



ANNO QUINQUAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 25.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing several Roads leading to and through the Borough of *Tamworth*, and other Roads therein mentioned, in the Counties of *Stafford*, *Warwick*, and *Derby*, and in the County of the City of *Lichfield*.

[20th March 1812.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening several Roads leading to and through the Borough of Tamworth, and other Roads therein mentioned, in the Counties of Stafford, Warwick, and Derby:* And whereas another Act was passed in the Twenty-second Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act of the Tenth Year of His present Majesty, intituled, 'An Act for repairing and widening several Roads leading to and through the Borough of Tamworth, and other Roads therein mentioned, in the Counties of Stafford, Warwick, and Derby:'* And whereas the Trustees appointed in or by virtue of the said Acts have, in pursuance of the Powers to them given, borrowed several considerable Sums of Money upon the Credit of the Tolls thereby authorized to be collected, which Money so borrowed still remains due, and the same cannot be repaid, nor can the said Roads be effectually amended, improved, and kept in Repair, unless the Term of the said Acts be further continued, and the Powers and Provisions thereof altered, amended, and enlarged: May it therefore please Your Majesty, That it may be

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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 Tolls, Powers, Provisions, Penalties, Forfeitures, Matters, and Things, therein contained, (except such of them, and such Parts thereof, as are hereby varied, altered, or repealed, and as relate to Exemptions from Stamp Duties,) shall be in full Force and Effect, and shall have Continuance for and during the Term hereinafter mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act; and that this Act, and the additional Term hereby granted, shall be subject and liable, as well to the Payment of all Money now due and owing upon the Credit of the said recited Acts, or the Tolls thereby granted and continued; as also to the Payment of all Sums of Money which shall hereafter be borrowed for the Purposes of the said recited Acts and this Act, and of the Interest due and to grow due for the same respectively.

Acts of Trustees to be valid, notwithstanding the want of due Qualification. II. And be it further enacted, That all Acts and Proceedings of any Person or Persons who hath or have acted, or who shall or may act as a Trustee or Trustees in the Execution of the said recited Acts, or either of them, or who shall or may act as a Trustee or Trustees in the Execution of this Act, though not duly qualified, previous to his or their being convicted of the said Offence, shall notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been qualified according to the Directions of the said first recited Act.

Sunday Toll. III. And be it further enacted, That on every *Sunday* after the passing of this Act there shall be demanded and taken at every and all of the Turnpikes and Toll-gates erected, or to be erected by virtue of the said recited Acts and this Act, by the Person or Persons appointed for that Purpose, before any Horse, Cattle, or Carriage shall be permitted to pass through the same, double the Tolls before directed to be taken on any other Day of the Week.

Manner of Recovery in case of Non-payment of Tolls. IV. And be it further enacted, That if any Person or Persons subject or liable to the Payment of any of the Tolls by the said recited Acts, or by this Act granted, shall after Demand thereof, or of any Arrear 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 to collect such Toll, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize and distrain any Cattle, Carriage, or other Thing upon or in respect of which any such Toll is imposed, together with their respective Bridles, Saddles, Gears, Harness, or Accoutrements, (except the Bridle or Reins of any Horse or other Beast separate from such Horse or other Beast), or any other of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay; and if the said Tolls, or any Arrear thereof, or any Part thereof respectively so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Cattle, Carriage, Chattels, or Things so seized and distrained, or a sufficient Part thereof,

thereof, returning the Overplus of the Money to arise by such Sale (if any), and what shall remain unfold, upon Demand to the Owner thereof, after such Tolls, and all Arrears thereof, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted and satisfied.

V. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due, or the Charges incident to any such Distress or Distresses, it shall and may be lawful for the Collector or Person so distraining, to retain the Cattle, Carriage, or other Goods and Chattels taken in Distress as aforesaid, or the Money arising by Sale thereof (as the Case may be), until the Amount of the Tolls and Arrears thereof due, and the Charges of seizing, distraining, keeping, and selling the Distress, shall be ascertained by some Justice of the Peace for the County or Place where such Dispute shall happen, who, upon Application made to him for that Purpose, shall examine the said Matter on Oath of the Party or other Witness or Witnesses, and determine the Amount of Tolls due, and also assess the Charges of such Seizure, Distress, Keeping, and Sale, and also the Charges for the Attendance of the Collector, and of his or her Witness or Witnesses for that Purpose on the said Justice, and all other Expences incident to the Application to any such Justice of the Peace, all which Sums so determined or assessed shall be paid to the Collector or other Person before he or she shall be obliged to return the Distress, or the Overplus after the Sale thereof, or any Part thereof.

Disputes concerning Tolls to be settled by a Justice.

VI. 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 authorized or appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be deemed to be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by Reason of his, her, or their being appointed to collect the said Tolls, or acting under the Authority of the said Trustees.

Collectors not to be deemed incompetent to give Evidence.

VII. And whereas it is by the said first recited Act enacted, That as often as any of the Trustees thereby appointed shall die, or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, under their Hands and Seals, to appoint another Trustee in the Room of each Trustee so dying or refusing to act, which Proceeding, so far as relates to requiring the Seals of such Trustees to be affixed to the said Appointments, has been found to be inconvenient, be it therefore further enacted, That from and after the passing of this Act every such Appointment shall be valid and effectual, if made under the Hands, without the Seals, of the Trustees who shall sign the same, any Thing in the said recited Acts, or either of them contained, to the contrary thereof notwithstanding.

Trustees may be chosen under the Hands, without the Seals of others.

VIII. And be it further enacted, That the said Trustees may sue and be sued in the Name or Names of their Clerk or Clerks for the Time being; and that no Action to be brought or commenced by or against the said Trustees, or any of them, by virtue of this Act, in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the

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

the Death or Removal of any such Clerk or Clerks, or by the Act of the said Clerk or Clerks, without the Consent of the said Trustees; but that the Clerk or Clerks to the said Trustees for the Time being shall always be deemed the Plaintiff or Defendant, Plaintiffs or Defendants in such Action as the Case may be: Provided always, That every such Clerk shall be reimbursed out of the Money to be raised by virtue of the said recited Acts or this Act, all such Costs, Charges, and Expences as he shall be put unto or become chargeable with by Reason of his being so made Plaintiff or Defendant as aforesaid.

Former Ex-
emptions
from Toll
repealed,
and others
granted.

IX. And be it further enacted, That from and after the passing of this Act, all and every the Exemptions from the Payment of Tolls and Portions of Tolls, both general and special, granted and allowed by the said recited Acts or either of them, shall be and the same are hereby repealed; and that during the continuance of this Act, no Toll shall be demanded or taken at any Toll-gate or Turnpike erected or to be erected upon the said Roads, or any Part thereof, for any Cattle or Carriage employed in carrying or conveying, or going to carry or convey, or in returning on the same day from carrying or conveying Stones, Bricks, Gravel, Timber, or other Materials for repairing any of the said Turnpike Roads, or the Bridges, Toll-houses, or Toll-gates upon the same, or for repairing any of the Highways in the several Parishes, Liberties, or Townships in which any of the said Turnpike Roads do lie; nor for any Cattle or Carriage used or employed only in the drawing or carrying of any Dung, Mould, Compost, or other Manure, of what Nature or Kind whatsoever, to be used in manuring or improving of Land (Lime only excepted); nor for any Cattle or Carriage used or employed in the drawing or carrying of any Hay, Straw, or Corn in the Straw, to be laid up in the Houses, Outhouses, Barns, Yards, or other Places belonging to the Owners thereof (being Inhabitants in the several Parishes or Townships in which any of the said Turnpike Roads do lie, and who do and perform Statute Duty upon the same Roads), but not passing for Sale; nor shall any Toll be demanded or taken for any Cattle drawing any Ploughs, Harrows, or other Implements of Husbandry belonging to any of the said Inhabitants who do and perform Statute Duty as aforesaid, and passing in order to the using or repairing the same, or for manuring or working of Land in the several Parishes or Townships in which any of the said Roads do lie; nor shall any Toll be demanded or taken from any Person or Persons residing in any Parish, Township, or Place in which any of the said Turnpike Roads do lie, who shall pass through any Toll-gate or Turnpike erected or to be erected upon the said Turnpike Roads, or any Part thereof, to or from their proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, within the Parish where they shall respectively reside, on a *Sunday, Christmas Day, Good Friday,* or on any Day appointed by Royal Proclamation for a General Thanksgiving or Fast-day, or who shall attend the Funeral of any Person who shall die and be buried in any of the said Parishes, Townships, or Places; nor from any Clergyman residing in any of the said Parishes, Townships, or Places, who shall be only going to or returning from visiting any sick Person in the Parish in which such Clergyman shall reside, or going to or returning from the Performance of any other of his Parochial or Ministerial Duties in the Parish in which such Clergyman shall reside, either on a *Sunday,* or on any other Day of the Week; nor shall any
Toll

Toll be demanded or taken for any Cattle belonging to any of the said Inhabitants which shall be only going to or returning from Pasture or Water in one and the same Parish; nor shall any Toll be demanded or taken for any Cattle belonging to any of the said Inhabitants, which shall be only going to the Smith's Shop to be shod or farried, or returning therefrom; nor shall any Toll be demanded or taken for any Cattle going to Pasture from the Borough of *Tamworth* aforesaid to Lands in the Liberties of *Fazely*, *Bonehill*, and *Bitterscote*, or either or any of them, in the Parish of *Tamworth* aforesaid, on the Day next preceding the Day on which any Fair is to be held or kept in the Borough of *Tamworth* aforesaid, or returning from such Pasture on the Day any such Fair shall be held or kept, in order to be sold at such Fair; nor shall any Toll be demanded or taken for any Horse or other Cattle, or Carriage of whatever Description employed or to be employed in conveying the Mail or Packet, or any Expresses sent under the Authority of His Majesty's Postmaster-General, either when employed in conveying or guarding such Mail, Packet, or Expresses, or in returning therefrom; or for any Horses belonging to or attending any Officers or Soldiers upon their March or on Duty, or for any Horses, Cattle, or Carriages employed 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; 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, Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise; provided that such Person be dressed in the Uniform of his Corps, and have his Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps at the Time of claiming such Exemption as aforesaid; nor for any Cattle or Carriages employed in the Conveyance of Vagrants sent by legal Passes; and if any Person shall 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 and pay for every such Offence any Sum not exceeding the Sum of Forty Shillings, at the Discretion of any Justice of the Peace for the County, City, or Borough within which such Offence shall be committed, and before whom Complaint shall be made concerning the Premises; the same to be recovered as any Penalty can or may, by virtue of the said recited Acts, or either of them, or this Act, be recovered.

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

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Cart,

Exempting
Carriages
with Military
Stores from
Penalty for
Over-weight.

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.

Continuation
of former
Exemption
as to the In-
habitants of
Elford, &c.

XI. And whereas it is by the said recited Act of the Tenth Year of the Reign of His present Majesty, enacted, That in case any Toll-gate or Turnpike should be erected upon the Turnpike Road between the Parish of *Elford* and the House of *William Turner* in *Clifton Campville*, then and in such Case the Inhabitants of *Elford*, *Hazeler*, *Harlaston*, *Haunton*, and *Clifton Campville* aforesaid, and their Horses and other Cattle, Coaches, Waggon, and other Carriages, passing and repassing through such Toll-gate or Turnpike only, shall pay but Half Toll at such Toll-gate or Turnpike, be it therefore further enacted, That from and after the passing of this Act the Inhabitants of *Elford*, *Hazeler*, *Harlaston*, *Haunton*, and *Clifton Campville* aforesaid, shall not be subject to the Payment of more than Half Toll for passing or repassing through any Toll-gate or Turnpike already erected or hereafter to be erected upon the said Road between the said Parish of *Elford* and the said House now or late of *William Turner*, in *Clifton Campville* aforesaid, any Thing in the said recited Acts or either of them, or in this Act contained, to the contrary thereof notwithstanding.

To prevent
Encroach-
ments and
Annoyances.

XII. And, for the better preventing and removing Encroachments, Nuisances, and Annoyances in and upon the said Roads, be it further enacted, That if any Owner or Occupier of any Lands or Tenements near to the said Roads, shall refuse or neglect, by the Space of Six Days after Notice in Writing given to him or her, or left at his or her usual Place of Abode, under the Hand of any Surveyor appointed or to be appointed by virtue of the said recited Acts or this Act, to scour and cleanse any Ditch, Drain, or Watercourse contiguous to, or leading out of or from the said Roads, or to make, build, or erect across such Ditch, Drain, or Watercourse, any Arch or Arches sufficient for the free Course of the Water under his or her Gateway or Passage leading from the said Roads into any Field, Ground, or other Premises, or to pull down, take away, or remove any Encroachments, Posts, Rails, Sign-posts, Pent-houses, Shew-boards, Spouts, Gutters, Porters-blocks, or Resting-places, or any other Nuisance or Encroachment whatsoever to or upon the said Roads or any Part thereof; or if any Person shall suffer his or her Sink or Drain to run into or upon the said Roads or any Part thereof, or the Footpaths belonging thereto, or any of them, or shall throw, cast, or lay, or permit, or suffer to be thrown, cast, or laid, any Dust, Dirt, Ashes, Rubbish, Compost, Dung, or other Filth or Annoyance into or upon the said Roads and Footpaths, or any Part thereof respectively, or into or upon any of the Ditches, Drains, or Watercourses thereto belonging; it shall and may be lawful for the Surveyor or Surveyors of the said Turnpike Roads, and for any Person or Persons by him or them employed, to scour and cleanse any such Ditch, Drain, or Watercourse, and to make, build, or erect such Arch or Arches as aforesaid, and effectually to turn, prevent, or stop up such Sink or Drain so running into or upon any Part of the said Roads and Footpaths, or any of them, and to abate or pull down, and take away any such Nuisance or Encroachment, and to remove such Dust, Dirt, Ashes, Rubbish, Compost, Dung, or other Filth or Annoyance from the said Roads and Footpaths, or from the said Ditches, Drains, or Watercourses, or any of them, and in any of the

said Cases, by Warrant under the Hand and Seal of any Justice of the Peace for any County, City, Borough, or Place wherein such Offence shall be committed, to levy the Charges thereof (the same being first settled and ascertained by such Justice) by Distress and Sale of the Goods and Chattels of such Owner or Occupier, rendering, upon Demand, to the Person whose Goods and Chattels should have been so distrained and sold, the Overplus (if any be) after deducting the Charges of such Distress and Sale, and every Person who shall have permitted or suffered his or her Sink or Drain to run into the said Roads, or on the said Footpaths, or any Part thereof, or who after the Abatement or Removal of any Nuisance, Encroachment, or Annoyance by him or her made, caused, or permitted, shall again offend in the like Manner, shall forfeit and pay the Sum of Forty Shillings, over and above the Charges of removing every such Nuisance, Encroachment, or Annoyance, to be settled and ascertained as aforesaid; and if any Person shall wilfully draw, wheel, or run any Truck, Sledge, Wheelbarrow, or other Carriage, on any of the Footpaths adjoining the said Roads, or any Part thereof, every Person so offending shall for every such Offence forfeit any Sum not exceeding the Sum of Forty Shillings, to be recovered as any Penalty can or may by virtue of the said recited Acts or this Act be recovered.

XIII. And be it further enacted, That if any Money shall be agreed or Application awarded to be paid for any Lands, Tenements, or Hereditaments pur- of Purchase chased, taken, or used by virtue of the Powers of the said recited Acts Monies when and this Act, or any of them, for the Purposes thereof, which shall belong exceeding 200l. to any Body Politic, Corporate, or Collegiate, or to any Person in Trust, Executor, Administrator, Husband, Guardian, Committee, or Trustee for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or *Cestui que Trust*, or to any other Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any other Person under any other Disability or Incapacity whatsoever, 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 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 or Redemption of the Land-Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; and where such Money shall not be so applied, 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 or 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, and capable of taking effect; and in the mean

mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant-General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

If less than
200l., and
amounting
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 any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases, such Money 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, to be paid into the Bank, in the Name and with the Privity of the said Accountant-General of the High Court of Chancery, and 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 Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Under 20l.

XV. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts, and this Act, in such Manner as the said Trustees or any Five or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Titles, &c.

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 of the said recited Acts and this Act, or any of them, 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
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in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, [*describing them*] subject to the Order, Control, and Disposition of the said Court of Chancery, which said Court, 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 is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XVII. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons 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 this Act, for the Purchase of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts, and this Act, or any of them, or to any Bank Annuities to be purchased with such Monies, 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 such 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.

XVIII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased by the said Trustees under the Authority of the said recited Acts, and this Act, or any of them, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments to be settled to the like Uses

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Where any Question shall arise, touching the Title, the Person in possession, deemed the Owner.

The Court of Chancery to order Expences to be paid by the Trustees.

in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this 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.

Statute Work. XIX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work upon or are or shall be chargeable towards repairing and amending the Roads by the said recited Acts, and this Act, or any of them, directed to be made, widened, and repaired, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful for any Two or more Justices of the Peace for the Borough of *Tamworth* aforesaid, or for the said Counties of *Stafford*, *Warwick*, *Derby*, and City of *Lichfield*, in their respective Jurisdictions; and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Townships, or Places in which the said Roads do lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, 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 of every such Parish, Township, or Place, to bring in Lists before such Justices (at some Place to be expressed in such Summons), within Fourteen Days after the serving of such Summons, of the Names of the several Persons who within such Parish, Township, 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 the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Turnpike 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 in 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 such Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct, and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Acts,

or

or this Act, or any or either of them, authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may 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 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 Roads, all which Forfeitures shall be paid to the said Trustees or to their Treasurer, and applied towards the amending of the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, 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 the Sum of Five Pounds.

XX. And be it further enacted, That it shall and may be lawful to, Trustees may and for the said Trustees, or any Five or more of them, to compound compound and agree with any Person or Persons, Bodies Politic or Corporate, for for Statute Work. 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 of the Parishes, Townships or Places in which the said Roads are situate, for a certain Sum of Money by the Year or otherwise, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of the whole or of any Part of the Statute Work to be by all or any of the said Inhabitants or 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 such Parish, Township, or Place, or by the Person or Persons so compounding, to the said Trustees or their Treasurer 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, Township, or Place, shall not be permitted to compound for that Year.

XXI. And whereas Offences may be committed against the said re- For securing cited Acts or this Act, by Persons unknown to the Trustees, Collectors, transient Surveyors, or other Officers appointed to put the same in Execution, be Offenders. it therefore further enacted, That it shall and may be lawful for the said Trustees, Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as they, any, or either of them, 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

Justice of the Peace of the County, City, Borough, or Place where such Offence or Offences shall be committed.

Form of Conviction.

XXII. And for the more easy and speedy Conviction of Offenders against the said recited Acts or this Act, be it further enacted, That all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against the said recited Acts and this Act, or either or any of them, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; *videlicet*,

County of }
[or, Borough of }
Tamworth }
(to wit.) }
our Lord }
BE it remembered, That on the
Day of in the
Year of His Majesty's Reign, and in the Year of
is convicted before me
one of His Majesty's Justices of the Peace for the
said County [or Borough] by virtue of an Act of the Fifty-second
Year of the Reign of King George the Third, intituled, *An Act, [here
set forth the Title of this Act, and specify the Offence, and when and where
committed]*. Given under my Hand and Seal, the Day and Year first
above written.'

Expences of the Act.

XXIII. And be it further enacted, That all the Costs and Charges incident to and attending the obtaining and passing of this Act, shall be paid out of the Money already collected or received, or to be collected or received by virtue of the said recited Acts and this Act, or any of them, upon the said Roads, in preference to all other Payments whatsoever.

Public Act.

XXIV. 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.

Term and continuance of this Act.

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

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