



ANNO QUINQUAGESIMO TERTIO

GEORGI III. REGIS.

Cap. 199.

An Act for enlarging the Term of Two Acts of His present Majesty, for repairing and widening the Road from *Bicester*, in the County of *Oxford*, to *Aylesbury*, in the County of *Bucks*.

[6th July 1813.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act for repairing and widening the Road from Bicester, in the County of Oxford, to Aylesbury, in the County of Bucks*: And whereas an Act was passed in the Thirty-first Year of the Reign of His present Majesty, intituled *An Act to enlarge the Term and Powers of an Act, passed in the Tenth Year of the Reign of His present Majesty, for repairing and widening the Road from Bicester, in the County of Oxford, to Aylesbury, in the County of Bucks*: And whereas the Trustees appointed in and by virtue of the said recited Acts, have proceeded in the Execution of the said recited Acts, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby authorized to be collected; which said Sums of Money still remain due and owing: And whereas the Money borrowed and due as aforesaid, cannot be paid off and discharged, and the said Road effectually amended and kept in Repair, unless the Term granted by the said Second recited Act be continued, the Tolls increased, and some of the Powers of the said recited 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,

[Loc. & Per.]

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mons,

Term enlarged.

mons, 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, Provisoos, Clauses, Penalties, Forfeitures, Matters, and Things therein contained respectively (except such of them as relate to Exemption from Stamp Duties, or except such of them as are hereby varied, altered, or repealed) shall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, in as full and ample Manner, and as effectually, to all Intents and Purposes, as if the said recited Acts, and all the Authorities, Powers, Privileges, Provisoos, Clauses, Penalties, Forfeitures, Matters and Things therein contained, were repeated and re-enacted in the Body of this Act; but subject nevertheless to the Alterations and Amendments herein contained; and that this Act, and the Term and Powers hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due or owing on the Credit or on Account of the said recited Acts, or that may be borrowed or become due on the Credit of the said recited Acts and of this Act, and of all Interest due or to grow due for the same respectively.

Additional Trustees.

II. And be it further enacted, That *Edward Nugent* Esquire, the Reverend *Sir George Lee* Baronet, *Sir Gregory Osborne Page Turner* Baronet, *Sir John Aubrey* Baronet, *Thomas Digby Aubrey* Esquire, *George Dashwood* Esquire, the Reverend *William Lloyd* Doctor in Divinity, *William Bernard Morland* Esquire, *Francis Bernard Morland* Esquire, *Acton Chaplin* Esquire, *William Bull*, the Reverend *Israel Bull* Clerk, *William Rickford*, *James Neale*, *Thomas Dell*, *Thomas Dell junior*, *Robert Dell*, *John Barker*, *Zacharias Daniel Hunt*, *John Churchill*, *Robert White*, *Joseph Rose*, *William Hayward*, *William Hayward junior*, *Thomas Tindal*, *James Fell*, *James Fell junior*, *Thomas Berry*, *Woodfield Blake Eagles*, *John Rolls*, the Reverend *John Hains*, the Reverend *William Stockins*, Clerks; *Charles Mitchell Terry*, *William Pigott* Esquire, *John Newman* Esquire, the Reverend *James Noel Pigott*, the Reverend *Charles Marsham*, the Reverend *Griffith Lloyd*, Clerks; *John Stratton* Esquire, *Thomas Tubb*, *William Cole*, *Samuel Cocde*, *John Kirby junior*, *Richard Kirby junior*, *William Phillips junior*, *William Foster senior*, *William Foster junior*, *John Brinkler*, *Richard King*, *John King*, *Richard Foster*, *William Goodall* Clerk, *Salisbury Pryce Humphreys*, *William Turner*, *John Kipling* Clerk, *John Harris* Clerk, *Robert Browne*, *Thomas Rose*, *William Rose*, *John Wheeler*, *Thomas Hufsey*, *Richard Gurney*, *Acton Chaplin junior*, *William Henry Freemantle* Esquire, *William Lowndes of Whaddon Hall*, *William Perry of Whaddesdon*, Clerk, *George Parrott*, and their Successors, to be elected in Manner herein-after mentioned, together with the surviving and remaining Trustees appointed in or by virtue of the said recited Acts, shall be and they are hereby appointed Trustees for the widening, altering, repairing and keeping in Repair the said Road, and putting in Execution the said recited Acts and this Act.

Power to appoint additional Trustees.

III. And be it further enacted, That it shall be lawful for the Trustees hereby nominated, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, or the said recited Acts, to elect any Number of Persons, not exceeding Ten in the Whole, to be Trustees for the Purposes of this Act, and the said recited Acts, in Addition to the Trustees hereby appointed;

appointed; and such Trustees so elected, and being duly qualified, shall be and are hereby invested with the same Powers and Authorities for executing this Act, and the said recited Acts, as if they had been herein named and appointed.

IV. And be it further enacted, That when and so often as any Trustees shall die, or become disqualified or refuse to act, it shall and may be lawful for the surviving or remaining Trustees, or any Five or more of them, by Writing under their Hands and Seals, to elect and appoint one other Person to be a Trustee in the Room of such Trustee so deceased, or being disqualified or refusing to act; but Notice of the Time and Place of Meeting for every such Election shall be given by the Clerk or Clerks to the said Trustees, by affixing the same in Writing upon all the Turnpike Gates then erected in or upon the said Road, and advertised in the *Oxford Journal*, or some other Newspaper published and circulated in the Counties of *Oxford* or *Buckingham*, at least Fourteen Days before every such Meeting; and all and every Person and Persons who shall be so elected (being qualified as herein-after mentioned) shall be, and is and are hereby vested with the same Powers and Authorities for putting the said recited Acts and this Act in Execution, as if such Person or Persons had been in or by this Act nominated and appointed Trustees.

Power for Trustees to elect others in the Room of such as die or refuse to act.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in any Case, in the Execution of the said recited Acts or this Act, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person seised of a Real Estate in Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds above Reprizes; or shall be possessed of or entitled unto a Personal Estate of Two thousand Pounds; nor (except in administering the Oath herein-after mentioned), until he shall have taken and subscribed, before any Three or more of the said Trustees, an Oath or Affirmation in the Words or to the Effect following; (that is to say),

Qualification of Trustees.

‘ I *A. B.* do swear, [*or*, being one of the People called *Quakers*, do solemnly affirm,] That I truly and *bonâ fide* am in my own Right [*or*, in the Right of my Wife] in the actual Possession and Enjoyment [*or*, Receipt] of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, [*or*, am Heir Apparent of *A. B.* who, to the best of my Knowledge and Belief, is seised of such an Estate of the clear yearly Value of One hundred and fifty Pounds] [*or*, am possessed of a Personal Estate of the Amount of Two thousand Pounds] after all my Debts are paid.

Oath.

‘ So help me GOD.’

Which Oath or Affirmation any or either of the said Trustees are or is hereby empowered to administer; and if any Person not being so qualified shall presume to act as such Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit,

Penalty on Persons acting without being qualified.

or

or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecution, than that such Person hath acted as a Trustee in the Execution of this Act: Provided always nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees in the Execution of this Act, 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 this Act.

Trustees may act as Justices, except where personally interested.

VI. And be it further enacted, That such of the said Trustees as are or shall be Justices of the Peace, may in their respective Jurisdictions, and they are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees; except only in such Cases where they shall be individually interested.

First General Meeting.

VII. And be it further enacted, That the Trustees for executing the said recited Acts and this Act, or any Five or more of them, shall meet within One Calendar Month after the passing of this Act, at the *King's Arms Inn* in *Bicester*, in the County of *Oxford*, and proceed in the Execution of the said recited Acts and this Act, and shall then and from Time to Time afterwards adjourn and meet again, or appoint separate Meetings, to be held at *Aylesbury* and *Bicester* aforesaid alternately, as often as it shall be necessary for putting the said recited Acts and this Act into Execution; and shall also yearly, some Time in the Month of *July*, hold One General Meeting at some Public House in *Bicester* and *Aylesbury* alternately as aforesaid, which Meeting shall be called, "The General Annual Meeting," whereat Five or more Trustees must and shall be present to constitute a Meeting (and they being so present are hereby empowered to carry the said recited Acts and this Act into Execution), to examine, settle, and adjust the Proceedings of all the Meetings relating to the said Trust held the preceding Year, and to adjourn and hold other Meetings during the succeeding Year, at *Bicester* and *Aylesbury* aforesaid, alternately as aforesaid, as shall from Time to Time be deemed expedient at such General Annual Meeting, or any Adjourned Meeting or Meetings.

At Meetings Five Trustees sufficient to act.

VIII. And be it further enacted, That every Year after such General Annual Meeting, such other Meetings shall be held from Time to Time at *Bicester* and *Aylesbury* aforesaid, alternately as aforesaid, as shall be necessary for carrying the said recited Acts and this Act into Execution; at which last-mentioned Meetings Five or more Trustees shall be competent to act and direct all Works, and let and lease the Tolls, and do all other Acts necessary in the Execution of the Powers given by the said recited Acts and this Act.

Meetings on Emergencies.

IX. And be it further enacted, That if after any Adjournment of the said Trustees it shall at any Time be thought necessary that an earlier Day of Meeting shall be appointed than the Day appointed by such Adjournment, then and in such Case the Clerk or Clerks to the Trustees, upon an Order in Writing signed by Three or more of the acting Trustees, although not assembled at a Meeting, mentioning the Time, Place, and

and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner herein-before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Seven Days after such Notice, and such Place being the same Place to which the Meeting stood last adjourned), and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments: Provided always, that if it shall happen that Five or more Trustees do not attend at any General Annual Meeting, or Five or more Trustees do not attend such other Meetings or Adjourned Meetings, then the said respective Meetings shall be adjourned by the Clerk or Clerks of the Trustees for the Time being, and another Meeting called at *Bicester* or *Aylesbury* aforesaid, according to the Order of the last Place of Adjournment, by Notice in Writing, to be given under his or their Hand or Hands in Manner and according to the Directions in that Respect herein-before contained or referred to, and so from Time to Time, until the competent Number shall have met: Provided always, that the Interval between a Meeting adjourned and the next following Meeting shall not at any Time exceed Two Calendar Months.

X. And be it further enacted, That the being a Trustee of the said Road, 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 Road doth 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 such 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 Wit-
nesses.

XI. And be it further enacted, That in all Actions, Causes, Suits, Bills, Plaints, Indictments, Prosecutions, Trials or Proceedings at Law, to be had, brought, prosecuted, or defended in pursuance of this Act, the said Trustees may sue and be sued in the Name or Names of their Treasurer or Clerk, or Treasurers or Clerks, for the Time being; and that no Action or Suit, or other Proceedings to be brought or commenced, prosecuted or defended by or against the said Trustees or any of them, by virtue of the said recited Acts or this Act, in the Name of their Treasurer or Clerk, or Treasurers or Clerks, shall abate or be discontinued by the Death or Removal of such Treasurer or Clerk, or Treasurers or Clerks, or by the Act of such Treasurer or Clerk or Treasurers or Clerks, without the Consent of the said Trustees, or any Five or more of them, but that the Treasurer or Clerk or Treasurers or Clerks to the said Trustees for the Time being, shall always be deemed the Plaintiff or Defendant in every such Action or Suit: Provided always, that the Treasurer or Clerk or Treasurers or Clerks in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of the said recited Acts or this Act, all such Costs, Charges, Damages and Expences, as by the Event or in consequence of any such Action or Proceeding he or they

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

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shall

shall be put unto or become chargeable with by reason of his or their being so made Plaintiff or Defendant, Plaintiffs or Defendants.

Trustees to
appoint
Officers, &c.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, may and they are hereby empowered, by Writing under their Hands, or by any Order entered in the Minute Book of that Meeting, to appoint a Treasurer or Treasurers, Clerk or Clerks, and a Collector or Collectors of the Tolls and Duties hereby granted and made payable, and also a Surveyor or Surveyors of the said Road, and also such other Officers and Persons for the Execution of this Act, as they the said Trustees shall think proper; and from Time to Time to remove such Officers and Persons respectively, as they the said Trustees shall see Occasion, and out of the Monies to be received by virtue of this Act, to allow and pay such Salaries, Wages, and Allowances to the said Officers and other Persons, as the said Trustees shall think reasonable; and all such Officers so to be appointed, and also all and every Person and Persons appointed by virtue of, or acting, or who have acted in Execution of the said recited Acts, shall, under their Hands, at such Time or Times, and in such Manner as the said Trustees shall direct, deliver to the said Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of the said recited Acts or of this Act; and also of all the Monies which shall have been by such Officers respectively received by virtue and for the Purposes of the said recited Acts or of this Act, and how much thereof hath been expended and disbursed, and for what Purpose, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively, to the said Trustees or to such Person or Persons as they shall appoint to receive the same; and all the said Officers or Persons, so accounting as aforesaid, shall verify their said Accounts upon Oath, if required by the said Trustees (which Oath any or either of the said Trustees are or is hereby empowered to administer); and if such Officer or Person shall refuse or neglect to make and render, or to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, within Fourteen Days next after being thereunto, required by the said Trustees, by Notice in Writing given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of the said recited Acts or of this Act, or give Satisfaction to the said Trustees respecting the same; then and in every such Case, upon Complaint made by the said Trustees, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the County, City or Place wherein such Officer or Person so refusing or wilfully neglecting shall be or reside, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal for the Officer or Person so refusing or neglecting to appear before him, and upon his appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath the said Justice is hereby empowered to administer) it shall appear

to such Justice that any of the Monies that shall have been collected or received by virtue of the said recited Acts or of this Act, or either of them, shall remain due from such Officer, such Justice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the said recited Acts or of this Act, shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid; then and in each and every such Case such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Trustees for such Money, and shall have paid such Composition in such Manner as they shall appoint, which Composition the said Trustees are hereby empowered to make and receive, and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Trustees; but no such Officer, who shall be committed on account of his not having sufficient Goods and Chattels as aforesaid, shall be detained in Prison for any longer Time than Three Calendar Months.

XIII. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to take sufficient Security from every Treasurer or Receiver appointed or to be appointed for the Purposes of this Act, for the due and faithful Execution of his Office; and if they shall think fit, may also take such Security from any other Officer to be appointed under or by virtue of this Act.

Officers to give Security.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to continue and use every or any of the Turnpikes already erected upon the said Road, and from Time to Time to erect and set up such other Turnpike or Turnpikes, Toll Gate or Toll Gates, or Bars in, upon, across, or on the Side or Sides of the said Road, or across any Lane or Way leading out of the same respectively; and such and so many Toll House or Toll Houses, Weighing Engine or Engines, with suitable Outbuildings thereto, and add, make, and take such Garden Spots, not exceeding One Quarter of an Acre, to and for the Use and Occupancy thereof, as they shall think expedient; and that the Right and Property of and in all and every the said Turnpike Gates, Toll Bars, Toll Houses, Weighing Engines and Buildings, and all Materials for making, building, or repairing the same, shall be and is and are hereby declared to be vested in the said Trustees; and the said Trustees, or any Five or more of them, may, if they think it expedient, remove all or any of such Turnpikes or Toll Gates, Toll Houses and Appurtenances; and the said Trustees, or any Five or more of them, are hereby authorized and

Power to continue or remove Turnpikes, and set up others.

and empowered to dispose thereof as they shall think proper, and to bring Actions or prefer Bills of Indictment in the Name or Names of their Clerk or Clerks against any Person or Persons who shall steal, take, or carry away, break down, spoil or injure such Turnpike Gates, Toll Bars, Toll Houses, Engines, Buildings, Materials, or any of them, or any Part thereof, or molest or disturb them in the Possession thereof, or who shall refuse to deliver up the Possession thereof for Four Days after being required by the Order of any Five or more of the said Trustees, to deliver up the same.

Old Tolls
repealed.

XV. And be it further enacted, That on the passing of this Act, the Tolls now payable by virtue of the said recited Acts, shall be and the same are hereby declared to be repealed; and that upon and from and after the passing of this Act, it shall be lawful for the said Trustees, or any Person or Persons by virtue of this or the said recited Acts to be appointed Collector or Collectors as aforesaid, to demand and take the several Tolls and Duties following at each and every of the respective Turnpikes or Toll Gates or Turnpike or Toll Gate, erected or which shall be erected in, upon, or across the said Road, by virtue of the said 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),

New Tolls.

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Beast of Draught, drawing in any Carriage, a Sum not exceeding Six-pence:

For every Horse, Mare, Gelding, Mule or Ass, not drawing, a Sum not exceeding Two-pence:

For every Drove of Oxen, Cows, or Neat Cattle, a Sum not exceeding One Shilling and Three-pence *per* Score, and so in Proportion for any greater or less Number:

For every Drove of Calves, Pigs, Sheep, or Lambs, a Sum not exceeding Ten-pence *per* Score, and so in Proportion for any greater or less Number:

Double Tolls
on Sundays.

And for every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock or other Beast, and for every Drove of Oxen, Cows, or Neat Cattle, Calves, Pigs, Sheep or Lambs, which shall pass through any of the said Gates on a *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on the *Sunday* Night), during the Continuance of this Act, Double the Tolls herein-before mentioned for the passing of every such Horse, Mare, Gelding, Mule, Ass, Ox, or other Beast, Cattle, Calves, Pigs, Sheep, or Lambs:

And the said respective Tolls shall be demanded and taken before any Horse or Horses, or other Beast or Cattle, or any Carriage whatsoever, be permitted to pass through any such Turnpike or Toll Gate; and the said respective Tolls shall be and are hereby vested in the said Trustees; and upon Payment of any of the said Tolls, the Collector or Person receiving the same, shall and he is hereby required to deliver *gratis* to the Person or Persons paying such Toll, a Note or Ticket or Notes or Tickets denoting such Payment; and it shall be lawful for the respective Collectors of the said Tolls to demand, collect, and receive the Tolls hereby granted, and upon Default of Payment thereof upon Demand, to recover the same in the Manner prescribed by the said recited Acts or either of them.

XVI. And

XVI. And be it further enacted, That not more than Three such Tolls, for passing and repassing through all the Gates between the Market Place in *Bicester* aforesaid, and *Aylesbury* aforesaid, in the Whole shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses, Beasts, Cattle, or Carriages in any One Day, to be computed as aforesaid; such Person or Persons producing Notes or Tickets denoting such Payments; and which Notes or Tickets the respective Collectors of the Tolls are hereby required to deliver *gratis*, on the Payment of the Toll.

Limiting the Number of Tolls on the Road.

XVII. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Waggon, Wain, Cart, Carriage, Horse or Horses, or other Beast or Cattle of any Person resident in any Parish where any Turnpike or Toll Gate now is or hereafter shall be erected by virtue of this Act for passing through the same, and not travelling in any Direction beyond the Boundaries of such Parish; nor 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 seeding 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 Land, 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 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, fetching or guarding such Mails or Expresses, or in returning back from conveying or guarding 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

Exemptions from Toll.

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conveying

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 Waggon 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 Counties of *Oxford* and *Buckingham* 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 Moiety shall be applied to the Purposes of this Act.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

XVIII. 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 the said recited Acts or this Act contained to the contrary notwithstanding.

Penalty of Renters of Tolls compounding for Overweight.

XIX. 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 Road, 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 Road, 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 Counties of *Oxford* or *Buckingham*, forfeit and pay, besides the Costs and Charges attending the Conviction, any Sum not exceeding Ten 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 Moiety of every such Penalty as aforesaid shall be paid to the Informer, and the other Moiety to the Surveyor or Treasurer of the said Road, to be employed towards the Repairs 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.

XX. And be it further enacted, That when the Tolls payable at any Turnpike or Toll Gate or Gates shall be put up to be let to farm, the said Trustees may, if they think fit, appoint some Person to bid once for the same, to the Intent that such Tolls may not be let for less than an adequate Value.

Trustees to have Biddings when Tolls are put up to Auction.

XXI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby empowered at a Meeting to be holden for that Purpose, of which Meeting Two Calendar Months Notice shall be given in the *Oxford Journal*, or some other Newspaper published and circulated in the Counties of *Oxford* and *Buckingham*, and also affixed on all and every the Turnpike Gates that shall be then standing on the said Road, from Time to Time to lessen or reduce all or any of the said Tolls hereby granted, and also any additional Tolls payable by any Act or Acts of Parliament now in force for Overweight, in such Manner as to them shall seem fit and convenient, for and during such Time as the said Trustees, or any Five or more of them, shall think proper; and afterwards, at a Meeting to be holden as aforesaid, from Time to Time, as they shall see Occasion, again to advance all or any of the Tolls so lessened or reduced to any Sum or Sums of Money not exceeding the several Rates granted by this Act, or made payable by any Act or Acts of Parliament now in Force or Effect with respect to Overweight, and to order the same to be taken in such Manner, Parts, and Proportions as they shall think fit: Provided nevertheless, that until the whole Money borrowed on the Credit of the Tolls granted by the said recited Acts, or either of them, or by this Act, shall have been paid off or discharged, the said Tolls hereby granted shall not be lessened or reduced, without the Consent of the Person or Persons entitled to Five Sixth Parts of the Money remaining due upon the Credit of the said Tolls; and such Tolls so varied, and every of them, shall be collected, recovered, vested, and applied in the same Manner as the Tolls by this Act authorized to be taken are directed to be collected, recovered, vested, and applied.

Trustees may reduce the Tolls and raise them again to any Sum not exceeding the Rates before granted; provided no Reduction be made without the Consent of Creditors.

XXII. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates, Weighing Engine or Weighing Engines, erected or to be erected on the said Road, shall at any Time or Times be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof shall be in arrear and unpaid for the Space of Fourteen Days next after any of the Days on which the

To enable Trustees to take Possession of Toll Houses, &c. in the Hands of Lessees, Farmers or Collectors.

same

same ought to be paid, pursuant to the Contract or Agreement for letting the same; or if any Collector or Receiver of the Tolls who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Family or Representatives of any Collector or Receiver, who shall die, abscond, absent himself or be discharged; or any other Person who shall refuse to deliver up the Possession of any Toll House or Toll Houses, Weighing Engine or Weighing Engines, with the Buildings, Gardens, and Appurtenances thereto belonging, for the Space of Twenty-one Days next after Demand made thereof in Writing, signed by any Five or more of the said Trustees, or by their Clerk or Treasurer, and left at such Toll House, or in any Toll Houses, Weighing Engine or Weighing Engines; then, and in any of the said Cases, it shall be lawful for the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of the said Trustees, with such Assistance as shall be necessary, to enter into and upon the Possession of such Toll House or Toll Houses, Weighing Engine or Weighing Engines, and other Buildings and Premises in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and from the Collection of the Tolls there payable, and to put the said Trustees or any of their Officers, or any other Person or Persons appointed by the said Trustees, or any Five or more of them, into the Possession thereof; and on such Lessee or Lessees, Farmer or Farmers, or any Person or Persons employed by or in Possession under them, being so put out of Possession as aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, if they shall think fit, to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void, to all Intents and Purposes, as if such Demise, Contract, or Agreement had never been made; save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved or made payable; and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons in the same Manner as if no former Demise, Contract, or Agreement had been made or entered into relative to the same.

Ground not
wanted may
be sold.

XXIII. And whereas the said Trustees may happen to be seized of some Piece or Pieces of Ground or other Hereditaments or Premises over and above what shall be necessary for effecting the Purposes of this Act; be it therefore further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to sell and dispose of such Piece or Pieces of Ground and other Hereditaments and Premises, either together or in Parcels, as they shall find most advantageous and convenient, to such Person or Persons as shall be willing to contract for and purchase the same; and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Pieces of Road or Ground as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money.

First Offer to
whom to be
made.

XXIV. Provided always, and be it further enacted, That in case the said Trustees shall think proper to sell or dispose of any Piece or Pieces of Ground not wanted for the Purposes of this Act, they shall first offer the
same

same for Sale to the Person or Persons of whom the same shall have been purchased, or (in case such Ground shall be a Piece or Pieces of old Road) to the Person or Persons whose Lands shall adjoin thereto; and if such Person or Persons respectively shall then and thereupon refuse or shall not agree (except with respect to or on account of the Price thereof to purchase the same respectively), an Affidavit to be made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County in which such Piece or Pieces of Ground shall be situate (who are hereby respectively empowered to take such Affidavit), by some Person or Persons no way interested in the said Piece or Pieces of Ground, stating that such Offer was made by or on the Behalf of the said Trustees, and that such Offer was then and thereupon refused, or was not agreed to by the Person or Persons to whom the same was made, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made, and was refused or not agreed to by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of Ground, and he, she, or they and the said Trustees shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in Manner by the said recited Acts directed with respect to disputed Value of Premises to be purchased by the said Trustees in pursuance of the said first recited Act; and the Expence of hearing and determining such Difference, shall be borne and paid in like Manner as by the said first recited Act with respect to such Purchases made by the said Trustees, *mutatis mutandis*.

XXV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts or this Act, for the Purpose 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

Application
of Money
awarded
above 200l.

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

Where less
than 200l.
and above 20l.

XXVI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements or Hereditaments, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the 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 the said recited Acts and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner 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.

Where less
than 20l.

XXVII. Provided also, and be it further enacted, That where such Money 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 the said recited Acts or this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not
making out
Titles, or if
Persons can-
not be found,

XXVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Acts or this Act, shall refuse to accept the same, or shall

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, 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 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 Sum or Sums of Money into the Bank as aforesaid.

Purchase
Money to be
paid into the
Bank.

XXIX. 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 the said recited Acts or 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 the said recited Acts or this Act, 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.

Respecting
disputed
Titles.

XXX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled

The Court of
Chancery
may order
reasonable

Expences to
be paid by
the Trustees.

entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the 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 the said recited Acts or this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Parties liable
to Repair of
Roads to
continue so.

XXXI. And be it further enacted, That all Bodies Politic and Corporate, Corporations Aggregate and Sole, and other Persons whomsoever, who by any Law, Custom, Usage, or otherwise, are or shall be liable to the Repair of any Part or Parts of the said Road, or to pay any Sum or Sums of Money for or towards the Repairs thereof, shall, notwithstanding this Act, remain liable to repair the same, or to pay such Monies for or towards the Repairs thereof as they respectively before were or was liable to do or pay.

Statute Work.

XXXII. 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 *Oxford*, or the said County of *Buckingham*, 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 Road lies, 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 for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the public Highways; and out of such Lists 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 Road, 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

Parts of the said Road as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices 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 Compensation 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 Trustees 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 the said recited Acts or this Act 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 work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and 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.

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

[*Loc. & Per.*]

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XXXIV. And

Statute Work
may be com-
pounded for.

Roads to be measured, and Milestones to be set up.

XXXIV. And be it further enacted, That the said Trustees shall and they are hereby required to cause Mile Stones to be set up at or near the Sides of the said Road at the Distance of One Mile from each other, and if they think fit may also cause Posts to be erected to denote the Distance of every such Post from any Town or Place; and may also cause to be erected Guide Posts upon such Parts of the said Road where the same are crossed or joined by other Roads, as they shall judge proper; and if any Person or Persons shall wilfully break, throw down, injure or destroy any of such Stones or Posts, or obliterate or deface the Figures, Marks or Inscriptions on any of the Stones or Posts erected or to be erected on any Part of the said Road, or shall wilfully break, throw down or injure any of the Stones or Parapet Walls on the Sides of any of the Bridges or Arches on any Part of the said Road, every such Person shall forfeit and pay, over and above the Damage thereby done or occasioned, any Sum not exceeding Five Pounds for each Stone, Post, or Parapet Wall so broken, thrown down, injured or destroyed; and for each Stone or Post on which any Letters, Figures or Marks shall be so obliterated or defaced; One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Subscribers to pay to Treasurer.

XXXV. And be it further enacted, That all and every Person and Persons who have subscribed or who shall subscribe his, her, or their Name or Names for any Sum or Sums of Money for making and repairing the said Road, or for any Purpose towards carrying this Act into Execution, shall and they are hereby required to pay the same to the Treasurer or Treasurers of the said Trustees for the Time being, which Treasurer or Treasurers is and are hereby authorized to demand and receive the same; and in case of Refusal or Neglect of Payment, to bring an Action or Actions for Debt for and recover the same against the Person or Persons refusing or neglecting Payment, in any of His Majesty's Courts of Record within *Great Britain*.

For paying the Expences of this Act.

XXXVI. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be paid by the said Trustees, or any Five or more of them, out of the Monies already collected or received, or out of the first Monies to be collected or received by virtue of the said recited Acts or this Act, or either of them, in preference to all other Payments whatsoever.

Public Act.

XXXVII. 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.

Commencement and Continuance of this Act.

XXXVIII. 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, Additions and Amendments in this Act contained), and this Act, shall from thenceforth 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.