



ANNO QUADRAGESIMO QUINTO

GEORGI II. REGIS.

Cap. 48.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts, passed in the Second and Twenty-fourth Years of His present Majesty, for repairing the Road from the *Loftwithiel* Turnpike Road, through *Tregony*, to *Ruan Laneborne*, and from *Dennis Water* to Three hundred Yards on the South Side of *Trethim Mill*, in the County of *Cornwall*. [5th June 1805.]

WHEREAS an Act was passed in the Second Year of the Reign ^{2 G. 3.} of His present Majesty for repairing and widening the Road from the *Loftwithiel* Turnpike Road, in the Parish of *Creed*, in the County of *Cornwall*, through *Tregony*, to *Ruan Laneborne*, and from *Dennis Water* to Three hundred Yards on the South Side of *Trethim Mill*, in the Parish of *Saint Just*, in the said County: And whereas an Act was passed in the Twenty-fourth Year of the Reign ^{24 G. 3.} of His present Majesty, for enlarging the Term and Powers of the said Act: And whereas the Trustees acting under and by virtue of the said Acts have proceeded to put the same in execution; and a considerable Sum of Money hath been borrowed on the Credit of the said Acts, which still remains due and cannot be paid off, nor can the said Road be effectually amended, widened, improved, and kept in Repair, unless the Term of ^{the}

[Loc. & Per.]

to G

Said Acts
further con-
tinued.

the said last-mentioned Act be further continued, and some of the Powers and Provisions of the said Acts altered and enlarged: And it is necessary that the Tolls by the said Acts authorized to be taken on the said Road should be 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 Acts passed in the Second and Twenty-fourth Years of the Reign of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, Penalties, Clauses, Matters, and Things therein contained, (except such as relate to Exemptions from Stamp Duties, or as are hereby altered, varied, or repealed), shall be and continue in full Force, and be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted, 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 additional Term and Tolls hereby granted, shall be, and are hereby made subject and liable to the Payment of all Money now due and owing on the Credit or on Account of the said Acts, or either of them, or which shall hereafter be borrowed or become due on the Credit of the said Acts and this Act, and all Interest due and to grow due for the same respectively.

Additional
Trustees.

II. And be it further enacted, That *Henry Prynne Andrew, Charles Foss Andrew, Zacheus Andrew, William Blake, Edward Collins the younger, Matthew Garland Cregoe, George Davey, Nicholas Donmitborne, Warwick Oben Gurney Clerk, William Höcker the younger, Clerk, William Cornelius Pyll Hugo, John Kempe Clerk, Charles Trevanion Kempe Clerk, Charles Kempe Clerk, John Miners the younger, William Perryman, William Stackhouse the younger, Thomas Trist, John Hearle Tremayne, John Trevanion, Purnell Bettefworth Trevanion, and John Vivian*, (subject to the Qualification contained in or required by the said first recited Act), shall, from and immediately after the passing of this Act, be added to and joined with the Trustees appointed by or in pursuance of the said Acts; and that the Trustees hereby appointed, together with the surviving or remaining Trustees appointed by or by virtue of the said Acts, or either of them, shall be and are hereby empowered to put the said Acts and this Act in execution, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said Acts, or either of them.

For repealing
former Tolls
and granting
new ones.

III. And whereas the Tolls by the said Acts, or either of them granted, have been found insufficient for the proper Improvement and Repair of the said Road; Be it therefore further enacted, That the said Tolls shall, from and after the Twenty-fourth Day of *June* next, cease, determine, and be no longer paid or payable; and that instead thereof the respective Tolls following shall be demanded and taken at the several and respective Gates or Turnpikes which have been, or shall be erected, in, upon, across, or on the Side or Sides of the said Road; (that is to say),

Tolls.

For every Horse, Mare, Gelding, Mule, or other Cattle (except Oxen) drawing any Carriage (except Chairs and Gigs, or other Carriages of the like Description) the Sum of Four Pence Halfpenny:
For every Chair, Gig, or other Carriage of the like Description, drawn by a single Horse, the Sum of Six Pence:

For

For every Yoke of Oxen, drawing any Carriage, the Sum of Four Pence Halfpenny :

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

For every Drove of Oxen, Cows, or neat Cattle, for a Score, and so in proportion, the Sum of One Shilling and Three Pence :

For every Drove of Calves, Hogs, Sheep, or Lambs, for a Score, and so in proportion, the Sum of Seven Pence Halfpenny :

And that on every *Sunday, Christmas Day, Good Friday*, and Day of publick Fast or Thanksgiving, during the said Term, there shall be demanded and taken Double the said several Tolls hereby granted and made payable.

Which said several Tolls by this Act authorized to be taken, shall be and the same are hereby vested in the Trustees for executing the said Acts and this Act; and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, lessened, varied, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Powers, Provisoos, Remedies, and Restrictions as are contained in the said first recited Act respecting the Tolls thereby authorized to be taken.

Tolls vested in the Trustees.

IV. And be it further enacted, That if any Person shall pay the respective Tolls by this Act granted for the passing of any Carriage or Cattle at any Gate or Turnpike erected or to be erected by virtue of the said Acts, or this Act, upon, in, across, or on the Side of that Part or Division of the said Road, lying between the *Loftwithiel* Turnpike Road and the Parish Church of *Ruan Laneborne*, such Person, upon producing a Note or Ticket of the Day denoting such Payment, and at what Gate the same was made, shall be permitted to pass, return, and repass with the same Carriage or Cattle Toll-free through the same, or any other Gate or Turnpike upon that Part or Division of the said Road, at any Time or Times during the same Day, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next succeeding Night; and so in like Manner if any Person shall pay the respective Tolls by this Act granted for the passing of any Carriage or Cattle at any Gate or Turnpike erected or to be erected as aforesaid, upon, in, across, or on the Side of that Part or Division of the said Road, lying between *Dennis Water* and Three hundred Yards on the South Side of *Tretbin Mill* aforesaid, such Person, upon producing such Note or Ticket as aforesaid, shall be permitted to pass and repass with the same Carriage or Cattle Toll-free through the same and every or any other Gate or Turnpike on that Part or Division of the said Road; at any Time or Times during the same Day, to be computed as aforesaid, which said Notes or Tickets the Collectors or Receivers of the said Tolls at the several Gates or Turnpikes to be erected by virtue of this Act, are hereby required to deliver *gratis*, if demanded: Provided always, that Waggons, Carts, and other Carriages having passed every or any Toll Gate or Turnpike erected or to be erected as aforesaid upon the said Road, and returning laden with other Goods or Persons in the same Day, shall be subject to and shall pay Toll again.

Tolls to be paid but Once a Day.

V. And be it further enacted, That, from and after the passing of this Act, no Waggon, Wain, Cart, or other such Carriage (except such as shall be entitled to the Benefit of the Exemptions herein-after contained),

having

having any Wheel the Tire upon the Sole or Bottom of the Felly whereof, or having any Drag, or Thing used as a Drag, the Sole or Bottom whereof shall deviate respectively more than an Inch from a flat or level Surface, or although it shall not deviate more than Half an Inch therefrom shall not rise as nearly as may be with an equal and regular Gradation from the Edges thereof to the Centre, shall pass or be drawn on the said Road with a greater Number of Horses than are allowed to Waggon, Wains, Carts, and other such Carriages respectively, having the Sole or Bottom of the Fellyes of the Wheels thereof of less Breadth than Six Inches, by an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament the General Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England; and for other Purposes;* and the Owner and Driver of every such Waggon, Wain, Cart, or other Carriage shall, for every Offence against the Provisions aforesaid, be respectively subject to the several Penalties imposed by the said Act on the Owner or Driver respectively of Carriages drawn by more than the Number of Horses therein limited to such Carriages respectively, which said Penalties shall and may be recovered in the same manner, and under the same Restrictions and Limitations as the Penalties imposed by the said Act may be recovered.

Penalty on
Persons evad-
ing the Tolls.

VI. And be it further enacted, That if any Person or Persons shall forcibly or wilfully go or pass with any Horse, Beast, or Carriage, through any or either of the Gates and Turnpikes erected by virtue of the said Acts, or either of them, or to be erected by virtue of the said Acts or of this Act, without paying the Toll or Tolls by this Act directed or appointed to be paid for the same, or producing a Note or Ticket in the Cases above-mentioned, or shall knowingly and designedly assault, interrupt, or obstruct any or either of the Collectors, or Persons in the collecting or receiving any or either of the said Tolls, or otherwise in the Execution of his or their Office or Offices of Collector or Collectors, or shall with any Horse, Beast, or Carriage, on which a Toll is hereby laid, go or pass through any Ground, Field, Gate, private Passage or other Place adjoining or lying near to any or either of the aforesaid Gates or Turnpikes, the same not being a common Road; or if any Owner or Occupier of any Tenement, Land, or Ground which shall adjoin or lie near to any or either of the said Gates or Turnpikes, shall knowingly or willingly permit or suffer any Person or Persons with any such Horse, Beast, or Carriage to go or pass through the same Tenement, Land, or Ground, or any Field, Gate or private Passage, or other Place belonging to such Owner or Occupier; or if any Person or Persons shall give to or receive from any other Person or Persons except the Person or Persons appointed to collect or receive the Tolls hereby made payable, any Note or Ticket of the Day by the said first mentioned Act and this Act, directed to be given by the Collectors or Receivers of the Tolls, or shall make use of any forged Note or Ticket; or if any Person or Persons driving or owning any Carriage, shall at any Time or Times take off, or cause or suffer to be taken off from such Carriage any Horse, Ass, Mule, Ox, or other Cattle, at or before the same shall come to any of the said Gates or Turnpikes erected or to be erected as aforesaid; or if any Person or Persons shall leave in any House or Place upon or near the said Road, any Carriage or Cattle, whereby the Payment of any or either or

any

any Part of the said Tolls shall be evaded or lessened, then and in any or either of the Cases aforesaid, every Person so offending and being thereof convicted upon the Oath of any one or more credible Witnesses or Witnesses before the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of the Peace of and for the said County of *Comwall*, which Oath the said Trustees, or any One or more of them, or the said Justice or Justices, is and are hereby empowered and required to administer without Fee or Reward, shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings, to be paid to the said Trustees, or to their Treasurer or Treasurers for the Time being; which Sum, in case the same be not forthwith paid, shall be levied and recovered in the Manner in the said first recited Act directed, and when recovered shall go and be applied One Moiety thereof to the Use of the Informer upon whole Oath such Offender or Offenders shall be convicted, and the other Moiety towards the Purposes of the said Acts and of this Act.

VII. And whereas it is expedient that the several Exemptions from Payment of Tolls, by the said recited Acts granted and made payable, should be repealed; be it therefore enacted, That all and singular the Exemptions from Toll granted and allowed by the said recited Acts, or either of them, shall be and the same are hereby repealed, excepting so far as the same relate to or respect the Exemptions and Regulations contained in the said first recited Act for exempting and regulating any Horse, Mare, Gelding, or Cattle going to or coming from Water or Pasture, as in the same Act are mentioned.

For repealing
certain Ex-
emptions.

VIII. And be it further enacted, That no Toll shall be demanded or received for any Horse, Mare, Gelding, Mule, or other Cattle drawing in any Carriage going for or returning laden or unladen, having been laden only with Stones, Gravel, or other Materials for the repairing any Road or Highway, or in the Carriage of any Dung, Mould, Soil, Sand, or Compost of any Kind, for the manuring of any Garden or other Land or Ground, or Lime for Manure; nor shall any Toll be taken, demanded, or received for any Carriage or Cattle that shall be used or employed in the ploughing, sowing, tilling, or cultivating of any Land or Ground; or going for or returning unladen, or only laden with Dung, Hay, Straw, Corn in the Straw, or Wood not sold or disposed of, but to be laid up in the Houses, Outhouses, Yards, or on the Premises of the Owner or Owners thereof; nor for any Plough, Harrow, Dray, or other Implement of Husbandry; or for any Horse or other Beast or Cattle drawing or carrying the same in order for the repairing thereof, or using the same in Husbandry; or for any Thing whatsoever that shall be used or employed in Husbandry or manuring of Land; or for any Horse or other Beast or Cattle going to or returning from Water or Pasture (except as in the first recited Act is excepted); or going to be or returning from being shod or farried; or for any Horses, Cattle, or Carriages, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding the same, or in returning back from conveying the same; or for the Horses of Soldiers on their March or on Duty, or Carriages or Horses or other Beasts employed in carrying the Arms or Baggage

Other Ex-
emptions
from Toll.

gage of such Soldiers; or for any Horse, Mare, or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided always that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption; or for any Carriage, Horse, or other Beast employed in the Conveyance of Vagrants travelling with lawful Passes; nor shall any of the Tolls hereby granted be demanded or taken from any Inhabitant of any Parish through which any Part of the Road hereby and by the said Acts directed to be repaired doth lie, who shall pass through any of the said Turnpikes, to or from his, her, or their respective Parish Church, Chapel, or other Place of religious Worship tolerated by Law, on *Sundays*, or on *Christmas Day, Good Friday*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or who shall attend the Funeral of any Person dying and to be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his parochial or ministerial Duty on a *Sunday*, or on *Christmas Day, Good Friday*, or any other Day on which Divine Service is ordered by Authority to be celebrated; nor shall any Toll be demanded or taken for or in respect of any Horse, Cattle, or Beast carrying any Passenger or drawing any Coach, Lndau, Berlin, Chariot, Calash, or Chair going to or returning from any Election of a Knight or Knights of the Shire, to serve in Parliament for the said County of *Cornwall*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded: And if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, or shall make use of any Fraud whatsoever, whereby the Payment of the said Tolls or any Part thereof shall be evaded, every such Person shall for every such Offence forfeit any Sum not exceeding Forty Shillings, whereof One Moiety shall go and be applied to the Use of the Informer upon whose Oath such Offender shall be convicted, and the other Moiety shall be applied to the Purposes of the said Acts and of this Act, any Thing contained in the said Acts to the contrary notwithstanding.

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

IX. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of the said Acts and 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 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 any such Treasurer, without the Consent of the said Trustees, or any Five or more of them, but that the Treasurer for the Time being to the said Trustees shall be deemed to be a Plaintiff or Defendant as the Case may be, in every such Action: Provided always, that every such Treasurer in whole 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 first Money to arise by virtue of the said recited Acts and this Act, after such Action or Suit shall be commenced or discontinued, all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such
Action

Action or Proceeding he shall bear, pay, expend, or be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant as aforesaid.

X. And be it further enacted, That in case any Action, Suit, Litigation, or Prosecution shall arise in any way relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining of any of the Penalties imposed by the said recited Acts, or either of them, or by this Act, the Person or Persons appointed or duly authorized to collect the said Tolls, or any other Person acting by the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Action, Suit, or Prosecution, by reason of his being appointed to collect the said Tolls, or acting under the Authority of the said Trustees: Provided always, that no such Action, Suit, or Prosecution, shall be commenced or prosecuted against such Person or Persons, until Twenty-one Days Notice in Writing thereof shall be given to him or them.

Collectors deemed competent Witnesses.

XI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of the said recited Acts 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, 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 Acts and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where the Whole of such Money shall not be so applied, then the same, or so much thereof as shall not be so applied, 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

Application of the Compensation Money where the same exceeds 200l.

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

Application where less than 200l. and exceeding 20l.

XII. 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 therefrom, 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 less than 20l.

XIII. 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.

In case of not making out Titles;

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

XIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Acts or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful, to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money, so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his

Account

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

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

XV. 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 High Court of Chancery, in pursuance of the said Acts or of this Act, for the Purchase of any Lands, Tenements, or Hereditaments; or of any Estate, Right, or Interest, in any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

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

XVI. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said Acts or 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 or the said Acts, 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, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid by the Corporation.

Persons
chargeable to
Statute Work
to continue so.

Justices to
determine
Differences
touching
Statute Work.

XVII. Provided always, and be it 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 Road by the said Acts or either of them 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 *Cornwall*, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, by their Order yearly, to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the said Road doth lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or to their Treasurer; and in order thereunto it shall and may be lawful to and for such Justices, from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who, within such Parish or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repairs of the publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Hay-Time or Harvest) and in such Parts of the said Road as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels, of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may

may be subject or liable to by any Law or Statute in force and effect for the Repair of the publick Highways; and if any Person who shall come to work as a Labourer or shall be lent 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 to the said Trustees, and applied towards the 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 so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XVIII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, and all and every such Sum or Sums of Money as shall be advanced, borrowed, or lent for Payment of the same, and all Interest to grow due thereon, shall be paid out of the first Money which shall arise or be received by virtue of the said Acts or of this Act, in preference to all other Payments whatsoever.

For paying
the Expences
of this Act.

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

Declaring the
Act Publick.

XX. And be it further enacted, That the Term granted and continued by the said Acts, shall, from and after the passing of this Act, cease and determine; and that the said Acts (subject as herein-before mentioned) 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.

Commence-
ment and
Duration of
this Act.