



ANNO QUARTO

# GEORGIIV. REGIS.

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## Cap. xlii.

An Act for making and maintaining a Turnpike Road from *Horsham* in the County of *Sussex*, by *Bewbush*, to the Town of *Crawley* in the said County. [23d May 1823.]

**W**HEREAS the making and maintaining a Turnpike Road from the Gaol Green, in the Town of *Horsham*, in the County of *Sussex*, by *Bewbush*, in the Parish of *Beeding*, otherwise *Seal*, to the Town of *Crawley* in the said County, would be of great Advantage and Convenience to the Owners and Occupiers of Estates and other Inhabitants within the said Towns and adjacent Country, and would otherwise be of great public Utility; but the same cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Law now in being for regulating Turnpike Roads in that Part of Great Britain called England*: 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 all His Majesty's Justices of the Peace acting for the County of *Sussex*, together with *Robert Aldridge*, *Charles Beauclerk*, *James Shudi Broadwood*, *William Cutler*, *John Caffyn*, the Honourable *Thomas Erskine*, *Thomas Americus Erskine*, *James Gardner*, *Samuel Holland* Doctor in Divinity, *Thomas Honywood*, the Reverend *Spencer Lewin*, *Thomas Redford*, *Thomas Sanctuary*, *Robert Smith*, *Dewdney Stedman*, *William Sharp*, *John Turner*, and their Successors, shall be and they are hereby appointed Trustees for putting this Act in Execution.

3G.4. c.126.

Trustees.

[Local.]

II A

II. And

Power to  
appoint  
additional  
Trustees.

II. And be it further enacted, That it shall and may be lawful for the said Trustees, or any **Three** or more of them, and they are hereby authorized and empowered, at their First Meeting to be holden in pursuance of this Act, to **elect** any Number of Persons, not exceeding Five in the Whole, to be Trustees for the Purposes of this Act and the said recited Act, in addition to the Trustees hereby appointed; and such Trustees, so elected and being qualified according to the Directions of the said Act and this Act, shall be and are hereby invested with the same Powers and Authorities for executing this and the said Act, as if they had been hereby nominated and appointed.

Extending  
the Powers  
3 G. 4. c. 126.  
to this Act.

III. And be it further enacted, That all the Powers, Provisions, Remedies, Penalties, Exemptions, Matters, and Things contained in the said recited Act passed in the Third Year of the Reign of His said present Majesty shall extend, and be deemed, construed, and taken to extend to this Act, in as full, large, and ample a Manner, to all Intents, Constructions, and Purposes whatsoever, as if the same respectively were repeated and re-enacted in the Body of this Act, save and except where the same are or any Part thereof is expressly varied, altered, or repealed by this Act.

Trustees to  
take an  
Oath truly  
to execute  
the Acts.

IV. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of the said Act and this Act, unless he shall be qualified in such manner as in and by the said Act is directed and prescribed; and unless (being so qualified) he shall, before he shall act as a Trustee (except in administering the Oath mentioned in the said recited Act, and the Oath herein-after mentioned) take and subscribe, before any One or more of the said Trustees, an Oath, or being a Quaker, an Affirmation, in the Words or to the Effect following; (that is to say),

Form of  
Oath.

‘ **I** *A. B.* do swear, [*or, being a Quaker, do affirm*] That I will truly, honestly, and impartially, according to the best of my Judgment, execute, and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee by virtue of an Act passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here insert the Title of this Act*], and also an Act passed in the Third Year of the Reign of His said Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England.* So help me GOD.’

Which Oath or Affirmation any One or more of the said Trustees is and are hereby authorized and empowered to administer; and if any Person shall presume to act (except as aforesaid), before he shall have taken and subscribed the said Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparance shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said Act or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oaths hereby prescribed, shall be thereby impeached or rendered nugatory; but

all such Acts and Proceedings shall be as valid and effectual as if such Person had taken such Oaths previously to his having acted as such Trustee as aforesaid.

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

Treasurer and Clerk not to be the same Person.

VI. And be it further enacted, That the First Meeting of the said Trustees shall be held at the House known by the Sign of the *King's Head*, or at some other convenient House or Place in the Town of *Herisham* in the said County of *Sussex*, on the Second *Saturday* next after the passing of this Act, or as soon after as conveniently may be; at which Meeting the said Trustees shall and may, by Writing under their Hands, elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, and also a Collector or Collectors of the Tolls, and of all the Monies to be collected, or which shall or may be due and payable under or by virtue of the said Act and this Act; and shall likewise appoint some fit and proper Person or Persons to be a Surveyor or Surveyors of the said Road, and all such other Officers as they the said Trustees shall think proper; and that they the said Trustees shall and may from Time to Time remove all such Treasurers, Clerks, Collectors, Receivers, Surveyors, and other Officers, or any of them, when and as often as they shall see Occasion, and appoint others in their Stead, as to the said Trustees shall seem proper; and the said Trustees shall and may, out of the Tolls and other Monies to be collected and received under or by virtue of the said Act and this Act, make such Allowance by way of Salaries or otherwise, unto the Treasurers, Clerks, Collectors, Receivers, Surveyors, and other Officers so to be appointed, for and in consideration of the Care and Pains by them respectively taken in the Execution of their respective Offices, and to such other Person or Persons as shall be assisting in and about the Execution of the said Act and this Act, as to the said Trustees shall seem proper.

First Meeting of Trustees, and power to appoint Officers.

VII. And

Power to erect Turnpike and Toll Gates.

VII. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized to erect or cause to be erected such Toll Gates, Bars, or Turnpikes in, upon, or across the said Road by this Act authorized to be made, or in, upon, or across any Part or Parts thereof, or upon or near the Side or Sides thereof, or across any Street, Lane, or Way leading into or out of the same, as they shall think proper, together with such Toll House or Toll Houses and other Conveniencies adjoining or near to the said respective Toll Gates, Bars, or Turnpikes, as to them shall seem meet or expedient; and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees shall think expedient.

Power to sell useless Toll Houses.

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

IX. And be it further enacted, That the respective Tolls following shall be demanded and taken at all such Toll Gates, Bars, or Turnpikes respectively, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same; (that is to say),

Tolls.

For every Horse, Mule, or other Beast, drawing any Coach, Chariot, Landau, Berlin, Sociable, Phaeton, Curricule, Whiskey, Chair, Taxed Cart, Chaise, Calash, or other such like Carriage, or any Hearse, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or other Beast, drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage, the Sum of Three-pence:

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

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of Sixpence *per* Score, and so in proportion for any greater or less Number:

For

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Three-pence *per* Score, and so in proportion for any greater or less Number: And,

For every Carriage laden with Timber, Plank, Bricks, Tiles, Stone, Chalk, or Sand, passing through any Gate or Gates, Turnpike or Turnpikes, to be erected by virtue of this Act, between the First Day of *November* and the First Day of *April* in every Year, Double the Tolls or Duties which the same would otherwise be liable to pay by virtue of this Act.

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after directed. Tolls vested in the Trustees.

X. And be it further enacted, That no more than Two full Tolls in the whole shall be demanded or taken from any Person or Persons for Once passing and repassing the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next following Night, with the same Horses, Cattle, Beasts, and Carriages through all the Toll Gates or Turnpikes to be erected by virtue of this Act; and any Person who shall have paid the Tolls hereby granted for or in respect of any Horses, Cattle, Beast or Carriages, at any Toll Gate, Bar, or Chain to be erected by virtue of this Act, shall on the same Day (to be computed as herein-before mentioned) be permitted to pass and repass once (but not oftener) through the same Gate or Bar, without again paying Toll, with the same Horses, Cattle, Beasts or Carriages. Limiting the Number of the Tolls to be taken.

XI. And be it further enacted, That upon Payment of any of the Tolls hereby made payable, the Collector or Receiver shall and he is hereby required to deliver, or offer to deliver (*gratis*) to the Person paying such Toll, a Note or Ticket denoting such Payment; and specifying the Name of the Gate at which the Toll is received. Tickets to be printed and delivered gratis.

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

XIII. And be it further enacted, That after the said new Road to extend from *Fay Gate Green* by the North Side of *Holmbush House*, and joining the present Road at or near *Bewbush*, shall be open for Travellers in lieu of the old Road now leading from *Fay Gate Green* aforesaid along the South Side of *Holmbush* to *Bewbush*, and whereby the Public will be more conveniently accommodated, such last-mentioned Road shall be wholly stopped up and discontinued, and the Ground and Soil thereof shall be declared Old Road by Holmbush to be stopped up.

[*Local.*]

declared to be vested in the Owner of the adjoining Land, upon the Terms and in the Manner directed by the said recited Act: Provided always, that the said Road shall not be stopped up unless the Concurrence and Approbation in Writing of any Two or more of His Majesty's Justices of the Peace for the County or Place in which the same shall be situate shall be first had and obtained, and their Determination in the Premises shall be subject to Appeal in the Manner and Form directed and prescribed by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King George the Third, intituled *An Act to amend an Act of the Thirteenth Year of His present Majesty, for the Amendment and Preservation of the public Highways, in so far as the same relates to Notice of Appeal against turning or diverting a public Highway, and to extend the Provisions of the same Act to the stopping up of unnecessary Roads.*

55 G. 3. c. 68.

Application of Tolls.

XIV. And be it further enacted, That all the Tolls and other Monies to arise by virtue of the said recited Act and this Act shall be applied in the first Place, and in preference to all other Payments whatsoever, in paying and defraying the Charges and Expences incident or in anywise relating to the obtaining and passing of this Act, with Interest for the same; and then in the Payment of Interest upon the Money to be borrowed for the Purposes thereof, and of the Salaries and Allowances to the Treasurers, Clerks, Collectors, Surveyors and other Officers and Persons for the Time being employed by the said Trustees; and in paying and defraying all other Charges, Sums of Money, and Expences to be incurred or occasioned in or relating to the Execution of this and the said recited Act; and also in repaying the Principal Sum or Sums of Money borrowed or to be borrowed upon the Credit of the Tolls by the said Act and this Act granted, and to and for no other Use or Purpose whatsoever.

Power to set out and make Roads.

XV. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to set out and make the said new intended Road herein-before mentioned and described, in such Manner as to them shall seem right and proper; and for that Purpose to take and use any Lands, Grounds, Houses, Erections, Buildings, Tenements and Hereditaments, they the said Trustees first making Satisfaction to the Owners and Occupiers of such Lands, Grounds, Houses, Erections, Buildings, Tenements and Hereditaments, or such Part or Parts thereof as they the said Trustees may require for making and constructing the said Road; such Satisfaction, in case of any Difference concerning the same, to be settled and ascertained by a Jury in Manner directed and prescribed in and by the said recited Act.

A Map or Plan of the Roads deposited with the Clerk of the Peace, to remain there for Inspection of Parties interested, &amp;c.

XVI. And whereas a Map or Plan of the Line of the said Road, and of the Lands and Premises through which the same are to be made or carried, together with Lists of the Names of the Owners and Occupiers, or reputed Owners or Occupiers, of such Lands and Premises, has been deposited at the Office of the Clerk of the Peace for the said County of *Sussex*; be it therefore further enacted, That the said Map or Plan and Lists shall remain in the Custody of the Clerk of the Peace for the said County, to the end that all Persons may, at seasonable Times, have liberty to inspect and peruse the same, paying for such Inspection and Perusal the Sum of One Shilling, and to take Copies or Extracts thereof at their Will

Will and Pleasure (paying the Clerk of the Peace for the Time being the Sum of Four-pence for every Seventy-two Words for making such Copies or Extracts); and that the said Trustees in making the said Road shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Road into, through, across or over the several Lands, Hereditaments and Premises of any Person or Persons who is or are or may be Owner or Owners or Occupier or Occupiers of Lands and Premises through or over which the same are set out and described in the said Map or Plan as aforesaid, although such Lands or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described, omitted, or mis-stated in the said Map or Plan or Lists, in case it shall appear to any One or more Justice or Justices of the Peace of the County or Place where such Lands or Premises shall or may respectively be, and be certified by Writing under his or their Hand or Hands, that such Error or Omission proceeded from Mistake.

Trustees to make Road conformably to such Plan.

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

Houses not to be injured.

XIX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road, or any Part thereof, shall still remain liable thereunto, in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the said County of *Sussex*, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Clerks, Surveyor or Surveyors, by their Order), yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Townships, or Places liable thereto, or in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees, or to their Treasurer or Treasurers; and in order thereto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons, either personally or by leaving the same at his or their Dwelling

Regulations for Performance of Statute Work.

**Dwelling House or Dwelling Houses**) of the Names of the several Persons who within such **Parish, Township, or Place** are by Law subject and liable to do **Statute Work** for that Year, or to the Payment of any Money in lieu of or as a **Composition** for such **Statute Work**, distinguishing the Nature of the **Work** to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions as is or may be directed by any Law or Statute in Force and Effect for the Repair of the public Highways; and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do **Statute Work** 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 on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Surveyor or Surveyors of such respective Parishes, Townships, or Places, to pay over to the said Trustees or their Treasurer or Treasurers, such Proportion of the Composition for **Statute Work** as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do **Statute Work** as aforesaid, after Notice in Writing given to or left for him, her, or them for that Purpose, signed by the Surveyor or Surveyors to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force and Effect for the Repair of the public Highways; and if any Person who shall come to work as a Labourer, or who 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 refused or neglected 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, Townships, or Places, shall refuse or wholly neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such **Composition Money** or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such **Composition Money** shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his and their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the said County of *Sussex*, on Complaint made to such Justices by the Surveyor to the said Trustees.



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

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

XXI. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, are and is hereby empowered to contract and agree with any Person or Persons for setting out, making, altering, widening, repairing, or otherwise improving the Road by this Act authorized to be made, or any Part or Parts thereof, or for doing any other Work to be performed in the Execution of this and the said recited Act, in such Manner and for such Sum or Sums of Money as the said Trustees shall think proper; and that all Contracts and Agreements in Writing entered into by or in pursuance of any Order of the said Trustees, with any Workman or Workmen, or any other Person or Persons, relating to any Matter or Thing to be done by virtue of this or the said recited Act, shall be binding upon all such Parties and Persons who shall sign the same, his, her, and their Executors and Administrators; and that Actions and Suits shall and may be maintained thereon by the said Trustees, or by their Clerk or Clerks, Treasurer or Treasurers for the Time being, and in his or their Name or Names respectively; and Damages and Costs to be recovered against the Party or Person, Parties or Persons, failing in the Performance of such Contracts or Agreements respectively, and such Sum or Sums of Money as shall or

Power for the Trustees to contract for setting out, making, and repairing the said Road.

[Local.]

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may

may be requisite for setting out, making, or repairing the said Road, or for doing any other Matter or Thing to be done by virtue of this or the said recited Act, and which by such Contracts or Agreements respectively the Parties ought, to have done, shall be the Measure of the Damages to be recovered in any Action or Suit against any such Party or Person, Parties or Persons respectively, so as aforesaid making Default in the Fulfilment of his, her, or their Contract or Agreement; any Law or Usage to the contrary in anywise notwithstanding.

**Public Act.** XXII. 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.** XXIII. And be it further enacted, That this Act shall commence upon the passing thereof, and shall be and continue in full Force and Effect 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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