ANNO QUADRAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. 22.

An Act for amending, altering, widening, and keeping in Repair, the Road from the Town and Port of *Sandwich*, in the County of *Kent*, to the respective Towns of *Margate*, and *Ramsgate*, in the *Isle of Thanet*, in the said County; and for reducing, for a limited Time, the Tolls and Duties now payable at *Sandwich Bridge*, by virtue of an Act passed in the Twenty-eighth Year of His late Majesty. [25th *April* 1807.]

WHEREAS the Road leading from the Town and Port of *Sandwich*, in the County of *Kent*, across the Second District of the Turnpike Road, from the City of *Canterbury*, to the Town of *Ramsgate*, in the *Isle of Thanet*, in the said County, near the West End of *Nethercourt Lane*, in the Parish of *Saint Lawrence*, in the said *Isle of Thanet*, by *Ozengell*, to or near the West End of *Westwood Lane*, in the Parish of *Saint Peter the Apostle*, in the said *Isle of Thanet*, and thence by *Chapell Hill*, to the Town of *Margate*, in the said *Isle of Thanet*, and by *Northwood* Chalk Pit, to the said Town of *Ramsgate*, is much out

of Repair, and in many Parts thereof narrow, circuitous, dangerous, and incommodious for Travellers and Carriages; and such Road cannot be sufficiently repaired, altered, and improved, by the Laws now in force or effect: And whereas it would be of great public Utility, and of much Benefit to the Inhabitants of the said Towns of *Sandwich*, *Margate*, and *Ramsgate*, and the adjacent Country, if the said Road were repaired, altered, widened, and improved: And whereas, by an Act passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for building a Bridge over the Water or Haven between the Town of* Sandwich *and the opposite Shore in the County of* Kent, certain Tolls in the said Act mentioned were, from and after the building and opening the said Bridge, granted to the Mayor, Jurats, and Commonalty of the said Town and Port of *Sandwich*, and their Successors, and allowed to be demanded, taken, and received at *Sandwich Bridge*, for the Purposes in the said Act mentioned; and such Tolls have since been and still are demanded, taken, and received at the said Bridge: And whereas some of the material Purposes, for which the said Tolls were granted by the said recited Act, have been completed: And whereas the Mayor, Jurats, and Commonalty of the said Town and Port of *Sandwich* have consented and agreed, for the Benefit of the Public, and for the better carrying this present Act into Execution, that the Tolls payable by virtue of the said recited Act at *Sandwich Bridge* aforesaid, should be reduced during the continuance of this Act; but such several Purposes cannot be effected without the Aid and 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,

Sandwich Bridge Act recited.

Trustees. That the Knights of the Shire for the County of *Kent*, the Members of Parliament for the City of *Canterbury*, the Members of Parliament for the Town and Port of *Sandwich*, the Members of Parliament for the Town and Port of *Dover*, the Chairman of the Trustees of *Ramsgate* Harbour, the Deputy Chairman of the same Trustees, the Mayor, Jurats, Recorder, and Town Clerk of the Town and Port of *Sandwich*, the Mayor, Jurats, Recorder, and Town Clerk of the said Town and Port of *Dover*, and the Deputies of the respective Towns of *Margate* and *Ramsgate* for the Time being, the Honourable *Francis Nathaniel Burton*, the Honourable *George Watson*, Sir *Edward Knatchbull*, Sir *John Fagg*, Sir *Henry Oxenden*, Sir *Brook William Bridges*, Sir *Narborough D'Aeth*, Sir *William Curtis*, Sir *Philip Stephens*, Sir *Horace Mann*, Sir *Charles Kent*, Sir *Henry Hawley*, Sir *John William Anderson*, Baronets, Sir *Henry Harvey* K. B. Sir *Samuel Chambers* Knight, *William Abbot* B. D. *Edward Austen*, *Nathaniel Austen*, *James Austen*, *John Abbott* of Saint Dunstan's, *Nathaniel Author Austen*, *Lewis Agassiz*, *Thomas Brett*, *Thomas Bundock*, *William Wyborn Bradly*, *William Boteler*, *Wheeler Bunce* Clerk, *Charles Baker* Clerk, *William Fuller Boteler*, *William Boys*, *Stephen Bax*, *William Belsey*, *Thomas Belsey*, *Peter Blackburn*, *John Bourn*, *Peter Burgess*, *John Brooman*, *Richard Bayley*, *Gilbert Bedford*, *John Boys* of Belshanger, *Edward Boys*, *Thomas Briggs*, *John Baker* of Saint Stephen's, *John Charles Beckingham* Clerk, *Edward Tymewell Brydges* Clerk, *John Head Brydges*, *Stephen Bradly*, *John Bradly*, *John Bowes Bunce* Clerk, *George Bourn*, *Barman Bourn*, *John Boys* of Margate, *Henry Cull*, *Daniel Curling*, *John Cutler*, *William Curtis*, *Edward Curling*, *Daniel*

Daniel Curling junior, *John Cooper of* Saint Lawrence, *Charles Bowland Cotton*, *Anthony Calvert*, *Thomas Curling*, *Francis Cobb*, *John Cowell*, *Francis William Cobb*, *William Cobb*, *James Ramsay Cuthbert*, *John Conant* Clerk, *Robert Curling*, *John Carter*, *Slodden Castle*, *John Castle*, *Robert Castle*, *Thomas Castle*, *Francis Cocking*, *John Maris Cocking*, *Joseph Cocking*, *William Cocking*, *James Cull*, *John Curling*, *John Card*, *William Chapman* Clerk, *Montague Davis* Clerk, *Joseph Duplock*, *Joseph Dyason*, *Charles Dering*, *Cholmondeley Dering*, *Edward Dering*, *James Dyson*, *George Dering*, *Edward Daniel*, *Edward Dering* the younger, *William Neve Daniel*, *John Denne* Glazier, *John Dawson*, *William Devaynes*, *William Day*, *Richard Emmerson*, *Richard Emmerson* junior, *Charles Emmerson*, *George Eastes*, *Edward Eason*, *James Elliott*, *John Elgar*, *Stephen Elgar*, *Thomas Elgar*, *Thomas Francis Fremantle*, *Edmund Fowle*, *John Fowle*, *John Minet Fector*, *William Fox*, *John Friend* of Ramsgate, *George Friend* of Ramsgate, *Edward Forster*, *John Fowler*, *Joseph Fowler*, *Henry Godfrey Faussett*, *Thomas Foord*, *Thomas Forsyth*, *William Friend* of Ash, *William Friend* of Eastry, *Robert Famariss*, *John Fleming*, *William Garrow*, *Thomas Garrett*, *John Garrett*, *Edward Garrow*, *George Garrow*, *David William Garrow*, *John Gibson*, *George Gibson*, *Robert George*, *Thomas Gillow*, *John Gray*, *Thomas Godfrey*, *William Guy*, *William Garrett* Clerk, *John Gregory* Clerk, *James George*, *Edward George*, *Medmer Goodwin*, *Harry Goodyer*, *Robert Goodson*, *James Greey*, *Edward Greey*, *George Garrett*, *Thomas Gore*, *John Grubb*, *Henry Gisby*, *William Goodson* junior, *William Honywood*, *Thomas Hey D. D. Richard Harvey* Clerk, *Samuel Harvey*, *Richard Harvey* junior, Clerk, *William Harrison* Clerk, *William Maundy Harvey*, *Thomas Harvey*, *John Harvey*, *Thomas Harvey* of Woodnesborough, *John Springett Harvey*, *George Hannam*, *William Hooper*, *George Hooper*, *Daniel Hodgson*, *Andrew Hills*, *Herbert Hooper*, *John Harrisson*, *John Hoile*, *Thomas Hope*, *George Basage Hope*, *John Hodges*, *John Holman*, *William Humble*, *Roger Hooper*, *Sharp Hutchinson*, *Charles Hughes* Clerk, *Robert Holford*, *Henry Wise Harvey*, *John Jessard*, *Stephen Joad*, *Daniel Jarvis*, *William Jarman*, *William King*, *Richard Kemp*, *Edward Knatchbull*, *George John Piercy Leith*, *Richard Leggat*, *James Leman*, *Richard Warburton Lytton*, *George Louch*, *John Lade*, *William Lee*, *Samuel Fothergal Lettsom*, *George Urmstone Leith*, *Henry Matson*, *John Matson* of Sandwich, *James Matson* of Sandwich, *John Marbrook*, *Thomas Minter*, *John May*, *Bernard Mercer*, *John Mockett*, *Thomas Oakley*, *William Osborn* M. D. *John Omer*, *Andrew Omer*, *Latham Osborn*, *Richard Prince*, *John Pigot* Clerk, *William Pott*, *William Pott* junior, *Richard Pettman*, *Charles Porter*, *Richard Pettman* junior, *William Pettman* of Sandwich, *William Pettman* of Ham, *George Powell*, *Daniel Peake*, *William Peake*, *Thomas Watkinson Payler*, *John Plumptree*, *Thomas Papillon*, *James Petley*, *George Phillips*, *Edward Pilcher*, *John Roberts*, *Thomas Rammell*, *Charles Robinson*, *Peter Rainier*, *Peter Rainier* M. D. *John Spratt Rainier*, *Jennings Rutter*, *Jarvis Rose*, *William Henry Rolfe*, *Samuel Righton*, *Samuel Foart Simmons* M. D. *Thomas Sutton* M. D. *William Slaughter*, *Augustine Smithers*, *William Slaughter* junior, *George Solly*, *John Sampson*, *John Slaughter*, *Isaac Slaughter* junior, *Edward Slaughter*, *William Slaughter*, junior, *Thomas Slaughter*, *Samuel Silver*, Captain *George Sayer* of Sandwich, *George Sayer* of Stonar, *John Smith* Clerk, *Thomas Saxby*, *Stephen Saunders*, *Stephen Saunders* the younger, *William Sayer*, *John Stevens*, *John Smith*, *George Strivens*,

Jacob

Jacob Sawkins, *Francis Small*, *Robert Small*, *William Scott*, *John Shrubsole*, *James Stock*, *George Stevens*, *John Spier*, *John Sackett*, *George Slater*, *Jeremiah Sackett*, *Thomas Staines*, *Daniel Swinford*, *Edward Taddy*, *James Taddy*, *Richard Tomson*, *James Townley*, *John Toke*, *Nicholas Roundel Toke*, *Edward Taylor*, *John Tucker* Clerk, *David Taylor*, *John Tomlin* of West Northdown, *Robert Tomlin* of Sandwich, *Robert Tomlin* of East Northdown, *Richard Tattasell*, *Thomas Tambs*, *Henry Temple*, *Henry Tomson* Clerk, *Robert Underdown*, *James Underdown*, *Thomas Warre*, *William Walton*, *John Winter*, *Thomas Wood*, *James Wood*, *Henry Woodcock*, *William Woodcock*, *Edward Woodcock*, *Henry Woodcock* junior, *James White*, *William Waller*, *John Wyborn*, *Thomas Woodruff*, *George Woodruff*, *Henry Woodruff*, *William Warman*, *Charles Warman*, *John Westbeach*, *Humphrey Wightwick*, *Thomas Wootton*, *Thomas Woodland*, *William Williams*, Clerk, *Sackett Wood*, *James Woodbridge*, and their Successors, to be elected in Manner herein directed, shall be and they are hereby declared to be Trustees for making, repairing, altering, widening, turning, and improving the Road from the North End of a certain small Piece of Road, inclosed with Railing on each Side, and lying on the North Side of *Sandwich Bridge*, to the respective Towns of *Margate* and *Ramsgate*, in the *Isle* of *Thanet*, in the Lines before described; and for otherwise carrying the several Powers of this Act into Execution:

No Act valid unless at a Meeting.

II. And be it further enacted, That no Act of the said Trustees shall be or be deemed to be good, valid, or effectual, unless the same be done at some Meeting to be holden in pursuance of this Act (except as may be herein excepted); and that all the Powers and Authorities by this Act granted to the said Trustees, shall and may be exercised from Time to Time by the major Part of them, who shall attend at any Meeting to be holden in pursuance of this Act (the Number of such Trustees present at such Meeting not being less than Five) and all the Orders and Proceedings of the major Part of the said Trustees present at such their several Meetings, shall have the same Force and Effect as if the same were made or done by all the said Trustees for the Time being (save and except as may be herein excepted); and at every Meeting of the said Trustees a Chairman shall and may be appointed, and when and as often as it shall so happen that there shall be an Equality of Votes at any such Meeting, upon any Question (including the Vote of the Chairman) then and in such Case, it shall and may be lawful to and for the Chairman to give the decisive or Casting Vote.

Majority present may act, the whole Number not being less than five.

Chairman to be appointed, and to have the casting Vote.

Election of new Trustees.

III. And be it further enacted, That upon the Death, Refusal, or Disability of any of the said Trustees hereby appointed, or their Successors, to be elected in Manner herein mentioned, to act in the Execution of this Act, then and in every such Case it shall and may be lawful to and for the surviving or remaining Trustees, from Time to Time, to elect and appoint one other Person to be a Trustee in the room of each Trustee so dying, or refusing, or being incapable of acting, and Notice of the Time and Place of the Meeting for every such Election shall, by the Clerk to the said Trustees for the Time being, be inserted in some Newspaper or Newspapers published in the said City of *Canterbury*; and if no Newspaper shall be published in the said City, then such Notice shall be inserted in one or more of the publick Newspapers printed and circulated in the Eastern Parts of the said County of *Kent*, and shall be

affixed on all and every the Turnpike Gates that ſhall be ſtanding on the ſaid Road, at leaſt Ten Days before ſuch Meeting; and every Perſon ſo elected a new Truſtee as aforeſaid, being qualified as herein-after mentioned, ſhall be and he is hereby empowered to act in the Execution of this Act, to all Intents and Purpoſes, in as full and ample a Manner as the Truſtee in whoſe room or ſtead he ſhall have been ſo elected.

Qualification of Truſtees.

IV. Provided always, and be it enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of Forty Pounds, or be poſſeſſed of or entitled to a Perſonal Eſtate alone, or Real and Perſonal together, of the Value of Eight hundred Pounds, or ſhall be Heir Apparent of ſome Perſon poſſeſſed of an Eſtate in Land of the clear yearly Value of One hundred Pounds, nor ſhall any ſuch Perſon be capable of acting in the Execution of this Act (ſave and except in taking and adminiſtering the Oath following to the other Truſtees) until he (not being ſuch Heir apparent as aforeſaid) ſhall have taken and ſubſcribed the Oath following, before any Two or more of the ſaid Truſtees, who are hereby authorized and required to adminiſter the ſame; (that is to ſay),

Oath.

'I *A. B.* do ſwear, That I truly and *bonâ fide* am, in my own Right
'[or, in Right of my Wife, *as the Caſe may be*] in the actual Poſſeſſion
'or Enjoyment of Lands, Tenements, or Hereditaments of the clear
'yearly Value of Forty Pounds, or poſſeſſed of or entitled to a Perſonal
'Eſtate alone, or Real and Perſonal Eſtate together, of the Amount or
'Value of Eight hundred Pounds. 'So help me GOD.'

And if any Perſon not being ſo qualified ſhall act as a Truſtee in the Execution of this Act, every ſuch Perſon 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 in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; and every ſuch Perſon ſo ſued or proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act.

All Acts of Truſtees not qualified, if done before Conviction, valid.

V. Provided nevertheleſs, That all Acts and Proceedings of any Perſon or Perſons acting as a Truſtee or Truſtees in the Execution of this Act, though not duly qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as good, valid, and effectual, as if ſuch Perſon or Perſons had been qualified according to the Directions of this Act.

Victuallers, &c. incapable of acting.

VI. Provided always, and be it enacted, That no Perſon or Perſons who ſhall keep any Victualling Houſe or other Houſe of publick Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, Spirituous, or other Strong Liquors by Retail, ſhall be capable of acting as a Truſtee, or of taking, holding, or enjoying any Place or Places of Truſt or Profit under the ſaid Truſtees, or of collecting the Tolls hereby granted and

made payable, and to be collected on the ſaid Road, during ſuch Time as he, ſhe, or they ſhall keep ſuch Victualling Houſe, Alehouſe, or other Houſe of publick Entertainment, or ſhall ſell any Wine, Cyder, Beer, Ale, ſpirituous or other Strong Liquors by Retail; but no ſuch Perſon ſhall be precluded from farming ſuch Tolls, provided he, ſhe, or they employ a Perſon or Perſons to collect ſuch Tolls who ſhall not be under any ſuch Incapacity.

Truſtees may act as Juſtices except where intereſted.

VII. And be it further enacted, That ſuch of the ſaid Truſtees as are or ſhall be Juſtices of the Peace, ſhall and may in their reſpective Juriſdictions, and they are hereby empowered to act as Juſtices of the Peace in the Execution of this Act notwithſtanding their being Truſtees, except only in ſuch Caſes where they ſhall be perſonally intereſted.

First Meeting of the Truſtees.

VIII. And be it further enacted, That the ſaid Truſtees ſhall meet at the Guildhall of the Town and Port of *Sandwich*, in the ſaid County of *Kent*, on the Second *Tueſday* after the paſſing of this Act, between the Hours of Ten in the Forenoon and One in the Afternoon; and in caſe none of the ſaid Truſtees ſhall attend at ſuch Meeting, then ſuch Meeting ſhall be and be deemed to be adjourned to the next Day (*Sunday*, *Good Friday*, *Chriſtmas Day*, and Faſt Days by Proclamation, only excepted, and then to the next Day) and ſo *toties quoties*, until a ſufficient Number of Truſtees ſhall attend at ſuch Meeting to act in the Execution of this Act, or until a Truſtee or Truſtees ſhall attend ſo as to adjourn ſuch Meeting; and the ſaid Truſtees ſhall and may at ſuch Meeting, and at their ſeveral Meetings to be holden for the Purpoſe of carrying this Act into Execution, from Time to Time adjourn themſelves, and appoint their next Meeting to be holden there, or at ſuch other Place near to any Part or Parts of the ſaid Road, and at ſuch Time as to them ſhall ſeem proper; and if it ſhall ſo happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Truſtees to act in the Execution of this Act, the Truſtee or Truſtees then preſent, or the Clerk to the ſaid Truſtees, ſhall from Time to Time, as often as the Caſe ſhall happen, adjourn ſuch Meeting to ſome other Day within Thirty Days then following, to be holden at the ſame Place; and the ſaid Clerk ſhall cauſe publick Notice thereof to be inſerted in ſuch Newſpaper or Newſpapers as aforeſaid, and to be affixed on all and every the Turnpike Gates that ſhall be ſtanding on the ſaid Road, at leaſt Ten Days before the Day to which ſuch Meeting ſhall be ſo adjourned; and the ſaid Truſtees ſhall at their ſeveral Meetings defray their own Expences; and no Perſon ſhall be capable of acting as a Truſtee in the Execution of any of the Powers hereby granted, during the Time he ſhall hold any Place of Profit under this Act.

Truſtees to defray their own Expences.

Meetings on Emergencies.

IX. And be it further enacted, That if after any Adjournment of any Meeting as aforeſaid, it ſhall at any Time be thought neceſſary that a Meeting of the Truſtees ſhould be appointed on an earlier Day than the Day to which ſuch Meeting ſhall have been adjourned, then and in ſuch Caſe the Clerk to the ſaid Truſtees (an Order in Writing, ſigned by Three or more of the ſaid Truſtees, mentioning the Time, Place, and Purpoſe of ſuch earlier Meeting, being given to him or left at his laſt or uſual Place of Abode) ſhall forthwith give Notice of ſuch earlier Meeting in

in Manner before directed, and of the Time and Place which ſhall be mentioned in the Order of the ſaid Truſtees, ſuch Times not being leſs than Ten Days after ſuch Notice; and all the Proceedings of the ſaid Truſtees at ſuch earlier Meeting ſhall be as good and valid as they would have been in caſe the ſaid Truſtees had met in purſuance of any Adjournment.

No Order to be revoked, unleſs a Majority of Three-fourths of the Truſtees preſent concur.

X. And be it further enacted, That no Order, Appointment, or Proceeding made at any Meeting of the Truſtees holden in purſuance of this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs at a Meeting to be holden for that expreſs Purpoſe, nor unleſs Notice, ſpecifying the Revocation or Alteration intended to be made, be inſerted in ſuch Newſpaper or Newſpapers as aforeſaid, and be affixed on all and every the Turnpike Gates that ſhall be ſtanding on the ſaid Road, at leaſt Twenty-one Days before ſuch ſubſequent Meeting, nor unleſs a Majority of Three-fourths of the Truſtees preſent at ſuch ſubſequent Meeting ſhall decide in favour of ſuch Revocation or Alteration.

Proceedings to be entered.

XI. And be it further enacted, That the ſaid Truſtees ſhall cauſe to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all ſuch Truſtees as ſhall be preſent at their ſeveral Meetings; and all Entries in ſuch Book or Books, being ſigned by the Chairman and Clerk then preſent, or either of them, ſhall be deemed Originals, and ſhall be allowed to be read as Evidence in all Caſes, Suits, and Actions, touching or concerning any Thing done in purſuance of this Act; and ſuch Book or Books ſhall at all of the Meetings of the ſaid Truſtees be open and liable to the Inſpection of all and every of the ſaid Truſtees, and of the Creditors on the Tolls hereby granted and made payable; and that any of the ſaid Truſtees, and Creditors on the Tolls to be collected on the ſaid Road, ſhall and may have and take Copies thereof, paying for every Copy, not exceeding One hundred Words, the Sum of Sixpence, and ſo in proportion for any greater or leſs Number of Words.

Truſtees to appoint Officers;

and remove them, and may allow them Salaries.

XII. And be it further enacted, That the ſaid Truſtees may and they are hereby empowered, by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Clerk or Clerks, and a Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the ſaid Road, and alſo ſuch other Officers and Perſons for the Execution of this Act, as they the ſaid Truſtees ſhall think proper; and from Time to Time to remove ſuch Officers and Perſons reſpectively as they ſhall ſee Occaſion, and out of the Monies to be received by virtue of this Act, for the maintaining and repairing of the ſaid Road, to allow and pay ſuch Salaries, Wages, and Allowances to the ſaid Officers and other Perſons as the ſaid Truſtees ſhall think reaſonable; and the ſaid Truſtees ſhall and they are hereby required to take ſuch ſufficient Security from every ſuch Treaſurer and other Officer for the due Execution of his Office as they ſhall think proper; and all ſuch Officers ſo to be appointed ſhall, under their Hands, at ſuch Time or Times, and in ſuch Manner as the ſaid Truſtees ſhall direct, deliver to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts, in Writing, of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which

Truſtees to take Security from the Treaſurer.

Officers to account.

ſhall

shall have been by such Officers respectively received by virtue and for the Purposes of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively, to the said Trustees, or to such Person or Persons as they shall appoint to receive the same; and every such Treasurer shall, on the First *Monday* in the Month of *April* yearly, or at the First Meeting of the said Trustees then next following (although not thereunto required by the said Trustees) lay his Accounts before the said Trustees, in order that the same may be audited, passed, and allowed by them if approved of; and all the said Officers so accounting as aforesaid shall upon Oath if required (which Oath any one of the said Trustees is hereby empowered to administer) verify their said Accounts; and if any such Officer shall refuse or neglect to make and render, or to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Trustees (or to such Person or Persons as they shall appoint to receive the same) within Fourteen Days next after being thereunto required by the said Trustees (by Notice in Writing given to or left at the last or usual Place of Abode of such Officer) all Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act, so far as the same relates to the said Road, or give Satisfaction to the said Trustees respecting the same, then and in every such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Officer so refusing or neglecting to appear before him, and upon his appearing or not being to be found to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer) it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act, so far as the same relates to the said Road, shall remain due from such Officer, such Justice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer; and if no Goods or Chattels of such Officer can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer shall have refused or neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto; or that any Books, Papers, or Writings relating to the Execution of this Act, so far as the same relates to the said Road, shall be in the Custody or Power of such Officer, and he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain, without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees for such Money,

Treasurer to account on Oath, if required.

and

and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees are hereby empowered to make and receive) and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Trustees: Provided always that no such Officer or other Person so committed for want of sufficient Distress, shall be confined or detained in Prison by virtue of this Act, for any longer Space of Time than Six Calendar Months.

On the Death of a Gate-keeper, Trusters may nominate another until next Meeting.

XIII. And be it further enacted, That it shall and may be lawful to and for any Two or more of the said Trustees, upon the Death, Neglect, Misbehaviour, Refusal, or Incapability to act, of any Collector on the said Road of the Tolls hereby granted (whether such Collector shall be appointed by the said Trustees, or by any Person or Persons to whom the said Tolls shall or may be let by virtue of the Authority herein-after for this Purpose given) to nominate and appoint some other fit Person in his or her Place, until the next Meeting of the Trustees of the said Road, which Person so to be nominated and appointed shall have the like Power and Authority, and be accountable in the same Manner in all Respects, as the Person in whose Room or Stead he or she shall be so appointed; and that if any Collector of the said Tolls, who shall be discharged from his or her Office by the said Trustees, shall refuse to deliver up the Possession of the Toll House, Buildings, and Appurtenances which he or she enjoyed in right of his or her Appointment to that Office, within Two Days after Notice given to him or her or left at such Toll House, in Writing, under the Hands of the said Trustees, or any Five or more of them, or if the Wife or Family of any such Collector who shall die as aforesaid, or any other Person who shall be in Possession of the Premises by any Means whatsoever, shall refuse to deliver up such House, Buildings, and Appurtenances, within Four Days after such new Appointment shall be made as aforesaid; then and in either of the said Cases, it shall and may be lawful to and for any Justice of the Peace for the County, City, or Place where such Toll-House shall stand or be, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House and Premises in the Day Time, and to remove the Persons who shall be found therein, together with their Goods and Chattels, out of such Toll House and other Premises, and to put the new appointed Collector of the said Tolls in Possession thereof.

If discharged Gate-keeper refuses to deliver up the Houses, &c.

Trustees empowered to erect Turnpikes and Toll Houses, and receive Tolls.

XIV. And be it further enacted, That the said Trustees shall and may cause to be erected such and so many Turnpikes, to secure the Tolls hereby granted, upon or across the said Road, and on or near the Sides thereof, in, near unto, or across any Lanes or Ways leading or that may hereafter lead out of the same, as they shall think proper, and such and so many Toll Houses as they shall think proper, and shall and may, in Manner herein directed, purchase and take Land (not exceeding One-eighth Part of an Acre for each Toll House) sufficient for such Toll House or Toll Houses, with necessary Accommodations thereto, and from Time to Time remove, alter, or discontinue such Turnpikes and Toll Houses, or any of them, as they the said Trustees shall from Time to Time think meet and expedient; and shall and may cause to be demanded and taken at each of the said Turnpikes to be erected on that Part of the said Road which lies between *Sandwich* Bridge and

the *Canterbury* Road aforesaid, the Tolls following, before any Horse or other Beast, Cattle, or Carriage, shall be permitted to pass through the same (that is to say),

For every Horse, Mare, Gelding, Mule or other Beast (where more than One) drawing any Coach, Sociable, Berlin, Landau, Chariot, Vis-a-Vis, Barouche, Chaise Marine, Calash, Hearse, Litter, Curricle, Chaise, Chair, Gigg, Whiskey, or other such Carriage, the Sum of Four-pence Halfpenny:

For the Horse, Mare, Gelding, Mule, or other Beast (where only One) drawing any such like Carriage as aforesaid, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, or other Beast (where more than One) drawing any Waggon, Wain, Drug, Cart, or other such Carriage, the Sum of Three-pence:

For the Horse, Mare, Gelding, Mule, or other Beast (where only One) drawing any such last-mentioned Carriage, the Sum of Four-pence Halfpenny:

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

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

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

For every Drove of Calves, Sheep, Swine, or Lambs, the Sum of Two Pence Halfpenny *per* Score; and so in Proportion for any greater or less Number than a Score.

And that the respective Tolls following shall be demanded and taken at each of the said Turnpikes to be erected on that Part of the said Road which lies between the *Canterbury* Road aforesaid and the respective Towns of *Margate* and *Ramsgate*, before any Horse, Beast, Cattle, or Carriage, shall be permitted to pass through the same; (that is to say),

For evey Horse, Mare, Gelding, Mule, or other Beast, drawing any re, of whatsoever Name or Description, the Sum of Three-pence:

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

For every Ass, laden or unladen, and not drawing, the sum of One Halfpenny:

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

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

Tolls vested in the Trustees.

XV. And be it further enacted, That all the said Tolls shall form one aggregate Fund, and shall be and they are hereby vested in the said Trustees; and a Table thereof respectively shall be put up and continued at each and every Gate, Turnpike, and Side Gate, where the same respectively shall be payable; and it shall and may be lawful to and for

for the ſeveral Perſons who ſhall, by virtue of this Act, be appointed Collectors of the ſaid Tolls, to demand, collect, and receive ſuch Tolls; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made by any Collector to be appointed as aforeſaid, neglect or refuſe to pay the ſame or any Part thereof, it ſhall and may be lawful to and for ſuch Collector to ſeize and diſtrain, or cauſe to be ſeized and diſtrained, any Horſe or Horſes, or other Beaſt or Cattle, chargeable with the ſaid Tolls, and the Bridles, Saddles, Harneſſes, or Accoutrements of ſuch Horſe or Horſes, or other Beaſt or Beaſts, or any Part or Parts thereof; and if ſuch Tolls, and the reaſonable Charges of ſuch Seizure and Diſtreſs, and of detainining and keeping the ſame, ſhall not be paid within Five Days next after ſuch Seizure and Diſtreſs made, the Collector ſo ſeizing and diſtraining ſhall and may ſell the Horſe or Horſes, Beaſts, or other Cattle, and the Bridles, Saddles, Harneſs, or Accoutrements ſo ſeized and diſtrained, or any Part thereof, rendering the Overplus (if any) upon Demand, to the Owner or Owners thereof, after ſuch Tolls, and all reaſonable Charges for diſtraining, keeping, and ſelling the ſame, ſhall be deducted and paid.

In caſe of Diſpute the Matter to be ſettled by a Juſtice.

XVI. Provided always, and be it enacted, That if any Diſpute ſhall happen about the Quantity of the Tolls due, or the Charges of keeping and ſelling any Diſtreſs, it ſhall and may be lawful to and for the Collector, or Perſon diſtraining, to retain the Diſtreſs, or the Money ariſing from the Sale thereof, until the Quantity of the Tolls or Charges of diſtraining and ſelling the Diſtreſs, as the Caſe may be, ſhall be aſcertained by ſome Juſtice of the Peace for the County, City, or Place wherein ſuch Diſpute ſhall ariſe, who, upon Application made to him for that Purpoſe, ſhall examine the ſaid Matter by Oath of the Parties, or other Witneſs or Witneſſes, and ſhall determine the Quantity of the Tolls due, and ſhall alſo aſſeſs the Charges of ſuch Diſtreſs and Sale, and all other reaſonable Coſts; all which Sum or Sums ſo determined or aſſeſſed, ſhall be paid to the ſaid Collector before he ſhall be obliged to return the ſaid Diſtreſs, or the Overplus after Sale thereof, or of any Part thereof.

Turnpikes, &c. veſted in the Truſtees.

XVII. And be it further enacted, That the Right and Property of all the Turnpikes, Toll Houſes, and other Buildings, with the Ground, Fences, and Appurtenances thereto reſpectively belonging, and of all Mileſtones and Poſts erected by virtue of this Act, and alſo of all Materials, Tools, and Implements which ſhall be provided for making and repairing the ſaid Road by virtue of this Act, ſhall be veſted in the ſaid Truſtees; and they are hereby empowered to cauſe any Actions to be brought, and any Bills of Indictment to be preferred againſt any Perſon or Perſons who ſhall ſteal, break down, take away, injure, or ſpoil any ſuch Turnpikes, Toll Houſes or other Buildings, Fences, Mileſtones, Poſts, or any ſuch Materials, Tools, or Implements as aforeſaid; and in all ſuch Actions and Bills of Indictment reſpectively, it ſhall be and be deemed to be ſufficient to ſtate generally that the Turnpike, Toll Houſe, Building, Article or Articles, Thing or Things, for which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Property of *The Truſtees for repairing and maintaining the Road leading from the Town of* Sandwich *to the reſpective Towns of* Margate *and* Ramſgate *in the County of* Kent, without particularly mentioning

mentioning or ſpecifying the Name or Names of all or any of the ſaid Truſtees.

Tolls to be taken but once a Day.

XVIII. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to enable any Collector of the ſaid Tolls to demand or take any more than one Toll in any one Day (ſuch Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night) from any Perſon or Perſons, for or in reſpect of the ſame Horſe or other Beaſt, Cattle, or Carriage paſſing and repaſſing through the ſame or any other Gate or Turnpike on the ſaid Road, between *Sandwich* Bridge and the *Canterbury* Road aforeſaid, or between the ſaid *Canterbury* Road and the reſpective Towns of *Margate* and *Ramſgate*; all and every ſuch Perſon and Perſons producing a Ticket, denoting that the ſaid reſpective Toll has been paid in that Day on ſuch Part of the ſaid Road; which Ticket the ſaid Collector is hereby required to deliver *gratis* on the Payment of ſuch Toll.

Penalties on Collectors taking greater or leſs Tolls than allowed.

XIX. And be it further enacted, That if any Farmer, Renter, or Collector of any of the ſaid Tolls, ſhall demand and take, or cauſe to be demanded and taken, from any Perſon or Perſons, any Tolls not hereby authorized to be taken, or a greater or leſs Toll than ſo authorized, ſuch Farmer or Renter ſhall for every ſuch Offence forfeit any Sum not exceeding Five Pounds; and every ſuch Collector not being the Farmer or Renter, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings; ſuch Forfeitures reſpectively to be recovered in Manner herein-after mentioned.

Collectors of Tolls to be competent Witneſſes.

XX. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls, or any of them, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be diſqualified from giving Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being appointed to collect ſuch Tolls.

Penalty on evading the Tolls.

XXI. And, for preventing the evading of the Payment of the ſaid Tolls, be it further enacted, That if any Perſon or Perſons ſhall give, offer, or diſpoſe of to, or receive from any other Perſon or Perſons any ſuch Ticket as aforeſaid, or ſhall counterfeit or knowingly make uſe of any counterfeited Ticket, in order to avoid Payment of the ſaid Tolls or any Part thereof; or if any Perſon or Perſons owning, renting, or occupying any Lands adjoining to the ſaid Road, near unto any Turnpike to be erected thereon, ſhall permit or ſuffer any Perſon to paſs through or over any Part of his, her, or their ſaid Lands with any Horſe or other Beaſt or Cattle, whereby the Payment of any of the ſaid Tolls, or any Part thereof, ſhall be avoided; or if any Perſon or Perſons ſhall ride or drive any Horſe or other Beaſt or Cattle, through or over any Way or Paſſage (not being a publick Way or Paſſage) or through or over any Lands adjoining to any Part of the ſaid Road, or near to any of the ſaid Turnpikes, or ſhall take off, or cauſe to be taken off, any Horſe or other Beaſt from any Carriage, whereby the Payment of any of the ſaid Tolls, or any Part thereof, is or ſhall be avoided, every ſuch Perſon ſo offending

in any of the Cases aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

General Exemptions.

XXII. And be it further enacted, That no Toll shall be demanded or taken at any Gate or Gates to be erected on the said Road, 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, Stone, Brick, Timber, Wood, Gravel, or other Materials for repairing of the said Road, or any of the Roads in the Townships or Parishes in which any Part of such Road doth lie; or undried Hops, Green Clover for soiling Cattle, Hay, Straw, or Corn in the Straw only, or Wool not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; or for any Horse, Beast, Cattle, or Carriage which shall cross the said Road only, or shall not pass more than One hundred Yards thereon, or 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, any Ploughs, Harrows, or Implements of Husbandry only; or any Mould, Dung, Sullage, Compost or Manures, (except Lime and Chalk) employed in Husbandry for manuring or improving Lands; or 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 any Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on 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 Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Cattle, or Carriages, 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, Beast, Cattle, or Carriage attending any Soldiers upon their March or on Duty, or attending them with their Arms or Baggage; or for any Horse, Beast, Cattle, or Carriage employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Beast, or Cattle 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 *Kent*, or of a Baron or Barons, Citizen or Citizens, Burgess or Burgesses, to serve in Parliament for the said Town and Port of *Sandwich* or any other of the Cinque Ports, or any City or Place in the said County of *Kent*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; nor for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for, and on the Days of Exercise, provided always that such Person is in the Uniform of his Corps, and has his Arms, Furniture, and

Accoutrements according to the Regulations appointed for such Corps, at the Time of claiming the Exemption; and if any Person or Persons shall claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, such Person or Persons shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and in all Cases the Proof of Exemption shall lie upon the Person claiming the same.

Trustees may reduce Tolls at any Public Meeting;

and afterwards advance them again;

provided no Reduction be made without the Consent of Creditors.

XXIII. Provided always, and be it enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby empowered at a Meeting to be holden for that Purpose, of which Meeting One Calendar Month's Notice shall be given in such Newspaper or Newspapers as aforesaid, and shall be affixed on all and every the Turnpike Gates that shall be standing on the said Road, from Time to Time to lessen or reduce all or any of the said Tolls, and also any additional Tolls payable by any Act or Acts of Parliament now in force for Overweight, in such Manner as to them shall seem fit and convenient, for and during such Time as they the said Trustees shall think proper; and afterwards at any Meeting to be holden as aforesaid, from Time to Time, if they shall see Occasion, to advance all or any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the several Rates granted by this Act, or now made payable by any Act or Acts of Parliament now in force and effect with respect to Overweights: Provided nevertheless, that when the whole Money borrowed on the Credit of the said Tolls shall not have been paid and discharged, such Tolls shall not be lessened or reduced without the Consent of the Person or Persons entitled to Five-sixths of the Money remaining due upon the Credit of the said Tolls.

Tolls may be let.

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby empowered, at any Meeting, upon Ten Days Notice being given in such Newspaper or Newspapers as aforesaid, and affixed on all and every the Turnpike Gates that shall be standing on the said Road, to let or farm the said Tolls to be collected by virtue of this Act, or any Part or Parts thereof, to any Person or Persons, at and for the largest yearly Sum that can be reasonably got for the same; provided that the Leases, Contracts, or Agreements of or for the same be in Writing, and be duly executed by the Person or Persons taking or farming such Tolls, and also by the said Trustees; but the same shall not be let for more than Three Years at any one Time, and the Rent which shall be agreed to be paid for the said Tolls shall be made payable, and shall be paid to the Treasurer to the said Trustees, so that one Quarterly Payment of such Rent shall always be in advance, or sufficient Security given for the Payment of such Rent, to the Satisfaction of the said Trustees; or in default thereof, every such Lease, Contract, or Agreement shall be null and void to all Intents and Purposes whatsoever.

Lessees of Tolls may appoint Persons to receive the same

XXV. And be it further enacted, That during such Time as the said Tolls, or any Part or Parts thereof, shall be leased, demised, or in farm to any Person or Persons whomsoever, it shall and may be lawful to and for the Lessee or Lessees, Farmer or Farmers thereof, or such other Persons as he or they shall, by Writing or Writings under his or their Hand

Hand or Hands, authorize or appoint, to demand and take the ſaid Tolls ſo leaſed, demiſed, or farmed, with the like Powers for the Recovery thereof, to all Intents and Purpoſes, as any Collector of the ſaid Tolls, appointed by the ſaid Truſtees, is hereby authorized and empowered to demand, take, and recover the ſame; and ſuch Leſſee or Leſſees, Farmer or Farmers, or other Perſon or Perſons as aforeſaid, ſo demanding and taking the ſaid Tolls, ſhall be ſubject to the like Pains, Penalties, and Forfeitures, and ſhall be liable to the like Actions and Proſecutions, as any Collector of the ſaid Tolls, appointed by the ſaid Truſtees, is ſubject or liable to.

Truſtees may compound.

XXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, from Time to Time, to compound with any Perſon or Perſons for any Period of Time not exceeding one Year; for any Horſes, Beaſts, Cattle, or Carriages paſſing on the ſaid Road or on any Part or Parts thereof, for all or any of the Tolls to be paid in reſpect of ſuch Horſes, Beaſts, Cattle, or Carriages paſſing and repaſſing on the ſaid Road, and all ſuch Compoſition Money ſhall be paid in advance one Quarter or otherwiſe as the ſaid Truſtees ſhall appoint; and in Default thereof, every ſuch Compoſition ſhall be null and void to all Intents and Purpoſes whatſoever.

Truſtees may borrow Money.

XXVII. And for the more ſpeedy raiſing Money for the Purpoſes of this Act, ſo far as the ſame relates to the ſaid Road, be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered, from Time to Time, to borrow and take up at Intereſt ſuch Sum or Sums of Money not exceeding in the Whole the Sum of Nine thouſand Pounds as they ſhall judge neceſſary for the Purpoſes of this Act, ſo far as the ſame relates to the ſaid Road, and by Writing under their Hands and Seals to aſſign over or mortgage the Tolls herein-before granted, or any Part thereof (the Charges of ſuch Aſſignments and Mortgages to be paid out of the ſaid Tolls) for any Term during the Continuance of this Act as a Security for the Repayment of ſuch Sum or Sums of Money, with Intereſt for the ſame, to the Perſon or Perſons who ſhall advance and lend ſuch Money, his, her, or their Executors, Adminiſtrators, and Aſſigns, ſuch Intereſt to be paid and payable by equal Quarterly Payments, at the Dwelling Houſe of the Treaſurer to the ſaid Truſtees for the Time being; all which Mortgages or Aſſignments ſhall be in the Words or to the Effect following.

Form of Mortgage.

'BY virtue of an Act of Parliament, made in the Forty ſeventh Year of the Reign of King *George* the Third, intituled [*ſet forth the Title of this Act*] We whoſe Names are hereunto ſubſcribed and Seals affixed (being Truſtees acting in Execution of the ſaid Act) in Conſideration of the Sum of to the Treaſurer of the ſaid Road in Hand paid by *A. B.* do hereby grant, bargain, ſell, and demiſe unto the ſaid *A. B.* Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Tolls collected at the ſeveral Turnpike Gates erected on the Road to be amended, widened, and repaired, by virtue of the ſaid Act, as the ſaid Sum of doth or ſhall bear to the whole Sum advanced or to be advanced, and due and owing on the Credit of the ſaid Tolls: To be had and holden from this Day of in the Year of our Lord

' for and during the Continuance of
' the ſaid Act, unleſs the ſaid Sum of with Intereſt after the
' Rate of *per Centum per Annum*, ſhall be ſooner
' repaid and ſatisfied. Given under our Hands and Seals, this
' Day of in the Year of our Lord

Copies of the Mortgages to be entered.

And Copies of all ſuch Mortgages or Aſſignments ſhall be entered in a Book or Books, to be kept for that Purpoſe, by the Clerk or Clerks to the ſaid Truſtees; and ſuch Book or Books ſhall and may, at all ſeaſonable Times, be peruſed and inſpected without Fee or Reward; and all Mortgages or Aſſignments which ſhall be made in the Manner and Form aforeſaid, ſhall be good, valid, and effectual to all Intents and Purpoſes whatſoever; and all Perſons to whom any ſuch Mortgages or Aſſignments ſhall be made as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, may from Time to Time aſſign and transfer the ſame Security or Securities, and all Benefit and Advantage thereof, and all their Right, Title, and Intereſt to the Principal and Intereſt Money thereby ſecured, or any Part thereof, to any Perſon or Perſons whomſoever, by Writing under their Hands and Seals, in the Words or to the Effect following:

Transfer of Mortgages.

Form of Aſſignment of Mortgage.

' I *A. B.* being entitled to the Sum of ſecured to
' Executors, Adminiſtrators and Aſſigns, by virtue
' of a Mortgage or Aſſignment, bearing Date the Day of
' under the Hands and Seals of of the
' Truſtees acting in Execution of an Act of Parliament, made in the Forty
' ſeventh Year of the Reign of King *George* the Third, intituled, [*ſet forth*
' *the Title of this Act*] upon the Credit of the ſaid Act, Do hereby tranſ-
' fer all my Right and Title in and to the ſame, and all the Principal
' and Intereſt Money now due and owing thereon, unto *C. D.* of
' Executors, Adminiſtrators, and Aſſigns. Dated this
' Day of in the Year of our Lord

' Witneſs *E. F.*'

Notice of Transfer to be given to the Clerk.

And every ſuch Transfer ſhall be produced and notified to the Clerk to the ſaid Truſtees, within Three Calendar Months next after the Date thereof, who ſhall cauſe an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sum of Money therein mentioned to be transferred, in the ſaid Book or Books to be kept for entering the ſaid original Mortgages or Aſſignments, and for which Entry the Clerk or Clerks who ſhall enter the ſame ſhall be paid One Shilling and no more; and after ſuch Entry made, every ſuch Transfer ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon; and after ſuch Entry or Memorial made thereof as aforeſaid, it ſhall not be in the Power of any Perſon or Perſons making ſuch Transfer, to make void, releaſe, or diſcharge the ſame, or the Monies thereby due, or any Part thereof; and all Perſons to whom ſuch Mortgages, Aſſignments, or Transfers ſhall be made as aforeſaid, ſhall be, in proportion to the Sums therein reſpectively mentioned, Creditors on ſuch Tolls, Turnpikes, and Toll Houſes, in equal Degree one with another, and ſhall have no Preference in reſpect of the Priority of advancing any ſuch Monies, or of the Dates of ſuch Mortgages or Aſſignments; and ſuch Aſſignees may, in like manner, again aſſign or transfer the ſame, and ſo *toties quoties*, cauſing ſuch Aſſignments, and

every

every of them, to be entered or inrolled by the Clerk in Manner aforesaid.

Notice to be given previously to borrowing Money.

XXVIII. Provided nevertheless, That before any Sum or Sums of Money shall be taken up or borrowed Twenty-one Days Notice at the least shall be given, in such Newspaper or Newspapers as aforesaid, signifying the Intention of borrowing such Money.

Trustees may contract for the Purchase of Lands to be taken into the Road, and may turn or alter the Course of any Part of the Road.

XXIX. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby fully empowered, from Time to Time, as they shall think proper, to divert, widen, turn, shorten, vary, or alter the Course or Path of any Part or Parts of the Road to be amended, widened, and repaired by this Act, and that any Variation of Road may be made of any Width not exceeding Sixty Feet, through any Common or Waste Ground, without making any Satisfaction for the same, and through any private or inclosed Lands, Grounds, or Hereditaments, first making Satisfaction to the Owners thereof and Persons interested therein for the Damage they may sustain thereby, and for that Purpose it shall and may be lawful to and for the said Trustees, or for their Clerk or Clerks, or any other Person or Persons by them duly authorized and deputed for that Purpose, by Order of a Meeting of the said Trustees, to treat, contract, and agree with the Owners of and Persons interested in any Lands, Tenements, or Hereditaments, for the Purchase thereof, or for the Loss or Damage such Owners or Persons interested may sustain by the making, widening, diverting, turning, or altering the Course or Path of any Part or Parts of the said Road through such Lands, Grounds, and Hereditaments; and the said Lands, Grounds, and Hereditaments so purchased, or any Part thereof, shall and may, by Order and Direction of the said Trustees, be laid into and made Part of the said Road, in such Manner as the said Trustees shall think convenient, and shall by such Person or Persons as they shall order and appoint be sufficiently drained, ditched, and fenced out for that Purpose; and after the said Lands or Grounds shall be so drained, ditched, and fenced out, the same shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be a Public and Common Highway, and to be Part of the Road to be amended, widened, and kept in Repair by virtue of this Act, and shall be repaired and kept in Repair by such Ways and Means, and in such Manner, as the old Road was and ought to have been kept in Repair; and after any such Lands shall be made Part of the said Road as aforesaid, the Lands and Grounds comprized in or constituting the former Road, in lieu whereof such Lands or Grounds shall be purchased as aforesaid, shall be sold by the said Trustees to such Person or Persons as shall be willing to become a Purchaser or Purchasers thereof, for the best Price that can be reasonably had or gotten for the same; and the Conveyance thereof being executed by the said Trustees, and inrolled with the Clerk of the Peace for the said County of *Kent*, shall be good and effectual to all Intents and Purposes.

Corporations, &c. empowered to treat.

XXX. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Guardians, Committees of Idiots and Lunatics, and Husbands and all other Trustees whomsoever, for and on Behalf of any Infants,

Femes Covert, or Ceſtuique Truſts, Idiots, Lunatics, or other Perſons under any Diſability of acting for themſelves, and for all and every Perſon or Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees for the abſolute Sale thereof, or of any Part thereof, or for their Intereſt therein, and to convey the ſame to the ſaid Truſtees for the Purpoſe aforeſaid; and that all Contracts, Agreements, Sales, and Conveyances which ſhall be ſo made, ſhall be valid and effectual to all Intents and Purpoſes, any Law, Uſage, or other Matter or Thing to the contrary thereof in anywiſe notwithſtanding; and that all ſuch Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, Huſbands, and Truſtees, Bodies Politic, Corporate, or Collegiate, Coporations Aggregate or Sole, and other Perſons, are and ſhall be indemnified for what they do by virtue or in purſuance of this Act.

In caſe of Perſons not agreeing for the Sale of ſuch Lands a Jury to ſettle Recompence.

XXXI. And be it further enacted, That if any Owner, Proprietor, Occupier of, or other Perſon or Perſons intereſted in any Lands, Tenements, or Hereditaments, which the ſaid Truſtees ſhall judge neceſſary or proper to be purchaſed, taken, or uſed for the Purpoſes of this Act, ſo far as the ſame relates to the ſaid Road, or any ſuch Body Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenant for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Feoffee, Guardian, Huſband, Committee, or other Truſtee, upon Notice to him, her, or them, given or left in Writing at the Dwelling Houſe or Place of Abode of ſuch Perſon or Perſons, or of the Clerk or Head Officer of any ſuch Body Politick, Corporate, or Collegiate, or at the Houſe of the Tenant in Poſſeſſion of the Premiſes, ſhall, by the Space of Twenty Days next after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by reaſon of Abſence or otherwiſe ſhall be prevented from treating, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees to cauſe it to be enquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *Kent* (which Oaths the ſaid Truſtees, or any Two or more of them, are hereby empowered to adminiſter) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owner, Proprietor, Occupier, or other Perſon or Perſons intereſted, for or upon Account of the taking or uſing of ſuch Lands, Tenements, or Hereditaments, for the Purpoſes of this Act, ſo far as the ſame relates to the ſaid Road; and in order thereto, the ſaid Truſtees are hereby empowered and required, from Time to Time to ſummon and call before them all and every Perſon or Perſons who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, and ſhall examine ſuch Witneſs or Witneſſes before the ſaid Jury upon Oath (which Oath the ſaid Truſtees, or any Two or more of them, are hereby empowered and required to adminiſter); and the ſaid Truſtees ſhall order and cauſe the ſaid Jury to view the Place in queſtion, and uſe all other lawful Ways and Means, as well for their own as for the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have ſo aſcertained and ſettled ſuch Damages and Recompence, they the ſaid Truſtees ſhall thereupon order, adjudge, and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury, to be paid to the Owners, Proprietors, or Occupiers of the ſaid Lands, Grounds,

Grounds, or Hereditaments, or other Persons interested therein, according to the Verdict, or Inquisition of the said Jury; which said Verdict, or Inquisition and Judgement, Order, or Determination so had and made, shall be final, binding, and conclusive to all Intents and Purposes whatsoever, against all Parties and Persons claiming in Possession, Reversion Remainder, or otherwise; and all and every such Owners, Proprietors, Occupiers, and Persons anywise interested in such Lands, Grounds, or Hereditaments, shall thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest or Property, of, into, or out of the same; and upon Payment of the Money so assessed, to the respective Persons entitled thereto or their Agents, or upon paying the same into the Bank of *England*, in Manner by this Act directed, it shall and may be lawful to and for the said Trustees to cause the Premises, in respect whereof such Money shall be assessed, to be disposed of, and such Acts to done thereto, as if the Purchase thereof had been agreed upon and completed, and the said respective Premises were untenanted, and the Purchase or Consideration Money received by the Person or Persons entitled thereto; and for summoning and returning any such Jury, the said Trustees are hereby empowered to issue out their Warrant or Warrants, signed by any Five or more of them, to the Sheriff of the said County of *Kent*, thereby commanding and requiring such Sheriff to impannel, summon, and return an indifferent Jury of Twenty-four Persons, to appear before the said Trustees at such Time and Place as in such Warrant shall be appointed; and such Sheriff or his Deputy is and are hereby required thereupon to impannel, summon, and return such Twenty-four Persons accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear according to or upon such Summons, the said Trustees shall swear or cause to be sworn Twelve Persons, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff or his Deputy shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured or summoned to attend that Service, to the Number of Twelve. Verdict of the Jury to be final.

XXXII. Provided always, That all Persons concerned shall have their lawful Challenges against any of the Jurymen to be summoned in pursuance of this Act, in such and the like Manner as any Party in any Action depending in any of His Majesty's Courts of Record at *Westminster*, is or shall be by Law entitled to. Jury may be challenged.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby empowered, to impose any reasonable Fine or Fines on such Sheriff or his Deputy who shall make Default in the Premises; and also on any of the Persons who shall be summoned and returned to serve on such Jury, and shall not appear, or after having appeared shall refuse to be sworn on the said Jury, or having been sworn shall refuse to give or shall not give his or their Verdict on the Matter in question, or shall in any other Manner wilfully neglect his or their Duty therein; and on any of the Persons who being required to give Evidence before the said Jury touching the Premises, refusing to be sworn or to be examined, or give Evidence touching the same; but no such Fine shall exceed the Sum of Five Pounds upon any one Person for one Offence. Sheriff, &c. may be fined for Neglect of Duty.

XXXIV. And

Owner of the Land uſed in altering the Road to have the firſt Offer of the old Road.

XXXIV. Provided always, and be it enacted, That wherever the Courſe of any Part of the ſaid Road ſhall be altered by this Act, and a new Road opened and made in and upon the adjoining Land, the Offer of the Purchaſe of ſuch old Road ſhall be firſt made to the Owner of ſuch adjoining Land as ſhall be cut and uſed for the Purpoſe of making ſuch new Road; and in caſe ſuch Owner ſhall be deſirous of becoming the Purchaſer of ſuch old Road, and cannot agree with the ſaid Truſtees for the Price to be paid for the Purchaſe of the ſame, and ſuch Owner ſhall ſtill be deſirous of becoming the Purchaſer thereof, then the Value thereof ſhall be ſettled and aſcertained by a Jury, in ſuch Manner as the Price for any Land to be taken in purſuance of this Act is directed to be ſettled and aſcertained in and by this Act, and ſuch Owner ſhall be deemed the Purchaſer thereof at the Sum to be aſcertained by a Jury to be the Value thereof; and in caſe ſuch Owner ſhall refuſe to pay ſuch Money, upon Demand made thereof by the Treaſurer or Clerk to the ſaid Truſtees, and Tender of the Conveyance of ſuch old Road, the ſame ſhall and may be recovered by the ſaid Truſtees by Action of Debt in any of His Majeſty's Courts of Record; and in caſe any ſuch Owner ſhall not agree or ſhall refuſe to purchaſe any ſuch old Road, it ſhall and may be lawful to and for any Perſon or Perſons, not intereſted in the Premiſes, to make an Affidavit, to be ſworn before a Maſter Extraordinary of the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for the County, City, or Place where ſuch old Road ſhall lie, ſtating that ſuch Offer has been made by or on Behalf of the ſaid Truſtees, and that ſuch Owner has not agreed or has refuſed to purchaſe ſuch old Road, as the Caſe may be; and ſuch Affidavit ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and not agreed to, or refuſed by ſuch Owner: Provided nevertheleſs, that if ſuch Owner ſhall be willing and conſent to take ſuch old Road in Exchange for ſuch new Road, it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby required to aſſure the ſame to ſuch Perſon, by entering the ſame in their Books, and delivering to him a Copy thereof, ſigned by any Five or more of the ſaid Truſtees, which Copy ſhall be a good and valid Title to the ſame, and be available in any Suit at Law or Equity.

By whom the Expences of the Jury to be paid.

XXXV. And be it further enacted, That in caſe any ſuch Jury ſhall give in and deliver a Verdict or Aſſeſſment for more Money than ſhall, by or on Behalf of the ſaid Truſtees, have been offered before the ſummoning and returning ſuch Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property or Damage as aforeſaid, or for leſs Money than ſhall have been offered to be accepted or taken by or on Behalf of the ſaid Truſtees, as the Purchaſe Money for any ſuch old Road as aforeſaid, then and in every ſuch Caſe the Coſts and Charges of ſummoning and maintaining the Jury and Witneſſes ſhall be borne and paid by the ſaid Truſtees out of the Money received by them by virtue of this Act; but if any ſuch Jury ſhall give and deliver a Verdict or Aſſeſſment for no more or for leſs Money than ſhall, by or on Behalf or the ſaid Truſtees, have been offered before the ſummoning and returning ſuch Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, or Damage as aforeſaid, or for the ſame or any more Money than ſhall have been offered to be accepted or taken as the Purchaſe Money for any ſuch old Road as aforeſaid, then and in every ſuch Caſe the Coſts and Charges of ſummoning and maintaining the ſaid Jury and Witneſſes ſhall be borne and paid by the

Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute, which ſaid Coſts and Expences ſhall be aſcertained and ſettled by ſome Juſtice of the Peace, not intereſted in the Matter in queſtion, and within whoſe Juriſdiction ſuch Controverſy or Diſpute ſhall ariſe (who is hereby authorized and required to examine and ſettle the ſame) and ſuch Coſts and Expences ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons, and the Payment or Tender of the Remainder of ſuch Monies ſhall be deemed and taken, to all Intents and Purpoſes, to be a Payment and Tender of the whole Sum or Sums ſo aſſeſſed and adjudged; or otherwiſe ſuch Coſts and Expences, in caſe the ſame be not paid on Demand, after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the Clerk to the ſaid Truſtees, by ſuch Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures: Provided always, that in all Caſes where any Perſon or Perſons ſhall, by reaſon of Abſence, have been prevented from treating with the ſaid Truſtees, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees in Manner aforeſaid.

Perſons abſent, Truſtees charged with the Expences

XXXVI. Provided always and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to enable the ſaid Truſtees to take, uſe, injure, or damage any Dwelling Houſe or other Building, or any Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a Houſe, without the Conſent of the Owners or Proprietors thereof, ſave and except a Bullock Yard, Lodge, and Buildings in the Pariſh of *Stonar*, belonging to and in the Occupation of *George John Piercy Leith*; an Orchard and Garden at *Cliffs End*, in the Pariſh of *Saint Lawrence*, in the *Iſle of Thanet*, belonging to and in the Occupation of *Matthew Terry*; a Cottage at *Cliffs End* aforeſaid, belonging to *John Cooper*, in the Occupation of *James Petley*; the Frontſteads and Gardens of Two Cottages at *Cliffs End* aforeſaid, belonging to *James Petley*, in the Occupations of *William Epps* and *John Pantry*.

Houſes, &c. not to be injured.

XXXVII. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed taken or uſed by virtue of this Act, which ſhall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Ceſtuique Truſt, or to any Perſon whoſe Lands, Tenements, or Hereditaments, are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity, whatſoever 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 there *ex parte* the Truſtees for executing this Act, or any Five or more of them, 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 or Redemption of the Land Tax, or the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting

Application of Compenſation Money when exceeding 200*l.*

ing the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other 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 and Settlement ſhall be exiſting undetermined or capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities, ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

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

XXXVIII. Provided always, and be it 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 ſuch Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account 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 the ſaid Truſtees for executing this Act, or any Five or more of them (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 Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20l.

XXXIX. Provided alſo, and be it enacted, That where ſuch Money ſo agreed or awarded to be paid as next beforementioned, 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

tled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, as aforeſaid, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles.;

XL. 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 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 any Five or more of them; 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 for the ſaid Truſtees or any Five or more of them, to order the ſaid Sum or Sums ſo awarded 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 Hereditaments, (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery, which ſaid Court on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Publick Funds, and to order Diſtribution thereof or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received to ſuch Perſon or Perſons as ſhall pay any Sum or Sums of Money into the Bank as aforeſaid.

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

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

Where any Queſtion ſhall ariſe touching the Title to Money, to be paid, the Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto according to ſuch Poſſeſſion.

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

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

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

XLII. Provided alſo, and be it further enacted, That where, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the 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 Five or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

For getting Materials to repair the Road.

XLIII. And be it further enacted, That it ſhall and may be lawful to and for the Surveyor or Surveyors of the ſaid Road, and to and for all ſuch Perſons as he or they reſpectively ſhall appoint, to ſearch for, cut, dig, get, gather, and take away any Furze, Heath, Stones, Gravel, Sand, or other Materials, for making or repairing the ſaid Road, out of or from any Common or Waſte Ground, River, Brook, or Pit, in any Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place, in which any Part of the Road hereby directed to be made, amended, and repaired, ſhall lie, or in any neighbouring Pariſh, Townſhip, Hamlet, Diviſion, Diſtrict, or Place, without paying any Thing for the ſame, the ſaid Surveyor or Surveyors, or other Perſon or Perſons, acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and alſo that ſuch Surveyor or Surveyors, or other Perſons as aforeſaid, may by Order of the ſaid Truſtees (ſuch Order to be made at ſome Meeting of the Truſtees, to be holden in purſuance of this Act, and a Copy thereof to be given to ſuch Surveyor or Surveyors, atteſted and ſigned by the Clerk or Clerks to the ſaid Truſtees) ſearch for, cut, dig, gather, and take away any ſuch Materials as aforeſaid, in, off, from, and out of the private Lands, Fields, or Grounds of any Perſon or Perſons where the ſame may be had or found (ſuch Lands, Fields, or Grounds, not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees) making or tendering ſuch Satisfaction for the Damages done thereby to the Owners and Occupiers of ſuch Grounds, where and from whence the ſame ſhall be cut, dug, gotten, gathered, and carried away, or over which the ſame or any other Materials for making and repairing the ſaid Road ſhall be carried, according to their reſpective Rights and Intereſts in ſuch Ground, as the ſaid Truſtees ſhall adjudge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſons employed as aforeſaid, and the ſaid Owners or Occupiers, or any of

of them, concerning such Damages, it shall and may be lawful to and for any Two or more Justices of the Peace of the County, City, or Place, where such Materials shall be so cut, dug, gotten, gathered, taken, and carried away, on Ten Days Notice thereof in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine the Matters of such Payment and Damages; and the Judgement or Order of the said Justices shall be final and conclusive to all Parties.

Notice to be given to the Occupiers of Lands before Materials are to be taken for repairing Roads.

XLIV. Provided nevertheless, and be it enacted, That it shall not be lawful for any Surveyor or Surveyors, or other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away any Materials for repairing such Road, out of or from any inclosed Lands or Grounds, until Notice in Writing, signed by the Surveyor or Surveyors shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before the said Trustees, or Two or more Justices of the Peace acting for the County, City, or Place where such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, then and in such Case the said Trustees or such Justices shall and may authorize such Surveyor or Surveyors, or other Person or Persons, to dig, get, gather, and carry away such Materials, at such Time or Times as to the said Trustees or such Justices shall seem proper; and if such Occupier shall neglect or refuse to appear, by himself or his Agent, the said Trustees or such Justices shall and may make such Order therein as they respectively shall think fit, as fully and effectually, to all Intents and Purposes, as if such Occupier or his Agent had attended.

Penalty on taking away Materials, &c got by Order of the Surveyor.

XLV. And be it further enacted, That if any Person or Persons whosoever, shall take away any Gravel or Materials which shall have been dug or gathered by or by the Order of the said Surveyor, or Surveyors in any Lands, Fields, Waste, or Grounds, River, or Brook, for the Purpose of amending the said Road, or any Part or Parts thereof, or shall get or take away any Gravel or Materials out of any Pit or Quarry, which shall have been made for the Purpose of getting such Materials for amending the said Road, or any Part or Parts thereof, before the said Surveyor or Surveyors, or his or their Workmen, shall have discontinued working therein for the Space of Six Weeks (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein for his own private Use only, and not for Sale) every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Surveyors to make Drains, &c.

XLVI. And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors, and to and for any Person or Persons whom he or they shall appoint, by Order of the said Trustees, to cut and make any Drains or Ditches through or into any Lands or Grounds adjoining or lying contiguous to any Part of the said Road, in such Manner as such Surveyor or Surveyors shall deem and judge necessary and proper for amending or keeping in Repair any Part of the said Road; and also to make a Way or Ways through the Lands and Grounds adjoining to any narrow or ruinous Part or Parts of the said Road (not being a Garden, Orchard,

Orchard, Park, Yard, Paddock, planted Walk or Avenue to any Houſe) to be made uſe of as a publick Highway whilſt the narrow or ruinous Parts of the ſaid Road are widening or repairing, and until the ſame ſhall be convenient and ſafe for the Paſſage of Travellers and Carriages, making ſuch reaſonable Satisfaction to the Owners and Occupiers of ſuch Lands reſpectively, through and into which any ſuch Drain ſhall be cut, or on or over which any ſuch temporary Road ſhall be made, for the Damages which ſuch Owners or Occupiers reſpectively ſhall or may thereby ſuſtain, as ſhall be adjudged reaſonable by the ſaid Truſtees; and in caſe any Difference ſhall happen between ſuch Owners or Occupiers and ſuch Truſtees touching ſuch Damage, then and in ſuch Caſe the Juſtices of the Peace, at the Firſt General or Quarter Seſſions of the Peace, to be holden for the Eaſtern Diviſion of the ſaid County of *Kent*, next after the Expiration of Twenty Days from the Time of doing ſuch Damage, ſhall and are hereby authorized and required to hear, ſettle, and determine the ſame; and their Determination therein ſhall be final and concluſive.

making reaſonable Satisfaction.

In caſe of any Difference, Juſtices of the Peace in Seſſions to determine the ſame.

XLVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors, and ſuch Perſon or Perſons as he or they ſhall appoint (by Direction and under the Hands of any Five or more of the ſaid Truſtees) from Time to Time to remove and prevent all Annoyances on any Part or Parts of the ſaid Road, by Rails, Steps, Sign Poſts, or other Poſts, or otherwiſe, and to turn or ſtop any Watercourſes, Sinks, or Drains running into, along, or out of any Part of the ſaid Road to the Prejudice thereof, and to make the ſame as large and deep as he or they ſhall think proper, and to cleanſe any Ditch or Watercourſe next adjoining to any Part of the ſaid Road, and to cut down, lop, or top any Trees or Buſhes growing in any Part of the ſaid Road, or in the Hedges or Banks adjacent thereto, in caſe the Perſon or Perſons occaſioning ſuch Annoyance, or who ought to remove the ſame, or to cleanſe ſuch Ditch or Watercourſe, or to cut down, lop, or top ſuch Trees or Buſhes, ſhall refuſe or neglect ſo to do for the Space of Ten Days next after Notice in Writing given for that Purpoſe, ſigned by any Five or more of the ſaid Truſtees, or by their Surveyor or Surveyors, the Charges whereof ſhall be reimburſed to the ſaid Surveyor or Surveyors by the Perſon or Perſons refuſing or neglecting as aforeſaid; and in caſe any ſuch Perſon ſhall not upon Demand pay and reimburſe to ſuch Surveyor or Surveyors ſuch Charges as aforeſaid, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, in like Manner as is herein authorized or directed for the Recovery of any other Penalty inflicted by this Act; and if after the Removal of any of the ſaid Annoyances any Perſon ſhall again offend in the like Manner, every ſuch Perſon ſhall for every ſuch Offence, over and above ſuch Charges as aforeſaid, forfeit and pay any Sum not exceeding Five Pounds, one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Surveyors may remove Annoyances.

XLVIII. And be it further enacted, That the ſaid Truſtees ſhall and may cauſe the ſaid Road to be meaſured, and Mileſtones to be ſet up at or near the Sides thereof, at the Diſtance of One Mile from each other, with Inſcriptions thereon, denoting the Number of Miles and Diſtance of Places as the ſaid Truſtees ſhall think fit, and alſo cauſe to be erected Guide Poſts upon ſuch Parts of the ſaid Road where the ſame is croſſed or joined by other Roads, as they ſhall judge proper; and if any Perſon or Perſons ſhall wilfully break, throw down, injure, deſtroy, obliterate, or deface any Table

Road to be meaſured, and Mileſtones and Guide Poſts to be erected.

Penalty on damaging Mileſtones, etc.

of Tolls, Mileſtone, or Poſt erected on any Parts of the ſaid Road, or any of the Letters, Figures, or Marks inſcribed thereon, or ſhall wilfully break, throw down, or injure any Stone or Stones, or Parapet Wall or Walls, on the Side or Sides of any Bridge or Bridges, Arch or Arches, on any Part or Parts of the ſaid Road, every ſuch Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Five Pounds for each Table of Tolls, Stone, Poſt, Parapet Wall, and Arch ſo broken, thrown down, injured, or deſtroyed, or on which any Letters, Figures, or Marks ſhall be ſo obliterated or defaced, one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act;

Penalty for riding on Footpaths, etc.

XLIX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or negligently injure, deſtroy, break down, or otherwiſe damage, or ſhall ride on, or drive or lead any Horſe, Beaſt, Cattle, or Carriage over or upon any Footpath or Cauſeway made or to be made on the Side or Sides of any Parts of the ſaid Road; or if any Driver of any Waggon or other Carriage, ſhall wilfully or careleſsly break or damage any of the Poſts or Stones which may be erected for the Security of the ſaid Footpaths or Cauſeways; or if any Perſon or Perſons ſhall plough over, or drag any Plough upon any Part of the ſaid Road, or in ploughing ſhall turn any Horſe or other Beaſt drawing any Plough upon any Part of the ſaid Road, to the Prejudice thereof; or if any Perſon or Perſons ſhall ſcrape off any Mud, Soil, or other Matter or Thing, which ſhall be or lie upon any Part of the ſaid Road, with any Inſtrument, ſo as to damage the ſaid Road or any Part thereof; or if any Perſon ſhall hale or draw, or cauſe to be haled or drawn, upon any Part of the ſaid Road, any Tree or Piece of Timber, or any Stone (otherwiſe than upon wheeled Carriages) or ſhall ſuffer any Part of any Tree or Piece of Timber, or Stone, which ſhall be carried upon a wheeled Carriage, to drag upon any Part of the ſaid Road to the Prejudice thereof; or if any Perſon driving any Pigs or Swine upon the ſaid Road, ſhall ſuffer the ſame to root up or damage the ſaid Road or any Part thereof, or the Fences, Hedges, Bankings, or Copſe on either Side thereof; or if any Perſon or Perſons ſhall leave or ſuffer any Cattle, Sheep, or Beaſt, to be and remain looſe on the ſaid Road; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage upon the ſaid Road, and meeting another Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage on the left or near Side of the ſaid Road; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him, her, or them upon the ſaid Road, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his, her, or their Care; or if any Perſon ſhall make or aſſiſt in making any Fire or Fires whatſoever, or ſhall ſet Fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatſoever, on any Part or Parts of the ſaid Road; or if any Perſon or Perſons ſhall leave any Waggon, Wain, Cart, or other Carriage, or any Plough, Harrow, or other Implement of Huſbandry (without ſome reaſonable Cauſe, to be allowed by the Juſtice of the Peace before whom the Perſon ſo offending ſhall be ſummoned or conveyed, in order to his or her Conviction, and ſave and except with regard to ſuch Waggon, Wain, Cart, or other Carriage, during ſuch reaſonable Time as the ſame ſhall be loading or unloading, and ſtanding as near to the Side of the ſaid Road as conveniently may be) in, upon, or on the Side of the ſaid Road, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto; or if any Perſon ſhall lay any Piece of Timber, or any Stones, Brick, Hay, Straw, Lime,

Lime, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance, Inconvenience, or Prejudice of any Perſon or Perſons travelling thereon, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on obſtructing the Execution of this Act.

L. And be it further enacted, That if any Perſon or Perſons ſhall aſſault, interrupt, or hinder, or cauſe to be aſſaulted, interrupted, or hindered, any Collector of the Tolls, or any Surveyor or Surveyors, or any other Perſon or Perſons by them or any of them, or by the ſaid Truſtees employed in the Execution of this Act, ſo far as the ſame relates to the ſaid Road, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Perſons liable to repair the Roads to continue ſo.

LI. And be it further enacted, That all and every Perſon and Perſons, Towns, Pariſhes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick, Corporate, and Collegiate, who before the making of this Act, hath or have uſed, or of right ought, by reaſon of the Tenure of any Lands, Tenements, or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the ſaid Road, or any Bridge, Drain, or Watercourſe in or upon the ſame, ſhall, notwithſtanding this Act, be ſubject and liable to ſuch Repairs, in the ſame Manner as they and every of them have or hath heretofore uſually been, or would have been, in caſe this Act had not been made.

Perſons chargeable to Statute Work to continue ſo.

Juſtices to determine Differences touching Statute Work.

LII. Provided always, and be it enacted, That all Perſons who by Law are liable to do Statute Work, or chargeable towards repairing and amending the Road hereby directed to be made, widened, and repaired, 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 *Kent*, and they are hereby required and empowered, 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 Road, by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road doth lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or their Treaſurer or Treaſurers; 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 Ten 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 ſo paid, which Liſts of Names ſhall be made in Manner, and under ſuch Regulations and Reſtrictions as is or may be directed by any Law or Statute in force and effect for the Repairs of the publick Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons, who ſhall

appear

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 Road, as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt) and in ſuch Parts of the ſaid Road 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 this Act 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 of 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 or Surveyors to the ſaid Truſtees, ſuch Surveyor or Surveyors is and are 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 ſending ſuch Labourer, Team, or Draught, ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if ſuch Team or Draught had not been ſent to work on any Parts of the ſaid Road, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; 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 or Surveyors ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Truſtees may compound for Statute Work.

LIII. 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 Repairs or Statute Work to be by them done on the ſaid Road, 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 Road ſhall lie and be 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 any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Road, 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 or Treaſurers of the ſaid Truſtees in advance, on or be-

fore the Tenth Day of *May* 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.

Power to compel Payment of Subscriptions.

LIV. And be it further enacted, That all Persons who have subscribed to pay any Money towards making and repairing the said Road, shall, and he, she, and they is and are hereby required to pay his, her, and their Subscription Money to the Treasurer to the said Trustees, at such Time or Times as shall be appointed by the said Trustees; and if any such Subscriber shall neglect or refuse to pay such Money as aforesaid, it shall and may be lawful to and for the said Trustees to sue for and recover the same, by Action at Law, in any of His Majesty's Courts of Record at *Westminster*.

Power to Collectors to detain unknown Persons guilty of Offences.

LV. And whereas Persons guilty of Offences against this Act may be transient Persons, unknown to the Collectors, Surveyors, or other Officers under this Act, be it therefore enacted, That it shall and may be lawful to and for any of the said Collectors, Surveyors, or other Officers respectively, to seize and detain any such unknown Person or Persons guilty of any Offence against this Act, and to convey him, her, or them, before One or more Justice or Justices of the Peace for the County, City, or Place where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing.

Application of Money.

LVI. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall, in the first Place, be paid and defrayed out of any Sum or Sums of Money subscribed for the Purposes of this Act or out of the Tolls collected on the said Road by virtue of this Act, or out of the first Money borrowed on the Credit thereof by the said Trustees, or out of any other Monies which shall come to the Hands of the said Trustees or their Treasurer, by virtue or for the Purposes of this Act; and the Remainder of the Money so raised shall from Time to Time be applied in repaying the Monies borrowed by virtue of this Act, and the Interest thereof, and in carrying this Act, so far as the same relates to the said Road, into Execution: Provided nevertheless, that the Interest of the Monies borrowed upon the Credit of this Act, shall in the first Place from Time to Time, be duly and regularly paid, as the same shall become due and payable, out of the Tolls collected on the said Road by virtue of this Act, before such Tolls shall be applicable to any other Purpose whatever.

Actions to be brought in the Name of the Treasurer or Clerk, or of Trustees;

LVII. And be it further enacted, That whenever any Action shall be brought by the Order of the said Trustees, against any Person or Persons by virtue or in pursuance of this Act, the same may be brought in the Name or Names of their Treasurer or Clerk, or in the Name of any one of the said Trustees, on Behalf of the said Trustees, and no such Action shall abate or be discontinued by the Death or Removal of the Person in whose Name the same shall be brought, nor by the Act of such Person or Persons, without the Consent of the said Trustees, or any Five or more of them, at a Meeting held in pursuance of this Act; but no such Treasurer, Clerk, or Trustee, or any or either of them, shall be subject to the Payment of any Costs or Expences on account thereof,

who are not to be liable to the Payment of Costs.

thereof, but all such Costs and Expences shall be defrayed out of the Money arising by virtue of this Act, collected or received by the said Trustees.

Recovery and Application of Penalties.

LVIII. And be it further enacted, That all Penalties and Forfeitures by virtue of this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender by Warrant under the Hand and Seal of any Justice of the Peace for the County, Town, or Place where the Offence shall be committed (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath, which Oath such Justice is hereby empowered to administer); and the Overplus (if any) of the Money arising by such Distress and Sale, shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures when recovered (if not herein before directed to be otherwise applied) shall be paid to the Treasurer to the said Trustees, to be applied towards the Purposes of this Act, so far as such Purposes relate to the said Road; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender to be committed to the Common Gaol or House of Correction of such County, Town, or Place where the Offence shall have been committed, there to remain, without Bail or Mainprize, for any Time not exceeding Six Calendar Months nor less than One Calendar Month, unless such Penalties and Forfeitures shall be sooner fully paid and satisfied.

Form of Conviction.

LIX. And be it further enacted, That for the more speedy Conviction of all Offenders against this Act, as far as the same relates to the said Road, all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, so far as the same relates to the said Road, shall and may cause the Conviction to be drawn up in the Form or to the Effect following:

Appeal.

'} BE it remembered, That on the Day of
'to wit. in the Year of our Lord
'and in the Year of the Reign of His Majesty
'*A. B.* is convicted before me [*or*, us]
'of His Majesty's Justices of the Peace for the
'by virtue of an Act of Parliament, made and passed in the Forty-seventh
'Year of the Reign of His Majesty King *George* the Third, intituled
'[*here set forth the Title of this Act, and specify the Offence, and the Time*
'*and Place when and where the same was committed.*] Given under my [*or*
'our] Hand and Seal, the Day and Year first above written.'

LX. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, so far as the same relates to the said Road, such Person or Persons may appeal to the Justices of the Peace at the First General or Quarter Sessions of the Peace, to be holden for the County or Place within which the Matter of Appeal shall arise, next after the Expiration

ration of One Calendar Month from the Time such Matter of Appeal shall have arisen, the Person or Persons appealing having first given Ten Days Notice at least, of his, her, or their Intention to bring such Appeal and of the Matter thereof, to the Treasurer or Clerk to the said Trustees and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties conditioned to try such Appeal and abide the Order thereof, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices in such Sessions, upon due Proof of such Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of such Appeal in a summary Way, and to make such Determination therein, and to award such Costs to either of the Parties, or otherwise as they shall judge proper; and the said Justices may, if they see Cause, mitigate any Fine Penalty, or Forfeiture, and may also order such further Satisfaction to be made to the Party injured, as they shall judge reasonable; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Distress not to be unlawful for want of Form.

LXI. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, so far as the same relates to the said Road, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Proceedings not to be quashed for want of Form

LXII. And be it further enacted, That no Order, Verdict, Assessment, Judgement, or other Proceedings made touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, so far as the same relates to the said Road, shall be quashed or vacated for want of Form only, or be removed or removable by *Certiorari*, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiff not to recover after Tender of Amends.

LXIII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any Thing done in pursuance of this Act, so far as the same relates to the said Road, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends hath been made to him, her, or them, or to his, her, or their Attorney, by or on Behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it

shall

ſhall and may be lawful to and for the Defendant or Defendants in any ſuch Action, by Leave of the Court, after ſuch Action ſhall have been brought, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he, ſhe, or they ſhall think fit, whereupon ſuch Proceedings, Order, and Judgement, ſhall be made and given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LXIV. Provided always, and be it enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, after Six Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be brought and tried in the County of *Kent*, and not elſewhere; and if any ſuch Action or Suit ſhall be brought before Twenty-one Days Notice ſhall have been given or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County than as aforeſaid, then and in every ſuch Caſe, the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs, then and in every ſuch Caſe the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch Remedy for recovering the ſame as any Defendant hath for Coſts of Suit in other Caſes by Law.

For repealing certain Parts of Act 28 G. 2. for building Sandwich Bridge.

LXV. And whereas it is expedient, that for and during the Continuance of this Act, the ſeveral Sums of Money that may be demanded and taken for Pontage, or in the Name of a Toll or Duty, by virtue of the ſaid recited Act made in the Twenty-eighth Year of the Reign of His late Majeſty King *George* the Second, intituled, *An Act for building a Bridge over the Water or Haven, between the Town of* Sandwich *and the oppoſite Shore, in the County of* Kent, ſhould not be demanded and taken; be it therefore enacted, That ſo much of the ſaid recited Act as declares that it ſhall and may be lawful to and for the Mayor, Jurats, and Commonalty of the Town of *Sandwich*, and their Succeſſors, or for ſuch Perſon or Perſons as they or their Succeſſors ſhould from Time to Time appoint, at all Times after building, finiſhing, and opening the ſaid Bridge, to aſk, demand, receive, recover, and take, to and for their own proper Uſe and Behoof, in reſpect of their Charges and Expences in repairing, maintaining, and ſupporting the ſaid Bridge, for Pontage, or in the Name of a Toll or Duty, the ſeveral Sums therein mentioned, before any Paſſage over the ſaid Bridge ſhould be permitted to any Coach, Chariot, Landau, Berlin, Chaiſe, Chair, Calaſh, or other Vehicle, or any Waggon, Wain, Dray Car, Cart, or other Carriage, or any Horſe, Cattle, or other Beaſt, or any Wheat, Barley, Beans, Malt, Corn, Seeds, Meal, Flour, or other Grain, Pack of Wool, Bag or Pocket of Hops, or Foot Paſſenger, ſhall, from and after the Second *Tueſday* after the paſſing of this Act, for and during the Continuance of this Act, be, and the ſame is hereby declared to be repealed.

Tolls to be taken in lieu thereof.

LXVI. And be it further enacted, That inſtead or in lieu of ſuch Pontage, or Toll or Duty, it ſhall and may be lawful to and for the ſaid Mayor, Jurats

Jurats, and Commonalty, and their Succeſſors, from and after the Second *Tueſday* after the paſſing of this Act, for and during the Continuance of this Act, to demand and take, or cauſe to be demanded and taken, for Pontage, or in the Name of a Toll or Duty, before any Horſe, Beaſt, Cattle, or Carriage ſhall be permitted to paſs over the ſaid Bridge, the ſeveral Sums of Money following (that is to ſay),

For every Horſe, Mare, Gelding, Mule, or other Beaſt (where more than One) drawing any Coach, Sociable, Berlin, Landau, Chariot, Vis-a-Vis, Barouche, Hearſe, Litter, Chaiſe Marine, Calaſh, Curricle, Chaiſe, Chair, Gigg, Whiſkey, or other ſuch Carriage, the Sum of Four-pence Halfpenny :

For the Horſe, Mare, Gelding, Mule, or other Beaſt (where only One) drawing any ſuch like Carriage as aforeſaid, the Sum of Six-pence :

For every Horſe, Mare, Gelding, Mule, or other Beaſt (where more than One) drawing any Waggon, Wain, Drug, Dray, Cart or other ſuch Carriage, the Sum of Three-pence :

For the Horſe, Mare, Gelding, Mule, or other Beaſt (where only One) drawing any ſuch laſt-mentioned Carriage, the Sum of Four-pence Halfpenny :

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

For every Aſs, laden or unladen (and not drawing) the Sum of One Halfpenny :

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

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Two-Pence Halfpenny *per* Score ; and ſo in Proportion for any greater or leſs Number than a Score :

And ſuch Pontage, Toll, or Duty, ſhall be and the ſame is hereby declared to be veſted in the ſaid Mayor, Jurats, and Commonalty, and their Succeſſors, and the ſame ſhall and may be demanded, taken, levied and recovered by ſuch Ways and Means, and ſhall be applied and diſpoſed of in ſuch and the like Manner, and to and for the ſame Uſes, Intents, and Purpoſes, or ſuch of them as are or ſhall be ſubſiſting during the Continuance of this Act, as the Pontage, Toll, or Duty directed to be demanded and taken, by virtue of the ſaid recited Act, might, could or ought to be demanded, levied, recovered, applied, and diſpoſed of, in caſe this Act had not been made.

Tolls at Sandwich Bridge to be collected but once a Day.

LXVII. Provided nevertheleſs, That nothing herein or in the ſaid recited Act contained ſhall extend, or be conſtrued to extend, ſo as to enable the Collector of the ſaid Pontage, Toll, or Duty hereby made payable at the ſaid Bridge, to demand and take any more than one Toll in any one Day (ſuch Day to be computed from Twelve of the Clock at Night to Twelve of the Clock of the ſucceeding Night) from any Perſon or Perſons for or in reſpect of the ſame Horſe, Beaſt, Cattle, or Carriage paſſing and repaſſing over the ſaid Bridge, all and every ſuch Perſon and Perſons producing a Ticket denoting that the ſaid Toll had been paid on that Day,

which Ticket the ſaid Collector is hereby required to deliver *gratis* on the Payment of ſuch Toll.

General Exemptions.

LXVIII. And be it further enacted, That no Pontage, Toll, or Duty ſhall be demanded or taken for any Horſe, Beaſt, Cattle, or Carriage, paſſing or repaſſing over the ſaid Bridge, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſt-maſter 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, Beaſt, Cattle, or Carriage attending any Soldiers upon their March or on Duty, or attending them with their Arms or Baggage; or for any Horſe, Mare, or Gelding furniſhed for or by any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalary, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided that ſuch Perſon is in the Uniform of his Corps, and has Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps at the Time of claiming ſuch Exemption as aforeſaid; or for any Horſe, Cattle, Beaſt, or Carriage employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Horſe, Cattle, Beaſt, or Carriage carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire, Baron or Barons, to ſerve in Parliament for the County of *Kent*, or the Town and Port of *Sandwich*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Forextending the Proviſions of Act 26 G. 2. to this Act, ſo far as relates to Sandwich Bridge.

LXIX. And be it further enacted, That the ſaid recited Act, and all and every the Powers, Authorities, Privileges, Proviſions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained (ſave and except ſuch Parts thereof as are hereby varied, altered, or repealed) ſhall be as good, valid, and effectual for carrying this Act into Execution, ſo far as this Act relates to the ſaid Bridge, as if the ſame had been repeated and re-enacted in the Body of this Act.

The former Bridge Tolls to be taken after the Expiration of this Act.

LXX. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to prevent or reſtrain from and after the Expiration of this Act, the ſaid Mayor, Jurats, and Commonalty, from again demanding and taking, or cauſing to be demanded and taken, the like Pontage, Toll, or Duty, Tolls or Duties, as they are by the ſaid recited Act enabled and empowered to demand and take, or cauſe to be demanded and taken.

Publick Act.

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

LXXII. And

Commencement and Continuance of the Act.

LXXII. And be it further enacted, That this Act shall commence and take place on the Second *Tuesday* after the passing thereof, and shall be in force and have Continuance 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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