



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 10.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Bridge on the Old River at *Barton*, to *Brandon* Bridge, in the County of *Suffolk*.

[4th April 1811.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty, intituled, *An Act for repairing the Road from the Bridge on the Old River at Barton, to Brandon Bridge, in the County of Suffolk*: And whereas another Act was passed in the Twenty-ninth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act of the Tenth Year of His present Majesty, for repairing the Road from the Bridge on the Old River at Barton, to Brandon Bridge, in the County of Suffolk*: And whereas the Trustees appointed in or by virtue of the said Acts, have proceeded to put the same in Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due, and cannot be repaid, nor can the said Road be properly amended, improved, and kept in Repair unless the Term of the said Acts be continued, and some of the Powers and Provisions of the said Acts be altered and enlarged, 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 Acts passed in the

[Loc. & Per.] Tenth

10 G.3. c.65.

29 G.3. c.94.

Tenth and Twenty-ninth Years of His present Majesty, and all and every the Authorities, Powers, Privileges, Provisions, Penalties and Clauses therein contained (except such as relate to Exemption from Stamp Duties, and such as are hereby varied, altered, or repealed) shall be and continue in full Force, and be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and Purposes, as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, Variations, Alterations, and Additions herein contained, and which shall commence and take Effect upon the Fifth Day of July One thousand eight hundred and eleven, and this Act and the additional Term hereby granted, shall be subject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the said former Acts, or which may hereafter be borrowed or become due and owing on the Credit of the said Acts and this Act, and of all Interest due and to grow due for the same respectively.

New Trustees.

II. And be it further enacted, That *George Beauchamp* Esquire, *Henry Bell* Esquire, *Shelford Bidwell* Esquire, *Richard Chambers* Gentleman, *John Dugmore* Esquire, *James Fison* the Younger, *John Burrell Faux* Esquire, *Thomas Harvey* Gentleman, the Reverend *James Stuart Mackenzie* Clerk, *Henry Roberts*, *Henry Redhead* Esquire, *Thomas Redhead* Esquire, and *Henry Thompson* Esquire, 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 recited Acts, for putting the same and this Act in Execution; and the Trustees hereby appointed and their Successors, being qualified according to the Direction of the said recited Acts, are hereby empowered to put the said recited Acts and this Act in Execution, as fully and effectually to all Intents and Purposes as if they had been named in and appointed by the said recited Acts.

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

III. And be it further enacted, That the said Trustees may sue or be sued for or concerning any Thing to be done by virtue or in pursuance of the said recited Acts and this Act, either in the Name of the Trustees who may be Parties to any Deed or Instrument in Writing upon which any Action shall or may be brought, or in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees in their Names, or in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death, Incapacity, or Removal of any Trustee or Trustees, or Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees or any Five or more of them; but that the Clerk or Treasurer for the Time being to the said Trustees, in case such Action shall be brought by or against, or defended in the Name of such Clerk or Treasurer, shall be deemed to be Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that such Trustees, or Clerk, or Treasurer, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of the said recited Acts or this Act, shall be fully reimbursed and paid out of the Monies arising by virtue of the said recited Acts and this Act, all the Costs, Charges, Damages, and Expences, which by the Event or in Consequence of any such Action or Proceeding he shall bear, pay, expend, or be put unto, or become chargeable with, by reason of their or his being made Plaintiff or Defendant as aforesaid.

IV. And be it further enacted, That instead of the Tolls authorized and directed in and by the said recited Acts to be demanded and taken for Horses or other Beasts or Cattle, the following Tolls shall and may, from and after the said Fifth Day of *July* One thousand eight hundred and eleven, be demanded and taken at each of the Turnpikes erected or to be erected upon the said Road; (that is to say),

Alteration of the Tolls.

For every Horse, Mare, or Gelding, drawing any Coach, Berlin, Landau, Chariot, Chaise, Chaise-marine, Calash, Hearse, or Chair, the Sum of Sixpence:

The Tolls.

For every Horse, Mare, Gelding, or other Beast of Draught, drawing in any Waggon, Wain, Cart, or other Carriage, the Fellies of the Wheels thereof being of the Breadth of Six Inches, the Sum of Threepence:

For every Horse, Mare, Gelding, or other Beast of Draught, drawing any Waggon, Wain, Cart, or other Carriage, the Fellies of the Wheels thereof being of less Breadth than Six Inches, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of One-penny Halfpenny:

For every Drove of Oxen or Neat Cattle, the Sum of Tenpence per Score, and so in Proportion for any greater or less Number:

For every Drove of Swine, Sheep, or Lambs, the Sum of Fivepence per Score, and so in Proportion for any greater or less Number.

Which said several and respective Tolls are hereby vested in the said Trustees; and the said Tolls, and every Part thereof, shall and may be demanded, collected, recovered, applied, and disposed of in such Manner and for such Uses, Intents, and Purposes as are directed by the said recited Acts with respect to the Tolls thereby authorized to be taken; but subject nevertheless to the Provisions and Directions of this Act.

Tolls vested in Trustees.

V. And be it further enacted, That between the First Day of *November* and the last Day of *February* in each and every Year, it shall be lawful for the Collectors of the Tolls hereby granted, to demand and take for each and every Horse or other Beast of Draught drawing in any Carriage employed in carrying or conveying any Timber, or Tree or Trees, a Toll equal One-half in Addition to the Toll which otherwise might be demanded and taken for such Horse or other Beast of Draught: Provided always, that no such additional Toll shall be demanded or taken, save and except there shall be Two or more Horses or other Beasts of Draught in any such Carriage.

Additional Toll on Carriages employed in conveying Timber at certain Seasons of the Year.

VI. And be it further enacted, That each and every Waggon, Wain, Cart, or other such Carriage passing on the said Road or any Part thereof, the Wheels whereof shall not roll a flat or level Surface, or a Surface so flat or level as not to deviate more than Half an Inch from a flat or level Surface, or the interior Diameter of the Wheels whereof shall deviate more from the exterior Diameter thereof than One-sixth Part of the Breadth of the Sole or Bottom of the Felly, shall be considered and deemed a Carriage on Wheels rolling a Surface less than Six Inches, and shall and may be weighed at any Weighing Engine erected or to be erected on the said Road or any Part thereof, and shall pay the same Tolls and the same Rates of weighing as any Waggon, Wain, Cart, or Carriage on Wheels rolling a Surface less than Six Inches, is or may be subject and liable to pay.

Carriages on Wheels not rolling a flat Surface to be considered as Carriages with narrow Wheels.

VII. Provided

Present Tolls
to be collect-
ed till 5th of
July 1811.

VII. Provided always, and be it further enacted, That in the mean Time and until the said Fifth Day of *July* One thousand eight hundred and eleven, the Tolls at present payable at the several Toll Gates erected on the said Road, shall continue due and payable at the several Gates respectively, and shall be recovered and recoverable in such Manner as is provided by the said recited Acts.

Trustees may
lessen the
Tolls.

VIII. And be it further enacted, That the said Trustees, or any Five or more of them, are hereby authorized and empowered from Time to Time, if they shall think proper, to lessen or reduce all or any of the said Tolls, and to raise the same again, so as not to exceed the respective Sums by this Act granted; and that such Tolls so lessened or reduced shall be collected and recovered in the same Manner as the Tolls herein-before granted are directed to be collected and recovered: Provided nevertheless, that no such Reduction as aforesaid shall be made unless the Person or Persons who shall be entitled to Five-sixth Parts at the least of the Money which shall be then due on the Credit of the said Tolls shall consent thereto; and that no Reduction shall be made in any of the said Tolls, unless Notice of the Intention to make such Reduction, and of the Meeting so to be holden for that Purpose, be given by Writing to be affixed upon all the Turnpikes which shall be then standing upon the said Road, and in *The Bury* and *Norwich Post*, or some other Newspaper published or circulated in the said County, at least Fourteen Days before such Meeting.

General Ex-
emptions
from Toll.

IX. And be it further enacted, That none of the Tolls hereby authorized to be taken shall be demanded, taken, or received at any of the Toll Gates erected or to be erected, or continued upon the said Road for any Horses, Cattle, or Carriages of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning therefrom; nor for the Horses belonging to any Officers or Soldiers on their March or on Duty, nor for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers or Soldiers, nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for any Rector, Vicar, or Curate going to or returning from his own Parish Church or other Place of Divine Worship, or visiting his sick Parishioners; nor from any Person or Persons going to or returning from his, her, or their parochial Church, Chapel, or other usual Place of religious Worship on *Sundays*, or on any other Day on which divine Worship is or shall be ordered by Authority to be celebrated, or attending the Funeral of any Person or Persons who shall die and be buried in any Parish, Hamlet, or Place through which any Part of the said Road lies, or any other Parish, Hamlet, or Place in the said County of *Suffolk*; nor for any Horses, Beasts, Cattle, or Carriages used or employed for the Purpose only of carrying or conveying Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Suffolk* and *Norfolk*; or of carrying or conveying Vagrants sent by legal Passes; or of carrying or conveying Hay, Straw, or Corn in the Straw, for the Use of the Owner
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and not for Sale, or purchased, or of carrying or conveying any Dung, Mould, Manure, or Compost (other than Lime) to be used only for manuring the Land, or going or returning empty in that Employment; nor for any Horses, Beasts or Cattle, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow, or other Implement of Husbandry, unless the Carriage bearing any such Plough, Harrow, or other Implement of Husbandry, be also laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horse, Beast, or Cattle; passing to or repassing from Water or Pasture not beyond the Distance of Two Miles, and for either of those Purposes going or passing only from one Parish into the next adjoining Parish, and not travelling more than Two Miles along the said Road; nor for any Horse, Beast, or other Cattle, when going to or returning from being shod or farried; nor for any Horse, Beast, or Cattle, used or employed for the Purpose only of carrying or conveying Materials for the making or repairing any Highway or Publick Road within any such Parish, Hamlet, or Place as aforesaid, or for rebuilding, building, or repairing any present or future Bridge or Bridges on the said Road under this Trust; nor for any Horse, Beast, Cattle, or Carriage, which shall cross the said Road only, or shall not pass more than One hundred Yards thereon; nor for any Horse, Mare, or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exercise, Inspection, or Review, provided that such Person is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements, according to the Regulations appointed for such Corps, at the Time of claiming the Exemption; and if any Person shall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and in all Cases the Proof of Exemption shall lie upon the Person claiming the same.

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

XI. And whereas by reason of the diverting, altering, or turning of the said Road, and by reason of the Purchases which the said Trustees have heretofore made, and may hereafter make by virtue of the said recited Acts and this Act, the said Trustees are seised or may become seised of Ground or Soil forming the Road diverted or to be diverted, altered or turned, and

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Owners or Drivers of Waggons conveying Military Stores, not subject to Penalties for Overweight.

Trustees empowered to sell Ground not wanted for the Purposes of the Act.

and also of some Piece or Pieces of Ground over and above what may be necessary for effectuating the Purposes of the said recited Acts and this Act; be it therefore further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, from Time to Time, to sell and dispose of such Grounds or Soil, and Piece or Pieces of Ground, together or in Parcels, either by public Sale or private Contract (as they shall find most advantageous and convenient), to such Person or Persons as shall be willing to contract for and purchase the same.

Owners of Land used in making new Road, to have the first Offer of the old Road.

XII. Provided always, and be it enacted, That the Offer of the Purchase of any old Road or other Piece or Pieces of Ground, not wanted for the Purposes of the said recited Acts or this Act, shall be first made to the Owner of such adjoining Land which shall be used and cut for the Purpose of widening, turning, or improving the said Road, and in case such Owner shall be desirous of becoming the Purchaser of such old Road or other Piece or Pieces of Ground, and cannot agree with the said Trustees for the Price to be paid for the Purchase of the same, and such Owner shall still be desirous of becoming the Purchaser thereof, then and in such Case the Value thereof shall be settled and ascertained by a Jury in such and the like Manner as the Price for any Land to be taken in pursuance of the said recited Acts, are directed to be settled and ascertained in and by the said recited Acts, and such Owner shall be deemed the Purchaser thereof at the Sum to be ascertained by the Jury to be the Value thereof; and in case such Owner shall refuse to pay such Money upon Demand made thereof by the Treasurer or Clerk to the Trustees, and Tender of the Conveyances of such old Road or Piece or Pieces of Ground, the same shall and may be recovered by the said Trustees, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*; and in case any such Owner shall not agree, or shall refuse to purchase any such old Road, it shall and may be lawful to and for any Person or Persons (not interested in the Premises) to make an Affidavit to be sworn before a Master Extraordinary of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County, Division, or Place where such old Road or other Piece or Pieces of Ground shall lie, stating that such Offer has been made by or on Behalf of the said Trustees, and that such Owner has not agreed or has refused to purchase such old Road (as the Case may be); and such Affidavit shall in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made, and not agreed to, or refused by such Owner: Provided nevertheless, that if the Lands of Two or more Persons shall be taken for any such new Road as aforesaid, each and every such Owner shall be entitled to the first Offer of so much of the old Road as is lying immediately adjoining to his, her, or their Lands respectively in Manner aforesaid: Provided also, that if such Owner or Owners respectively shall be willing, and shall consent to take such old Road in exchange for such new Road, it shall and may be lawful to and for the said Trustees, and they are hereby required to assure the same to such Person or Persons, by entering the same in their Books, and delivering to him, her, or them a Copy of the Entry thereof, signed by any Five or more of the said Trustees; which Copy shall be a good and valid Title to the same, and be available in any Suit in Law or Equity.

Application of Compensation Money if amounting to 200l.

XIII. 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 and
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this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said Acts 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 *ex parte* the Trustees for executing the said recited Acts and this Act, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, 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 any other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same may 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 Messuages, Lands, Tenements, and 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 of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

XIV. 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 any 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 of the High Court of Chancery, and be placed to his Account as aforesaid, in order

Where less than 200l. and exceeding 20l.

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 Five or more of the Trustees for executing the said recited Acts and this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where less than 20l.

XV. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last 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 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; or if Persons cannot be found, Purchase Money to be paid into the Bank;

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

XVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be ordered to be paid 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 any Five or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise as to the said 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 such Sum or Sums of Money into the Bank as aforesaid.

When any Question shall arise

XVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid

paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, in pursuance of this Act; for the Purchase of any Lands or Hereditaments, or of any Estate, Right or Interest in any Lands 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.

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.

XVIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands or Hereditaments to be purchased under the Authority of the said recited Acts or of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof, 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 the said recited Acts or of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, 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 Expence of Purchases to be paid by the Trustees.

XIX. And be it further enacted, That where any Person or Persons shall, in right or by virtue of his or her Marriage, become entitled to any Sum or Sums of Money due on Mortgage or Security of the Tolls granted by the said recited Acts or this Act, an Affidavit containing a Copy of the Register of such Marriage shall be made before a Judge of One of His Majesty's Courts of Record at *Westminster*, or before a Master in Chancery in *England*, or Master Extraordinary in Chancery, or a Magistrate or Baillie of some Corporate Town, or One of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Road, who shall make an Entry thereof in the Book or Books which shall be kept for entering Copies of such Mortgages and Transfers as aforesaid; and such Clerk shall, upon the Application of the Person or Persons entitled to such Sum or Sums of Money due on Mortgage or Security of the Tolls hereby granted, give and deliver to him, her, or them a Certificate of such Entry; and where any Person or Persons shall, as Executor or Executors, Administrator or Administrators of any Person deceased, become entitled to any such Sum or Sums of Money as last aforesaid, the Probate of the Will or Testamentary Instrument, or Letters of Administration, under which such Person or Persons shall be so entitled, shall be produced and shewn to the Clerk of the

Probates of Wills and Certificates of Marriages to be produced to the Clerk, and entered.

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said

said Road, who shall enter the same, and grant a Certificate thereof in Manner aforesaid, for which Entry and Certificate respectively, the Sum of Two Shillings and Sixpence and no more shall be paid to the said Clerk.

Statute
Work.

XX. And be it further enacted, That so much of the said recited Acts as relate to the Performance of Statute Labour on the said Road, shall be and the same is hereby repealed, and 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 thereto in like Manner as heretofore, and it shall be lawful for any Two or more Justices of the Peace for the County of *Suffolk*, and they are hereby required and impowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, or 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, Hamlets, or Places 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, Hamlet, 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 or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Hamlet, or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Five Days after the serving of such Summons) of the Names of the several Persons who within such Parish, Hamlet, 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 several Sums to be paid, which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as 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 Haytime 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 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 the said recited Acts 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 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,

bourers, 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 or effect for the Repair of the public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge 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 amending the said Road; and if any Surveyor 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 and 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.

XXI. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, together with lawful Interest for the Money which shall be advanced from Time to Time for that Purpose, shall be paid out of any Money already raised by virtue of the said recited Acts, or out of the first Monies which shall be raised or borrowed upon the Credit of the said recited Acts and this Act, in preference to all other Payments whatsoever.

For paying
the Expences
of the Act.

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

Publick Act.

XXIII. And be it further enacted, That the said recited Acts (subject to the Alterations, Additions, and Amendments in this Act contained) and this Act shall continue and be in force, and be executed for and during the Residue now to come of the Term granted by the said recited Acts; and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Continuance
of this Act.

