



ANNO QUINQUAGESIMO SECUNDO

# GEORGI II. REGIS.

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## Cap. 199.

An Act for enlarging the Term and Powers of Two Acts of King *George* the Second, and Two Acts of His present Majesty, for repairing the Road from *Fyfield*, in the County of *Berks*, to *Saint John's Bridge*, in the County of *Gloucester*.

[18th July 1812.]

**W**HEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the Road leading from Fyfield, in the County of Berks, to Saint John's Bridge, in the County of Gloucester*: And whereas an Act was passed in the Twelfth Year of the Reign of His said late Majesty King *George* the Second, intituled *An Act for enlarging the Term and Powers of an Act passed in the Sixth Year of the Reign of His present Majesty, for repairing the Road from Fyfield, in the County of Berks, to Saint John's Bridge, in the County of Gloucester; and for repairing the Roads from an Inn called The Hind's Head, in the Parish of Kingston Bagpuze, in the said County of Berks, to that Part of Newbridge which stands in the said County of Berks*: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts of Parliament, of the Sixth and Twelfth Years of His late Majesty's Reign, for repairing the Road from Fyfield, in the County of Berks, to Saint John's Bridge, in the County of Gloucester; and from an Inn called The Hind's Head, in the Parish of*

[*Loc. & Per.*]

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Kingston

Kingston Bagpuze, in the said County of Berks, to that Part of Newbridge which stands in the said County of Berks; and for rendering the said Acts more effectual: And whereas an Act was passed in the Thirty-first Year of the Reign of His present Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Three several Acts, passed in the Sixth and Twelfth Years of the Reign of His late Majesty King George the Second, and in the Third Year of the Reign of His present Majesty, for repairing the Road from Fyfield, in the County of Berks, to Saint John's Bridge, in the County of Gloucester; and from an Inn called The Hind's Head, in the Parish of Kingston Bagpuze, in the said County of Berks, to that Part of Newbridge which stands in the said County of Berks*: And whereas the Trustees for executing the said Acts have proceeded in the Execution thereof, and for that Purpose have borrowed several considerable Sums of Money on the Credit of the Tolls granted by the said Acts, which Money still remains due and owing, and cannot be paid off, nor can the said Roads be sufficiently amended and kept in Repair, unless the Term by the said Acts granted be continued, and the Tolls thereby granted be increased, and some of the Powers of the said Acts altered and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Authorities, Powers, Privileges, Tolls, Duties, Penalties, Forfeitures, Provisions, Restrictions, and Clauses, contained in the said several recited Acts, (except such of them as relate to Exemptions from Stamp Duties, and such as are hereby, or by the same former Acts respectively varied, altered or repealed), shall be, and the same are hereby further continued, for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in this present Act, but subject nevertheless to the Amendments, Variations, and Alterations herein contained; and that this Act and the Term hereby granted, and also the Tolls by the said recited Acts and this Act granted, shall be, and the same are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit of the said recited Acts, and which shall or may from Time to Time hereafter be borrowed upon the Credit thereof and of this Act, and all Interest due and to grow due thereon respectively.

Additional  
Trustees.

II. And be it further enacted, That *William Black, Daniel Bennett, Edward Bouverie Clerk, Slade Baker Clerk, John Beesly, Jonathan Belcher, John Leigh Bennett Clerk, James Clark, Thomas Dewe, James Dewe, John Davies Clerk, James Fidel, Thomas Herbert, William Higgons, Richard Hissey, Charles Loder, Simon Matthews, Daniel Matthews, William Mills Clerk, Henry Newman, Richard Pinnell, Jasper Prince, Richard Reynolds, Charles Reynolds, James Reynolds, Richard Rice Clerk, Richard Rice junior, Robert Thomas, Atkyns Wright, William Wiltshire, Charles Scudamore Ward, Henry Ward, Christopher William Ward, Richard Wells, and Robert Wace*, being qualified according to the Directions of the said recited Acts, shall be and they are hereby added to and joined with the surviving Trustees named in or appointed by virtue of the said recited Acts; and that the Trustees hereby appointed, and their Successors, (being qualified as aforesaid), together with the Trustees appointed and to be appointed by virtue of the said

said recited Acts, shall be and are hereby authorized and declared to be Trustees for putting the said recited Acts and this Act into Execution, to all Intents and Purposes whatsoever.

III. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at a Meeting to be held for that Purpose, (of which Meeting, and of the Purpose thereof, Twenty Days Notice shall be given, in Manner as is in the said First recited Act directed respecting the Appointment of new Trustees on Vacancies), to elect, nominate, and appoint any Number not exceeding Ten, fit and proper Persons to be Trustees for the Purposes of this Act, in Addition to the Trustees hereby nominated and appointed.

Power to elect additional Trustees.

IV. And whereas, for several Purposes mentioned in the said recited Acts, the Concurrence of Seven of the said Trustees is required, which is oftentimes found inconvenient; be it therefore further enacted, That the said Trustees, or any Five or more of them, are hereby authorized and empowered, from and after the passing of this Act, to do and execute all and every the Acts, Powers, and Authorities, of this and the said recited Acts, fully and effectually to all Intents and Purposes whatsoever; and that it shall not in any Case be necessary to have the Concurrence of more than Five of the said Trustees to any Act, Matter, or Thing required or authorized by this Act or the said recited Acts to be done, unless a greater Number of the said Trustees than Nine shall be present at any Meeting or Meetings for the Purpose of carrying this Act and the said recited Acts into Execution; and then and in every such Case the Majority in Number of the said Trustees present at any such Meeting or Meetings shall alone be competent to do any Act, or make any Order or Determination, touching any Matter or Question arising or depending at such Meeting or Meetings respectively, or for which such Meeting or Meetings shall have been convened; and that any Trustee of the said Roads shall not, on account of his being such, be deemed incompetent to act as a Justice of the Peace in the Execution of this Act, and the said recited Acts; and that no Mortgagee of the said Tolls shall, by reason thereof, be disqualified from acting as a Trustee in the said respective Acts, save and except only in those Cases where they respectively may happen to be personally interested.

Five Trustees empowered to act.

V. And be it further enacted, That the being a Trustee of the said Roads, or a Mortgagee of the Tolls thereof, or a Farmer or Collector of the said Tolls, or being a Treasurer, or Clerk, or Surveyor under the said recited Acts or this Act, or the being an Inhabitant of any Township, Parish or Place, through which the said Roads do or shall pass, shall not disqualify any Trustee or other such Person as is last herein-before described, from giving his Testimony or Evidence in any Suit, Prosecution, or other legal Proceedings, under the said recited Acts or this Act, nor shall such Testimony or Evidence, (for any of the Reasons aforesaid), be liable to be questioned or set aside.

Trustees, &c. not disqualified from being Witnesses.

VI. And be it further enacted, That all Orders and Proceedings of the Trustees shall be entered in a Book or Books to be kept by the Clerk for that Purpose; and such Orders and Proceedings so entered shall be signed by the Trustees making the same, or the major Part of them, or by their Chairman or Clerk, by their Order; which said Book or Books, and also

Proceedings to be entered in a Book.

the Books herein-after mentioned and directed to be kept for registering the Mortgages and Assignments of the Tolls hereby intended to be granted, signed by the Clerk to the said Trustees, shall be deemed Originals, and the same, or true Copies thereof, and all Entries, shall be read and admitted as Evidence in all Cases of Appeal, and in all Suits and Actions in any Court whatsoever, touching any Thing done or to be done in pursuance of this Act.

Trustees to  
appoint tem-  
porary Col-  
lectors.

VII. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls by this Act granted shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, any Three or more of the Trustees, (though not assembled at a Meeting of the said Trustees appointed by virtue of this Act), may discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself; and in such Case, and also in Case any Collector or Receiver shall die, the said Trustees or any Three or more of them may nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the next Meeting of the Trustees, in the Stead of such Collector or Receiver as shall so die or be discharged, and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all Respects, as the Person who shall so die or be discharged would have had or would have been subject to.

Repealing  
former Tolls,  
and granting  
new ones.

VIII. And whereas the Amount of Tolls authorized by the said recited Acts to be taken on the said Road, have been found insufficient for the Purposes of the said recited Acts; be it therefore enacted, That from and after the First Day of *August* now next ensuing, the said Tolls granted or authorized by the said recited Acts to be taken, shall be, and the same are hereby declared to be repealed, and shall from that Time cease, determine, and be no longer paid or payable; and that upon, and from and after the said First Day of *August* next it shall be lawful for the said Trustees, or any Person or Persons appointed or to be appointed Collector or Collectors by virtue of the said recited Acts or this Act, to demand and take the several Tolls and Duties following, at each and every of the several and respective Turnpikes or Toll Gates or Toll Houses, or Turnpike or Toll Gate or Toll House, which are, is, or shall be erected upon, across, or on the Sides of the said Road, by virtue of the recited Acts or this Act, and on every Day, (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

Tolls.

For every Coach, Berlin, Landau, Barouche, Chariot, Calash, Chaise, Curricule, Hearse or Chair, drawn by Six or more Horses or Beasts of Draught, Two Shillings; and by Five Horses or Beasts of Draught, One Shilling and Eight-pence; and by Four Horses or Beasts of Draught, One Shilling and Sixpence; and by Three Horses or Beasts of Draught, One Shilling and Three-pence; and by Two Horses or Beasts of Draught, One Shilling; and by One Horse or Beast of Draught, Sixpence:

For every Horse or Beast of Draught drawing any Waggon, Wain, Cart, Dray, or such like Carriage, the Sum of Sixpence:

For every Carriage with Four Wheels fastened to or behind any Waggon, Wain, Cart, or other Carriage, the Sum of Four-pence if empty, and the Sum of Eight-pence if loaded; and for every Carriage with Two  
Wheels

Wheels so fastened, the Sum of Two-pence, if empty, and the Sum of Four-pence if loaded :

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, the Sum of Two-pence :

For every Drove of Oxen, Cows or Neat Cattle, the Sum of Ten-pence *per* Score, and so in Proportion for a less Number :

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

And that for every Coach, Chaise, Waggon, Wain, Cart, and other Carriage liable to pay Toll, and every Horse, Mare, Gelding, Mule, Ass, and every Drove of Oxen or other Neat Cattle, Calves, Hogs, Sheep, or Lambs, which shall pass through any of the Toll Gates or Bars erected or to be erected upon or on the Sides of the said Roads respectively on a *Sunday*, there shall be demanded and taken at every Toll Gate or Bar double the Toll or Sum of Money herein-before mentioned and authorized to be taken thereat for such Coach, Chaise, Waggon, Wain, Cart, or other Carriage, Horse, Mare, Gelding, Mule, Ass, Drove of Oxen, Neat Cattle, Calves, Hogs, Sheep, or Lambs, in case the same had passed through the said Toll Gate or Bar on any other Day in the Week. Double Tolls on Sundays.

IX. And be it further enacted, That in case any Dispute, Suit or Litigation shall arise, touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other 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 his, her, or their being appointed to collect such Tolls, or by reason of his, her, or their acting under the Authority of the said Trustees. Collector competent Witness.

X. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Horse or Horses, or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty 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 making or repairing the said Road, or any of the Roads in the Townships or Parishes in which any Part of the said Road lies; or with Seed for feeding the Ground; or Hay, Turnips, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Houses, Barns, Outhouses or Yards, or on the Lands of the Owners thereof; or for any Horse, Beast, or other Cattle, or Carriage employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Compost or Manure, (Lime only excepted), employed in Husbandry for manuring or improving Lands, or any other Thing employed in the Management of any Farm or Lands; or for any Horses or other Beasts going to or returning from Pasture or Watering Place, or going to be or returning from being shod or farried; or from any Person or Persons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worship on *Sundays*, or any other Day on which Divine Service Exemptions from Toll.

[*Loc. & Per.*]

is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Person who shall die and be buried in any of the Parishes in which the said Road lies, or from any Clergyman going to visit or returning from visiting any sick Person, or on other his Parochial or Ministerial Duty; or for any Horses or Carriages of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying or guarding such Mails or Expresses, or in returning back from conveying the same; or for the Horse or Horses of any Officers or Soldiers on their March or on Duty, or for any Horse or Horses or other Beast, or any Cart, Carriage or Waggon, employed in carrying or conveying or returning therefrom, having been employed only in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying or conveying any sick, wounded, or disabled Officers or Soldiers; or 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, or Barrack or Commissariat or other public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning from having been so employed; or for any Horse, Mare or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection or Review, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements, according to the Regulations of such Corps, at the Time of claiming the Exemption; or for Horses, Carts, or Waggons, travelling with Vagrants sent by legal Passes, or returning after having been so employed; or for any Horses, Coaches, or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of *Berks* and *Gloucester*, on the Day or Days of such Election, or the Day before or Day after such Election shall begin or be concluded; and if any Person shall, by any fraudulent or collusive Means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, One Moiety whereof shall be paid to the Informer, and the other shall be applied to the Purposes of this Act.

Exempting  
Carriages  
conveying  
King's Stores,  
&c. from Pen-  
alties for  
Overweight.

XI. 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, or the Horse or Horses drawing the same, while so employed, 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 the 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 Acts contained to the contrary notwithstanding.

XII. And

XII. And be it further enacted, That no Farmer or Farmers, Renter or Renters, of the Tolls of any Turnpike Gate now erected or hereafter to be erected upon the said Roads respectively, or his or their Deputy or Deputies, Agent or Agents, shall make any Composition, by the Year or otherwise, with the Inhabitants of any Town or Place, or with any Person or Persons whomsoever, for or in lieu of the Tolls of any Waggon, Wain, Cart, or other Carriage, liable to be weighed at the Engine or Engines erected or to be erected upon the said Roads respectively, for or in respect of the Overweight thereof; and in case any Farmer or Renter, or Person or Persons shall offend herein, every such Farmer or Renter, Deputy or Agent, shall on Conviction thereof by Confession, or upon the Oath of One Witness, before any One of His Majesty's Justices of the Peace for the County of *Berks*, forfeit and pay, besides the Costs and Charges attending the Conviction, any Sum not exceeding Twenty Pounds, and shall also forfeit his or their Contract or Lease for renting the Tolls, if the Trustees, or any Five or more of them, shall think proper to order that the same shall be thereupon vacated and made void; and every such Composition shall be and the same is hereby declared to be null and void; and that One Half of every such Penalty as aforesaid shall be paid to the Informer, and the other Half to the Surveyor or Treasurer of the said Roads respectively, to be employed towards the Repair thereof; the same to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so convicted, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices as aforesaid.

Penalty of Renters of Tolls compounding for Overweight.

XIII. And be it further enacted, That every Lease now subsisting of any of the said Tolls shall, from and after the First Day of *July* One thousand eight hundred and twelve, cease, determine, and be void, and the said Trustees, or any Five or more of them, shall make such Recompence to the Lessees in every such Lease, for the Injury he may sustain on account of vacating such Lease, as shall be agreed upon by and between the said Trustees, or any Five or more of them; and in case no such Agreement shall have been made and entered into within Twenty-one Days after the said First Day of *July* One thousand eight hundred and twelve, then the Justices, at their Quarter Sessions which shall be holden for the said County of *Berks*, next after the Expiration of the said Twenty-one Days, shall and they are hereby authorized and required, upon Application to them made by the said Trustees, or any Five or more of them, or their Clerk, or the said Lessee or Lessees, to ascertain and fix such Sum or Sums of Money as shall be reasonable to be paid or allowed by the said Trustees, to the said Lessee or Lessees, for or on account of determining the said Lease or Leases, and to make such Order for the Payment thereof as they the said Justices shall think fit; and the Determination of the said Justices shall be final and conclusive.

Leases of the Tolls vacated.

XIV. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to Farm to any Person or Persons, in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms or Conditions on which the same shall be so demised or let, either by taking greater or less Tolls, or in any other Way or Manner; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear by the Space of Ten Days next after any one of the Days on which

Enabling Trustees to take Possession of Toll Houses, &c.

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the same ought to be paid pursuant to the Lease or Agreement for demising or letting thereof; or in case any Toll House or Toll Houses shall be in the Possession of any Collector or Collectors who shall be discharged or removed from his, her, or their Office of Collector, or who shall happen to die, then, and in either of those Cases, the said Trustees, or any Five or more of them, or any Person authorized by Writing under their Hands, or their Clerk or Treasurer, shall be at Liberty, and he and they is and are hereby authorized to enter upon, and take Possession of the Toll House or Toll Houses which shall be in the Possession of any such Lessee or Lessees, Farmer or Farmers, or Collector or Collectors, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove or put out such Lessee or Lessees, Farmer or Farmers, or Collector or Collectors from the Possession thereof, and from the Collection of the Tolls; and that thereupon it shall be lawful for the said Trustees (if they shall think fit) to vacate and determine the Contract (if any) for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be from that Time utterly void to all Intents and Purposes, (save as to the Covenants or Agreements for Payment up to that Time of the Rent or Rents thereby reserved, or other Covenants or Agreements on the Lessees Part which shall have been broken), as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees, in every such Case, to demise or let the said Tolls again to any Person or Persons, or cause them to be collected, as if no former Demise, Contract, or Agreement, had been made relative thereto; any Law, Custom, or Usage, to the contrary thereof in anywise notwithstanding.

XV. And be it further enacted, That upon the borrowing of any further Sum of Money by the said Trustees at Interest, for the Purpose of carrying into Effect this or any of the said recited Acts, the said Tolls or any Part thereof, and also the Turnpikes and Toll Houses for collecting the same, shall and may be assigned and mortgaged by the said Trustees, or any Five or more of them, to the Person or Persons who shall advance any further Sum or Sums of Money, by a Writing under their Hands, in the following Words, or in other Words to the like Effect; (that is to say),

Form of Security for Money borrowed.

BY virtue of an Act passed in the Fifty-second Year of the Reign of His Majesty King George the Third, intituled An Act, &c. [*here set forth the Title of this Act*] We, [*here name the Trustees who sign the Security*] being Five of the Trustees for executing the said Act, and the several Acts therein mentioned, in Consideration of the Sum of \_\_\_\_\_ to the Treasurer of the said Turnpike Roads in hand paid by *A. B.* of, &c. [*here name the Mortgagee*] Do hereby grant, bargain, sell, and demise, unto the said *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Tolls arising upon the said Roads, and of the Turnpikes or Toll Houses for collecting the same, as the said Sum of \_\_\_\_\_ doth or shall bear to the whole Sum due and owing, or that may be borrowed upon the Credit thereof, or charged upon the Term of the said Act; to be had and holden from this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_ for and during the Continuance of the said Act, unless the said Sum of \_\_\_\_\_ with Interest after the Rate of Five Pounds *per Centum per Annum*, shall be sooner repaid and \_\_\_\_\_ satisfied



satisfied to the said *A. B.* his Executors, Administrators, and Assigns; in which Case, and from and immediately after Payment and Satisfaction thereof, this Grant and Security shall be and become absolutely void and of none Effect.

And Copies or Extracts of all such Mortgages shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said Trustees; and all Persons to whom any Mortgage shall be made as aforesaid, or who shall be possessed of any Mortgage made by virtue of this Act, or any of the said recited Acts, or who shall be entitled to the Money thereby respectively secured, may from Time to Time, by Writing under his or their Hand or Hands, transfer his, her, or their Right, Title, Interest or Benefit, in and to the said Mortgage and Principal Money and Interest thereby secured, to any Person or Persons whomsoever, by Endorsement or otherwise, in the following Words, or Words to the like Effect; (that is to say),

Mortgages to be entered in the Treasurer's Books.

I *A. B.* [*describe the Person interested in the Mortgage*] do transfer this Mortgage [*or, a certain Mortgage, describing the Date and Particulars*] with all my Right and Title to the Principal Money thereby secured, and all the Interest now due or owing, and hereafter to grow due on the same, unto *C. D.* of, &c. his Executors, Administrators, and Assigns. Dated this                      Day of                      in the Year of our Lord

Which said Transfer shall be respectively produced and notified to the said Clerk or Treasurer, who shall cause an Entry or Memorandum to be made thereof in the herein-before mentioned Book or Books, specifying the Date, Names of the Parties, the Sum of Money thereby respectively transferred, and such other Particulars as shall sufficiently certify and explain the Transfers thereby respectively made; and for the Entry of every such Mortgage or Transfer in the before-mentioned Book or Books, the said Clerk or Treasurer shall be paid such Sum of Money as the said Trustees shall appoint, not exceeding the Sum of Ten Shillings for each Entry; and every such Transfer, so registered as aforesaid, shall entitle the Assignee or Assignees therein respectively named, his, her, or their Executors, Administrators, and Assigns, to the full Benefit thereof; and any such Assignee or Assignees, his, her, or their Executors, Administrators, or Assigns, may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons, except the Person or Persons to whom the same shall have been last transferred in Manner aforesaid, his, her, or their Executors or Administrators, to make void, release, or discharge the original Security, or any Money thereby secured or owing thereon, or any Part thereof; and all Persons possessed of any Mortgage made by virtue of the said recited Acts, or any of them, or entitled to the Money thereby respectively secured, as well as those to whom any Mortgage or Transfer shall be made in Manner herein-before mentioned, shall, in Proportion to the Sum or Sums of Money thereby respectively secured, be Creditors on the Tolls by this Act granted, and on the said Turnpikes and Toll Houses, in equal Degree one with another, and shall not have or be entitled to any Preference or Priority in respect of advancing their Money previous to any other such Person or Persons, or of the prior Date of their Security or Securities respectively, or on any other Account or Pretence whatsoever.

Old Mortgages to be cancelled and new ones granted.

XVI. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, if thereunto required, receive in, and cancel all or any of the Mortgages or other Securities now outstanding, that were made by virtue of the said recited Acts or any of them, and give and execute another Mortgage or Mortgages instead and in lieu thereof respectively, in Manner as herein-before authorized and directed.

Expences of this Act.

XVII. And be it further enacted, That all the Charges and Expences incident to or attending the obtaining and passing of this Act shall be paid, with lawful Interest, by the said Trustees, or any Five or more of them, out of any Money already collected and received by virtue of the said Acts, or out of the first Monies which shall be collected and received by virtue of this Act, in preference to any other Payment whatsoever.

Application of Money awarded above 200 l.

XVIII. 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 this or the said recited Acts, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any other Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said Trustees, 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 Incumbrance, or Part thereof, as the said Court shall authorize to be paid; affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with 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, 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, or 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 High 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 said Lands,

Lands, Tenements, and Hereditaments; so to be purchased under the Authority of this or the said recited Acts, in case such Purchase or Settlement was made.

XIX. Provided always, and be it further enacted, That if any Money Where less than 200 l. and above 20 l. 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 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 of *England*, 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 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 said Trustees for executing this and the said recited 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 herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

XX. Provided also, and be it further enacted, That where such Money Where under 20 l. so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, for the Purposes of this or the said recited Acts; 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.

XXI. 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 this or the said recited Acts, 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 the 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 be lawful 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 High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, In case of not making out a good Title, &c.

ments, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said High Court of Chancery; 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 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 same 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.

In case of disputed Titles.

XXII. 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 High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this or the said recited Acts, or to any Bank Annuities to be purchased with any such Money, or 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 High 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 may order reasonable Expences to be paid by the Trustees.

XXIII. 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 this or the said recited Acts, the Purchase Money for the same shall be required to be paid into the High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said High 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, to be paid by the said Trustees out of the Monies to be received by virtue of this or the said recited Acts, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXIV. And

XXIV. 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 be lawful for any Two or more Justices of the Peace for the said County of *Berks*, 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 the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or their Treasurer; and in order thereunto, it shall 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 or 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 or effect for the Repairs 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 do 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 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 or may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act or the said recited Acts authorized 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 who shall be sent with any Team or Draught to

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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 Penalties as 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 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 Five Pounds.

## Offences.

XXV. And be it further enacted, That if any Person shall ride upon any Footway or Path adjoining to or being Part of such Roads, or on the Side thereof, other than and except in Time of Floods, and when necessary for the immediate Purpose of personal Safety, or shall drive any Horse, Cattle, or Swine, or any Carriage thereon, other than and except in the Time of Floods, or shall cause any Damage to any such Footway; or if any such Person shall hale or draw, or cause to be haled and drawn, upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone, (otherwise than upon wheeled Carriages), or shall suffer any Part of any Tree, or Piece of Timber or Stone, which shall be carried upon wheeled Carriages, to drag upon any Part of the said Roads to the Prejudice thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the Left Side of the said Roads, when meeting any Carriage, or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Roads, or the Coach, Chaise, Waggon, Cart or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires, commonly called *Bonfires*, or shall set fire to or let off or throw any Squib, Rocket, Serpent or Firework, or other combustible Matter whatsoever, on any Part or Parts of the said Roads, or any Causeway or Footway or Path adjoining thereto; or if any Person shall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked together, longer than may be necessary for loading or unloading, and standing as near to the Side of the said Road as conveniently may be, and except in Cases of Accidents; or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, on any Part of the said Roads, or on any Waste Grounds adjoining the Side or Sides thereof, and being within the Distance of Thirty Feet from the Center of the said Roads, to the Prejudice of the said Roads, or to the Annoyance of any Person or Persons whomsoever, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, and applied, in Manner aforesaid.

## For securing transient Offenders.

XXVI. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Collectors, Surveyors, or other Officers appointed to put this Act in Execution; be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, Collectors or other Officers respectively, and such other Person or Persons as he or they shall

shall call to his, her, or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace of the County, Town or Place, where the Offence or Offences shall be committed.

XXVII. And be it further enacted, That all Penalties and Forfeitures hereby or by the said recited Acts or any of them inflicted or authorized to be imposed, if the Manner of levying and recovering thereof is not herein or therein otherwise directed, shall, upon Proof of the Offences respectively before any One Justice of the Peace for the County, Riding or Place wherein the Offence shall have been committed, or any one Justice for the County or Place wherein the Offender shall reside, either by the Confession of the Party or Parties offending, or by the Oath of one or more credible Witness or Witnesses, (which Oath such Justice is hereby empowered and required to administer), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice, (which Warrant or Warrants such Justice is hereby empowered to grant for those Purposes), and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale are recovered and deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels, and One Moiety of such Penalties and Forfeitures, when recovered, shall, if not otherwise directed to be applied, be paid to the Informer, and the other Moiety shall be applied for the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice, and he is hereby required by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the County, Riding, or Place wherein the Offence shall have been committed, there to remain without Bail or Mainprize, for any Time not exceeding One Calendar Month, unless such Penalty and Forfeiture, and all reasonable Charges shall be sooner paid and satisfied.

For Recovery  
and Applica-  
tion of Penal-  
ties.

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

Public Act

XXIX. And be it further enacted, That the Term granted and continued by the said recited Acts, shall upon the passing of this Act cease and determine; and that the said Acts, (subject to the Alterations and Additions herein-before 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.

Continuance  
of this Act.

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