



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 113.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Little Yarmouth* to *Blythburgh*, and from *Brampton* to *Halesworth*, in the County of *Suffolk*.

[21st May 1811.]

WHEREAS an Act was passed in the Thirty-sixth Year of the 36 G. 3
Reign of His present Majesty, intituled, *An Act for amending and keeping in Repair the Road from the Turnpike Road in Little Yarmouth to the Turnpike Road at Blythburgh; and also the Road from Brampton to Halesworth, in the County of Suffolk*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in Execution, and for that Purpose have borrowed divers considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, the whole of which Money still remains due and owing, and the same cannot be paid off, nor can the said Roads be effectually amended, improved and kept in Repair, unless the Term of the said Act is enlarged, and some of the Powers and Provisions therein contained 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 Act, and all the Authorities, Powers, Privileges, Penalties, Forfeitures, Clauses, Matters and Things therein contained, (except such as are by this Act varied, altered or repealed, and also except such as relate to Exemptions from Stamp Duties) shall be and

Former Act.

[Loc. & Per.]

26 D

remain

remain in full Force and Effect, and together with this Act be executed for and during the Term hereinafter mentioned, in as full, ample and beneficial Manner to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this present Act, but subject nevertheless to the Amendments, Variations, Alterations and Additions herein contained, and which shall commence and take Effect on the passing of this Act, and that this Act, and the Term and Tolls 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 recited Act, or which shall hereafter be borrowed and become due on the Credit of the said Act and of this Act, or either of them, and all Interest due and to become due thereon respectively.

New Trustees appointed.

II. And be it further enacted, That from and after the passing of this Act the Members serving in Parliament for the several Counties of *Norfolk* and *Suffolk* for the Time being, *George Anguist* Clerk, *Edward Arnold*, the Right Honourable *George Thomas Beresford* commonly called Lord *Goerge Thomas Beresford*, *John James Bedingsfield*, *Henry Bence Bence*, *Charles Buckle* Clerk, *Joseph Dixie Churchill* Clerk, *Clement Chevalier* Clerk, *William Crowfoot*, *William Henchman Crowfoot*, *Henry Sallows Davey*, *Charles Dashwood*, *John Lee Farr*, *Thomas Farr the Younger*, *Robert Fiske*, the Right Honourable *Archibald Earl of Gosford*, *Alexander Garden*, *John Lang Girdelstone* Clerk, *Richard Gooch* Clerk, *William Grimmer*, *George Grimmer*, *Samuel Grimmer*, *William Jackson Hooker*, *John Kerrich*, *Edward Missenden Love* Clerk, *George Leman*, *James Last*, *Anthony Merry*, *Robert Oswald*, *Gunton Postle* Clerk, the Honourable *John Cornwallis Rous*, *Robert Bernard Saint John Acheson Sparrow*, *Horace Suckling* Clerk, *Maurice William Suckling*, *John Grove Spurgeon* Clerk, *Thomas Sberiffe the Younger*, *Dawson Turner*, *James Turner*, *Harvey Taylor* Clerk, *William Tiptod*, *William Triwett* Clerk, and their Successors, (being qualified in Manner directed by the said recited Act) shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Act, for putting the same and this Act in Execution, as fully and effectually to all Intents and Purposes as if they had been appointed Trustees in or by virtue of the said recited Act.

Trustees may sue and be sued in the Name of their Clerk, &c.

III. 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 recited Act and this Act, either in the Names 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 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 Seven 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 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: Provided always, that such Trustees, or Clerk or Treasurer, in whose Names or Name any Action or Suit shall be commenced, prosecuted or defended in pursuance of the said recited Act or this Act, shall be fully reimbursed and paid, out of the Monies to arise by virtue of the said recited Act, and

and this Act, all such Costs, Charges and Expences, as by the Event or in consequence of any such Action or Proceedings, they or he shall bear, pay, expend or be put unto, or become chargeable with, by reason of their or his being so made Plaintiffs or Defendants.

IV. And be it further enacted, That the several Tolls and Duties granted and made payable by the said recited Act, shall be and continue in Force until the Eleventh Day of *October* One thousand eight hundred and eleven, when the same shall cease and be altogether repealed; and that upon and from that Day the Tolls following shall be demanded and taken at every Turnpike or Toll-gate erected or to be erected in or upon the said Roads, by virtue of the said recited Act or of this Act, (but subject to the Provision hereinafter contained as to the additional Turnpikes or Toll-gates hereby authorized to be erected) before any Horse or other Beast or Cattle shall be permitted to pass through the same; (that is to say)

For repealing the present Tolls and granting new ones.

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

For every Horse, Mare, Gelding, Mule or other Beast, drawing any Market Cart or Taxed Cart the Sum of Three-pence :

For every Horse, Mare, Gelding, Mule or other Beast, and every Pair of Oxen or other Neat Cattle, drawing any Waggon, Wain, Cart, or other Carriage of the like Nature (except a Market Cart or Taxed Cart), the Sum of Two-pence.

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

For every Drove of Oxen, Cows or other Neat Cattle, the Sum of Ten-pence per Score: and so in proportion for any less Number: And

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

Which said Tolls and Duties shall be, and the same are hereby vested in the said Trustees appointed or to be appointed to put the said recited Act and this Act into Execution; and the same and every Part thereof shall, after paying the Charges of passing this present Act, be subject and liable to the Payment of the Money borrowed or due, or to be borrowed or become due on the Credit of the said recited Act and of this Act, and shall be paid, applied and disposed of, assigned or transferred to or for no other Use, Intent or Purpose whatsoever; and the Securities given on the Tolls granted by the said recited Act, shall be deemed and construed to extend to and embrace the Tolls hereby granted, in the same Manner as if the same had been actually in being at the Time of the Execution of the said Securities, and had been duly comprized therein: Provided always, that no more than One Half of the respective Tolls aforesaid shall be demanded or taken at the Turnpike erected at the North End of *Gillingham Dam*, or any Turnpike to be erected in lieu thereof; and that only Two full Tolls and One Half shall be taken for the same Horse, Beast or Cattle passing upon the whole of the said Roads in the same Day; any thing herein or in the said recited Act contained to the contrary notwithstanding.

V. And

Toll Col-
lectors not
to be deemed
incompetent
to give Evi-
dence.

V. And be it further enacted, That in case any Dispute, Suit or Litigation shall happen to arise, touching or in anywise relating to the Tolls to be collected on the said Roads, or the Recovery of such Tolls, the Person or Persons appointed to collect the same, or any Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit or Litigation, by reason of their or his being appointed to collect the said Tolls, or acting under the Authority of the said Trustees as aforesaid.

Additional
Toll-gates
may be
erected.

VI. And be it further enacted, That the said Trustees, or any Nine or more of them, shall and they are hereby authorized and empowered to cause an additional Turnpike or Toll-gate, or Turnpikes or Toll-gates to be erected in, upon or across the said Roads or either of them, which the said Trustees or any Nine or more of them shall think expedient, as auxiliary to, or in aid of any of the Turnpikes or Toll-gates already erected upon the said Roads or either of them; and also such Toll-houses adjoining or near to the said respective additional Turnpikes or Toll-gates or any of them, as to the said Trustees or any Nine or more of them shall seem requisite and expedient; but no Meeting shall be held for any such Purpose unless Twenty Days' previous Notice thereof at the least, and of the Purport of such Meeting, shall have been given in some Newspaper published or circulated within the said Counties, and also upon the several Turnpikes or Toll-gates which shall be then standing upon or across the said Roads, and the same Tolls shall be demanded and taken at the said several additional Turnpikes or Toll-gates, as by this Act are authorized to be taken at the Turnpikes or Toll-gates already erected; but inasmuch as the said additional Turnpikes or Toll-gates are hereby authorized to be erected to the Intent only that Payment of the said Tolls may not be evaded, it is hereby declared that any Person or Persons who shall have first paid Toll at any such additional Turnpike or Toll-gate so to be erected as aforesaid, shall be permitted to pass and repass through the next original Turnpike or Toll-gate to which such additional Turnpike or Toll-gate shall be declared to belong, without being subject to the Payment of any further Toll; and any Person or Persons who shall have first paid Toll at any such original Turnpike or Toll-gate, shall be permitted to pass and repass through the additional Turnpike or Toll-gate, or additional Turnpikes or Toll-gates belonging to such original Turnpike or Toll-gate, in the same Manner as if he or they had actually paid Toll at such last-mentioned Turnpike or Toll-gate, without being subject to the Payment of any further Toll at such Gates respectively; and that as well all such Toll-houses to be erected in Manner last-mentioned, as all Toll-houses now standing upon the said Roads or any Part thereof, and the Garden Spots thereto belonging, shall be and are hereby vested in the said Trustees.

Exemptions
from Tolls.

VII. And be it further enacted, that no Toll shall be demanded or taken for any Horse, Cattle, Beast or Carriage 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 on the same Day any Stones, Bricks, Timber, Wood, Gravel or other Materials for repairing of the said Road, or any of the Roads in the Townships or Parishes in which any Part of the said Road lies; or any Hay, Turnips, Straw or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Barns, Out-houses or Yards of the

the Owner or Owners thereof, or of carrying or conveying any Mould or Lime for manuring Land, or for any Horse, Cattle or Beast employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows or Implements of Husbandry, Corn for seeding the Ground, or any Dung, Compost or Manure employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; nor for any Horses or Cattle going to or returning from Pasture or Watering-places, or going to be or returning from being shod or farried; or from any Person going to or returning from his or her proper Parochial Church, or Chapel, or other Place of Religious Worship authorized by Law on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Townships or Parishes; or from any Clergyman going to or returning from visiting any sick Person, or going to or returning from his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle or Carriage, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cattle or Beast attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any Waggon, Wain, Cart or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Cart, Cattle or Beast employed in the Conveyance of Vagrants sent by legal Passes or returning therefrom; or for any Horse, Cattle or Beast carrying or conveying any Person or Persons going to or returning from any Election of a Knight of the Shire, to serve in Parliament for the Counties of *Norfolk* and *Suffolk*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Tolls shall be demanded or taken for any Horse, Mare or Gelding furnished by or for any Persons 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 that such Persons shall be dressed 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 as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit for every such Offence the Sum of Forty Shillings, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

VIII. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart or other Carriage, provided

[Loc. & Per.]

26 E

Carriages
conveying
Military

Stores not to be subject to Penalties for Over-weight, &c.

vided 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 Over-weight; 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 this or the said recited Act contained to the contrary notwithstanding.

Weighing Engines may be erected.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered at any Time during the Continuance of this Act and the said recited Act, to order One or more Weighing Engine or Engines to be erected upon any Part of the said Roads, at such Place or Places as they shall think proper; and the Treasurer of the said Roads for the Time being is hereby authorized and required to pay the Expences attending the making and erecting of such Weighing Engine or Engines, out of the Money which shall then be or next come into his Hands from the Tolls arising upon such Turnpike Roads.

To prevent Nuisances on the Road.

X. And be it further enacted, That from and after the passing of this Act if any Person shall ride upon any Path or Way raised for Foot Passengers, adjoining to the said Roads or either of them, or shall drive or lead any Horses or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Path or Way; or if any Person shall haul or draw, or cause to be hauled or drawn upon the said Roads, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber or Stone, which shall be carried on Wheel Carriages, to drag upon any Part of the said Roads to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Roads, shall suffer the same to root up or damage the same or any Part thereof, or the Fences, Hedges, Backings or Copses 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, her or them upon the said Roads, or the Coach, Chaise, Waggon or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires commonly called Bon-fires, or shall set Fire to, or let off, or throw any Squib, Rocket, Serpent or Fire-work whatsoever on any Part or Parts of the said Roads; or if any Person shall, without sufficient Cause, leave any Coach, Chaise, Waggon, Wain, Cart or other Carriage, in, upon or on the Side of any Part of the said Roads, longer than may be necessary for loading or unloading the same, either with or without any Horse or Beast of Draught, harnessed or yoked thereto; or shall lay or leave any Timber, Wood, Straw, Dung, 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 or Annoyance of Persons travelling thereon, every Person so offending shall forfeit and pay a Sum not exceeding Five Pounds for every such Offence, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied towards repairing the said Roads.

XI. And be it further enacted, That in case any Complaint, Indictment or Prosecution shall be preferred or brought, or any Notice given of any Complaint, Indictment or Prosecution being intended to be preferred or brought against the Surveyor or Surveyors of the Highways of any Parish or Place in which the said Roads or any Part thereof do or doth lie, by reason or on account of the said Roads being out of Repair, or on any other Account relating thereto, then such Surveyor or Surveyors is and are hereby directed and required forthwith to give Notice thereof in Writing to the Treasurer or Clerk to the said Trustees; and in case such Surveyor or Surveyors shall neglect or refuse to give such Notice as aforesaid, he or they shall for every such Default forfeit and pay to the said Trustees, or to their Treasurer for the Time being, any Sum not exceeding the Sum of Five Pounds, to be levied and recovered in like Manner as other Penalties are directed to be recovered and levied by the said recited Act.

Surveyors of Highways to give Notice to the Trustees of Complaint against the State of the Roads.

XII. And whereas Offences may be committed against the said recited Act or this Act, by Persons unknown to the Collectors, Surveyors or other Officers appointed to put the said Act and this Act into Execution; be it therefore further enacted, That it shall be lawful for any of the said Trustees, or their Clerk or Clerks, or their 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 for the County or District near to the 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 Person or Persons so offending to give Security for his, her or their Appearance at the next Justices Sitting, to be holden within and for the County or District in which such Offence or Offences shall have been committed, to answer the said Complaint; and the Justices present at such Sitting, 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 Sitting as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her or them to the Common Goal or House of Correction for the same County or District, 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.

For securing transient Offenders.

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,

Application of Compensation Money

when
amounting
to 200l.

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 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 *ex parte* the Trustees for executing the said recited Act or 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 and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements and Hereditaments, or affecting other Lands, Tenements and Hereditaments standing settled there with, to the same or the like Uses, Trusts, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other 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 or Settlement shall be existing, undetermined and capable of taking Effect; and in the Meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereunto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the Meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements or Hereditaments, by the said recited Act or this Act directed to be purchased, in case such Purchase or Settlement were made.

When less
than 200l.
and amount-
ing to 20l.

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 Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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, Idiocy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court

of

of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Seven or more of the said Trustees for executing the said recited Act 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 Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XV. Provided also, and be it further enacted, That where 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 the said Act and this Act, in such Manner as the said Trustees or any Seven or more of them shall think fit; and 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.

When less than 20l.

XVI. 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 Act 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 Seven 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 said Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements or Hereditaments, describing them, subject to the Order, Controul 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 Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the 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

In case of defectiye Titles, or if Persons entitled to Money cannot be found, &c. same to be paid into the Bank of *England*.

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.

Respecting
disputed
Titles.

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 into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of the said recited Act or 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 of the said recited Act or this Act, 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.

Court of
Chancery
may order
Trustees to
pay Ex-
pences.

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, Tenements or Hereditaments to be purchased under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements and Hereditaments, to be settled to the like Uses in pursuance of the said recited Act or this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees or any Seven or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Respecting
Statute-
work.

XIX. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute-work, or are or shall be chargeable towards repairing and amending the said Road or any Part thereof, shall still remain liable 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 Counties of *Norfolk* and *Suffolk*, and they are hereby empowered and required, upon Application made to them for that Purpose 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 Roads lie, and also what Proportion of

of 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 Repair of the Public Highways; and out of such Lists such Justices shall and may allot, appoint and order such and so many of the Persons, who shall appear to be subject and liable to 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 on such Parts of the said Road as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct and appoint; and the said Justices 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 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, signed by the Surveyor or Surveyors to the said Trustees, shall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her or them, be subject and liable to such Pains, Penalties and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in Force and Effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the 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 and 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 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

give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

For com-
pounding
for Statute-
work.

XX. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Statute-work to be by them done on the said Road or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements or Hereditaments of and in all or any the Parishes or Places in which the said Roads are situate, for a certain Sum of Money, by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Roads; which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer to the said Trustees in advance, on or before the First Day of *October* in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

For Payment
of Expences
of the Act.

XXI. And be it further enacted, That the Costs, Charges and Expences, incident to and attending the procuring and obtaining this Act, together with lawful Interest from the Time of advancing the same till the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees or any Seven or more of them, and they are hereby authorized and required to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the first Monies that shall be collected, borrowed or received by virtue of the said recited Act or this Act, in preference to all other Payments and Disbursements whatsoever.

Publick Act.

XXII. 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.

Term and
Continuance
of the Act.

XXIII. And be it further enacted, That the Term granted by the said recited Act shall on the passing of this Act cease and determine; and the said recited Act (subject to the Alterations, Variations and Additions hereinbefore contained) and this Act shall from thenceforth commence, 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.