



ANNO QUINQUAGESIMO PRIMO

GEORGI II. REGIS.

Cap. 73.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Derby* to *Mansfield*, and several other Roads in the County of *Nottingham*. [14th May 1811.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road from Derby to Mansfield, in the County of Nottingham, and several other Roads therein mentioned*: And whereas another Act was passed in the Twenty-fifth Year of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act passed in the Fourth Year of the Reign of His present Majesty King George the Third, intituled, 'An Act for repairing and widening the Road from Derby to Mansfield, in the County of Nottingham, and several other Roads therein mentioned'*: And whereas great Progress has been made in the Repair of the said Roads, and a considerable Sum of Money borrowed upon the Credit of the Tolls is now due and owing, which cannot be repaid, nor the said Roads effectually amended and kept in good Repair unless the Term and Powers of the said Acts be continued and enlarged, and the present Tolls increased: May it therefore please Your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all the Clauses, Powers, Authorities, Provisions, Penalties, Forfeitures, Matters and Things therein contained (except such

4 G. 3.

25 G. 3. c. 107.

Former Acts continued.

[*Loc. & Per.*]

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such

such Parts thereof as relate to Exemptions from Stamp Duties, and also such as are hereby varied or altered), shall be and remain in full Force and Effect, and together with this present Act, shall be put in Execution for and during the Term hereinafter mentioned, as fully and effectually in all respects, and to all Intents and Purposes, as if the said Acts, and the Clauses, Powers and Provisions therein respectively contained, were expressly repeated and re-enacted in this present Act; but subject nevertheless to the Alterations and Amendments herein contained; and that this Act shall commence and take Effect upon the passing thereof, and the Term and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing, or which shall or may hereafter be borrowed and become due, on the Credit of the said Acts and of this Act, or any 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 most Honourable *William George Cavendish*, commonly called the Marquis of *Hartington*, the Right Honourable *Charles Stanhope*, commonly called Lord Viscount *Petersham*, the Honourable *Washington Shirley*, the Honourable *Nathaniel Curzon*, the Honourable and Reverend *David Francis Curzon*, the Honourable *Henry Sedley*, Sir *Francis Burdett* Baronet, Sir *Henry Every* Baronet, Sir *William Cave* Baronet, *George Almond*, *Charles Antill*, *Dewhurst Bilborrow* M. D., *Thomas Bent* M. D., *John Balguy* the Younger, the Reverend *Joseph Bradshaw*, the Reverend *Nathaniel Bailey*, *Charles Broadhurst*, *John Broadhurst*, *John Beaumont*, *James Bellairs*, *Bryan Balguy*, *Richard Browne* the Younger, *John Byng*, *William Cavendish* M. P., the Reverend *John Clarke*, *John Musters Chaworth*, *D'Ewes Coke*, *John Bell Crompton*, *Gilbert Crompton*, *Edward Soresby Cox*, *John Cox*, *Thomas Cox*, *Roger Cox*, *John Curzon*, *John Chamberlin*, *John Chatterton*, the Reverend *John Dewe*, *Edward Darwin*, *John Darwin*, *William Duesbury*, *John Drewry*, *William Evans*, *Samuel Evans*, *Francis Evans*, *William Elliott*, *John Elliott*, *Nathaniel Edwards*, *Richard Forester Forester* M. D., *Francis Fox* M. D., *Samuel Fox*, *William Bennett Garlike* M. D., *John Charles Girardot*, *Thomas Ley Greaves*, *Jonathan Gilbert*, *Joseph Grammer*, *John Gamble*, *Robert Holden*, *Francis Hurt*, *Tempest Haines*, *John Harrison*, *John Cressy Hall*, *Henry Hadley*, *William Hancock*, *Isaac Hare*, the Reverend *Joseph Jackson* D. D., the Reverend *Nathaniel Palmer Johnson*, *Luke Jackson*, *Francis Jessopp*, *Edward Miller Mundy* M. P., *William Drury Lowe*, *Thomas Lowe*, *William Jeffery Lockett*, *Edward Ley*, the Reverend *Henry Case Morewood*, the Reverend *Wilson Macklin*, *Ashton Nicholas Mosley*, *Godfrey Meynell*, *Francis Mundy*, *Charles Godfrey Mundy*, *Edward Mundy*, *Francis Meynell*, *William Marriott*, *George Storer Mansfield*, the Reverend *Charles Nixon*, *Robert Newton*, *Joseph Osborne*, *James Oakes*, *Henry Orton*, *Thomas Peach* M. D. the Reverend *Joseph Pickford*, *Thomas Pares*, *Sacheverel Chandos Pole* the Younger, *Samuel Poyser*, *John Radford* Junior, *Launcelot Rolleston*, *Samuel Rowland*, *Richardson Radford*, *Edward Sacheverel Sitwell*, *Degge Sitwell*, the Reverend *William Sitwell*, *William Simpson* M. D., *Robert Washington Shirley*, *Henry Strutt*, *Jerediab Strutt*, *Thomas Ward Swinburne*, *James Blyth Simpson*, *Robert Simpson*, the Reverend *Thomas Francis Twigge*, *Robert Tunally*, the Reverend *Richard Ward*, the Reverend *Edward Unwin*, the Reverend *Walter Ward*, *Robert Wilmot*, *Thomas Wheel- don*, *John Weatherhead*, and their Successors (being qualified in the Manner directed

directed by the said first recited Act), shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Acts or either of them, 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 Acts.

III. And be it further enacted, That the several Tolls and Duties in and by the said recited Acts, or either of them, authorized to be demanded and taken at each and every of the Toll-gates erected under the Authority of the said Acts, shall, from and after the passing of this Act, cease and be no longer payable; and that instead thereof, the following Tolls shall be demanded and taken before any Carriage or Cattle shall be permitted to pass through the same; (that is to say)

For discontinuing the present Tolls and granting new ones.

For every Coach, Berlin, Landau, Chariot, Chaise, Calash, Chaise Marine, or Hearse, drawn by Six Horses or other Beasts, the Sum of Two Shillings and Three-pence; and drawn by Four Horses or other Beasts, the Sum of One Shilling and Sixpence; and drawn by Two Horses or other Beasts, the Sum of Nine-pence; and for every Chaise or Chair drawn by One Horse or other Beast, the Sum of Four-pence Halfpenny:

Tolls.

For every Waggon, Wain, Cart or other Carriage, drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three Horses or other Beasts of Draught, the Sum of One Shilling and One Penny Halfpenny; and drawn by Two Horses or other Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse or other Beast of Draught, the Sum of Four-pence Halfpenny:

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

For every Pair of Mill-stones, or Block of Marble or Timber, drawn by Five or more Horses or Beasts of Draught, the Sum of Three Shillings and Nine-pence:

For every Drove of Oxen or neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number; and that double the said respective Tolls shall be demanded and taken on every *Sunday* during the Continuance of this Act.

IV. Provided always, That no more than Two-third Parts of the Tolls hereinbefore mentioned shall be taken at any Turnpike erected by virtue of the said recited Acts or this Act, for any Waggon, Wain, Cart or other Carriage, laden only with Coals or Cokes; nor shall any more than One-penny be taken at any such Turnpike for any Horse or other Beast laden only with Coals or Cokes, any Thing in the said Acts or in this Act contained to the contrary thereof notwithstanding: Provided always, that no more than Three full Tolls shall be taken for the passing or repassing with any Carriage, Beast or Cattle upon the whole Line of the said Road in any One Day.

V. And be it further enacted, That the said respective Sums of Money shall be demanded and taken in the Name of or as a Toll, and shall be and are hereby vested in the said Trustees, and shall be applied to the Purposes

Manner of Recovery of Tolls.

Purposes of the said recited Acts and this Act ; and if any Person subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, or any Part or Parts thereof, it shall and may be lawful for the Person or Persons authorized and appointed by the said Trustees, or any Five or more of them, to enforce the Payment of such Tolls by himself or themselves, or taking such Assistance as he or they shall think necessary, to seize or distrain any Horse, Beast or other Cattle upon which any such Toll is by this Act imposed, together with their Saddles, Geers, Harness, or Accoutrements (except the Bridle or Reins of any such Horse or other Beast separate from such Horse or other Beast), or any Carriage with respect of the Horses or Beasts drawing, on which Carriage such Toll is by this Act imposed ; and if such Toll, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days after such Seizure and Distress made, the Person or Persons so seizing and distraining may sell the Horses, Beasts, Cattle, Carriage, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unsold, upon Demand, to the Owner thereof, after such Toll and the reasonable Charges occasioned by such Seizure, Distress and Sale shall be deducted.

Exemption
from Tolls.

VI. 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 Roads, or any of the Roads in the Townships or Parishes in which any Part of the said Roads lie ; or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Out-houses or on the Lands of the Owners, for the Purpose of thrashing out such Corn, or of feeding out such Hay or Straw ; 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 for any Carriages or Horses laden with Coals or Coke only coming from *Denby, Hart-hay, Holbrooke, Horsley and Ripley* Coal Pits, or any of them, the lower Road through *Little Eaton* ; or for any Horses or Carriages belonging to or laden with Goods being the Property of the Inhabitants of *Denby, Hart-hay, Holbrooke, Horsley, Ripley, Little Eaton, Breadfall, Cowbench, and Kilburn*, or for any of the Cattle belonging to the Inhabitants of the said Towns who shall come the lower Road through *Little Chester* ; or from any Person going to or returning from his or her proper or parochial Church, 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

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 carrying 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 or Knights of the Shire to serve in Parliament for the Counties of *Nottingham* or *Derby*, or of a Burgess or Burgesses to serve in Parliament for the Town of *Derby*, or for the Town and County of the Town of *Nottingham*, 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 Exemptions 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 any Sum not exceeding 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.

VII. And be it further enacted, That no Person owning, or driving Carriages 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 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 Act contained to the contrary notwithstanding.

Application
of Compen-
sation Money,
when amount-
ing to 200l.

VIII. 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, Lunatic or Person or Persons under any Disability or Incapacity, as in the said first 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 Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *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 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, 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 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 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 Acts or this Act directed to be purchased, in case such Purchase or Settlement were made.

Application
when Com-
pensation
Money is less
than 200l.
and amounts
to 20l.

IX. 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 or Lunacy, to be signified in Writing under their respective Hands, be paid into the
Bank,

Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner 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 said 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 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.

X. 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 Acts and this Act, in such Manner as the said Trustees, or any Five 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.

Application where Money is less than 20l.

XI. 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 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 said 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 Use the same

In case of not making out Titles.

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.

XII. 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 Privy of the Accountant General of the Court of Chancery, in pursuance of the said recited Acts 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 Acts 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 and 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.

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

XIII. 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 Acts 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 Acts 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 Acts 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 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.

Persons
chargeable to
Statute Work
to continue so.
Justices to
determine
Differences
touching
Statute-
Work.

XIV. 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 Roads 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 *Nottingham* or *Derby*, 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 Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every

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 Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Roads 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 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 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 and Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; 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.

Trustees may
compound for
Statute-work.

XV. 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 Roads 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 Twenty-ninth Day of *September* 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 this Act.

XVI. 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 Five 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 Acts or this Act, in preference to all other Payments and Disbursements whatsoever.

Public Act.

XVII. 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.

XVIII. And be it further enacted, That the Term granted by the said recited Acts shall, on the passing of this Act, cease and determine; and the said recited Acts (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.