



ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 28.

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Thirty-third Year of the Reign of His late Majesty, and the Twenty-first Year of the Reign of His present Majesty, for amending, widening, and keeping in Repair the Roads from *Tamworth* to *Ashby-de-la-Zouch* in the County of *Leicester*, and from *Sawley Ferry*, now *Harrington Bridge*, in the said County, to a Turnpike Gate at or near the End of *Swarcliffe Lane* to *Ashby-de-la-Zouch* aforesaid.

[7th April 1803.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, intituled; *An Act for amending, widening, and keeping in Repair the High Roads from the Borough of Tamworth to Ashby-de-la-Zouch in the County of Leicester, and from Sawley Ferry in the said County, to a Turnpike Gate at or near the End of Swarcliffe Lane leading to Ashby-de-la-Zouch aforesaid:* 33 Geo. 2. And whereas another Act was passed in the Twenty-first Year of His present Majesty to enlarge the Term and Powers of the said Act: 21 Geo. 3. And whereas the Trustees named in and appointed by and by virtue of the said recited Acts have proceeded to put the same in Execution, and have borrowed several considerable Sums of Money on the Credit of the Tolls authorized and directed to be taken by the said recited Acts, which, together with the Tolls collected, have been applied in amending and

[Loc. & Per.] 6 A repairing

repairing the said Roads, in which great Progress hath been made; but the said Roads cannot be properly amended, improved, supported, and kept in Repair, or the Money so borrowed and Interest for the same paid, unless the Term granted by the said Acts be continued, the Powers and Provisions thereof in some Respects altered and amended, and the Tolls increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, (except such as relate to Exemptions from Stamp Duties), shall be and the same are hereby further continued for and during the Term herein-after mentioned, in as full and ample a Manner, and as fully and effectually to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Amendments, Alterations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the Term and Powers hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit or on Account of the said former Acts, or which may become due or be borrowed on the Credit thereof and of this Act, and all Interest due and to grow due for the same respectively.

21 Geo. 3.
continued.

First Meeting
of the Trustees.

II. And be it further enacted, That the Trustees for executing the said recited Acts and this Act, or any Five or more of them, shall meet at the *Queen's Head Inn*, in *Asbby-de-la-Zouch* in the said County of *Leicester*, upon the Second *Monday* after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, or at such other Time and Place as the Clerk or Treasurer to the said Trustees shall appoint, by Notice or Advertisement in the Manner herein-after prescribed with respect to Meetings on Emergencies, and then and there proceed to carry this Act and the said recited Acts into Execution, and shall then and from Time to Time afterwards, adjourn themselves to meet again at such Place or Places, on or near to any Part of the said Road, as the said Trustees, or the major Part of them present at any such Meeting, shall think proper and appoint for putting this Act and the said recited Acts into Execution; and that all Acts and Proceedings of any Person or Persons who hath or have acted or shall act as a Trustee or Trustees in the Execution of this Act, or either of the said recited Acts, though not duly qualified, previous to his or their being convicted of having done so, shall be as valid and effectual as if such Person or Persons had been so qualified.

Power to adjourn.

III. And be it further enacted, That in case a competent Number of Trustees shall not appear at any Time and Place appointed for a Meeting of the said Trustees, either then to act or to adjourn to any other Time, Two Trustees being hereby declared to be sufficient for the Purpose of Adjournment only, or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, then and in either of the said Cases, it shall be lawful for the Clerk or Treasurer to the said Trustees for the Time being, by Notice in Writing to be affixed on all the Toll Gates erected or to be erected upon the said Roads, or inserted
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in some Newspaper published or circulated in the County of *Leicester*, if any, at least Seven Days before the next Meeting, to appoint them to meet at the same Place where the last Meeting was held or was to have been held, on such future Day as shall be specified in such Notice, not exceeding Five Weeks after the Day on which such last Meeting was held, or was to have been held as aforesaid; and in case such Clerk or Treasurer respectively shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Five of the said Trustees, although not assembled at any Meeting, at any Time or Times after such Refusal, Neglect, or Prevention respectively as aforesaid, by Notice in Writing under their Hands, to be affixed or inserted in Manner aforesaid, to appoint the Trustees to meet at some House near to the said Roads, upon some Day within Three Weeks after the Date of such last mentioned Notice; and if, after any Adjournment of the said Trustees, it shall upon any Emergency be thought necessary that they should meet at an earlier Time than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, upon an Order in Writing signed by Five or more of them, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in such Order, (such Time not being less than Seven Days after such Notice); and such earlier Meeting shall and may be held accordingly, and all the Proceedings of the Trustees at such Meetings as aforesaid shall be as valid and effectual, as they would have been in case such Meetings had been held in pursuance of Adjournment.

Meetings on
Emergencies.

IV. And be it further enacted, That on every *Sunday*, after the Expiration of Twenty-one Days from the passing of this Act, there shall be demanded and taken at the Toll Gates erected upon the said Roads respectively, by the Collector or Collectors at such Gates, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same, Double the Tolls by the before recited Acts directed and allowed to be taken; which said Tolls shall be and the same are hereby vested in the said Trustees, and shall be collected and recovered in the same Manner, and with such Remedies for Nonpayment or Evasion thereof, as are contained in the said recited Acts.

Double Toll
on *Sundays*.

V. Provided, and be it further enacted, That no Person shall be charged or chargeable with the Payment of Toll for any Horse or other Beast, or any Carriage employed solely in the Conveyance of Lime from *Breedon* or *Cloudbill*, or any other Lime Work, which shall pass, and for which Toll shall be paid at the Gates called *Burney Lane Gate*, *The Lount Gate*, or *The Smoile Gate*, or either of them, or any Gate to be erected in lieu of them or either of them, and the Driver or Person attending the same, shall produce a Ticket denoting such Payment, with any further Toll at the Gate called *Nomans Heath Gate*, or any Gate to be erected in lieu thereof, nor with any further Toll for any such Horse, Beast, or Carriage, for which such Ticket shall be produced for Payment of Toll at *Nomans Heath Gate*, for passing through the said other Gates at *Burney Lane*, the *Lount*, or the *Smoile*, for Lime only from *Breedon*, *Cloudbill*, or any other Lime Work, nor shall be charged or chargeable Twice for any Horse, or other Beast or Carriage, employed solely in the Conveyance of Lime from *Breedon* or *Cloudbill*, or any other Lime Work, or Coals from any of the Collieries near the said Roads, and to which the said

Exemption
from paying
Toll Twice
for the Car-
riage of Lime
or Coals from
Nomans Heath,
and the Lime
Works and
Collieries.

said Roads lead, which shall, by any unavoidable Accident or Hindrance, not return till after Twelve of the Clock that Night, and before Six of the Clock the next Morning, through the Gate or Gates at which they have paid the preceding Day, and the Driver or Person attending shall produce a Ticket denoting such Payment; and if any Person shall claim or take the Benefit of any of the said Exemptions without being entitled thereto, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Three Pounds nor less than Forty Shillings.

Exemption
for passing
through
*Donington
Park*, with
Lord *Mora's*
Permission,
except Wag-
gons or Carts
employed in
conveying
Lime or Coal.

VI. Provided always, and be it further enacted, That nothing in the said recited Acts or this Act contained shall subject the Earl of *Mora*, his Heirs or Assigns, to any Penalty for granting Permission to any Person or Persons to pass through *Donington Park*, or subject such Person or Persons to any Penalty for availing him, her, or themselves of the said Permission by passing through *Donington Park* with any Horses or Carriages; other than Waggons or Carts conveying Lime, Limestone, or Coal, from any Limework or Colliery in the Neighbourhood, whereby the Tolls at any of the Toll Gates or Bars on the said Roads may be evaded.

Power to
vary all the
Tolls.

VII. And be it further enacted, That the said Trustees, or any Seven or more of them, at any Meeting to be holden for that Purpose, (whereof at least Twenty Days Notice shall be given in Writing, to be affixed on all the Toll Gates erected or to be erected on the said Roads), may and they are hereby authorized and empowered from Time to Time (in case it shall appear requisite and expedient) to lessen and reduce, and again to raise and advance the Tolls or Duties by the said recited Acts and this Act authorized to be taken, or any Part or Parts thereof, and to order the same to be taken in such Manner, Parts, and Proportions, as they shall think fit, so that the respective Tolls so varied never exceed the Tolls by the said recited Acts and by this Act authorized to be taken from Persons travelling on any Part of the said Roads, and so that the Tolls so granted or varied be never lessened, until the Money borrowed on the Credit thereof together with the Interest be repaid, except the Person or Persons entitled to Five-sixth Parts or more of such Money consent thereto; and such Tolls or Duties so varied, and every of them, shall be collected, recovered, and applied in the same Manner, as the Tolls or Duties by the said recited Acts and by this Act authorized to be taken are directed to be collected, recovered, and applied.

Enabling
Trustees to
take Posses-
sion of Toll
Houses when
let to Farm.

VIII. And be it further enacted, That in case the Toll arising from all or any of the said Toll Gates erected or to be erected on the said Roads shall, at any Time or Times during the Continuance of this Act, be demised or let to Farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear by the Space of Ten Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for letting the same, then and in either of the said Cases, the said Trustees, or any Five or more of them, their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of them, shall be at Liberty, and they are hereby authorized to
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enter into and upon the Possession of the Toll House or Toll Houses, with the Buildings, Gates, and Appurtenances thereto belonging, so letten as aforesaid, and to remove and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the Tolls there payable; and that thereupon it shall be lawful for the said Trustees, or any Five or more of them, (if they shall think fit), to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved up to the Time when such Re-entry shall take Place), as if such Demise or Agreement had never been made; and it shall and may be lawful for the said Trustees, or any Seven or more of them in every such Case, to demise or let to Farm the said Tolls again to any other Person or Persons, or cause them to be taken and collected in the same Manner as if no former Contract or Agreement had been entered into relative to the same.

IX. And be it further enacted, That out of any Money already arisen by virtue of the said recited Acts, or out of the Money to arise by virtue thereof and of this Act, the said Trustees, or any Five or more of them, shall, in the First Place, pay the Costs and Charges of procuring and passing this Act, and the Remainder of such Money shall from Time to Time be applied in paying the Principal and Interest of the Monies due on the Credit of the said Acts and this Act, or any of them, and in repairing, widening, altering, lighting, and improving the said Roads, and carrying the said Acts and this Act into Execution in all other Respects. Application of the Tolls.

X. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall grossly neglect or be incapable of performing his Duty, or shall abscond or absent himself, any Five or more of the said Trustees, though not assembled at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself; and in such Case, and also in case any such Collector or Receiver shall die, such Trustees shall and may nominate and appoint a proper Person, to be a Collector or Receiver of the said Tolls, to continue until the then next Meeting of the respective Trustees, in the Stead of such Collector or Receiver as shall die or be discharged, and such Person so nominated and appointed, shall have the like Power and Authority, and be answerable and accountable in the same Manner in all Respects, as the Person who shall so die or be discharged would have had or would have been subject to; and if any Collector or Receiver of the said Tolls who shall be discharged from his said Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or Representative or Representatives of any Collector or Receiver who shall die or be discharged, or any other Person who shall refuse to deliver up the Possession of any Toll House or Building erected on the said Roads for the Space of Two Days after Demand thereof made, and Notice in Writing given for that Purpose by any Five or more of the said Trustees, although not assembled at a Meeting, or by their Clerk or Clerks, Treasurer or Treasurers for the Time being, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the County or Place, and he and they is and are hereby required, by Warrant under his or their Hand and Seal, or Hands Five Trustees may appoint temporary Collectors, discharge those misbehaving, and appoint others till next Meeting.

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and Seals, to order any Constable, or other Peace Officer, with such Assistance as shall be necessary, to enter such House or Building in the Day Time, and to remove such Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and to put the said Trustees, or any Five or more of them, or such new appointed Collector or Receiver into the Possession thereof.

Collector of
Tolls may be
a Witness.

XI. And be it further enacted, That in case any Dispute or Litigation shall arise, touching any Distress taken for Nonpayment or Recovery of any of the Tolls payable by virtue of the said recited Acts or this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be at all Times, in all Courts and Places, and before any Judge or Judges, Magistrate or Magistrates, a good and competent Witness, or good and competent Witnesses to prove the Legality of the Distress, and the Nonpayment of such Toll or Tolls, or any Part thereof, or to give any other Proof or Proofs, Testimony or Evidence which shall be necessary in such Case.

How the
Statute Work
shall be ap-
portioned.

XII. And, for ascertaining and determining what Part of the Statute Work ought to be performed on the said Roads by the Inhabitants of the several Parishes, Townships, Hamlets, Districts, or Places, through which the said Roads pass, be it further enacted, That it shall be lawful for the said Trustees, or any Two of them, being acting Justices of the Peace for the said County, from Time to Time to adjudge and order what Part of the Statute Work shall be done in or upon the said Roads hereby directed to be amended, improved, and kept in Repair, and for what Space of Time, and in what Manner the same shall be done upon the said Roads by the Inhabitants of each or any of the Parishes, Townships, Hamlets, Districts, or Places in or through which the said Roads shall pass.

For regulating
the Perform-
ance thereof.

XIII. And be it further enacted, That the respective Surveyors of the Highways, Churchwardens, or Overseers of the Poor in all the Parishes, Townships, Hamlets, Districts, or Places through which the said Roads pass, shall yearly and every Year, within Ten Days after Demand made to them respectively in Writing by the Surveyor, Clerk, or Treasurer of the said Roads, in pursuance of an Order under the Hands of Two or more of the said Trustees, being acting Justices for the said County, give and deliver to the Person making such Demand, a true and exact List or Account in Writing under their respective Hands of the Christian and Surname of every Person in their respective Parishes, Townships, Hamlets, Districts, or Places, who are by Law chargeable towards repairing the said Roads in such Parishes, Townships, Hamlets, Districts, and Places, and shall set forth and specify in such List, what each Person is respectively chargeable with for and towards the same; and such respective Parish or Township Surveyor or Surveyors, shall (within Four Days after Notice to them given by the said Turnpike Surveyor of the Time or Times when and where and how many of the Persons so chargeable as aforesaid are to perform their respective Statute or Days Works) summon or give Notice thereof in the Mode prescribed by Law to the Persons so chargeable as aforesaid; and if any such Parish or Township Surveyor or Surveyors shall neglect or refuse to do as he and they is and are hereby required and directed to do, or shall wilfully return incorrect or imperfect
Lists,

Lists, he and they shall respectively forfeit and pay the Sum of Five Pounds for every such Refusal or Neglect; and if any Person or Persons keeping a Team or Teams, Draught or Draughts, Cart or Carts, Wain or Wains, and chargeable towards repairing the said Roads, shall, after such Summons or Notice as aforesaid, neglect or refuse to send their respective Teams, Draughts, Carts, or Wains, furnished with Labourers, Oxen, or Horses, according to the Custom of the Country, and proper Tools to do and perform such their respective Days Works upon the said Roads, he, she, or they so neglecting or refusing, shall forfeit and pay the Sum of Ten Shillings for every Day that each Team, Draught, Cart, or Wain shall be wanting, or shall not be duly employed in that Service; and if any Person or Persons who shall be sent with any Team, Draught, Cart, or Wain to work on the said Roads shall be found idle or negligent, it shall be deemed as if such Team, Wain, Draught, or Cart had not been sent to work on the said Roads, and the same shall be accordingly forfeited and paid.

XIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at any of their Meetings, by Writing under their Hands, to summon all, every, or any of the Surveyor or Surveyors of the Highways, Churchwardens, or Overseers of the Poor, of all, every, or any of the Parishes, Townships, Hamlets, Districts, or Places, (the Inhabitants whereof are liable to perform Statute Work on the said Roads), to appear before the said Trustees, or any Five or more of them, at any of their subsequent Meetings, and then to deliver in to them, a full, true, and just Account in Writing of all Sums of Money by them respectively received for, in lieu of, or by Way of Composition for Statute Work in their several and respective Parishes, Townships, Hamlets, Districts, or Places, (which Account shall be verified upon Oath, if the said Trustees, or any Five or more of them, shall require the same); and in case the Person or Persons so summoned shall neglect to appear at the Time and Place therein appointed, or shall refuse or neglect to deliver in such Account as aforesaid, or if required to verify the same upon Oath, or to pay to the Treasurer of the said Roads, or as the said Trustees shall direct, within Five Days from the Time of producing the said Account, or whereon the same ought to have been produced, such proportionable Part of all such Composition Money as such Surveyor or Surveyors, or any of them, shall have received, or without their wilful Neglect or Default might have received, that then in all or any of the said Cases the Person or Persons so offending shall, for every separate Offence, forfeit and pay a Sum not exceeding Twenty Shillings nor less than Five Shillings.

How Trustees may compel Surveyors of Highways to account for Composition Money.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to compound and agree by the Year or otherwise with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, or Hereditaments, which are or shall be liable to or chargeable with the Repair of any Part of the said Roads, or of any Bridge, Arch, or Sewer, or with any Person or Persons for the Performance of his, her, or their Statute Work thereon; and also that it shall be lawful for the Surveyor or Surveyors of the Highways of any of the said Parishes, Townships, or Places, or such Churchwardens or Overseers of the Poor respectively as aforesaid, by and with the Consent of the Majority of the Inhabitants of such

Trustees may compound for Statute Work.

such Parishes, Townships, or Places first had at any Vestry or other publick Meeting of such Inhabitants, to compound and agree by the Year, or otherwise, with the said Trustees, or any Five or more of them, for and in lieu of the Statute Work to be performed by such Inhabitants upon any Part or Parts of the said Roads.

For recovering the Composition Monies.

XVI. And be it further enacted, That in case the Composition Money agreed to be paid for passing through any Turnpike or Toll Gate, 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 the said Trustees, or any Five or more of them, or any Justice or Justices of the Peace for the said Connty, 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 Trustees, or any Five or more of them, or such Justice or Justices, that the same hath been demanded and remains due, which Oath the said Trustees, or any Five or more of them, or such Justice or Justices, are hereby respectively empowered to administer), to levy such Composition Money by Distress and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, Churchwardens, or Overseers of the Poor, or other Person or Persons having so compounded or agreed to pay such Composition Money as aforesaid, returning the Overplus (if any) upon Demand, after deducting such Composition Money, and the reasonable Charges of such Distress and Sale, to the Owner or Owners thereof.

How Surveyors of Highways are to be reimbursed, and Composition Money paid by them.

XVII. And be it further enacted, That the respective Surveyors of the Highways who shall pay any such Composition Money, or of whom the same shall be recovered as aforesaid, shall be repaid or reimbursed the Composition Money paid by or recovered of them respectively, with the Costs and Charges attending such Recovery, by the several Ways and Means, and in such Manner as by the Laws in being Surveyors of the Highways are to be repaid or reimbursed the Monies by them expended in buying Materials for repairing the Highways.

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

XVIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing done by virtue and in pursuance of this Act, in the Name of their 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 by virtue of this Act in the Name of their Treasurer, shall abate or be discontinued by the Death or Removal of any such Treasurer, nor by the Act of such Treasurer, without the Consent of the said Trustees, or any Five or more of them, at a Meeting holden in pursuance of this Act, but that the Treasurer for the Time being to the said Trustees shall be deemed to be the Plaintiff or Defendant, as the Case may be, in every such Action: Provided always, that every such Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully indemnified, 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 Proceeding, he shall pay, bear, expend, or be put unto or become chargeable with by Reason of his being so made Plaintiff or Defendant as aforesaid.

XIX. And

XIX. And be it further enacted, That if any Person or Persons shall ride upon any Footway or Path adjoining to or made on the Side of or upon the said Roads, or shall drive any Horse, Cattle, or Swine, or any Carriage thereon, or shall cause any Damage to be done to any such Footway; or if any Person shall hale or draw, or cause to be haled or drawn upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone, (otherwise than upon Wheeled Carriages), or shall suffer any Part of any Tree or Piece of Timber or Stone, which shall be carried upon Wheeled Carriages, to drag upon any Part of the said Roads to the Prejudice thereof; and if any Person driving any Pigs or Swine upon the said Roads shall suffer the same to root up and damage the same, or any Part thereof, or the Fences, Hedges, Backings, or Cops on either Side thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set Fire to or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part or Parts of the said Roads; or if any Person shall, without sufficient Cause, leave any Stage Coach, Waggon, Wain, or Cart, in, upon, or on the Side of any Part of the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, on any Part of the said Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Persons travelling thereon, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Penalty for riding upon Footpaths, drawing Timber or Stone, etc.

XX. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause or promote to be assaulted, interrupted, or hindered, any Collector of the Tolls, or any Surveyor or Surveyors, or any other Person or Persons by them, or any of them, or by the said Trustees, or any Five or more of them, employed in the Execution of this and the said recited Acts, every such Person shall, for every such Offence, forfeit any Sum not exceeding Ten Pounds nor less than Forty Shillings.

Penalty on obstructing any Person in the Execution of the Act.

XXI. And whereas Offences may be committed against the said Acts and this Act by Persons unknown to the Trustees, Collectors, Surveyors, or Officers appointed to put the said Acts and this Act in Execution, be it therefore enacted, That it shall be lawful for any of the said Trustees, Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they 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, and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige such Per-

For securing transient Offenders.

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son or Persons so offending to give Security for his, her, or their Appearance, at the next Petty Session to be holden within or for the County, Place, or District in which such Offence or Offences shall have been committed, to answer the said Complaint; and the Justices present at such petty Session, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way; and upon Conviction of the Offender or Offenders, either by the Justice before whom he, she, or they shall be first taken, or by the Justices at such Petty Sessions as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her, or them to the Gaol or House of Correction of the said County or Place, there to remain for any Time not exceeding Fourteen Days, unless he, she, or they shall sooner pay the respective Penalties by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

Application of
Compensation
Money where
amounting
to 200*l*.

XXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act or this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall, from Time to Time, be paid

paid by Order of the said Court to the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by any Five or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money does not amount to 200*l.* and shall exceed 20*l.*

XXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any 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.

Application where the Money is less than 20*l.*

XXV. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the said Trustees, or any Five or more of them, out of any Money already collected or received by virtue of the said recited Acts, or out of the First Monies to arise by virtue of the said recited Acts and this Act in Preference to all other Payments whatsoever.

For paying Expences of the Act.

XXVI. And be it further enacted, That all Penalties and Forfeitures by this Act imposed shall be recovered, levied, paid, and applied in such and the same Manner as the Penalties and Forfeitures imposed by the said recited Acts are directed to be recovered, levied, paid, and applied, except in such Cases where the same are by this Act directed to be recovered, levied, paid, and applied in any other Manner.

Directions how the Penalties and Forfeitures imposed by this Act shall be levied and applied.

XXVII. And

XXVII. And be it further enacted, That Convictions for Offences against the said recited Acts and this Act shall be drawn up in the Form or Effect following; that is to say,

Form of
Conviction.

‘ To wit. { **BE** it remembered, That on the _____ Day of
 ‘ _____ in the Year of our Lord _____
 ‘ _____ *A. B.* is convicted before me
 ‘ _____ One of His Majesty’s Justices of the Peace for
 ‘ the County of _____ on his own Confession, *or*, on the
 ‘ Oath of a credible Witness, *or*, on the Oaths of
 ‘ _____ and _____ Two credible Wit-
 ‘ nesses [*as the Case may be*] of [*here specify the Offence, and the Time and*
 ‘ *Place when and where the same was committed*] contrary to an Act
 ‘ passed in the Thirty-third Year of the Reign of His late Majesty King
 ‘ *George* the Second, intituled [*Here insert the Title of that Act; or, in*
 ‘ the Thirty-first Year of the Reign of His present Majesty King *George*,
 ‘ the Third, intituled (*Here insert the Title of that Act*), *or*, in the Forty-
 ‘ third Year of the Reign of His said present Majesty, intituled (*Here insert*
 ‘ *the Title of this Act*) *as the Case may be*]; and I the said Justice do
 ‘ adjudge the said _____ to have thereby incurred the
 ‘ Penalty of _____ to be paid, recovered, and applied in
 ‘ Manner directed by the said Act, given under my Hand and Seal the
 ‘ Day and Year aforeaid.’

Which Conviction, in the Form and to the Effect aforeaid, shall be valid and effectual in Law to all Intents and Purposes.

Term of the
Act.

XXVIII. And be it further enacted, That the Term granted and continued by the said recited Acts shall, on the passing hereof, cease and determine, and that the said recited Acts (subject to the Variations, Alterations, and Additions herein contained) and this Act shall from thenceforth continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Publick Act.

XXIX. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a publick Act, and be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

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