



ANNO QUINQUAGESIMO SEPTIMO

GEORGI II. REGIS.

Cap. xxviii.

An Act for continuing and amending an Act of His present Majesty, for repairing the Road from the Town of *Bedford* in the County of *Bedford*, to *Kimbolton* in the County of *Huntingdon*.

[23d May 1817.]

WHEREAS an Act was passed in the Thirty-fifth Year of the Reign of His present Majesty King George the Third, intituled *An Act for repairing, widening, and altering the Road leading from the North-east End of the Town of Bedford in the County of Bedford, to the North-east End of a Lane in the Parish of Kimbolton in the County of Huntingdon, called The Park Lane*: And whereas considerable Sums of Money have been borrowed upon the Credit of the Tolls authorized by the said recited Act to be taken upon the said Road, which still remains due thereupon, and the same cannot be paid, nor can the said Road be effectually amended and kept in Repair, unless the said recited Act be continued for a further Term; and it is expedient that the Tolls thereby granted, and several of the Powers and Provisions therein contained, should be increased, altered, and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Powers and Authorities, Privileges, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except such of them as are varied, altered, or repealed)

Act further continued.

[Local.]

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shall

shall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Alterations and Amendments herein contained.

New Trustees.

II. And be it further enacted, That *Isaac Anthony, John Brereton Clerk, Francis John Budd, Thomas Barnard, Samuel Crawley, Frogmere Cumming Clerk, John Thomas Dawson, Nevile Day, Lanney Henry Forbes, John Green, Thomas Green, Philip Hunt LL.D., Samuel Hilyard, John Lloyd, James Lilburne, Thomas Lilburne, William Morris Clerk, John King Martyn Clerk, George Peregrine Nash, Francis Pym, Francis Pym junior, William Wollaston Pym Clerk, Charles Fish Palmer, Edward Platt, Henry Platt, Edward Platt junior, Theed Pearce junior, John Pulley, Henry Pulley, John Rawlings, Charles Short, George Smith, William Henry Whitbread, Samuel Charles Whitbread, Charles Webb, and Joseph Willis*, shall be and they are hereby added to and joined with the surviving and continuing Trustees appointed in and by virtue of the said recited Act; and the said Trustees herein-before named shall have the same Power and Authority to act in the Execution of the said recited Act and this Act in all respects whatsoever as if they had been named and appointed Trustees in the said recited Act.

Power to appoint additional Trustees.

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

All Acts may be done by Five Trustees.

IV. And be it further enacted, That all Acts, Matters, and Things authorized to be done and executed by the Trustees nominated and appointed by or by virtue of the said recited Act and this Act, or any of them, shall and may be done and executed by any Five or more of such Trustees for the Time being.

Meetings of the Trustees.

V. And be it further enacted, That the Trustees shall and may meet at the House called or known by the Name of the *Swan Inn*, in the Town of *Bedford* aforesaid, on the Second *Monday* next after the passing of this Act, or as soon afterwards as conveniently may be; and the said Trustees shall meet Twice in every Year, that is to say, on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September*, unless the said Days, or either of them, shall happen on a *Sunday*, in which Case the Meetings shall be held on the Day afterwards; and such Half-yearly Meetings shall be held at the *Swan Inn* in the Town of *Bedford* aforesaid, or some other convenient House near to the said Road; and the said Trustees shall at the said first Meeting, or such Half-yearly or other Meetings, from Time to Time adjourn themselves, for the better carrying this Act into Execution, as they shall think proper, to any Place upon or near to the said Road; and in case a sufficient Number of the said Trustees shall not attend at the said First or any Half-yearly or adjourned Meeting,

Meeting, then it shall be lawful for the Clerk to the said Trustees to adjourn the said Meeting in such and the same Manner as the said Trustees could or might have adjourned the same.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the same Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act or the said recited Act, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act or the said recited Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act or the said recited Act, or if any Person being Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act or the said recited Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Effoin, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Same Person not to be Clerk and Treasurer.

VII. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by the Clerk of the said Trustees for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Road, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any of them, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors respectively, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the Clerk, or any Person who shall have the Care and Custody of the said Book or Books, shall refuse or neglect on Demand to permit such Trustees or Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, the Clerk or Person so offending shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Accounts to be open to the Inspection of Trustees and Creditors.

VIII. And be it further enacted, That the several Collectors of the Tolls granted by this Act shall, on Receipt of such Tolls as aforesaid, deliver to the Person or Persons paying the same a Ticket or Tickets denoting such Payment, and specifying and naming therein the Gate or Gates to be freed from Toll by such Payment.

Tickets to specify the particular Gates to be freed thereby.

IX. And be it further enacted, That every Toll Collector, being a Lessee of the said Tolls, or being appointed either by the said Trustees or by any Lessee or Lessees to collect the Tolls payable at any Turnpike Gate to be continued or erected by virtue of this Act, shall and he or she is hereby

Regulation as to Toll Collectors.

hereby required to place his or her Christian and Surname, painted on a Board in legible Characters in the Front or in some other conspicuous Part of the Toll House or Toll Gate, immediately on his or her beginning to collect such Toll, or coming on Duty; each of the Letters of such Name or Names to be at least One Inch in Length, and of a Breadth in proportion, and painted in Black Letters on a White Ground, and shall continue the same so placed during the whole Time he or she shall collect such Toll, or be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption; or shall refuse or permit, or suffer, or shall in anywise hinder any Person or Persons from reading such Christian or Surname; or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them; or shall in Answer to such Demand give a false Name or Names; or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls, and naming and specifying the Toll Gate or Toll Gates freed by such Payment; or shall unnecessarily detain any Passenger or Passengers, or Traveller or Travellers, or shall make use of any scurrilous or abusive Language to any Passenger or Traveller; then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge.

For obtaining Possession of Toll Houses.

X. And be it further enacted, That if the Lessee or Lessees of any of the Tolls hereby granted, or any Person or Persons claiming under him or them, shall at any Time after the Expiration of the Term for which such Tolls shall be leased, or for the Space of Fourteen Days after the Leases of such Tolls having expired, or been declared void as aforesaid, refuse to deliver up the Possession of the Toll House or Toll Houses, Buildings and Premises, which shall have been demised to him or them with the Tolls so leased, it shall be lawful for any Justice of the Peace for the County or Place where such Toll House or Toll Houses, Buildings and Premises, shall be situate respectively, by Warrant under his Hand and Seal, to order the Constables or other Peace Officers of the Parish or Place where such Toll House or Toll Houses shall be situate, or any other Person or Persons to whom such Warrant shall be specially directed, with proper Assistants, to enter such Toll House or Toll Houses, Buildings and Premises respectively in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods and Chattels, out of such Toll House or Toll Houses, Buildings and Premises, and to put any Person or Persons whom the said Trustees shall think fit in Possession of the said Toll House or Toll Houses, Buildings and Premises, so that the Tolls payable thereout may from thenceforth be received and taken for the Use of the said Trustees.

New Tolls to be taken in lieu of the former.

XI. And be it further enacted, That after the First Meeting of the Trustees to be held under or by virtue of this Act, the Tolls and Duties granted and made payable by the said recited Act shall cease and determine, and from thenceforth, in lieu thereof, the several Tolls hereinafter particularly mentioned shall be demanded and taken at each of the Toll Gates, Turnpikes, and Side Gates continued or erected by

by virtue of this Act, by such Person or Persons as the said Trustees, or their Lessees for the Time being, shall from Time to Time appoint for that Purpose, before any Horse, Beast, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

For every Horse or other Beast of Draught drawing any Coach, Chariot, Landau, Chaise, Curricule, or Gig, or other such Carriage, the Sum of Nine-pence:

For every Horse or other Beast of Draught (except Asses) drawing any Waggon, Wain, Cart, or other such Carriage, the Sum of Six-pence; and for every Ass drawing any such Carriage the Sum of Three-pence:

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

For every Ass, laden or unladen, and not drawing, the Sum of One Penny:

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

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

And the said Tolls and Duties by this Act granted and made payable as aforesaid shall be and are hereby vested in the said Trustees for the Time being for carrying the said recited Act and this Act into Execution, and shall be received and taken at such Toll Gates, Turnpikes, or Side Gates, as the said Trustees shall from Time to Time think proper, and shall order and direct, and shall be recovered, levied, paid, leased, mortgaged, altered, applied, disposed of, and assigned in such Manner, and with and under such Limitations and Restrictions, as the Tolls and Duties granted by the said recited Act are thereby authorized and directed to be received, paid, levied, leased, mortgaged, altered, applied, disposed of, and assigned, except as by this Act is otherwise particularly directed; provided that Waggon, Carts, and other such Carriages, having the Wheels and Axletrees formed as directed by an Act passed in the Fifty-fifth Year of the Reign of His present Majesty, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, and the Horses and other Cattle drawing the same, shall have and enjoy the Privileges and Exemptions granted thereby.

XII. Provided always, and be it further enacted, That no more than Two Tolls shall be demanded or taken from any Person or Persons for passing and repassing the same Day with the same Horses, Cattle, Beasts or Carriages, through all the Toll Gates or Turnpikes erected or to be erected upon or on the Sides of the said Road. Number of Tolls to be taken.

XIII. And be it further enacted, That all and every Exemption or Exemptions from the several Tolls and Duties granted and made by the said Act shall cease, and that in lieu thereof the several Exemptions from Toll herein-after mentioned shall be allowed; that is to say, that no Toll shall be demanded or taken for any Horse or Carriage passing through any of Exemptions from Toll.

[Local.]

the Turnpikes or Toll Gates erected or to be erected upon or on the Sides of the said Roads, when employed in carrying or conveying Stone, Bricks, Timber, Wood, Heath, Gravel, or other Materials to be used in or about the said Road, or any of the Highways in the Parishes, Townships, Districts or Places which are liable to perform Statute Duty upon the said Road, or returning empty when so employed; or when employed in carrying or conveying Hay, Corn in the Straw, or other Produce of Lands, not sold or disposed of, nor going to be sold or disposed of, but passing to be laid up or placed in the Houses, Barns, Yards, or Lands of the Owners thereof, or any Ploughs, Harrows, or other Implements of Husbandry to be used in the Cultivation of Lands, or any Dung, Compost, or other Manure (except Lime or Limestone) to be used or laid upon Lands, or returning empty when so employed; nor for any Horses, Mules, Asses, or Cattle going to or returning from Work in cultivating the Lands within the same Parishes, Townships, Districts, or Places, or any of them; nor for any Horses, Mules, Asses, Cattle, Sheep, Lambs, or Hogs going to or returning from Pasture on the Commons or other grazing Grounds, or Watering places, or Blacksmiths Shops to be shod or farried, or having been shod or farried; nor for any Horse or other Beast of Draught or Carriage employed in carrying or conveying any Furze, Peats, Turf, or Heath for Fuel, or returning empty having been so employed; nor shall any Toll be paid by any Rector, Vicar, or Curate going to officiate or returning from officiating at any Church, Chapel, or other Place of Religious Worship, or when visiting his sick Parishioners, or upon any other Parochial or Ministerial Duty, or by any other Person or Persons residing in the said Parishes, Townships, Districts, or Places, who shall pass through the said Turnpikes or Toll Gates to or from Church, Chapel, or any other Place of Religious Worship, or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes, Townships, Districts, or Places; nor for any Horses, or Carriages of whatsoever 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 the same, or on returning from conveying the same; or for the Horses of Soldiers on the March or on Duty, or Carriages, or Horses or other Beasts, employed in carrying the Arms or Baggage of any such Soldiers, or 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 Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of clathing such Exemption; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Carriage, Horse or other Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; nor for any Horse, Cattle, Beast, or Carriage going to vote, or returning from voting at any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Bedford* and *Huntingdon*, or either of them, on the Day or Days of any such Election, or on the Day before or Day after any such Election shall begin

begin and be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, or shall make use of any Fraud whatsoever, whereby the Payment of the said Tolls, or any Part thereof shall be evaded, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds.

XIV. 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 Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Act contained, to the contrary notwithstanding.

Carriages employed on His Majesty's Service not to be subject to Regulation for Overweight.

XV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, when and as often as they shall think proper, to lessen or reduce the Tolls by this Act granted or made payable at all or any of the Turnpike Gates or Toll Bars to be continued or erected by virtue of this Act, and to cause the same to be collected in such Manner, Parts, and Proportions as they shall think fit, and to raise the same again, so as they do not at any Time exceed the Tolls by this Act granted and made payable, and so as every Reduction thereof be made with the Consent of the Person or Persons for the Time being entitled to Five-sixth Parts of the Money then due on the Security of the Tolls, and be signified either in Person or by Writing under his, her, or their Hand or Hands; but no such Reduction shall be made unless Twenty-one Days previous Notice thereof shall be affixed in Writing upon all the Turnpikes or Toll Gates then erected across the said Road, and shall be also inserted in One or more of the Newspapers published or generally circulated in the Counties through which the said Road pass: Provided always, that it shall be lawful for the said Trustees, at the First Meeting appointed to be held after the passing of this Act, to fix and determine the Amount of the Tolls to be taken by virtue of this Act, without any such Consent or Notice as aforesaid.

Trustees may reduce the Tolls.

XVI. And be it further enacted, That if, upon or after any Letting or Agreement for letting the said Tolls, or any Part thereof, any Default shall be made in Payment of the Rent or Rents agreed to be paid for the same or any Part thereof, on the Days appointed for Payment thereof, then and in such Case the said Trustees shall and may and they are hereby empowered at any Meeting, after Notice of the holding of such Meeting shall have been given to the Lessee or Lessees, or left for him at any of the Toll Houses on the said Road, and shall have been also affixed upon all the Turnpike Gates or Gate Posts then erected or

Power to declare Leases, &c. of Tolls void on Non-payment of Rent.

or standing upon or across the said Road, Twenty-one Days at least previous to the holding of such Meeting, to declare any Lease of the said Tolls, or any Contract or Agreement for letting the same, to be void, and such Lease, Contract, or Agreement shall be thereupon void to all Intents and Purposes from the Time of such Declaration; but the said Lessee or Lessees, or his or their Surety or Sureties, shall nevertheless be liable for all Rent and Arrears of Rent then due and owing upon or by virtue of any such Lease, Contract, or Agreement, and for all Costs, Charges, Damages, and Expences which the said Trustees, or their Treasurer or Clerk for the Time being shall or may pay, sustain, or be put unto by reason of the Non-performance of any Covenant or Agreement, Covenants or Agreements, to be contained in any such Lease, Contract, or Agreement, on the Part of such Lessee or Lessees.

Not to deviate more than 100 Yards from the present Line of Road.

XVII. Provided always, and it is hereby enacted, That nothing in the said recited Act or this Act contained shall authorize the said Trustees or any of them, to alter the Line or Direction of the Road comprized in the said recited Act and this Act, so as to deviate more than One hundred Yards from the present Line or Direction of such Road without the previous Consent in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who shall for the Time being be seized or possessed of the Lands or Tenements through which such Deviation shall be made.

Surveyor to get Materials for the Road;

XVIII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Road for the Time being appointed by the said Trustees, and such other Person or Persons as shall be employed by such Surveyor or Surveyors, to gather, dig, take, and carry away any Stones, Gravel, Sand, or other Materials proper for the repairing of the said Road, out of and from any Commons or Waste Grounds, common Rivers and Brooks, in any Parish, Township, or Place in or through which the said Road lies or passes, or any adjoining Parish, Township, or Place, without paying any Thing for the same, such Surveyor or other Person or Persons levelling the Ground from whence such Materials shall be taken, or sufficiently fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; and in case no such Materials can conveniently be had in such Commons or Waste Grounds, common Rivers or Brooks, within convenient Distances, then to dig, gather, take, and carry away any such Materials as aforesaid in, upon, out of, or from and over any other Lands or Grounds in any Parish, Township, or Place, in or through which the said Road lies or passes, or any adjoining Parish, Township, or Place, not being a Garden, Orchard, Yard, Paddock, or a Plantation, or a Nursery for Trees, making such Compensation and Satisfaction for such Materials, and for the Damage done to the Owners or Occupiers of the Lands and Grounds from whence the same shall be dug, gathered, taken, and carried away, or over which the same or any other Materials gotten in any Waste Grounds, Commons, Rivers or Brooks, or private Grounds, shall be conveyed, as any Two Justices of the Peace within their respective Jurisdictions shall, in case of any Difference between such Owners or Occupiers and the said Trustees, judge reasonable.

XIX. Pro-

XIX. Provided always, nevertheless, and be it further enacted, That it shall not be lawful for any Person or Persons, under Authority of the said recited Act or this Act, to dig, gather, take, and carry away any Materials for repairing and amending the said Road in or from any inclosed or private Grounds or Quarries, without the Consent of the Owners of such Grounds or Quarries, until after Ten Days previous Notice in Writing, signed by the Surveyor or some other Officer of the said Trustees, shall have been given to the respective Owners and Occupiers of the Lands or Grounds from which such Materials are intended to be taken, or left at the usual Place of Residence of such Owners or Occupiers respectively, requiring them to appear before Two or more Justices of the Peace acting for the County or District wherein such Lands are situate; at a certain Time and Place to be specified in such Notice, to show Cause why such Materials should not be taken away; and such Justices, after hearing the Parties concerned, shall, if they think proper, authorize such Surveyor or other Officer to dig, gather, take, and carry away any such Materials at such Time or Times and in such Manner as to such Justices shall seem proper; or if such respective Owners or Occupiers shall not by themselves or their respective Agents attend pursuant to such Notice, such Justices may make such Order therein as they shall think fit, in the same Manner as if such respective Owners or Occupiers had attended pursuant to such Notice.

but not from private Grounds, without Notice.

XX. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining the said Road shall be made and hung to open and swing inward towards such Field or Ground, and not towards the said Road; and that it shall be lawful for the said Trustees to order all such Gates as are now erected, or may hereafter be erected, and open and swing outward towards the said Road, to be altered and made to open and swing inwards, as they the said Trustees shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outwards towards the said Road, shall, after Ten Days Notice from the Surveyor of the said Roads, requiring him, her, or them to alter any such Gate or Gates, and to make the same to open and swing inward, refuse or neglect to make such Alterations, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Gates not to swing into the Road.

XXI. 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 Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any Dilability or Incapacity, such Money shall, in case the same shall amount to 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 there *ex parte* the Trustees for executing the said recited Act 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,

Application of Compensation when amounting to 200l.

[*Local.*]

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Tenements,

Tenements or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Encumbrances, or Part thereof, as the said Court shall authorize to be paid affecting the said 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 the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments to be purchased by virtue of the said recited Act or this Act, in case such Purchase or Settlement were made.

Where less
than 200l.
and exceeding
20l.

XXII. 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 amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to 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 any Five or more of the said Trustees for executing the said recited Act and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the same may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

XXIII. Pro-

XXIII. Provided also, and be it further enacted, That where such Sum 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 Act or this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiocy, or Lunacy, then such Money shall be paid 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.

Where less than 20l.

XXIV. 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 said Accountant General of the said High Court of Chancery, in pursuance of the said recited Act or this Act, for the Purchase of Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Act and 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 shown 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.

Persons in Possession presumptively entitled.

XXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Act or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees 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 said 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, Control, or 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 case of not making out Titles, &c.

powered, in a summary Way of proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose 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.

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

XXVI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the said High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of the said recited Act or this Act, it shall be lawful for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Act or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Regulations as to Performance of Statute Duty.

XXVII. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Duty or Labour on the said Road shall be and the same is hereby repealed; and 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; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required, upon Application made to them by the said Trustees, or by their Treasurer, 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 and Occupiers of Lands, Tenements, Woods, Tithes, or Hereditaments within the respective Parishes, Townships, or Places in which the said Road lies, and also what Proportion of 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 or Treasurers; and in order thereunto it shall be lawful 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

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 or may be directed by any Law or Statute in force for the Repairs of the public Highways, and out of such Lists the said Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear 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 Harvelt), and on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the said Justices, or any Two or more of them, shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor or Clerk 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 and liable to by any Law or Statute in force for the Repair of the public Highways; and if any Person who shall come or be sent to work as a Labourer, or 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 dismiss the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team 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 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 Ten Pounds; the said several Forfeitures and Penalties last aforesaid to be recovered as any Forfeiture or Penalty is by the said recited Act authorized to be recovered.

XXVIII. And whereas Offences may be committed against the said recited Act or this Act, by Persons unknown to the Trustees, Collectors, Surveyors, or other Officers appointed to put the same in Execution;

[Local.]

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For securing
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Offenders,

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be it therefore enacted, That it shall 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 such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them before any Justice of the Peace of the County where such Offence or Offences shall be committed.

Expences of
this Act.

XXIX. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, with lawful Interest upon any Sum or Sums of Money which shall be borrowed or advanced for the Payment thereof, shall be paid out of the Money already collected or received, or to be collected or received by virtue of the said recited Act and this Act upon the said Road, in preference to all other Payments whatsoever.

Public Act.

XXX. And be it further enacted, That this Act shall be deemed and be 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.

Commence-
ment and
Continuance
of this Act.

XXXI. And be it further enacted, That this Act shall commence and take effect upon the Day the same shall receive the Royal Assent, and shall be and continue in force from thenceforth for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1817.