and once between *Cowfold* and *Henfield*; any Thing in the ſaid recited Acts or either of them, or in this Act contained, to the contrary thereof notwithſtanding.

Perſons to paſs and repaſs once on Payment of the Tolls.

V. Provided always, and be it 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 and of this Act, or either of them, between *Hand Croſs* and *Henfield*, and *Horſham* and *Henfield* aforeſaid; but that all and every Perſon and Perſons having paid the ſaid Two Tolls in the whole, and producing a Note or 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, 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 Road with the ſame Horſes, Cattle, Beaſts, or Carriages as aforeſaid.

For repealing a Clauſe in the former Act reſpecting double Tolls on certain Carriages, and for taking other Tolls in lieu thereof.

VI. And whereas by the ſaid laſt recited Act it is enacted and declared, That for all and every Carriage or Carriages laden with Chalk or Timber, Plank or Boards, paſſing through any Gate or Gates, Turnpike or Turnpikes then or thereafter to be erected by virtue of the ſaid recited Act, between the Firſt Day of *November* and the Firſt Day of *March* in every Year during the Continuance of the ſaid Acts, ſhould pay Double the Tolls thereby impoſed on ſuch Carriage or Carriages reſpectively: And whereas ſuch Part of the ſaid laſt recited Act impoſing the ſame Toll on Carts as on Waggons has been found inconvenient and prejudicial to the Public; 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,

ling, Guns or other Iron, Mine Ore, Hay or Straw for Sale, Bricks, Tiles, Sand, Stone, Flints, Marl, Chalk Marl, Coals, Firewood, Faggots, Hop-poles, Hoops, or Whattles passing through any of the Gates or Turnpikes now erected, or to be erected by virtue of the said recited Acts or this Act, between the First Day of *November* and the First Day of *March*, shall pay Double the Tolls and 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.

To prevent Misconduct in Collectors of Tolls.

VII. 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 Day's Neglect thereof; and if any such Collector of the said Tolls shall wilfully misbehave himself or herself as such, 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 this Act, and shall be thereof convicted on his or her own Confession, or on the Oath of one or more credible Witness or Witnesses, before one or more Justice or Justices of the Peace for the said County of *Sussex*, 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.

Exemptions from Tolls.

VIII. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage 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 in the Townships or Parishes in which any Part of the said 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 Out-houses, or on the Lands of the Owners, for the Purpose of thrashing 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, Mould, and Lime excepted), lying within the Townships or Parishes in which such Roads lie, nor for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to be, or returning from being shoed or farried; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship authorized 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 his Parocnial 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; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, 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 County of *Suſſex*, and Members to ſerve in Parliament for the Borough of *Newſhoreham*, 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 Tolls 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 or 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 for every ſuch Offence the Sum of Forty Shillings, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

Carriages conveying Military Stores not to be ſubject to Penalties for Overweight, &c.

IX. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat, or other publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained, by Reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithſtanding.

X. And

Application of Compenſation Money when amounting to 200 l.

X. 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, 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 ſaid Lands, Tenements, or Hereditaments, by the ſaid recited Acts or this Act directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application when Compenſation Money is leſs than 200 l. and amounts to 20 l.

XI. 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

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, to be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by 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 Money is leſs than 20 l.

XII. 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; and 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.

XIII. 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 refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees; or in caſe 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 Privity 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 Herditaments [*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 Intereſts 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 whole

whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XIV. 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 Intereſts 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 Intereſts of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XV. 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 or 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.

Perſons chargeable to Statute Work to continue ſo.

Juſtices to determine Differences touching Statute Work.

XVI. 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 County of *Suſſex*, 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 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

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 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 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 Haytime 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 Road, 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 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 or imperfect Lists, every such Surveyor so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may compound for Statute Work.

XVII. 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 of 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 First Day of *October* 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.

For Payment of Expences of the Act.

XVIII. 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 or this Act, in preference to all other Payments and Disbursements whatsoever.

Publick Act.

XIX. 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.

XX. And be it further enacted, That the Term granted by the said recited Acts 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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