ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 92.

An Act for repairing the Road from *Storrington* to *Balls Hut*, in *Walberton*, in the County of *Suſſex*.

[5th *May* 1812.]

WHEREAS the Road leading from the Town of *Storrington*, through the ſeveral Pariſhes of *Storrington*, *Parham*, *Amberley*, *Houghton*, *Madehurſt*, and *Slindon*, to a certain Place called *Balls Hut*, in the Pariſh of *Walberton*, in the County of *Suſſex*, is in many Parts narrow and incommodious for Travellers, and in the Winter Seaſon ſo very ruinous and deep, that Carriages cannot paſs without great Difficulty and Danger; and the ſaid Road cannot be effectually amended and repaired by the ordinary Courſe of Law; but if the ſame were to be properly altered, widened, amended, and kept in Repair, it would facilitate the Communication between the Market Towns of *Horſham*, *Storrington*, *Arundel*, and *Chicheſter*, and other Parts of the ſaid County, and be of Utility to the Public; may it therefore pleaſe Your Majeſty, that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Mayor of the City of *Chicheſter* for the Time being, the Mayor of *Arundel* for the Time being, Sir *Cecil Biſhopp* Baronet, Sir *Charles Merrik Burrell* Baronet, *Cecil Biſhopp*, *William Bradford* Clerk, Colonel *Harry Biſhopp*, *Walter Burrell*, *Charles Biddulph*, *Thomas Boniface* of *Eaſtergate*, *John Boniface* of *Ford*, *Benjamin Brown*, *Charles Billinghurſt*, *Robert Blake*, *Thomas Braby*, *Thomas Buſhby*, *William Botting*, Honourable *Robert Curzon*, *Edward Carleton*, *Carpenter* Clerk, *Samuel Cobby*, *John Crauford*, *Richard Cockburn* Clerk, *Alfred Compigne*, *William Dennett*, *William Dearling*, *John Dyer*, *Joſeph Dixon* Clerk, *George Dixon*, *Francis Diggens* the Younger, *John Diggens*, *Peter Du Cane* the Younger, *Richard* Trustees.

Richard Emery, Edward Elliott, George French, William French, Thomas French, James Holmes Goble, Thomas Groome, William Graveley, William Groome Clerk, *Charles Groome, William Gratwicke, Charles Forſter Goring, Charles Goring* of *Weſton, Charles Goring* of *Rowdell, Samuel Garland, Jeremiah Shepley Hemmingway, John Heath, Robert Hurſt, Robert Henry Hurſt, William Humphry, Edward Humphry, Thomas Humphry, William Huſkiſſon, John Hammond* Clerk, *John Hanley* Clerk, *Robert Hardy* Clerk, *Joſeph Hinde,* Honourable *George King, James Knapp,* Colonel *James Martin Lloyd, William Leeves, John Lane, William Linfield, William Murrell, William Monſey* Clerk, *John Murray, Richard Murray, Edward Mitchell, Charles Marſhall, Charles Maber, John Newland, William Newland, Thomas Newland,* *Newland, Richard Newland, John Peachy, William Parlett* of *Madehurſt, Thomas Parlett* of *Bury, Charles Rudwick, William Ridge, Miles Rowe, Thomas Rhoades, Edward Rhoades, John Smelt* Clerk, *Walter Smythe, Timothy Shelly, Charles Smith, John Browing Staker, Charles Streater, Edmund Serle, John Shaft, Thomas Shaft,* Sir *George Thomas* Baronet, *Edward Tredcroft* Clerk, *Thomas Trew, William Winter, John Upperton, Luke Upperton, Edward Upperton,* General *Alexander John Whyte,* and *Richard Wyatt,* ſhall be, and they are hereby appointed Truſtees for amending, widening, turning, altering, improving, and keeping in Repair the Road hereinbefore mentioned and deſcribed, and for putting this Act into Execution.

Power to appoint new Truſtees.

II. And be it further enacted, That when and as often as any of the Truſtees hereby appointed, or who ſhall be elected and appointed in the Manner hereinafter mentioned, ſhall die or refuſe to act in the Execution of this Act, it ſhall be lawful for the ſurviving or remaining Truſtees, or any Five or more of them, from Time to Time, at any Meeting to be holden in purſuance of this Act, by Writing under their reſpective Hands, to elect and appoint ſome fit Perſon to be a Truſtee in the Room of every Truſtee ſo dying or refuſing to act, Ten Days previous Notice of the Time and Place of Meeting of the ſaid Truſtees for every ſuch Election being given by the Clerk or Treaſurer of the ſaid Road for the Time being, by affixing ſuch Notice in Writing upon all the Turnpike Gates then erected acroſs the ſaid Road; and every Perſon who ſhall be ſo elected and appointed a Truſtee ſhall and may act with the ſurviving and remaining Truſtees in the Execution of this Act, in the ſame Manner as if he had been originally appointed a Truſtee in and by this Act.

Power to appoint additional Truſtees.

III. Provided always, and be it further enacted, That it ſhall be lawful to and for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in purſuance of this Act, to elect any Number of additional Truſtees, not exceeding Ten in the Whole, who ſhall have the ſame Power and Authority for executing this Act, as if they had been herein named and appointed.

All Acts may be done by Five Truſtees, unleſs otherwiſe directed.

IV. And be it further enacted, That all Proceedings, Orders, Matters, and Things relative to the Execution of this Act, may be done and executed by any Five or more of the Truſtees hereby appointed, or who ſhall hereafter be elected and appointed as aforeſaid, except

except only in the Cases hereinafter particularly directed or authorized to be done and executed by any greater or less Number of such Trustees.

Qualification of Trustees.

V. Provided always, and be it further 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 Right of his Wife, seised of or entitled to Messuages, Lands, Tenements, or Hereditaments, for some Estate for Life or of Inheritance in Possession, of the clear yearly Value of Forty Pounds above Reprizes, or shall be Heir Apparent to some Person or Persons so seised of or entitled to Messuages, Lands, Tenements, or Hereditaments, for some Estates for Life or of Inheritance, of the clear yearly Value of Eighty Pounds above Reprizes, or shall be possessed of a Personal Estate, or Real and Personal together, of the Amount or Value of Eight hundred Pounds above what will be sufficient to pay all his just Debts; and if any Person not being so qualified, shall presume to act as a Trustee in the Execution of this Act, every Person so offending shall 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 at *Westminster*, 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 Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act: Provided always, that all the Acts and Proceedings of any Person as a Trustee in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act: Provided also, that every Trustee before he shall act as such (except in administering the following Oath) shall take an Oath (or, being a Quaker, shall make solemn Affirmation) before One or more of the said Trustees (who is and are hereby empowered to administer the same) in the Form following; that is to say,

Penalty on Persons acting, not qualified.

The Acts of unqualified Trustees previous to Conviction shall be valid.

Trustees to be sworn.

Form of Oath.

'I do swear, [*or*, solemnly affirm, *as the Case may be*] that I am truly and *bonâ fide* in my own Right [*or*, in Right of my Wife] seised of or entitled to Messuages, Lands, Tenements, or Hereditaments of an Estate for Life or Inheritance in Possession, of the clear yearly Value of Forty Pounds above Reprizes, and (in case of an Heir Apparent) I do swear, [*or*, solemnly affirm, *as the Case shall be*] that I am Heir Apparent to who, to the best of my Knowledge and Belief, is truly and *bonâ fide* seised of or entitled to Messuages, Lands, Tenements, or Hereditaments, of an Estate for Life or Inheritance, of the clear yearly Value of Eighty Pounds above Reprizes, and (in case of Personal Estate) I do swear, [*or* solemnly, affirm, *as the Case shall be*] that I am truly and *bonâ fide* possessed of a Personal Estate of the Amount or Value of Eight hundred Pounds above what will be sufficient to pay all my just Debts; and that I will faithfully and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee, by virtue of an Act passed in the

'Fifty

'Fifty-second Year of the Reign of King *George* the Third [*here set*
'*forth the Title of this Act.*] So help me GOD.'

Meetings of the Truſtees.

VI. And be it further enacted, That the ſaid Truſtees ſhall meet at the Houſe of *John Trower*, bearing the Sign or known by the Name of the *White Horſe*, in the Town of *Storrington*, or at ſome other convenient Houſe in the ſame Town, on the Second *Thurſday* after the paſſing of this Act, or as ſoon after as conveniently may be, at Eleven of the Clock in the Forenoon, and ſhall then proceed to carry this Act into Execution; and that the ſaid Truſtees, or any Five or more of them, ſhall then and from Time to Time afterwards adjourn themſelves to meet at the ſame Houſe, or at ſuch other Houſe or Place near ſome Part of the ſaid Road, and at ſuch Times as they ſhall from Time to Time order and direct; (provided that no Adjournment ſhall be made for a longer Time than Three Calendar Months;) and if at any Meeting appointed to be holden by virtue of this Act, there ſhall not appear a ſufficient Number of Truſtees to act or to adjourn to another Day, (Two Truſtees being deemed ſufficient for the Purpoſe of Adjournment only) or in caſe the Truſtees at any Meeting aſſembled ſhall not adjourn themſelves, the Clerk or Treaſurer of the ſaid Road ſhall from Time to Time, as often as ſuch Caſe ſhall happen, (by Notice in Writing to be affixed upon all the Turnpike Gates then erected acroſs the ſaid Road, at leaſt Ten Days before the next intended Meeting) appoint the Truſtees to meet at the Place where the laſt Meeting was appointed to have been holden, or at any other Place near any Part of the ſaid Road, on the Day Three Weeks after the Day on which ſuch laſt Meeting was appointed.

Meetings on Emergencies.

VII. Provided always, and be it further enacted, That if after any Adjournment of the ſaid Truſtees, it ſhall at any Time be thought neceſſary that an earlier Day of Meeting ſhould be appointed than the Day appointed by ſuch Adjournment, in that caſe the Clerk or Treaſurer of the ſaid Road, upon an Order in Writing, ſigned by any Three or more of the ſaid Truſtees, (mentioning the Time, Place, and Purpoſe of ſuch Meeting) ſhall forthwith give Notice thereof, and of the Time, Place, and Purpoſe mentioned in ſuch Order, in the Manner laſt hereinbefore directed (ſuch Time not being leſs than Ten Days after ſuch Notice) and ſuch earlier Meeting ſhall and may be held accordingly; and the ſaid Truſtees at all their Meetings ſhall defray their own Expences.

Truſtees to defray their own Expences.

How Orders of the Truſtees are to be made and revoked.

VIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, preſent at any Meeting which ſhall be held in purſuance of this Act, from Time to Time, to make all neceſſary Orders, Directions, Appointments, Agreements, and Determinations, in the Execution of this Act, all which ſhall be ſigned by the Truſtees making the ſame; and no ſuch Order, Direction, Appointment, Agreement, or Determination, ſhall be valid unleſs ſo made and ſigned at ſuch Meeting; and no ſuch Order, Direction, Appointment, Agreement, or Determination ſo ſigned, ſhall be revoked or altered at any ſubſequent Meeting, unleſs Twelve Truſtees at leaſt ſhall be preſent, and the Majority of them ſhall concur therein.

IX. And

Truſtees not to hold any Place of Profit;

IX. And be it further enacted, That if any Perſon or Perſons appointed or to be appointed a Truſtee or Truſtees for putting this Act in Execution, ſhall have or accept of any Place of Profit under this Act, ſuch Perſon or Perſons ſhall, from the Time of accepting ſuch Place, be incapable of acting as a Truſtee or Truſtees during his or their Enjoyment of ſuch Place of Profit as aforeſaid, or in any Caſe where he or they ſhall be perſonally intereſted; and that no Perſon ſhall be capable of acting as a Truſtee, or of holding any Place of Truſt or Profit under this Act, who ſhall ſell Wine, Cyder, Ale, Beer, or Spirituous Liquors by Retail.

or where perſonally intereſted.

Truſtees in Commiſſion of the Peace may act as Juſtices.

X. And be it further enacted, That ſuch of the Truſtees of this Act for the Time being as are or ſhall be in the Commiſſion of the Peace for the ſaid County of *Suſſex*, ſhall and may act as Juſtices of the Peace in the Execution of this Act notwithſtanding ſuch Juſtices being Truſtees as aforeſaid.

Appointing Officers, who are to account.

XI. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, by Writing under their Hands, to appoint One or more Collector or Collectors of the ſaid Tolls, and One or more Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors of the ſaid Road, and ſuch other Officers as the ſaid Truſtees ſhall think neceſſary; and ſuch Collectors, Clerks, Treaſurers, Surveyors, and other Officers, or any of them, from Time to Time to remove, and on the Removal, Death, or Reſignation of any of them, to appoint others in their Stead; and the ſaid Truſtees are hereby authorized to allow and pay to the ſeveral Collectors, Clerks, Treaſurers, Surveyors, and other Officers, and to ſuch other Perſon or Perſons as ſhall be aſſiſting in the Execution of this Act, ſuch Salaries and Allowances for their Trouble, Labour, and Service, as the ſaid Truſtees ſhall deem reaſonable; and all ſuch Officers and Perſons ſhall from Time to Time, when thereunto required by the ſaid Truſtees, or any Five or more of them, deliver to them, or to ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, true, exact, and perfect Accounts in Writing under their reſpective Hands, upon Oath (which Oath any One or more of the ſaid Truſtees is and are hereby empowered to adminiſter) of all the Monies which they and every of them reſpectively ſhall have received to that Time by virtue of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in their or any of their Hands, to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, and not otherwiſe; and if any ſuch Officer or Perſon ſhall refuſe or neglect to give ſuch Account, or to produce or deliver up ſuch Vouchers as aforeſaid, or to verify the Articles thereof upon Oath, or to pay the Money due upon ſuch Account, in Manner aforeſaid, or to deliver up to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint, within Ten Days after being thereunto required by the ſaid Truſtees, all the Books, Papers, and Writings in his Cuſtody or Power relating to the Execution of this Act, then and in every or any of the ſaid Caſes, it ſhall be lawful for any Two or more Juſtices of the Peace for the County where the Officer or Perſon ſo making Default ſhall be or reſide, and ſuch Juſtices, upon Complaint thereof made to them by any Five

Penalty on Refuſal.

or more of the ſaid Truſtees, are hereby authorized and required to make Enquiry concerning ſuch Refuſal or Neglect, as well by the Confeſſion of the Parties themſelves reſpectively, as by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtices or either of them are and is hereby empowered and required to adminiſter without Fee or Reward); and if any ſuch Officer or Perſon ſhall be convicted of any of the Offences aforeſaid, ſuch Juſtices ſhall, upon ſuch Conviction, commit him or her to the Common Gaol or Houſe of Correction of the ſame County, there to remain without Bail or Mainprize, and until he or they ſhall have given and made ſuch true and perfect Account and Payment as aforeſaid, or until he or they ſhall have compounded and agreed with the ſaid Truſtees (which Compoſition the ſaid Truſtees are hereby empowered to make), and ſhall have paid ſuch Compoſition in ſuch Manner as the ſaid Truſtees ſhall appoint, or until he or they ſhall have delivered up ſuch Books, Papers, and Writings as aforeſaid, or made Satisfaction in reſpect thereof to the ſaid Truſtees: Provided, that no ſuch Perſon ſhall be committed by virtue of this Act, for Want of ſufficient Diſtreſs, for a longer Space of Time than Six Calendar Months.

Truſtees may appoint temporary Collectors.

XII. And be it further enacted, That upon the Death, Incapacity, or Abſence of any Collector of the Tolls, it ſhall be lawful for any Three or more of the ſaid Truſtees, though not aſſembled at a Meeting appointed in purſuance of this Act, by any Writing under their Hands, to appoint a proper Perſon to be a Collector of the ſaid Tolls, to continue until the then next Meeting of the ſaid Truſtees, in the Place or Stead of ſuch Collector as ſhall ſo die, or become incapable, or abſent himſelf.

Treaſurer to give Security.

XIII. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required to take ſuch Security from the Treaſurer or Treaſurers, Surveyor or Surveyors, Receiver or Receivers, Collector or Collectors, and from any other Officers to be appointed in purſuance or for the Purpoſes of this Act, for the faithful Execution of their reſpective Offices, as the ſaid Truſtees ſhall think proper.

Books to be kept.

XIV. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees in the Execution of this Act, ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſhall be ſigned by the ſame Number of Truſtees as are empowered to make or direct the ſame, and ſhall then be deemed original Orders and Proceedings, which Book or Books, as alſo the Book hereby directed to be kept for regiſtering Mortgages and Transfers, ſhall and may be produced and read in Evidence in all Courts, and before all Juſtices and other Perſons having Juriſdiction in the Premiſes.

Truſtees may ſue and be ſued in the Name of their Clerk or Treaſurer.

XV. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing which ſhall be done contrary to or by virtue of this Act, in the Name of their Clerk or Treaſurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees, in the Name of their Clerk or Treaſurer by virtue of this Act, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Clerk or Treaſurer,

or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees; but that the Clerk or Treasurer for the Time being to the said Trustees, shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action; and every such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in Consequence of any such Action or Proceedings he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

Power to erect Toll Gates;

XVI. And be it further enacted, That the said Trustees, or such other Person or Persons as they shall appoint, shall and may erect or otherwise provide such and so many Toll Gates or Turnpikes in, upon, or across such Parts and in such Places of the said Road; and also such and so many Toll Gates or Turnpikes on the Sides of the said Road, and in, upon, or across any Lane or Bye-way that doth or shall lead into or out of the same, as the said Trustees shall think proper, subject nevertheless to the several Restrictions and Directions hereinafter mentioned concerning the same; and also shall and may erect or otherwise provide a Toll House to every or any of the said Toll Gates or Turnpikes, with suitable Buildings and other Conveniences thereto, and inclose from the Sides of the said Roads convenient Gardens for the same.

and take Tolls.

XVII. And be it further enacted, That the several Tolls hereinafter particularly mentioned, shall be demanded and taken at each and every of the Toll Gates or Turnpikes which shall be erected in pursuance of this Act, (except as hereinafter is expressly directed or provided to the contrary) before any Horse, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same; that is to say,

Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Curricle, Calash, Hearse, or other such Carriage, drawn by Six Horses or other Beasts of Draught, the Sum of Two Shillings; and drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Two Horses or other Beasts of Draught, the Sum of One Shilling:

For every Chaise, Chair, or other such Carriage, drawn by One Horse or other Beast of Draught, the Sum of Sixpence:

For every Four-wheeled Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling a Surface of that Breadth so flat or level as not to deviate more than an Inch from a flat Surface, and drawn by Eight Horses, Oxen, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Six or Seven Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Ten-pence; and drawn by Four or Five Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two or Three Horses, Oxen, or other Beasts of Draught,

the

the Sum of Nine-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Four-pence Halfpenny:

For every Two-wheeled Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling ſuch flat or level Surface as aforeſaid, and drawn by Five Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Sixpence; and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Four-pence; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Two-pence; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Seven-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Three-pence Halfpenny:

For every Four-wheeled Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling ſuch flat or level Surface as aforeſaid, and drawn by Six Horſes, Oxen, or other Beaſts of draught, the Sum of Two Shillings and Sixpence; and drawn by Four or Five Horſes, Oxen or other Beaſts of Draught, the Sum of Two Shillings; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Nine-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Four-pence Halfpenny:

For every Two-wheeled Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling ſuch flat or level Surface as aforeſaid, and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Ten-pence; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Three-pence; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Nine-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Four-pence Halfpenny:

For every Four-wheeled Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a leſs Breadth or Gauge than Six Inches, and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of Two Shillings and Sixpence; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of Two Shillings; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling; and drawn by One Horſe, Ox, or other Beaſt of Draughr, the Sum of Sixpence:

For every Two-wheeled Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a leſs Breadth or Gauge than Six Inches, and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of Two Shillings; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Sixpence; and drawn by Two Horſes Oxen, or other Beaſts of Draught, the Sum of One Shilling; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Sixpence:

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

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

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

And that on every *Sunday* during the Continuance of this Act, there ſhall be demanded and taken at the Toll Gates and Toll Bars to be erected upon the ſaid Road, by ſuch Perſon or Perſons nominated as aforeſaid, before any Horſe, Cattle, or Carriage ſhall be permitted to paſs the ſame, Double the ſaid reſpective Tolls.

Power for compelling Payment of Tolls.

Which ſaid reſpective Tolls or Sums of Money ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid Truſtees ſhall from Time to Time authorize and appoint to receive the ſame; and if any Perſon or Perſons ſubject to the Payment of any ſuch Tolls, or any Part or Parts thereof, ſhall after Demand thereof made by any Collector or Collectors, or other Perſon or Perſons authorized to receive the ſame, neglect or refuſe to pay the ſaid Tolls, or any of them, or any Part or Parts thereof, it ſhall be lawful for the Perſon or Perſons ſo authorized, to ſeize and diſtrain any Horſe or Cattle, Beaſt or Carriage, upon which any Toll is by this Act impoſed, or any of the Loading, Harneſs, or Accoutrements thereof reſpectively (except the Bridle or Reins of any Horſe, Cattle, or Beaſt ſeparate from ſuch Horſe, Cattle, or Beaſt), or any of the Goods and Chattels of the Perſon or Perſons ſo neglecting or refuſing to pay the ſame; and if ſuch Tolls, and the reaſonable Coſts of ſuch Diſtreſs, and keeping the ſame, ſhall not be paid within the Space of Four Days after the Day of making ſuch Diſtreſs, the Perſon or Perſons diſtraining ſhall and may, at any Time or Times thereafter, ſell the Horſe, Cattle, Beaſt, Carriage, Goods, and Chattels, ſo diſtrained, and out of the Monies which ſhall ariſe by ſuch Sale, pay or retain ſuch Tolls, and all reaſonable Charges incurred by ſuch Diſtreſs and Sale, returning the Overplus of the Money which ſhall ariſe by ſuch Sale, and what ſhall remain unſold (if any), upon Demand, to the Owner or Owners thereof.

For ſettling Diſputes concerning Tolls.

XVIII. And be it further enacted, That if any Diſpute ſhall happen concerning any Tolls due or the Charges occaſioned by any ſuch Diſtreſs as aforeſaid, it ſhall be lawful for the Perſon or Perſons ſo diſtraining, to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof, until the Quantity of the Tolls, and the Charges of ſuch Diſtreſs, ſhall be aſcertained by ſome Juſtice of the Peace for the County of *Suſſex*; who, upon Application made to him for that Purpoſe, ſhall examine the Matter by Oath of the Parties, or of a Witneſs or Witneſſes, and ſhall determine the Toll due, and aſſeſs the Charges of ſuch Diſtreſs, and of the Collector's Attendance upon the ſaid Juſtice for that Purpoſe; all which Sums ſo determined and aſſeſſed ſhall be paid to the ſaid Collector, before he or ſhe ſhall be obliged to return the Goods ſo diſtrained, or the ſaid Overplus, or any Part thereof, reſpectively.

No Windmill to be erected within 200 Yards of the ſaid Road.

XIX. And be it further enacted, That no Windmill ſhall be erected within the Space of Two hundred Yards from any Part of the ſaid Road.

Collectors not to be deemed incompetent Witneſſes.

XX. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in any Way relating to the ſaid Tolls, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting under the Authority of the ſaid Truſtees, ſhall not be deemed incompetent to give Evidence therein, by reaſon of his or their being appointed to collect ſuch Tolls.

Tolls may be varied.

XXI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, when and as often as they ſhall think proper, to leſſen or reduce all or any of the Tolls hereby granted or made payable at all or any of the Turnpikes to be erected or provided by virtue of this Act, and to raiſe the ſame again, ſo as they do not at any Time exceed the Tolls by this Act granted or made payable, and ſo as every ſuch Reduction thereof be made with the Conſent of the Perſon or Perſons entitled to Five-ſixth Parts of the Money then due on Security of the ſaid Tolls; but no ſuch Reduction ſhall be made after the Second Meeting of the ſaid Truſtees, unleſs Twenty-one Days previous Notice thereof ſhall be affixed in Writing upon all the Turnpikes then erected acroſs the ſaid Road, and alſo inſerted in one or more of the Newſpapers printed or circulated in the County of *Suſſex*.

Tolls to be paid but once a Day.

XXII. And be it further enacted, That no Perſon or Perſons ſhall be liable to pay Toll more than once at any one Toll Gate, Turnpike, or Toll Bar, to be erected by virtue of this Act, for paſſing and repaſſing at any Time or Times in any one Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night) with the ſame Horſes, Cattle, Beaſts, and Carriages, through the ſame Toll Gate, Turnpike, or Toll Bar, (except as herein is excepted); but that all and every Perſon and Perſons having paid Toll once as aforeſaid, and producing a Ticket denoting the Payment of ſuch Toll (which Ticket the Collectors of the Tolls are hereby required to give *gratis* on Receipt of the Toll) ſhall afterwards paſs and repaſs with the ſame Horſes, Cattle, Beaſts, and Carriages Toll-free during the ſame Day, through the ſame Toll Gate, Turnpike, or Toll Bar where ſuch Toll was paid, except Horſes, Oxen, or other Beaſts drawing in Carriages laden with Coals, Cinders, Chalk, Limeſtones, Timber, or Trees, which ſhall not paſs and repaſs through any Toll Gate, Turnpike, or Toll Bar oftener than once in the ſame Day, without paying the Toll by this Act impoſed, for the Second and every other Time which they ſhall on the ſame Day paſs through any ſuch Toll Gate, Turnpike, or Toll Bar.

Number of Tolls limited.

XXIII. Provided always, and be it further enacted, That no more than One Toll ſhall be demanded or taken from any Perſon or Perſons, for paſſing and repaſſing the ſame Day with the ſame Horſes, Cattle, Beaſts, and Carriages, through all the Toll Gates, Turnpikes, or Toll Bars, to be erected by virtue of this Act, upon that Part of the ſaid Road which ſhall lead or extend from the Town of *Storrington* aforeſaid, to the End of the Village or Townſhip of *Houghton* aforeſaid; and that no more than One Toll ſhall be demanded or taken from any Perſon or

Perſons paſſing and repaſſing the ſame Day with the ſame Horſes, Cattle, Beaſts, and Carriages through all the Toll Gates, Turnpikes, or Toll Bars to be erected by virtue of this Act, upon that Part of the ſaid Road which ſhall lead or extend from *Balls Hut*, in the Pariſh of *Walberton* aforeſaid, to the Village or Townſhip of *Amberley* aforeſaid; but that every Perſon having once paid the Toll by this Act impoſed, and producing a Ticket or Tickets denoting the Payment thereof (which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of ſuch Tolls), ſhall paſs and repaſs with the ſame Horſes, Cattle, Beaſts, and Carriages Toll free during ſuch Day, through all the other Toll Gates, Turnpikes, or Toll Bars to be erected in and upon ſuch ſeveral Parts or Diviſions of the ſaid Road as laſt aforeſaid, ſave and except Horſes, Cattle, or Beaſts drawing in Carriages laden with Coals, Cinders, Chalk, Limeſtones, Timber, or Trees, which ſhall not paſs and repaſs through the Toll Gates, Turnpikes, or Toll Bars to be erected upon the ſame ſeveral Parts or Diviſions of the ſaid Road oftener than once in the ſame Day, without again paying the Toll by this Act impoſed as hereinbefore mentioned.

To prevent evading the Tolls.

XXIV. And be it further enacted, That if any Perſon or Perſons ſhall ride, drive, go, or paſs with any Horſe, Cattle, Beaſt, or Carriage, through or over any Land, Ground, or Place, not being the Owner or Owners, or Occupier or Occupiers thereof, lying by the Side of or near to any Part of the ſaid Road, and ſhall again come into the ſaid Road and travel thereon; or if any Owner or Occupier of any Land or Ground ſituated as aforeſaid, ſhall knowingly permit or ſuffer any other Perſon or Perſons with any Horſe, Cattle, Beaſt, or Carriage to paſs through the ſame, whereby the Payment of the ſaid Tolls, or any Part or Parts thereof, ſhall be evaded; or if any Perſon or Perſons ſhall give to or receive from any Perſon (other than a Collector of the ſaid Tolls) or ſhall forge or counterfeit any Ticket by this Act directed to be given by a Collector of the ſaid Tolls, or ſhall forcibly paſs through any ſuch Toll Gate, Turnpike, or Toll Bar as aforeſaid, with any Horſe, Cattle, Beaſt, or Carriage, or ſhall at any Time or Times take off or cauſe to be taken off any Horſe, Cattle, or Beaſt from any Carriage, whereby the Payment of any of the ſaid Tolls, or any Part or Parts thereof ſhall be evaded; or if any Perſon or Perſons ſhall leave or cauſe to be left upon or near to any Part of the ſaid Road any Horſe, Cattle, Beaſt, or Carriage, with Intent to evade the Payment of any of the ſaid Tolls, or any Part or Parts thereof, or with ſuch Intent ſhall unload any Horſe, Cattle, Beaſt, or Carriage; or if any Perſon or Perſons ſhall do any other Act in order or with the Intent to evade or avoid the Payment of any of the ſaid Tolls, all and every Perſon or Perſons offending in any of the Caſes aforeſaid, on being lawfully convicted thereof, ſhall forfeit and pay for every ſuch Offence a Sum not exceeding Five Pounds, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender ſhall be convicted (over and beſides ſuch Damages and Puniſhments as he, ſhe, or they ſhall otherwiſe be liable to by Law, to be recovered in ſuch Manner as is hereinafter preſcribed for the Recovery of Penalties and Forfeitures), One Moiety whereof, when raiſed, ſhall be for the Uſe of the Informer or Informers, and the other Moiety ſhall be applied for the Purpoſe of this Act.

XXV. Pro-

General Exemptions from Tolls.

XXV. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be charged with or liable to pay any of the ſaid Tolls for the Paſſage of any Cattle or Carriage which ſhall be uſed or employed in the Carriage of Stone, Gravel, or other Materials for making or repairing the ſaid Road, or any other Roads or Highways within any of the Pariſhes, Hamlets, or Places, in which the ſaid Road doth lie, or for rebuilding, building, or repairing, any preſent or future Bridge or Bridges on the ſaid Road; or in the Carriage of any Earth, Dung, Mould, Compoſt, or other Manure (except Chalk, which ſhall be exempted from Toll only between the Firſt Day of *May* and the Firſt Day of *October* in every Year) not bought, ſold, or diſpoſed of, but paſſing to be laid on the Lands of the Owner or Occupier thereof; or in the Carriage of any Graſs, Hay, Clover, Turnips, Fodder, Straw, or Corn in the Straw, or dead Hedge Wood, or with other Produce of Lands not ſold or diſpoſed of, or going to be ſold or diſpoſed of, but paſſing to be laid up in the Houſes, Outhouſes, Barns, or Yards of the Owner or Owners thereof in any of the ſaid Pariſhes, Hamlets, or Places; or for the going, paſſing, returning or repaſſing with any Plough, Harrow, or other Implements of Huſbandry, or Things that ſhall be uſed in Huſbandry, or in manuring Land, or in returning after having been ſo employed, unleſs the Carriage bearing ſuch Plough, Harrow, or other Implement of Huſbandry, be alſo laden with any other Thing not hereby intended to be exempted from the Payment of Toll; nor for any Horſe or other Cattle only going to or from Water or Paſture, or to be ſhoed or farried from one Pariſh into the next adjoining Pariſh, and not paſſing more than Two Miles upon the ſaid Road; nor for the Horſes of any Officers or Soldiers on their March or on Duty, or for any Horſes, Cattle, or Carriages employed in conveying or carrying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers, or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſes, Carts, or Waggons travelling with Vagrants ſent with legal Paſſes, or afterwards on their Return; or for any Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, Chair, or other Carriages, or Cattle drawing the ſame; or Perſons on Horſeback going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Suſſex*, 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 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 returning back from conveying or guarding the ſame; nor ſhall any Toll be demanded or taken from any Perſon or Perſons going to or returning from his, her, or their Pariſh or Parochial Church or Chapel, or other Parochial or licenced Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Worſhip is ordered by Authority to be celebrated; or who ſhall attend the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes, Hamlets, or Places through which the ſaid Road leads, or from any Clergyman going

Materials for repairing Roads and Bridges.

Dung, Manure, &c.

Hay, Clover, &c.

Implements of Huſbandry, &c.

Horſes, &c. Water or Paſture.

Soldiers.

Vagrants.

Electors.

Mails.

Church, Funerals, &c.

to

to or returning from visiting any sick Person, or going to or returning from his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Mare, or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Voluhteer Cavalry, and rode by him in going to or returning from any Place appointed for Exercise, Inspection, or Review, provided that such Person is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements, according to the Regulations appointed by such Corps, at the Time of claiming the Exemption; nor for any Horse, Beast, or Carriage, which shall cross the said Road only, or shall not pass more than One hundred Yards thereon; and if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in all Cases the Proof of Exemption shall lie upon the Person claiming the same.

Volunteer Cavalry.

Crossing the Road only.

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

Owners or Drivers of Waggons employed in the Service of His Majesty's Forces, not to be subject to Penalties for Overweight, &c.

XXVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, after giving Twenty-one Days previous Notice thereof in Writing, to be affixed upon all the Turnpikes erected across the said Road, and to be inserted in One or more of the *Sussex* Newspapers, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts thereof, for any Term not exceeding Three Years, for the best Rent or Price that can reasonably be gotten for the same, payable at such Times and in such Manner, and with, under, and subject to such Covenants, Conditions, and Agreements as the said Trustees, or any Seven or more of them, shall think fit; they the said Trustees having a Counterpart of such Lease or Leases, and taking such other sufficient Security for Payment of the Rents and Performance of the Covenants to be reserved and comprized in such Lease or Leases as the said Trustees, or any Seven or more of them, shall think fit.

Power to lease the Tolls.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, as they shall see convenient, to compound and agree for any Term not exceeding one Year at any One Time, with all or any of the Inhabitants of the several Parishes through

Power to compound for Tolls.

which the ſaid Road leads, for the Paſſage of their Horſes, Cattle, or Carriages, through all or any of the Toll Gates, Turnpikes, or Toll Bars to be erected on the ſaid Road or the ſides thereof.

Power to remove Toll-gates.

XXIX. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, from Time to Time, when and as often as they ſhall think proper, to cauſe any of the Toll Gates, Turnpikes, or Toll Bars which ſhall be erected in, upon, or acroſs, or on the Side of the ſaid Road, to be removed to, and erected in, upon, or acroſs, or on the Side of ſuch other Part or Parts of the ſaid Road, as the ſaid Truſtees, or any Seven or more of them, ſhall from Time to Time order and direct; but none of the ſaid Toll Gates, Turnpikes, or Toll Bars ſhall be removed as aforeſaid, unleſs Twenty-one Days previous Notice of the Intention to remove the ſame ſhall have been affixed in Writing upon all the Toll Gates or Turnpikes then erected acroſs the ſaid Road, and inſerted in One or more of the Newſpapers printed or circulated in the County of *Suſſex*.

Toll Houſes, &c. veſted in the Clerk and Treaſurer.

XXX. And be it further enacted, That the Right, Intereſt, and Property of and in all the Toll Gates, Turnpikes, or Toll Bars, and Toll Houſes, which ſhall be erected and provided in purſuance of this Act, with the ſeveral Conveniences and Appurtenances thereunto belonging reſpectively, and the Materials of which the ſame ſhall conſiſt, and all Materials, Matters, and Things which ſhall be purchaſed or provided for the Purpoſes of this Act, ſhall be veſted in the Clerk or Clerks, or Treaſurer or Treaſurers of the ſaid Road for the Time being, and he and they is and are hereby empowered to ſell, aſſign, transfer, apply, and diſpoſe of the ſame as Occaſion ſhall require, and as the ſaid Truſtees from Time to Time ſhall order, direct, and appoint; and under the like Order, Direction, and Appointment of the ſaid Truſtees, to bring or cauſe to be brought any Action or Actions, or to prefer and proſecute any Indictment or Indictments againſt any Perſon or Perſons who ſhall dig up, break, or pull down, ſteal, take, or carry away, ſpoil, deſtroy, injure, or damage any of the ſaid Toll Gates, Turnpikes, Toll Bars, or Toll Houſes, or any of the Conveniences or Appurtenances thereunto belonging, or any of the Materials, Matters, or Things aforeſaid, or any Fences which ſhall be made and repaired by the ſaid Truſtees, or who ſhall do any Act to hinder or obſtruct any Perſon or Perſons employed by the ſaid Truſtees in the Execution of this Act.

For borrowing Money on the Security of the Tolls.

XXXI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, at any of their Meetings to be held in purſuance of this Act, to borrow and take up at Intereſt, upon the Credit of the Tolls to ariſe by virtue of this Act, in ſuch Manner as they ſhall think proper, any Sum or Sums of Money they or any Seven or more of them ſhall think fit to borrow, for all or any of the Purpoſes of this Act, giving Twenty-one Days previous Notice thereof in Writing, to be affixed on all the Toll Gates or Turnpikes then erected acroſs the ſaid Road, and to be publiſhed in One or more of the *Suſſex* Newſpapers; and they the ſaid Truſtees, or any Seven or more of them, are hereby empowered, from Time to Time, at any of their Meetings, by any Writing or Writings under their Hands, to aſſign over,

or

or mortgage the respective Tolls or Duties hereby granted, or any Part or Proportion, Parts or Proportions thereof, during the Continuance of this Act, (the Charges of such Assignments and Mortgages to be paid out of such Tolls) as a Security or Securities to any Person or Persons who shall advance such Sum or Sums of Money, his, her, or their Trustee or Trustees, their respective Executors, Administrators, and Assigns, for the Money so to be advanced, with such Interest for the same as shall be agreed upon in that Behalf; which Mortgage may be in the Form or to the Effect following; (that is to say)

'BY virtue of an Act made in the Fifty-second Year of the Reign of His Majesty King *George* the Third, intituled [*here set forth the Title of this Act*] We of the Trustees for executing the said Act, in Consideration of the Sum of this Day paid to the Treasurer of the said Road, do hereby bargain, sell, and assign unto the said such Proportion of the Tolls to arise upon the said Road, as the said Sum of shall bear to the whole of the Principal Money for the Time being, due on Security of the said Tolls, for and during the Continuance of this Act, to hold the same unto the said his Executors, Administrators, and Assigns, until the said Sum of with Interest at the Rate of *per Centum per Annum* shall be fully paid.

'Given under our Hands, this Day of in the Year of our Lord .'

Copies to be entered.

And Copies of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer of the said Road; and which said Book or Books shall and may at all seasonable Times be perused and inspected without Fee or Reward; and it shall be lawful for all Persons respectively, to whom the Mortgage shall be made as aforesaid, his, her, and their Executors and Administrators respectively, who shall be from Time to Time entitled to the Money thereby secured, to assign and transfer his, her, or their Right, Title, and Interest, in or to such Mortgage, and the Principal Money and Interest thereby secured, to any other Person or Persons whomsoever, by Indorsement on the Back of such Security, in the Presence of One credible Witness, which Transfer shall be in the Words or to the Effect following:

'I Do transfer the within Mortgage, and all the Principal and Interest now due thereon, unto Executors, Administrators, and Assigns. Witness my Hand, this Day of .'

All which Transfers shall be produced and notified to the said Clerk or Treasurer within Three Calendar Months next after the Day of the Date thereof, who shall enter the same in the said Book or Books, for which Entry the said Clerk or Treasurer shall be paid the Sum of Six Shillings and Eight-pence and no more; and such Transfer shall then entitle such Assignee, his Executors, Administrators, and Assigns, to the full Benefit of such Mortgage Security; and every such Assignee may in like Manner assign or transfer the same, and so *toties quoties*; and after such Entry as aforesaid, it shall not be in the Power of any Person or Persons who shall have made such Transfer, to release, discharge, or make void the original Mortgage Security, or the Monies due thereon, or any Part thereof; and all

No priority among Mortgagees.

all Persons to whom any Mortgage or Transfer shall be made as aforesaid, shall, in Proportion to the Sum or Sums of Money thereby secured, be Creditors on the Tolls by this Act granted, in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing their Monies, or of the Dates of their respective Securities.

Application of the Money.

XXXII. And be it further enacted, That all Monies which shall arise and be produced by Subscriptions as aforesaid, and from the Tolls by this Act granted, together with the Monies which shall from Time to Time be borrowed in pursuance of this Act, and all other Monies which shall arise and be produced by virtue of this Act, and not herein otherwise appropriated or directed to be applied, shall be vested in the said Trustees for the Time being, and shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say) in the first place, in Payment of the Costs, Charges, and Expences of preparing and passing this Act; in the second place, in paying the Interest accruing upon the several Principal Sums of Money which shall from Time to Time be due and owing on the several Mortgages or Securities made in pursuance of this Act; in the third place, in defraying the Expences of erecting and providing Turnpikes, Toll Houses, and other Buildings, and of making, forming, repairing, widening, and altering the said Road, and purchasing Lands for those Purposes, and of erecting and maintaining necessary and convenient Bridges upon the said Road, and of executing the several other Powers and Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums for the Time being, due on such Mortgages or Securities as aforesaid.

Trustees not to repair Pavement in Town Streets.

XXXIII. Provided always, and be it further enacted, That nothing in this Act contained shall authorize the said Trustees, or any of them, to repair or amend the Pavement of the Streets of any Town through which the said Road doth or may pass.

Subscription Money to be expended in such Parts of the Road as Subscribers to the Amount of 500*l.* and upwards shall direct.

XXXIV. Provided always, and be it further enacted, That the Money agreed to be subscribed for the Purposes aforesaid, by any Person or Persons who shall respectively advance and subscribe to the Amount of Five hundred Pounds, shall be laid out and expended by the Trustees in such Part or Parts of the said Road, as such Person or Persons shall, by Writing under his, her, or their respective Hands direct and appoint.

Trustees may enter Lands, and make the Roads.

XXXV. And be it further enacted, That it shall be lawful for the said Trustees, and for their Surveyor and Workmen, with and without Carriages and Cattle, from Time to Time, to enter upon the Lands and Hereditaments through which or whereupon the said Road is to be made, altered, or turned, or adjoining thereto, and to stake out, make, alter, and turn the same in such Manner as the said respective Trustees shall think necessary or proper, without being liable or subject to be deemed a Trespasser or Trespassers, or to any Fine, Penalty, or Punishment, for entering or continuing upon any Part or Parts of such Lands or Hereditaments respectively, for any of the Purposes of this Act, making Satisfaction to the Occupiers of such Lands or Hereditaments for any Damage that shall be done thereby; and if any Person shall wilfully pull

up,

up, remove, or deſtroy any of the Stakes or other Marks uſed in laying out, making, altering, or turning any ſuch Roads, or any of them, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

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

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

Truſtees may make the Road through Grounds, although the Owners' Names are omitted in the Book of Reference.

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

Surveyors may get Materials for the Road.

XXXVIII. And be it further enacted, That it ſhall be lawful for the Surveyor of the ſaid Road, and ſuch other Perſon and Perſons as ſhall be employed by ſuch Surveyor, to cut, dig, gather, take, and carry away any Furze, Heath, Stones, Gravel, Sand, or other Materials for making, forming, and repairing the ſaid Road, Toll Houſes, and Bridges in, upon, out of, and from any Waſte Grounds, Commons, Common Quarries, Rivers, or Brooks in any Pariſh, Townſhip, or Diſtrict, within or near to which the ſaid Road doth or ſhall paſs, without paying any Thing for the ſame, ſuch Surveyor or other Perſon or Perſons filling up the Pits, and levelling the Ground from whence ſuch Materials ſhall be taken, or ſufficiently fencing off ſuch Pits, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and in caſe ſuch Materials cannot conveniently be had in ſuch Waſte Grounds, Commons, Quarries, Rivers, or Brooks as aforeſaid, then to cut, dig, gather, take and carry away any ſuch Materials as aforeſaid, in, upon, out of, or from, and over any other Lands, Grounds, and Quarries (except as hereinafter is mentioned),

making such Compensation and Satisfaction for the Damage done to the Owners and Occupiers of such Lands, Grounds, and Quarries, where, through, and from whence the same shall be dug, gathered, taken, and carried away, or over which any Materials gotten in any Waste Ground, Common, Common Quarry, River, or Brook shall be conveyed, as the said Trustees, or any Five or more of them, shall judge proper.

Materials not to be taken from inclosed Grounds without an Order from Two Justices.

XXXIX. Provided always, nevertheless, and be it further enacted, That it shall not be lawful for any Person or Persons, under the Authority of this Act, to dig, gather, take, or carry away any such Materials as aforesaid, in or from any inclosed or private Lands, Grounds, or Quarries, until after Ten Days previous Notice in Writing, signed by the said Surveyor or some other Officer of the said Trustees, shall have been given to the respective Owners or Occupiers of the Lands or Grounds from which such Materials are intended to be taken, or left at their usual Place of Residence respectively, requiring them to appear by themselves or their Agents, before Two or more Justices of the Peace acting for the County of *Sussex*, at a certain Time and Place to be specified in such Notice, to shew Cause why such Materials should not be taken away; and such Justices, after hearing the Parties concerned, shall, if they think proper, authorize such Surveyor or other Officer to dig, gather, take, and carry away such Materials, at such Time or Times and in such Manner as to such Trustees or Justices shall seem proper; or if such respective Owners or Occupiers shall not by themselves or their respective Agents attend pursuant to such Notice, such Trustees or Justices may make such Order therein as they shall think fit, in like Manner as if such respective Owners or Occupiers had attended pursuant to such Notice.

Penalty on taking away Materials got by Surveyors.

XL. And be it further enacted, That if any Person or Persons shall take or carry away any Materials which shall have been dug or gathered for the Purpose of making or amending the said Road, or shall get or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road, before the said Surveyor or his Workmen shall have discontinued working therein, for the Space of Thirty Days (except the Owners or Occupiers of any private Lands or Grounds, or the Person or Persons authorized by such Owners or Occupiers, and who may get Materials therein for their own Use only, and not for the Use of any other Highway, or for Sale), every Person so offending, and being lawfully convicted thereof, shall pay a Sum not exceeding Five Pounds.

Penalty on taking away Scrapings collected by Surveyors.

XLI. And be it further enacted, That if any Person or Persons shall take or carry away any of the Scrapings collected from this Road by the Surveyor, or other Person employed by him, or shall presume to scrape the said Road, or any Part thereof, and carry away the same, every Person so offending, and being lawfully convicted thereof, shall forfeit and pay any Sum not exceeding Twenty Shillings; and if any such Person or Persons shall offend again in like Manner, every Person so offending, and being lawfully convicted thereof as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XLII. And

For preventing Obstructions on the Sides of the Road.

XLII. And be it further enacted, That no Dung, Ashes, Compost, Manure, or other Thing, shall be unladen or laid down upon the said Road, or upon any Moor, Common, or Waste Ground nearer to the Side of the said Road than the Distance of Thirty Feet, upon Pain that every Person so offending, and being lawfully convicted thereof, shall forfeit and pay any Sum not exceeding Twenty Shillings; and if, after the Removal of any such Dung, Ashes, Compost, Manure, or other Thing as aforesaid, any Person shall offend again in like Manner, every Person so offending again, and being lawfully convicted thereof, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Surveyors may remove Annoyances.

XLIII. And be it further enacted, That it shall be lawful for the said Surveyor, and such Person or Persons as he shall appoint from Time to Time, to remove, take, or carry away all Nuisances, Annoyances, Encroachments and Obstructions on any Part or Parts of the said Road, by Timber, Stone, Carriages, Sawpits, or other Pits, Ashes, Dung, Filth, Rubbish, or otherwise; and also to divert or turn any Watercourses, Gutters, Conduits, or Drains running into the same to the Prejudice thereof, and to open, scour, and cleanse, deepen and enlarge any Gutter, Ditch, Conduit, or Watercourse adjoining or near to any Part of the said Road; and also to cut down, top, or lop any Trees, Branches, or Bushes growing in the said Road, or in the Hedges, Fences, Banks, or Grounds adjoining thereto, and to take and carry away the same, in case the respective Owners or Occupiers of the Lands or Grounds where such Annoyances shall happen to be, shall neglect to do so for Ten Days after Notice in Writing given for that Purpose under the Hand of such Surveyor; and the Charges thereof respectively (being settled by the said Trustees) shall be reimbursed to such Surveyor from Time to Time by such respective Owners or Occupiers so neglecting as aforesaid, and in case such Charges shall not be paid on Demand, the same shall be levied and recovered in the same Manner as the Penalties and Forfeitures by this Act authorized to be imposed, are hereinafter directed to be levied and recovered; and if after the Removal of any such Nuisances, Annoyances, Encroachments, and Obstructions as aforesaid, any Person shall offend again in like Manner, every Person so offending again, and being lawfully convicted thereof, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Surveyors empowered to remove sudden Obstructions without Notice.

XLIV. And be it further enacted, That it shall be lawful for the said Surveyor, and such Person or Persons as he shall appoint from Time to Time, without giving any previous Notice, to remove all such Earth, Trees, Roots of Trees, and other Things, as shall suddenly slide, fall, or be blown down from any Hedge, Bank, or Land, into or upon any Part of the said Road by this Act authorized to be made and repaired, and to carry and place the same on any Waste Ground near thereto, so as the same be no Annoyance to Travellers; and such Surveyor or Surveyors shall forthwith give Notice thereof to the Owners or Occupiers of the Lands from whence such Earth, Trees, Roots, or other Things shall so slide or fall, or be blown down as aforesaid, and the Charges of carrying away the same (to be settled by the said Trustees) shall be reimburled and paid to such Surveyor or Surveyors by such Owners or Occupiers, and be recovered in such Manner as the

Penalties

Penalties and Forfeitures for Offences againſt this Act are hereby directed to be recovered.

Penalty on leaving Obſtructions, or hauling Timber or Stones on the Road.

XLV. And be it further enacted, That if any Perſon or Perſons ſhall wilfully ſet, place, or leave any Timber, Stones, or other Things whatſoever, in or upon any Part or Parts of the ſaid Road, ſo as to interrupt or hinder the free Paſſage along the ſaid Road of any Carriage, or of any Perſon or Perſons, or ſhall haul or draw, or cauſe to be hauled or drawn upon any Part of the ſaid Road (excepting only in croſſing the ſame) 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 which ſhall be conveyed upon wheeled Carriages to drag upon any Part of the ſaid Road, every Perſon ſo offending in any of the Caſes laſt mentioned, and being lawfully convicted thereof, ſhall forfeit and pay the Sum of Twenty Shillings for every ſuch Offence.

Penalty on damaging Footways, or cauſing Nuiſances or Obſtructions on the Road.

XLVI. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Footway adjoining the ſaid Road by this Act authorized to be made and repaired, or ſhall lead or drive any Horſe, Aſs, Cattle, or Swine, or any Carriage or Handbarrow on any ſuch Footway, or ſhall cauſe any Damage to be done thereto, or ſhall put or turn any Horſe, Aſs, Swine, or other Beaſt or Cattle of any Kind into or upon the ſaid Road, or the Sides thereof, or if any Horſe, Aſs, Swine, Beaſt, or Cattle ſhall be found looſe or treſpaſſing on the ſaid Road, or if any Perſon ſhall leave any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, (longer than ſhall be neceſſary for the loading or unloading thereof, and then drawn up as near to the Side of the Road as poſſible,) Plough or other Inſtrument of Huſbandry in or upon the ſaid Road, or the Sides thereof, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto (except in caſe of Accidents), every Perſon ſo offending, or the Owner of ſuch Cattle ſo found treſpaſſing, ſhall forfeit and pay for the firſt Offence any Sum not exceeding Twenty Shillings, and for the ſecond and any ſubſequent Offence, any Sum not exceeding Forty Shillings.

Mile Stones and Direction Poſts to be erected.

Penalty on defacing them.

XLVII. And be it further enacted, That the ſaid Truſtees ſhall cauſe Mile Stones or Poſts to be ſet up, and from Time to Time renewed on the Sides thereof reſpectively, with Inſcriptions thereon denoting the Number of Miles and Diſtances of Places; and alſo any Direction-Poſts where any other Roads lead out of or into the ſame Road; and if any Perſon or Perſons ſhall wilfully break, pull down, deſtroy, or damage any of the Stones or Poſts which ſhall be ſo fixed or ſet up, or eraſe, obliterate, or deface any of the Inſcriptions or Letters which ſhall be engraven or made thereon, or any Part thereof, or cauſe or procure the ſame to be done, every Perſon ſo offending, and being lawfully convicted thereof, ſhall forfeit and pay a Sum not exceeding Five Pounds.

Surveyors may make Cauſeways, Drains, &c.

XLVIII. And be it further enacted, That it ſhall be lawful for the ſaid Surveyor, and any other Perſon or Perſons by Order of the ſaid Truſtees, or any Five or more of them, to make Cauſeways, and to cut and make Ditches, Drains, and Water-courſes in, upon, and on the Sides of the ſaid Road, and alſo through any Grounds lying contiguous thereto;

thereto; and to erect, rebuild, and keep in Repair Bridges and Arches upon the ſaid Road, and acroſs any ſuch Ditch, Drain, or Watercourſe as aforeſaid, and to make ſufficient Barriers and other Erections on any Part or Parts of the ſaid Road, in order to prevent the ſame from being flooded or overflowed with Water; and to cut down and remove any Trees or Underwood growing in or upon the ſaid Road, or any Part thereof, where ſuch Road is not Thirty Feet wide; and alſo to cauſe any Part of the Stream of any private River, Rivulet, Brook, or Watercourſe, to be diverted and conveyed, and to flow conſtantly or occaſionally into, through, and upon any Part of the ſaid Road, and to cauſe every Act which ſhall be neceſſary for that Purpoſe, to be done upon any Land or Ground, not hereinafter excepted, in ſuch Manner as ſuch Surveyor, or other Perſon or Perſons, by ſuch Order as aforeſaid, ſhall judge neceſſary for the widening or better amending and keeping the ſaid Road in good Repair; and alſo to make or cauſe to be made any temporary Road or Roads through, over, and upon the Grounds adjoining to any narrow or ruinous Part or Parts of the ſaid Road (except as hereinafter is mentioned), to be made Uſe of as a Road whilſt the old Road ſhall be repairing, and until the ſame ſhall be made ſafe and convenient for Travellers, making ſuch Satisfaction to the Owners and Occupiers of ſuch Grounds ſo to be uſed, cut through, or built upon, and to the Owners or Occupiers of any ſuch private River, Rivulet, Brook, or Watercourſe, or of any Ground through which the Stream thereof ſhall be ſo diverted and conveyed, or on which ſuch neceſſary Acts ſhall be done as aforeſaid, for the Damages which they or any of them ſhall ſuſtain thereby, as the ſaid Truſtees ſhall judge reaſonable; and in caſe any Difference ſhall happen between ſuch Owners or Occupiers and the ſaid Truſtees touching ſuch Damages, the ſame ſhall be ſettled by the Juſtices of the Peace for the ſaid County of *Suſſex*, at their General Quarter Seſſions of the Peace to be held for ſuch County next after ſuch Difference ſhall ariſe; and if any Owner or Occupier of any Watercourſe or Watercourſes, Ditch or Ditches adjoining to the ſaid Road, ſhall refuſe or neglect to ſcour, deepen, and cleanſe the ſame Twice in every Year, in ſuch Manner as the ſaid Surveyor, or ſuch other Perſon or Perſons as aforeſaid, ſhall order and direct, after Ten Days Notice ſhall be given for that Purpoſe by ſuch Surveyor or other Perſon or Perſons, then and in every ſuch Caſe it ſhall be lawful to and for ſuch Surveyor or other Perſon or Perſons, and he and they is and are hereby authorized to employ any Perſon or Perſons to ſcour, deepen, and cleanſe the ſame, and by Warrant from the ſaid Truſtees, or any Five or more of them, to levy the Charges thereof upon the reſpective Owners or Occupiers of ſuch Watercouſe or Watercourſes, Ditch or Ditches, by Diſtreſs and Sale of his or their Goods and Chattels, rendering the Overplus (if any) to him, her, or them, upon Demand.

Owners refuſing to ſcour Watercourſes, the Surveyor may ſet Men to cleanſe the ſame, and levy the Charge.

XLIX. And be it further enacted, That the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, are hereby empowered to contract with any Perſon or Perſons for making, altering, raiſing, widening, and repairing the ſaid Road, or any Part or Parts thereof reſpectively, or any Arches or Bridges upon the ſame, and for doing any other Work by this Act authoriſed to be done, in ſuch Manner and for ſuch Sum or Sums of Money as the ſaid Truſtees ſhall think proper; and all Contracts in Writing for any of the Purpoſes aforeſaid,

Truſtees may contract for Repairs.

which ſhall be entered into purſuant to an Order made at any Meeting of the ſaid Truſtees, ſhall be binding to all Parties who ſhall ſign the ſame, his, her, and their Executors and Adminiſtrators, and that Actions and Suits may be maintained thereon, and Damages and Coſts recovered againſt the Parties failing in the Execution thereof.

Power to widen, turn, or alter the Road;

L. And be it further enacted, that in caſe the ſaid Truſtees, or any Seven or more of them ſhall, at any Time or Times during the Continuance of this Act, think proper to widen, turn, or alter any Part or Parts of the ſaid Road, either for ſhortening or rendering the ſame more commodious, or for avoiding any Hill or Aſcent, or otherwiſe for the better Accommodation of Paſſengers, then and ſo often they the ſaid Truſtees, or any Seven or more of them, ſhall have full Power and Authority from Time to Time to widen any Part or Parts of the ſaid Road, and to divert, turn, or alter the Courſe or Direction of any Part or Parts thereof, and to make a new and more convenient Carriage Road through or over any Moor, Common, or Waſte Ground, without making any Satisfaction for the ſame, and alſo through or over any private Lands or Grounds, firſt making Satisfaction to the Owners thereof and Perſons intereſted therein, for the Damages they may thereby ſuſtain; and for that Purpoſe it ſhall be lawful for the ſaid Truſtees, or any Seven or more of them, to treat, contract, and agree with the Owners of, and Perſons intereſted in any private Lands or Grounds, for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners and Perſons intereſted, or any of them, ſhall or may any Way ſuſtain, by ſuch widening, turning, or altering any Part or Parts of the ſaid Road, or the making any ſuch new Road as aforeſaid.

and to purchaſe Land.

New Roads to be fenced by the Truſtees.

LI. And be it further enacted, That in all Caſes where the ſaid Truſtees ſhall widen, turn, or alter any Part or Parts of the ſaid Road, or make any new Road over and through any incloſed Lands or Grounds, the ſaid Truſtees ſhall make or cauſe to be made Quickſet or other proper Fences where neceſſary, as the Caſe ſhall require, ſo as effectually to guard and fence off the Lands adjoining to the ſaid Road, and alſo proper Gates, Bridges, and Arches, where neceſſary, out of the ſaid Road into the Lands adjoining, and ſhall keep the Quickſet or other Fences ſo to be made in proper Order and Repair for the Term of Seven Years from the Time ſuch Quickſet Fences ſhall have been made and planted.

Power to Corporations to ſell.

LII. And be it further enacted, That it ſhall be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and other Truſtees whatſoever, for and on behalf of any Infants, Femes Covert, Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever, who are and ſhall be ſeiſed, poſſeſſed of, or intereſted in any ſuch Lands or Grounds, to contract and agree with the ſaid Truſtees, or any Seven or more of them, for the Satisfaction to be made for ſuch Damages as aforeſaid, or to ſell to them, or any Seven or more of them, all or any of ſuch Lands or Grounds as Occaſion ſhall require; and all Contracts and Sales which ſhall be ſo made ſhall, without any Conveyance or Aſſurance in the Law, be valid and effectual to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or any other Matter or Thing to the

the contrary thereof notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act; and if any of ſuch Owners, Proprietors, Occupiers, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Truſtees, or any other Perſon or Perſons intereſted in any ſuch Lands or Grounds, upon Notice in Writing to him, her, or them given, or left at the reſpective Dwelling Houſes or Places of Abode of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Grounds ſo to be taken in and added to any Part of the ſaid Road, or into which any Part or Parts of ſuch Road is or are to be turned or altered as aforeſaid, ſhall by the Space of Ten Days 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 ſhall be prevented from treating, then and in every or any ſuch Caſe the ſaid Truſtees, or any Seven or more of them, ſhall cauſe it to be enquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County where the Lands are ſituate, (which Oaths any One or more of the ſaid Truſtees is and are hereby empowered and required to adminiſter,) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to ſuch Owners, Occupiers, or other Perſon or Perſons intereſted for or on account of the taking of ſuch Lands or Grounds into the ſaid Road, or of turning any Part or Parts of ſuch Road into or through the ſame Lands or Grounds; and in order thereto, the ſaid Truſtees, or any Seven or more of them, are hereby empowered and required from Time to Time, as Occaſion ſhall require, to ſummon and call before the ſaid Jury, and examine upon Oath all and every Perſon or Perſons whomſoever, who ſhall be thought neceſſary and proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, (which Oath any One or more of the ſaid Truſtees is and are hereby empowered to adminiſter); and they ſhall alſo order and cauſe the ſaid Jury to view the Places in Queſtion, and to uſe all other lawful Ways and Means, as well for their own as for the Jury's better Information in the Premiſes, as the ſaid Truſtees, or any Seven or more of them, ſhall think fit; and after the ſaid Jury ſhall have enquired of, aſcertained, and ſettled ſuch Damage, Recompence, and Satisfaction, the ſaid Truſtees, or any Seven or more of them, ſhall thereupon order the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury, to be paid to the ſaid Owners or Occupiers of, or other Perſons intereſted in the ſaid Lands or Grounds, according to ſuch Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition and Order ſo had and made, ſhall be final, binding, and concluſive to all Intents and Purpoſes, againſt all Parties and Perſons whomſoever, claiming any Eſtate in Fee Simple, or Fee Tail, for Life or Lives, or Years in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs, Succeſſors, Executors, and Adminiſtrators, Infants, Iſſue unborn, Femes Covert, Perſons beyond the Seas, or under any other Diſability whatſoever, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Perſons whomſoever; and for the ſummoning and returning of ſuch Jury or Juries the ſaid Truſtees, or any Seven or more of them, are hereby empowered to iſſue

The Recompence to be ſettled by a Jury in certain Caſes.

Their Verdict to be final.

iſſue their Warrant or Warrants to the Sheriff of the County of *Suſſex*, or in caſe ſuch Sheriff or his Deputy or Deputies ſhall be in anywiſe intereſted in the Matters in Queſtion, then to ſome One of the Coroners of the ſame County, not intereſted therein, thereby commanding and requiring ſuch Sheriff or Coroner to impannel, ſummon, and return a Jury of Twenty-four honeſt and indifferent Men, qualified according to Law, to be returned for Trials of Iſſues in His Majeſty's Court of Record at *Weſtminſter*, to appear before the ſaid Truſtees, or any Seven or more of them, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and the ſaid Sheriff, his Deputy, or Deputies, or the ſaid Coroner, is and are hereby required to impannel, ſummon, and return ſuch Number accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear, upon ſuch Summons, the ſaid Truſtees, or any One or more of them, ſhall ſwear or cauſe to be ſworn Twelve who ſhall be a Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff, his Deputy, or Deputies, or the ſaid Coroner, ſhall return other honeſt and indifferent Men of the Standers-by, that can be ſpeedily procured to attend that Service, being qualified as laſt aforeſaid, to the Number of Twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen, when they come to be ſworn, but ſhall not challenge the Array; and the ſaid Truſtees, or any Seven or more of them, acting in the Premiſes, ſhall have Power from Time to Time to impoſe any reaſonable Fine or Fines on ſuch Sheriff, his Deputy, or Deputies, Bailiffs or Agents, or on ſuch Coroner making Default in the Premiſes; and on any of the Perſons that ſhall be ſummoned and returned on ſuch Jury and ſhall not appear, without ſufficient Excuſe, or who ſhall refuſe to be ſworn on the ſaid Jury, or being ſo ſworn, refuſing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Perſons, who being required to give Evidence before the ſaid Jury touching the Premiſes, ſhall refuſe or neglect to appear, or appearing, ſhall refuſe to be ſworn and give Evidence; provided that no ſuch Fine ſhall exceed the Sum of Ten Pounds upon any ſuch Sheriff, his Deputy, or Deputies, or Coroner, and the Sum of Five Pounds upon any other Perſon for any One Offence.

Sheriff to be fined on neglect of Duty.

How Expences of Jury, &c. ſhould be paid.

LIII. And be it further enacted, That in caſe any Jury ſhall give in and deliver a Verdict or Aſſeſſment for more Money, as a Recompence for the Right, Intereſt, or Property of any Perſon or Perſons in any Lands or Hereditaments, or for any Loſs or Damage to be by him, her, or them ſuſtained, than what ſhall have been agreed to and offered by the ſaid Truſtees, before the ſummoning and returning of the Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, or Loſs or Damage as aforeſaid, that then and in ſuch Caſe, the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes, and taking ſuch Inqueſt, ſhall be borne and paid by the Treaſurer to the ſaid Truſtees, out of the Money in his Hands, or to ariſe by virtue of this Act; but if ſuch Jury ſhall give and deliver a Verdict or Aſſeſſment for no more, or for leſs Money than ſhall have been agreed to and offered by or on Behalf of the ſaid Truſtees, before the

the ſummoning and returning of the ſaid Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property, or Loſs or Damage as aforeſaid, that then the full Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, and all other Expences attending the hearing and determining of ſuch Difference, 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 having been aſcertained and ſettled by ſome Juſtice of the Peace for the County or Place wherein the ſaid Lands or Hereditaments ſhall be ſituate, not intereſted in the Matters in Queſtion (who is hereby required to examine and ſettle the ſame), ſhall and may be deducted out of the Money ſo aſſeſſed and adjudged as ſo much 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 or adjudged, or otherwiſe ſuch Coſts and Expences, in caſe the ſame be not paid upon Demand after being ſo aſcertained and ſettled as aforeſaid, may be recovered by the Clerk or Clerks to the Truſtees, by ſuch Ways and Means as are hereinafter 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, the whole of ſuch Coſts and Expences ſhall be borne and paid by the Treaſurer or Treaſurers to the ſaid Truſtees, out of the Money to ariſe by virtue of this Act.

How the Purchaſe Money is to be paid.

LIV. And be it further enacted, That every Sum of Money, Recompence and Satisfaction which ſhall be agreed for or aſſeſſed as aforeſaid, ſhall be paid out of the Monies which ſhall ariſe and be produced by virtue of this Act, to the Parties or Perſons reſpectively entitled thereto, or to their Agents; and upon Payment thereof, or depoſiting the ſame in the Bank of *England*, in Manner by this Act directed, as the Caſe may be, after Ten Days Notice thereof to ſuch Parties or Perſons, or their Agents or Owners, or Occupiers of and Perſons intereſted in ſuch Lands or Grounds, ſhall from thenceforth be diveſted of all Right, Title, Claim, Intereſt, and Property of, in, to, or out of the ſame, and ſuch Lands or Grounds ſhall be laid into, and made Part of the ſaid Road, in ſuch Manner as the ſaid Truſtees, or any Seven or more of them, ſhall direct, and ſhall be by them, or by ſuch Perſon or Perſons as they, or any Seven or more of them, ſhall appoint, ſufficiently drained, ditched, fenced, and ſet out for that Purpoſe; and ſhall from thenceforth to all Intents and Purpoſes whatſoever become and for ever afterwards be a common Highway, and ſhall be deemed Part of the Road to be repaired by virtue of this Act, and ſhall be repaired accordingly; and after ſuch new Road ſhall be completed, the Lands conſtituting the former Road, or any Part thereof, (unleſs leading over ſome Moor or Waſte Ground, or to ſome Town, Village, or Hamlet, to which ſuch new Road doth not lead,) ſhall be veſted in the ſaid Truſtees for the Time being; and ſuch Truſtees, or any Seven or more of them, ſhall ſell and convey the ſame for the beſt Price that can be gotten, and the Money ariſing from ſuch Sale ſhall be applied for the Purpoſes of this Act; and the ſaid Truſtees, or any Seven or more of them, are hereby empowered to give in Exchange

Truſtees may ſell or exchange any Part of the old Road when any Roads ſhall be made in lieu thereof.

any Part or Parts of the Lands conſtituting the former Road, for any Part or Parts of ſuch new Road; and the Sale or Sales, Conveyance or Conveyances, Exchange or Exchanges to be made of ſuch Lands or Grounds being executed by the ſaid Truſtees, or any Seven or more of them, ſhall be good and effectual in Law to all Intents and Purpoſes whatſoever.

No Building to be damaged, or any Garden Ground, &c. to be taken for the Purpoſes of this Act.

LV. Provided always, and be it further enacted, That nothing in this Act contained ſhall empower the ſaid Truſtees, or any other Perſon or Perſons, to pull down or damage any Dwelling-houſe or other Building, or to take, uſe, or poſſeſs any Ground having been uſed as a Garden, Orchard, Yard, Walk, Park, or Avenue to a Houſe or Plantation, or Nurſery of Trees, for the Space of Twelve Calendar Months then laſt paſt, without the Conſent in Writing of the Owner or Owners of every ſuch Dwelling-houſe or other Building, Garden, Orchard, Yard, Walk, Park, Avenue, or Plantation, or Nurſery of Trees reſpectively, his, her, or their Agent or Agents, under their reſpective Hands for that Purpoſe firſt had and obtained, other than and except a certain Plot or Piece of Paſture Ground ſituate in *Houghton* aforeſaid, belonging to and in the Occupation of *Benjamin Brown* Gentleman, and a certain Garden or Piece of Ground belonging to his Grace the Duke of *Norfolk*, in the Occupation of *John Ayling*, ſituate alſo in the ſaid Pariſh of *Houghton*, with the Appurtenances to the ſame reſpectively belonging, or ſo much of the ſaid Hereditaments reſpectively as may deemed eligible or expedient for altering, widening, or improving the ſaid Road, which it ſhall be lawful for the ſaid Truſtees to purchaſe without any ſuch Conſent as aforeſaid; but adequate Compenſation ſhall be made by the ſaid Truſtees to the reſpective Owners for ſuch of the Premiſes as ſhall be taken for the Purpoſes of this Act, which Compenſation ſhall be aſcertained, and paid in ſuch Manner as is by this Act provided in that Behalf.

After the new Road is is made, certain Roads through Parham Park may be ſtopped up on the Conditions ſpecified.

LVI. And whereas Part of the preſent Highway or public Road from *Storrington* aforeſaid to *Rackham* Common, in the Pariſh of *Amberley*, and alſo from *Greatham* and *Pulborough*, in the ſaid County, to *Parham Hill*, leads directly through a certain Park called *Parham Park*, in the Pariſh of *Parham* aforeſaid, belonging to Sir *Cecil Biſshopp* Baronet: And whereas, to avoid any Inconvenience which the Inhabitants of the Pariſh of *Greatham* and other Places lying Weſtward to the ſame, might be ſubject to if the ſaid firſt mentioned Road through *Parham Park* ſhould in conſequence of the making of the ſaid Turnpike Road be ſtopped up, unleſs ſome other public Road in a like Direction were made between *Storrington* and *Greatham*, the ſaid Sir *Cecil Biſshopp* hath agreed to make, and that he and the Owner or Owners for the Time being of the ſaid Park, ſhall for ever hereafter maintain and keep in Repair at his and their Expence, a new Road or Highway of the Width of Twenty Feet, and ſtoned for the Width of Twelve Feet, commencing at or near to a certain Place in the Pariſh of *Wiggenholt*, called the *Withy Piece*, and there deviating from the Turnpike Road leading from *Storrington* aforeſaid to *Pulborough* aforeſaid, acroſs *Wiggenholt* Common, and through two certain Fields or Incloſures called by the ſeveral Names of the *Barn*, and *Path Field*, (formerly two Fields, and called the *Barn Field*, and the *Path Field*) and *Conyers Field*, Parcel of

Greatham

Greatham Farm, belonging to *William Peere Williams* Eſquire, Admiral in His Majeſty's Navy, ſituate in *Greatham* aforeſaid, and to communicate in the Pariſh of *Greatham* aforeſaid, with the old or preſent Road leading from *Storrington* to *Greatham* Bridge, oppoſite to *Greatham* Farm Houſe, belonging alſo to the ſaid *William Peere Williams*, and the Diſtance from *Greatham* Bridge aforeſaid to the ſaid Town of *Storrington*, by ſuch new Road, is not to exceed the Diſtance by the Line of the now exiſting Road between *Greatham* Bridge and the Town of *Storrington* aforeſaid, through the ſaid Park, by more than Thirty Rods; be it further enacted, That from and after that Part of the ſaid Turnpike Road, to be made in purſuance of this Act, which leads from the Town of *Storrington* aforeſaid, through the ſaid ſeveral Pariſhes of *Storrington*, *Parham*, and *Amberley*, until the ſame unites with the old or preſent Highway in the ſaid Pariſh of *Amberley*, and alſo the ſaid new Road or Highway ſo to be made as aforeſaid, from or near the ſaid Place called the *Withy Piece*, and which is not to exceed in Diſtance the preſent Line of Road between *Greatham* Bridge and the Town of *Storrington* aforeſaid by more than Thirty Rods, and is not to paſs through more than the ſaid Two Fields of the ſaid *Greatham* Farm, ſhall have been ſeverally made good and completed, and a Certificate of the ſame being in a good and proper State and Condition, and fit to be opened for the Accommodation of the Public, ſhall have been obtained under the Hands of Three or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Suſſex*, acting in the Weſtern Diviſion of the ſaid County (not intereſted in the Premiſes), which Certificate ſhall be returned to ſome General Quarter Seſſions of the Peace to be holden in and for the ſaid Weſtern Diviſion, and duly enrolled at ſuch Seſſions by the Clerk of the Peace for the ſaid County, and of which Return and Inrolment public Notice ſhall be given by Advertiſement in the Newſpaper called the *Lewes Journal*, or in caſe the ſame ſhall not then be publiſhed, then in ſome other Newſpaper in general Circulation in the ſaid County, and from which Certificate and the Truth of the Contents thereof it ſhall and may be lawful for any Perſon or Perſons to appeal to the Firſt or Second General Quarter Seſſions of the Peace to be holden in and for the ſaid Weſtern Diviſion of the ſaid County next after ſuch public Notice ſhall have been given, and of which Appeal Fourteen Days Notice ſhall be previouſly given to the Owner or Occupier for the Time being of *Parham* Park aforeſaid, and from and after the Expiration of the Second Seſſions next after ſuch public Notice, in caſe no ſuch Appeal ſhall have been made, or in caſe ſuch Appeal ſhall have been made, and the ſaid Certificate ſhall have been thereupon confirmed, then from and after ſuch Confirmation thereof, the ſaid ſeveral Highways or public Roads leading through the ſaid Park, called *Parham* Park, ſhall and may be ſtopped up and diſcontinued, and no longer be uſed as public Roads or Highways, and ſhall be for ever thereafter conſidered and adjudged to be the private Property of the ſaid Sir *Cecil Biſshopp*, his Heirs, and Aſſigns; provided nevertheleſs, that if ſuch Certificate ſhall be appealed from and not confirmed, the ſaid old Roads ſhall not be ſtopped up until a Certificate of the ſaid new Roads having been well and ſufficiently made, ſhall have been obtained and enrolled after ſuch public Notice as aforeſaid, and not appealed from, or if appealed from, confirmed in Manner hereinbefore mentioned.

LVII. And

Directing that no Toll shall be taken on a certain part of the new Road.

LVII. And be it further enacted, That no Turnpike Gate shall be set up, nor any Toll demanded or taken on the said new Road, from its Deviation from the present Line of Road, at or near to the said *Withy Piece*, to its Junction with the Road, situate in *Greatham* aforesaid, leading from *Storrington* towards *Greatham* Bridge aforesaid; and that the said last-mentioned new Road shall be made, and shall at all Times hereafter be maintained and kept in Repair by and at the Expence of the Owner or Owners for the Time being of *Parham* Park aforesaid; and that such last-mentioned new Road, so far as the same passes through the said Two Fields or Inclosures of the said *William Peere Williams*, shall be at first fenced off by a good and sufficient Post and Rail Fence, with a Quickset Hedge, by and at the Expence of the Owner or Owners for the Time being of *Parham* Park aforesaid.

Power to enter Lands for making the new Road.

LVIII. And be it further enacted, That from Time to Time, and at all Times from and after the passing of this Act, it shall and may be lawful to and for the said Sir *Cecil Bisshopp*, and the Owner or Owners for the Time being of *Parham* Park aforesaid, to enter upon so much of the said Two Fields or Inclosures belonging to the said *William Peere Williams*, in *Greatham* aforesaid, as shall be necessary for making the said new Road through the same of the Width aforesaid, with his and their Servants, Horses, Carts, and Carriages, and all Things convenient and necessary for making such new Road, and to make the same; and that the Land to be taken and used for the said Road shall for ever thereafter be deemed and taken to be a public Road and common Highway.

Roads discontinued, not to be repaired.

LIX. Provided always, and be it further enacted, That in case the ancient or former Road over any Moor or Waste Ground shall, by virtue of this Act, be turned or diverted, the Inhabitants of the Parish, Townships, or Hamlet wherein the ancient or former Road which shall thereby be left or discontinued lieth, shall not be obliged to repair such ancient or former Road, unless the same leads to some Town, Village, or Hamlet with which the new Road doth not communicate.

Directing Pieces of old Roads to be offered for Sale to the Proprietors of the adjoining Lands.

LX. Provided always, and be it further enacted, That the said Trustees before they shall sell and dispose of any Piece or Pieces of old Roads, shall first offer the same to the Person or Persons whose Lands shall adjoin thereto; and in case such Person or Persons respectively, shall not then and thereupon agree, or shall refuse to purchase the same respectively, any Affidavit to be made, and sworn before a Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the said County of *Sussex*, by some Person or Persons no Ways interested in the said Piece or Pieces of old Road or Ground, stating that such Offer was made by or on the Behalf of the Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall be sufficient Evidence and Proof that such Offer was made and was not agreed to, or was refused by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing the same, and he, she, or they, and the said Trustees, shall differ

differ and not agree with respect to the Price thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury, in Manner hereinbefore directed, with respect to disputed Value of Lands to be purchased by the said Trustees in pursuance of this Act; and the Expense of hearing and determining such Difference shall be borne and paid in like Manner as herein directed, with respect to Purchases made by the said Trustees *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Parcel of old Road or Ground as aforesaid, shall be applied to the Purposes of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication of such Money.

Lords of Manors, &c. to have the same Interest in the new as the old Road.

LXI. Provided always, and be it further enacted, That the Lords of the Manors, or other Proprietors, shall have the same Interest and Property in and to the Soil and Royalties of or within every new Road which shall be made by virtue of this Act, as they were seised or possessed of or entitled to in the former Road, in lieu whereof such new Road shall be made; and that all Mines, Minerals, and Fossils, lying under any Ground made use of for the Purposes of this Act, and not constituting any Part of the present Road, as well as under the former Road, shall continue to be the Property of the Person or Persons who would from Time to Time have been seised of or entitled to the same in case this Act had not been made, and in case the Owner or Owners of any such new Ground shall require a Certificate from the said Trustees, of the Quantity and Situation of the Ground so made use of, the said Trustees are hereby empowered and required to grant such Certificate *gratis*; which Certificate may be enrolled in the Office of the Clerk of the Peace for the County wherein the same Ground is situate, and a true Copy thereof, signed by such Clerk of the Peace or his Deputy, shall be legal Evidence of the same.

Application of Compensation when amounting to 200*l.*

LXII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid under the Direction, and with the Approbation of the said Court, (to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments,) in the Purchase of the Land Tax or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled to the same or the like

Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, 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 Hereditaments, which ſhall be ſo taken, purchaſed, or uſed as aforeſaid, ſtood ſettled, or limited, to ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect; and in the Meantime and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the 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 Meantime and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

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

LXIII. Provided always, and be it further enacted, That if any Money ſo agreed or aſſeſſed to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Body Politic, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall 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 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 hereinbefore 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 Five or more of the Truſtees for executing this Act, (ſuch Nomination and Approbation to be ſignified in Writing, under the Hands of the nominating and approving Parties,) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner hereinbefore directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application when the Money is leſs than 20l.

LXIV. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or aſſeſſed to be paid as hereinbefore mentioned, ſhall be leſs than Twenty Pounds, then, and in all ſuch Caſes, the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this

this Act, 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;

LXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for 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 in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed 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 be lawful for the said Trustees to order the Sum or Sums of Money so awarded or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, 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 Public 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 same 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 such Sum or Sums into the Bank as aforesaid.

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

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

Respecting disputed Titles.

LXVI. 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 Monies, or to the Dividends or Interests of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and 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 be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction

of

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

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

LXVII. 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 Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Perſons liable and Lands chargeable to the Repair of Roads and Bridges, to continue ſo.

LXVIII. Provided always, and be it further enacted, That where any particular Part or Parts of the ſaid Road, or any Bridges, Arches, Drains, Sewers, or Watercourſes lying in and upon the ſame Road, have been accuſtomed, or ought to be repaired and maintained by any particular Perſon or Perſons, Bodies Politic or Corporate, by reaſon of the Tenure of any Lands, Tenements, or Hereditaments, or by the ſaid County of *Suſſex*, or any Ward, Pariſh, or Townſhip therein, or otherwiſe howſoever, all and every ſuch Part or Parts of the ſaid Road, and all ſuch Bridges, Arches, Drains, Sewers, and Watercourſes ſhall from Time to Time be maintained and kept in Repair by ſuch Perſon or Perſons, Bodies Politic and Corporate, County, Wards, Pariſhes, or Townſhips reſpectively, in ſuch Manner as the ſame ought to have been reſpectively maintained and kept in Repair, in caſe this Act had not been made.

Perſons chargeable to Statute Work, to continue ſo; and Juſtices to determine Differences reſpecting Statute Work.

LXIX. Provided always, and be it further enacted, That all Perſons who by Law are liable to 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 *Suſſex*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Five or more of them, 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 in every ſuch Pariſh or Place in Lieu of or as a Compenſation for ſuch Statute Work as aforeſaid, ſhall be by him or them paid to the ſaid Truſtees, or any Five or more of them, or

to

to 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 reſpectively, 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 every 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 Liſt of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as is or may be directed by any Law or Statute in Force for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices reſpectively ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear and be ſubject and liable to the 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 any Five or more of them, or their Surveyor, or either of their Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices reſpectively 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 Compenſation for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees, or any Five or more of them, or to their Treaſurer or Treaſurers for the Time being, at ſuch Time or Times as they the ſaid Juſtices reſpectively 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 the 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 or her at his or her uſual Place of Abode, for that Purpoſe, by any Surveyor of the ſaid Truſtees, ſhall, for every Day of his or her 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 or her, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon may be ſubject or liable to by any Law or Statute in Force and Effect, for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to Work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer or Treaſurers 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.

LXX. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to compound and agree with any Perſon or Perſons, Bodies Politic 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 the 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 before the Firſt Day of *February* in each and every Year.

For recovery of Compoſition Money.

LXXI. And be it further enacted, That in caſe the Compoſition Money agreed to be paid for paſſing through any Turnpikes or Toll-Gates, or in lieu of any ſuch Repairs or Statute Work as aforeſaid, or any Part or Parts of ſuch Compoſition Money reſpectively, ſhall not be paid within Fifteen Days after the ſame ſhall become payable, it ſhall be lawful for any Two or more Juſtices of the Peace for the County of *Suſſex*, by Writing under their reſpective Hands and Seals, to empower the Perſon or Perſons authorized to receive ſuch Compoſition Money (Oath having been firſt made before ſuch Juſtices, that the ſame hath been demanded and remains due, which Oath they are hereby reſpectively empowered and required to adminiſter), to levy ſuch Compoſition Money by Diſtreſs and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, or other Perſon or Perſons ſo having compounded or agreed to pay ſuch Compoſition Money as aforeſaid, returning the Overplus, (if any) after deducting ſuch Compoſition Money and the reaſonable Charges of ſuch Diſtreſs and Sale, upon Demand, to the Owner or Owners thereof.

For compelling Payment of Subſcriptions.

LXXII. And be it further enacted, That if the ſeveral Perſons who have become Subſcribers towards the Expence of obtaining and paſſing this Act, and carrying the ſame or any Part or Parts thereof into Execution, or any One or more of them, or any Perſon or Perſons who ſhall hereafter become or agree to become a Subſcriber or Subſcribers for the Purpoſes aforeſaid, ſhall, after Twenty Days previous Notice in Writing, under the Hand of the Treaſurer or Clerk to the ſaid Truſtees, for that Purpoſe, to him, her, or them given, or left at his, her, or their Dwelling Houſe, or uſual Place or Places of Abode, refuſe or neglect to make Payment of the reſpective Sums by

by him, her, or them ſo ſubſcribed, or agreed to be ſubſcribed, or ſuch Part or Parts thereof as may be required by ſuch Notice, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to bring or cauſe to be brought any Action of Debt, or on the Caſe, Bill, Plaint, or Suit, againſt the Perſon or Perſons ſo neglecting or refuſing as aforeſaid, his, her, or their Heirs, Executors, or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection, or Wager of Law, or more than one Imparlance ſhall be allowed; and after Proof of ſuch Perſon or Perſons having ſo ſubſcribed, or agreed to ſubſcribe, and that ſuch Notice was given as aforeſaid, ſuch Perſon or Perſons, his, her, or their Heirs, Executors, or Adminiſtrators, ſhall be compelled to pay the Sum or Sums of Money ſo by him, her, or them, ſubſcribed or agreed to be ſubſcribed as aforeſaid, or ſuch Part or Parts thereof as may be required by ſuch Notice, together with full Coſts of Suit.

How Penalties, Forfeitures, and Fines are to be recovered and applied.

LXXIII. And be it further enacted, That all Penalties, Forfeitures, and Fines, by this Act impoſed, or authorized to be impoſed, (the Manner of levying and recovering of which is not herein otherwiſe particularly directed,) ſhall, upon Proof of the Offences and Conviction of the Offenders reſpectively, before any One or more Juſtice or Juſtices of the Peace for the County of *Suſſex*, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more credible Witneſs or Witneſſes, be levied by Diſtreſs and Sale of the Goods and Chattels of the Partry or Parties offending, by virtue of a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices; and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale are deducted, ſhall be returned on Demand to the Owner or Owners of ſuch Goods and Chattels; and all ſuch Penalties, Forfeitures, and Fines, ſhall (if not otherwiſe directed by this Act) be paid to the ſaid Truſtees, or their Treaſurers, and applied for the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties, Forfeitures, and Fines ſhall not be forthwith paid, ſuch Juſtice or Juſtices is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for ſuch County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties, Forfeitures, and Fines, and all reaſonable Charges attending the Recovery thereof, ſhall be ſooner paid and ſatisfied.

Power to compound for Penalties.

LXXIV. And be it further enacted, That in all Caſes where any Action or Actions, Suit or Suits ſhall be brought, commenced, or proſecuted againſt any Perſon or Perſons, for Breach or Non-performance of any Contract or Contracts entered into, it ſhall and may be lawful for the ſaid Truſtees, from Time to Time, to compound or agree for the ſame for ſuch Sum or Sums of Money as they ſhall think proper, inſtead of receiving the whole of the Penalty or Penalties; but the Sum ſo compounded or agreed for ſhall not be leſs than the Injury or Damage ſuſtained by the Breach or Non-performance of any Contract,

tract, and all the Costs, Charges, and Expences which shall be occasioned thereby.

For securing transient Offenders.

LXXV. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Collectors, Surveyors, or other Officers appointed to put the same in Execution; be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as they, any, or either of them, shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace of the County or Place where the Offence or Offences shall be committed.

LXXVI. And for the more easy Conviction of Offenders against this Act, be it further enacted, That the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, may cause the Conviction to be drawn up in the Form or in the Words to the Effect following, *mutatis mutandis*, as the Case may be:

Form of Conviction.

County of Sussex to wit. } 'BE it remembered, that on [*Time of Conviction*] at [*Place of Conviction*] *A. B.* of [*Addition of Offender*] was duly 'convicted before me [or *us*] [*Name and Stile of convicting Justice or 'Justices*] for that the said *A. B.* on [*Time of committing Offence*] at '[*Place of committing Offence*] did [*here state the Offence against the 'Act, according to the Fact*] contrary to the Form of the Statute 'made in the Fifty-second Year of the Reign of His Majesty King 'George the Third, intituled [*here set forth the Title of this Act*]; and 'I [or *we*] do therefore declare and adjudge that the said *A. B.* hath 'forfeited for his said Offence the Sum of [*Fine*] or shall be committed 'to [*Place of Imprisonment*] for the Space of [*Time of Imprisonment*].

'Given under my Hand and Seal [*or*, our Hands and Seals] the Day 'and Year first above written.'

Appeal to the Quarter Sessions.

LXXVII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Matter or Thing done in pursuance of this Act, for which no particular Relief hath been hereinbefore provided, (save and except the Verdict of the Jury, and any Determination, Proceeding, Matter, or Thing hereinbefore directed to be final,) such Person or Persons may, within Four Calendar Months after the Cause of Complaint shall arise, appeal to the Justices of the Peace at their General Quarter Sessions to be holden for the County of *Sussex*, such Appellant or Appellants first giving or causing to be given Fourteen Days Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Causes or Matter thereof, to the Clerk or Treasurer of the said Road, and within Four Days next after such Notice, entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of the Justices at such Quarter Sessions, and to pay such Costs as shall be awarded against him, her, or them by such Justices; and such

ſuch Juſtices at their ſaid Seſſions, on due Proof of ſuch Notice having been given as aforeſaid, and of the entering into ſuch Recognizance, ſhall proceed to hear and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award Coſts to the Party appealing, or appealed againſt, as they ſhall think proper; and their Determination ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever.

Proceedings not to be quaſhed for want of Form.

LXXVIII. And be it further enacted, That no Order made touching or concerning any of the Matters and Things in this Act contained, or any Proceeding to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed for want of Form, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; and that when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, 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 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 may be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage (if any) in an Action upon the Caſe, but no Perſon or Perſons ſhall recover in any Action for ſuch Irregularity as aforeſaid, if Tender of ſufficient Amends be made by or on the Behalf of the Party diſtraining before ſuch Action ſhall be brought.

Inhabitants may be Witneſſes, and Quakers' Affirmation to be taken in lieu of an Oath.

LXXIX. And be it further enacted, That any Inhabitant of any Pariſh, Townſhip, Diſtrict, or Place in which any Offence may be committed againſt this Act, ſhall not be deemed and adjudged to be an incompetent Witneſs, by reaſon of his or her being an Inhabitant of ſuch Pariſh, Townſhip, Diſtrict or Place.

Limitation of Actions.

LXXX. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, until Fourteen Days Notice thereof ſhall be given to the Clerk or Treaſurer of the ſaid Road, nor after a ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after the Expiration of Three Calendar Months from the Time of the Fact or Offence being committed; and every ſuch Action or Suit ſhall be laid or brought in the County of *Suſſex*, and not elſewhere; and the Defendant or Defendants in every ſuch Action ſhall or may, at his, her, or their Election, plead ſpecially, or the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or that ſuch Action or Suit ſhall have been brought before Fourteen Days Notice thereof was given as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Expiration of the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County, then the Jury ſhall find for the

Defendant or Defendants; and upon such Verdict, or if such 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, Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath in other Cases by Law.

Public Act.

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

Commencement and continuance of this Act.

LXXXII. And be it further enacted, That this Act shall commence and take place upon the Second *Thursday* next 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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