



ANNO PRIMO

# GEORGIIV. REGIS.

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## Cap. xxxi.

An Act for continuing the Term and altering and amending the Powers of Two Acts for repairing and widening the Roads from Gosport, through Fareham and Wickham, to Bishop's Waltham; and from Wickham aforesaid to Chawton Pond, in the Parish of Chawton, all in the County of Southampton. [22d June 1820.]

**W**HEREAS an Act was passed in the Twentieth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening the Roads from Gosport in the County of Southampton, through Fareham and Wickham, to the Town of Bishop's Waltham; and from Wickham aforesaid, through Droxford, Exton, Warnford, Westmeon, and Rumsdean Bottom, to Chawton Pond in the Parish of Chawton, in the said County*: And whereas another Act was passed in the Thirty-ninth Year of the Reign of His said Majesty, intituled *An Act to continue for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and to amend the Powers of an Act passed in the Twentieth Year of the Reign of His present Majesty, for repairing and widening the Roads from Gosport, through Fareham and Wickham,*

[Local.] 9 G

20G.3. c.77.  
39G.3. c.17.



Wickham, to Bishop's Waltham; and from Wickham aforesaid, to Chawton Pond, in the Parish of Chawton, all in the County of Southampton: And whereas considerable Sums of Money have been borrowed on the Credit of the said recited Acts, and charged on the Tolls arising upon the said Roads, which still remain due, and such Sums of Money cannot be repaid, nor can the said Roads be properly amended and kept in Repair unless the Term of the said Acts be extended, and some of the Powers and Provisions thereof be altered, amended, and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the Authority of the same, That the said recited Acts, and all and every the Clauses, Powers, Authorities, Trusts, Provisions, Directions, Rules, Tolls, Penalties, Forfeitures, Payments, Remedies, Articles, Matters, and Things whatsoever therein contained and now in force, so far as the same relate to the said Roads (except such Parts thereof as are varied, altered, or repealed), shall continue in full Force and Effect, and shall be executed for and during the Term herein-after mentioned, in as full and ample a Manner, to all Intents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 Provisions, Alterations, and Amendments in this Act contained; and that this Act, and the additional Term hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said recited Acts, or any of them, or hereafter to be borrowed on the Credit of the said recited Acts and this Act, and of all Interest due or to grow due for the same respectively.

Recited Acts  
continued.

Appointment  
of new Trustees.

II. And be it further enacted, That the Justices of the Peace acting for the County of Southampton, together with Rear Admiral *Thomas Alexander, John Bligh, Henry Chawner, Joseph Eastwood, Charles Bedford Eastwood, Richard Eyles, John Fleming*, the Honourable *William Gage, William Gage, John Hornby the younger, Edward Knight, Edward Knight the younger, John Brett Purvis*, and the Reverend *Henry Thompson*, shall be and are hereby joined with and added to the Trustees appointed in or by virtue of the said recited Acts, or any of them, to be Trustees for carrying this Act and the said recited Acts into Execution; and the said Trustees herein nominated, being respectively qualified according to the Provisions of this Act, and their Successors respectively to be elected, and being respectively qualified according to the Provisions of the said recited Acts, shall in all respects have the like Powers and Authorities to act in the Execution of the said recited Acts and of this Act, as if they had been appointed Trustees in or by virtue of the said recited Acts, or any of them.

Allowing the  
Trustees to  
appoint an  
additional  
Number of  
Trustees

III. Provided always, and be it further enacted, That it shall be lawful to and for the said Trustees, or any Five or more of them, at any Meeting of which Twenty-one Days previous Notice shall have been given, and they are hereby empowered at any Time or Times to elect any Number of additional Trustees not exceeding Ten, who, being duly qualified, shall have the same Power and Authority for



for executing the said Acts and this Act as if they had been hereby nominated and appointed; but that no Trustee so appointed shall be capable of voting upon any Question to be discussed at a Meeting holden on the Day on which he shall first take the Oath of Qualification.

IV. And whereas it is by the said first recited Act enacted, that no Person shall act as a Trustee in the Execution thereof, who shall not be possessed of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds, or shall be Heir Apparent of some Person possessed of such Estate of the clear yearly Value of Two hundred Pounds, or shall be possessed of or entitled unto a Personal Estate to the Amount or Value of Fifteen hundred Pounds: And whereas the said Provision has been found inconvenient; be it therefore enacted, That the same shall be and is hereby repealed. Repeal or Qualification of Trustees.

V. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of the said Acts and this Act, unless he shall be in his own Right (or in the Right of his Wife) in the actual Possession or Enjoyment or Receipt of the Rents and Profits of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person so seised of Freehold or Copyhold Messuages, Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds above Reprizes, or shall be possessed of a Personal Estate or Real and Personal Estate together of the Amount or Value of Four thousand Pounds; and if any Person not being so qualified, shall presume to act as a Trustee in the Execution of the said Acts and 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 in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, 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 upon Proof being given of his having acted as a Trustee in the Execution of the said Acts and this Act: Provided nevertheless, that all Acts and Proceedings by any such Person as a Trustee in the Execution of the said Acts and this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act. Qualification of Trustees.

VI. And be it further enacted, That every Trustee appointed or to be elected and appointed by virtue of this Act, before he shall act as such (except in administering the Oath herein-after mentioned), shall take and subscribe an Oath before Two or more of the said Trustees, (who are hereby empowered to administer the same), in the Form or to the Effect following; (that is to say), Trustees to take an Oath.

I *A. B.* do swear, That I am in my own Right, [*or* in the Right of my Wife], truly and *bonâ fide* seised or possessed of and in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold



‘ Copyhold Messuages, Lands, Tenements, or Hereditaments of the  
 ‘ clear yearly Value of One hundred Pounds above Reprizes, or am  
 ‘ Heir apparent of a Person truly and *bonâ fide* seised or possessed  
 ‘ of and in the actual Possession or Receipt of the Rents and Profits  
 ‘ of Freehold or Copyhold Messuages, Lands, Tenements, or Here-  
 ‘ ditaments of the clear yearly Value of One hundred and fifty  
 ‘ Pounds above Reprizes, or am truly and *bonâ fide* possessed of a  
 ‘ Personal Estate, [*or of a Real and Personal Estate together, as the*  
 ‘ *Case may be*], of the Amount or Value of Four thousand Pounds ;  
 ‘ and that I will truly and faithfully execute the Powers and  
 ‘ Trusts reposed in me by Three Acts of Parliament passed in the  
 ‘ Twentieth and Thirty-ninth Years of the Reign of His Majesty King  
 ‘ *George* the Third, and the First Year of the Reign of His Majesty  
 ‘ King *George* the Fourth, [*here set forth the Titles of the said Acts.*]  
 ‘ So help me GOD.’

Offices of  
 Clerk and  
 Treasurer  
 not to be held  
 by the same  
 Person.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been, or who by virtue of the said recited Acts or either of them, or of this Act, may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, and the said recited Acts or any of them ; or to continue or appoint the Person who has been or may be appointed their Treasurer by virtue of the said recited Acts, or either of them, or of this Act, or the Partner of any such Treasurer, the Clerk to the said Trustees ; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Acts or this Act, or any of them, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk, in the Execution of the said recited Acts or this Act, or any of them, 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, to be recovered 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 Essoign, Protection, or Wager of Law, nor more than One Impar lance shall be allowed.

Repealing so  
 much of for-  
 mer Act as  
 requires  
 Officers to  
 verify their  
 Accounts on  
 Oath.

VIII. And be it further enacted, That so much of the said recited Act of the Twentieth Year of His late Majesty’s Reign, as enacts that all Officers and Persons accounting as therein mentioned, shall verify their Accounts upon Oath, if thereunto required by the said Trustees or any Five or more of them ; and also so much thereof as enacts, that if any such Officer or Person shall refuse to verify their Accounts in Manner aforesaid, he shall be subject to the Punishment therein mentioned ; shall be and the same is hereby repealed.

Books to be  
 kept of Ac-  
 counts of  
 Receipts and  
 Disburse-  
 ments, which  
 shall be open  
 to the In-  
 spection of

IX. 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 their Clerk 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 Roads, and of the several  
 Articles,



Articles, Matters and Things for which such Sums of Money shall have been laid out, disbursed, or paid; which Books shall at all reasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors of the Tolls, without Fee or Reward, and the said Trustees and Creditors, and any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit the said Trustees or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered, apportioned and applied in Manner provided by the said recited Act of the Twentieth Year of the Reign of His late Majesty.

the Trustees  
and Credi-  
tors.

X. And be it further enacted, That in case all or any of the Tolls arising by virtue of the said recited Acts and of this present Act, upon the said Roads, shall have been or shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms 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, shall be in Arrear by the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for letting or demising thereof, or in case such Lease or Agreement shall in any other Manner become void, then and in either of such Cases it shall be lawful for any Justice of the Peace for the County or Place where the Toll House and Premises shall be situate, upon Application made to him by the said Trustees or any Five or more of them, or their Clerk or Treasurer, or any other Person authorized by Writing under the Hands of any Five or more of them; by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take possession of any Toll House or Toll Houses, and the Buildings, Gates, and Appurtenances thereunto belonging, in the Day-time, and to remove or put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, or other Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same and from the Possession thereof, and from the Collection of such Tolls, and to give to the said Trustees, or other Person or Persons acting by or under their Authority, Possession thereof; and that thereupon 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 demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes, save as to the Obligations, Covenants, or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessees' Part, as if such Demise or Agreement had never been made; and in that Case, or in case the Lease or Agreement shall otherwise become void, it shall and may 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 Person or Persons, or cause them to be collected in such and the same Man-

For taking  
Possession of  
Toll Houses  
when Lessees  
of Tolls neg-  
lect to fulfil  
their Con-  
tract.



her as if no former Demise, Contract, or Agreement had been made relative thereto.

Tickets to be provided.

XI. And be it further enacted, That upon Payment of the Tolls by the said Acts granted, the Collector or Receiver thereof shall and he is hereby required to deliver *gratis*, to the Person paying such Tolls, a Note or Ticket denoting such Payment, and such Note or Ticket shall be provided by the said Trustees, and there shall be printed and specified thereon the Names of the several and respective Gates freed by such Payment.

An Action of Ejectment may be supported by one Mortgagee.

XII. And be it further enacted, That if any Mortgagee or Mortgagees of the Tolls by the said recited Acts or this Act authorized to be taken on the said Roads, or the Toll Gates, Bars, Chains, Toll Houses and Buildings thereon, shall seek to obtain the Possession of the said Toll Gates, Bars, Chains, Toll Houses, and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Premises, to obtain such Possession, but such Person or Persons who shall obtain the Possession thereof shall not apply the Tolls which may consequently be received by him, her, or them to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Toll Gates, Buildings, and Premises, *pari passu*, and in Proportion to the several Sums which may be due to them as such Mortgagees.

Certain Carriages to be allowed the Advantages under 55G. 3. c. 119.

XIII. And be it further enacted, That all Waggons, Carts, and other such like Carriages, having the Wheels and Axletrees of the Widths and Descriptions directed by an Act passed in the Fifty-fifth Year of the Reign of His said late 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.

For preventing Toll Collectors from misbehaving.

XIV. And be it further enacted, That all and every Toll Collector or Collectors, being Lessee or Lessees of the Tolls of the said Roads, or appointed or to be appointed either under the said recited Acts or this Act, or by the said Trustees, or by any such Lessee or Lessees, to collect the Tolls and Duties payable at any Turnpike or Toll Gate on the said Roads, shall be and is hereby required on each and every Day previous to his entering on Duty for the Collection of the said Tolls, to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House or Toll Gate, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in Proportion; and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the same Tolls



Tolls shall not place such Board as aforesaid, and keep the same during the Time aforesaid, or shall refuse to 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 printed Note or Ticket denoting the Payment of such Tolls, and having named or specified thereon the Gate or Gates freed by such Payment, or shall unnecessarily detain, or upon the legal Toll being paid or tendered, shall wilfully obstruct, hinder, or prevent any Passenger, Horse, Beast, Carriage, or Cattle from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Passenger or Passengers, 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; and such Penalty shall be recovered, levied, apportioned, and applied in Manner prescribed by the said recited Act of the Twentieth Year of His late Majesty.

XV. Provided always, and be it enacted, That no Tolls shall be demanded or taken for or in respect of any Horse or Carriage attending His Majesty or any of the Royal Family.

Exempting  
Royal Family  
from Toll.

XVI. Provided also, and be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, or Carriage, passing laden with or going empty or unladen for, or returning the same Day empty or unladen, after having been laden with Stone, Bricks, Lime, Gravel, or other Materials for making and repairing the said Roads, or for repairing the Highways or Bridges in any of the Parishes through which the Roads directed by the said Acts and this Act to be repaired lead; nor for any Carriage passing laden with or going empty or unladen for, or returning the same Day empty or unladen after having been laden only with Marl, Muck, Dung, Compost, or other Manure, if such Carriage with the Lading thereof shall not exceed Four Tons Weight, unless such Carriages shall have Wheels of the Breadth or Gauge of Six Inches or upwards, the Felly or Tire whereof shall not deviate more than One Inch from a flat Surface; or for any Cattle or Carriage employed in carrying or conveying Hay or Corn in the Straw not sold or disposed of, or going to be sold or disposed of, but to be laid up in the respective Houses, Outhouses, or Yards of the respective Owners thereof, or for Hurdles, or Rice for Hedging, or Seed Corn in Sacks, being the Growth and Produce of Lands held by the Inhabitants of or Occupiers of Land within any Parish or Place through which the said Roads lead, and carried for their own proper Use and Consumption, and not for Sale; nor shall any Toll be taken of the Inhabitants of any Parish wherein any Turnpike Gate shall stand or be erected, who shall occupy Lands on each Side of such Turnpike Gate within the same Parish, for passing to and from such Lands with his, her, or their Carriages or Horses; nor shall any Toll be demanded or taken for any Ploughs, Harrows, or other Implements of Husbandry passing in order to the using or repairing the same, or any other Thing employed

Exemptions  
from Tolls.



ployed in Husbandry in the several Parishes in which the said Roads lie; nor for any Horse or other Cattle going to or from Water, Pasture, or Plough, or other Tillage or Work in Husbandry upon or within any of the Lands within such Parishes or either of them; nor for any Horse belonging to any Inhabitant of the Parishes through which the said Roads lead, passing to be shod or farried; nor shall any Toll be demanded or taken of or from any Rector, Vicar, or Curate going to or returning from his own Parish Church or other Place of Divine Worship, or visiting his sick Parishioners, or from any Persons going to or returning from their proper parochial Church or Chapel, or from any Person or Persons going to or returning from his, her, or their usual Place of religious Worship tolerated by Law upon *Sundays*, or any other Days on which Divine Worship is ordered by Authority to be celebrated; nor from any Person or Persons going to or returning from the Funeral of any Person or Persons who shall die or be buried in either of the said Parishes; nor for any Person or Persons going to or returning from any Election of a Member or Members to serve in Parliament for the said County of *Southampton*, during the Time of or on the Day before or Day after such Election shall begin or be concluded; 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 such Mails or Expresses, or in returning back therefrom; nor for any Horse 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 any Place appointed for Exercise, Inspection, or Review, provided that such Person be dressed in the Uniform of his Corps, and have his Arms, Furniture, and Accoutrements according to the Regulations appointed for such Corps at the Time of claiming the Exemption; nor for the Horses of Soldiers passing who are upon their March or upon Duty; nor for Waggon, Wain, Cart, or Carriages employed in conveying the Arms or Baggage of any such Officers or Soldiers, or 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 carrying 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, or returning after having been so employed; nor for Horses or Carriages travelling with Vagrants sent by legal Passes, nor Prisoners sent to Gaol or House of Correction, or returning after having been so employed.

Carriages  
conveying  
Military  
Stores not to  
be subject to  
Penalties for  
Overweight.

XVII. 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 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,



Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

XVIII. And be it further enacted, That it shall not be lawful for the said Trustees in widening, diverting, turning, varying, or altering the Course or Path of any Part of the Roads comprized in the said recited Acts, to deviate more than One hundred Yards from the present Line or Course thereof, without the Consent in Writing of the Owners and Occupiers, or the reputed Owners and Occupiers for the Time being, of the Lands and Grounds which may be affected by any such Diversion or Alteration; any thing in the said recited Acts contained to the contrary thereof in anywise notwithstanding.

Trustees not to deviate more than 100 Yards from the Line of the old Roads without Consent of Owners and Occupiers of the Land.

XIX. Provided always, and be it further enacted, That in case the said Trustees shall think proper to sell and dispose of any Piece or Pieces of Ground not wanted for the Purposes of the said Acts and this Act, they shall first offer the 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 the 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 of the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County where the Lands 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 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 and 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 Acts directed with respect to disputed Value of Premises to be purchased by the said Trustees; and the Expence of hearing and determining such Difference, shall be borne and paid in like Manner as by the said Acts are directed with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Piece or Pieces of Ground as aforesaid, shall be applied to the Purposes of the said Acts and this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money.

Owners of the adjoining Land to have the First Offer.

XX. And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors, or such Person or Persons as he or they shall appoint, to dig, gather, and carry away Gravel, Furze,  
[Local.]

Getting Materials.



Heath, Sand, Flint, Stones, or other Materials out of any Common, River, or Brook, or out of or from any Waste or Common, proper and convenient for repairing and amending the Roads aforesaid, without paying any thing for the same, such Surveyor or Surveyors or other Persons levelling or causing to be levelled all such Holes and Pits where any Materials as aforesaid shall be digged, gathered, or taken, and from whence the same shall be carried away, or making a safe and convenient Fence round all such Holes or Pits; and where a sufficient Quantity of Materials cannot be had from such Rivers, Brooks, or Commons, for repairing and amending the said Roads, it shall and may be lawful for such Surveyor or Surveyors, or other Persons as aforesaid, by Order of any Justice or Justices of the Peace for the County in which such Materials are to be gotten, to be made upon the Application of the said Trustees, or any Five or more of them, to dig and gather such Materials in, and carry the same out of and from the Lands and Grounds of any Person or Persons, not being the Ground whereon a House stands, or a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any House, or a Piece or Parcel of Ground set apart or used as a Nursery for Trees, where such Materials are or may be found, and from Time to Time to carry away the same, or so much thereof, as the Surveyor or Surveyors shall judge necessary for repairing and amending the said Roads; paying such Rates for such Materials, and for the Damage done to the Owners and Occupiers respectively of the Lands or Grounds where and from whence the same shall be digged, gathered, or carried away, or over which the same shall be carried; as also for the Damage done to the Owners and Occupiers of any private Lands or Grounds over which such Materials gotten in any River, Brook, or Waste Ground shall be carried or conveyed, as the said Trustees or any Five or more of them shall judge reasonable; and in case of Difference concerning the same between such Owners or Occupiers, and the said Trustees, touching such Damages as aforesaid, then Two Justices of the Peace acting in and for the said County, shall and may adjudge, assess, and determine the same.

Notice to be given of taking Materials.

XXI. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor or Surveyors, or other Person or Persons acting under the Authority of this Act, to dig, gather, get, take, or carry away such Materials for repairing such Roads out of or from any inclosed Land or Ground, until Fourteen Days Notice in Writing, signed by such Surveyor, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner or Occupier at his usual Place of Abode, to appear before any one or more Justice or Justices of the Peace acting in and for the said County, to shew cause why such Materials ought not to be had from such Lands or Grounds; and in case such Owner or Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient cause to the contrary, then and in such Case it shall be lawful for such Justice or Justices by their Order, to authorize such Surveyor or other Person or Persons to dig, get, gather, and carry away such Materials at such Time or Times as to the said Justice or Justices shall



shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or his Agent pursuant to such Notice, the said Justice or Justices may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his Agent had attended.

XXII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors who shall be nominated under the said Acts and this Act, and such Person or Persons as he or they shall appoint, from Time to Time to cut down or lop at proper Seasons of the Year, any Branches of Trees, Underwood, Shrubs, or Bushes growing in the Hedges, Fences, or Grounds adjoining thereto within Thirty Feet of the Centre of the said Roads, (the same not being in any Garden, Orchard, Yard, Paddock, planted Walk, or Avenue to a House, and not being an Ornament or Shelter to a House), so as to reduce such Hedges to any Height not less than Four Feet, and to take and carry away the same in case the respective Owners or Occupiers of the Lands where such Annoyances shall happen to be, shall neglect so to do for Seven Days after Notice in Writing given for that Purpose under the Hand or Hands of such Surveyor or Surveyors, the Charges whereof (to be settled by the said Trustees) shall be reimbursed to the said Surveyor or Surveyors by such respective Owners or Occupiers neglecting to cut down such Branches of Trees, Underwood, Shrubs, or Bushes, which Charges shall be levied and recovered in the same Manner as any Forfeiture or Penalty is herein-after directed to be levied and recovered; and if after the Removal of any such Annoyances, any Person or Persons shall offend again in like Manner, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Surveyors  
may remove  
Annoyances.

XXIII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time to cause to be erected Guide Posts upon such Parts of the said Roads, where the same may be crossed or joined by other Roads, as they shall think proper, and if any Person or Persons shall wilfully pull up or damage any Direction Post or Mile Stone erected or fixed, or to be erected or fixed in or near the Side or Sides of the said Roads, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon, or if any Person shall ride upon any Causeway or Footpath upon or on the Side of or adjoining the said Roads, or shall drive any Horse, Beast, or Swine, or any Carriage upon, or cause any Damage to be done to any Causeway or Footpath, or shall leave or suffer any Horse, Beast, Cattle, Sheep, or Swine to graze or be and remain loose on the said Roads, or any Part thereof, or if any Person shall cause to be drawn upon any Part of the said Roads any Timber, Stone, or other Thing, otherwise than upon wheeled Carriages, or shall suffer any Timber, Stone, or other Thing, which shall be carried upon wheeled Carriages, to drag upon the said Roads to the Prejudice thereof, or if any Person driving any Pigs or Swine upon the said Roads, shall suffer the same to root up and damage the said Roads, or the Fences on either Side thereof, or if any Person driving any Carriage upon the said Roads, shall ride upon the Shafts or other Part of the said Carriage without holding the Reins of the Horse or

Preventing  
Annoyances  
on the Road.

Horses,



Horses, or meeting another Carriage shall not keep his or her Carriage on his or her left or near Side of the said Road, and also keep on the same Side himself; or if any other Person shall in any other Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, upon the said Roads, or if any Person shall make or assist in making any Fire or Fires, or shall set fire to, or let off, or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part of the said Roads, or within Eighty Feet of the Centre thereof, or play at Football or any other Game, to the Annoyance of Passengers, on any Part of the said Roads, or if any Person shall leave any Carriage (except in Cases of Accident), upon or on the Side of the said Roads longer than may be necessary to load or unload the same, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or in case such Carriage shall not during such Time be drawn up to the Side of the said Roads, as near as conveniently may be, or in case any Person shall lay any Timber, Stone, Chalk, Marl, Lime, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever upon the said Roads, or on the Side or Sides thereof, between the said Roads and the Hedges, Banks, or Fences erected or to be erected on the Sides thereof, or if any Person after having blocked any Carriage in going up any Hill or rising Ground, shall leave on the said Road, a Stone or other Thing used in such blocking, or shall plough up, dig up, or break up any of the Soil between the said Roads and such Fences as aforesaid, for the Purpose of making Compost or Manure, or otherwise shall scrape off any Soil or other Thing from the said Roads or the Sides thereof, or shall take up and carry away any Scrapings thereof, or any Dung, Mould, Soil, Compost, or Manure from the Sides thereof except such as may be lying in his own Grounds, and be carried away without being brought over any Part of the said Roads, or that the same may be done at such Times, and under such Regulations, as the Trustees or their Surveyor shall direct and order, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as by the said Act of the Twentieth Year of the Reign of His late Majesty is directed.

Gates to open  
inwards.

XXIV. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatsoever, shall be made to open into or towards any Part of the said Roads, or be suffered to continue so to open, except the Hanging Post thereof shall be Thirty Feet at least from the Centre of any such Part of the said Roads; and the Occupier or Occupiers of every Park, Paddock, Field, or Inclosure, having any Gate opening outward contrary to the Meaning of this Act, shall within Fourteen Days after Notice to him, her, or them given, either personally or in Writing from the Surveyor of the said Roads, cause such Gate to be hung so that the same shall not open outward or swing towards the said Roads whenever the same shall be practicable, but in every Case in such Manner as that no Part of the Gate when open shall project over any Part of the said Roads, or any Footpath belonging thereto, and in default thereof the Surveyor of the said Roads is hereby authorized to cause the Gate to be hung according-  
to



to the Intention of this Act, and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made to any Justice or Justices of the Peace acting in and for the County or Place where the Gate shall be situate, and upon the Conviction or upon the Oath of One credible Witness, pay to such Surveyor such Sum as the said Justice or Justices shall direct, to defray the Expences of making the Alteration, and hanging such Gate, and shall also forfeit and pay a further Sum not exceeding Forty Shillings for his, her, or their Neglect therein, to be affixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made, and such Penalty shall be recovered, levied, apportioned, and applied in Manner prescribed by the said recited Act of the Twentieth Year of His late Majesty's Reign.

XXV. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads, and such Persons as they shall appoint by order of the said Trustees, to make and keep in Repair, or cause to be made and kept in Repair, any Footway or Causeway for the Use and Accommodation of Foot Passengers in, upon, or on the Sides of the said Road, in such Manner as they shall think proper; and also to amend and keep in repair such Footways or Causeways as are already made on the Sides of the said Roads, whether leading through any Town or Place or not, provided there be no Act for paving the same.

Power to  
make Cause-  
ways, &c.

XXVI. And be it further enacted, That if any Horse, Ass, Sheep, Swine, or other Beast or Cattle of any Kind, shall at any Time be found wandering, straying, or lying about the said Roads or any Part thereof, or by the Sides thereof, it shall and may be lawful to and for the Surveyor of the said Trustees for the Time being, or some other Person or Persons employed by him or the said Trustees, to seize and impound every such Horse, Ass, Sheep, Swine, or other Beast or Cattle in the common Pound of the Parish, Township, Tithing, or Place where the same shall be, or in such other Place as the said Trustees or any Five or more of them shall appoint, and the same there to detain until the Owner or Owners thereof shall for every and each Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded pay the Sum of One Shilling to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; in case the said Penalty, Charges, and Expences shall not be paid within Four Days after such impounding, it shall and may be lawful to and for the said Trustees or any Five or more of them, to sell, or cause to be sold, every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, and the Money arising from such Sale, after deducting the said Penalty, and the Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, or Swine, or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been.

Surveyors to  
impound  
Cattle stray-  
ing on the  
Roads.

XXVII. 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 Acts and this Act for the Purposes thereof, which shall belong to any

Application  
of Money  
awarded  
above 200l.

[Local.]

9 K

Corporation,



Corporation, Tenant for Life or in Fee Tail General or Special, or for Years determinable on any Life or Lives, or any Feme Covert, Infant, Lunatic, or other Person or Persons under any 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 Trustees for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; 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 or Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made, the said Money shall by Order of the said 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 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 so to be purchased under the Authority of this Act, in case such Purchase or Settlement were made.

Where less  
than 200l.  
and above  
20l.

XXVIII. 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 exceed the Sum of Twenty Pounds, then and in 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



under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees for executing the said 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 may be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the said High Court of Chancery.

XXIX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees or any Five or more of them shall think fit; 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.

Where not more than 20l.

XXX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said Acts and 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 the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed 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

In case of not making out a good Title, &c.



Court shall seem meet, 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.

In case of a  
disputed  
Title.

XXXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, 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 be lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may  
order reason-  
able Ex-  
pences to be  
paid by the  
Trustees.

XXXII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporations entitled to any Lands, Tenements, or Hereditaments, to be purchased under the Authority of 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, 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 this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Statute La-  
bour and  
Composition  
Money how  
to be per-  
formed and  
apportioned.

XXXIII. And be it further enacted, That so much of the said re-cited Acts as relate to the Performance of Statute Labour on the said Roads, shall be and the same is hereby repealed, and that all Persons who by Law are or shall be liable to do Statute Work on the said Roads, or any Part thereof, shall still remain liable thereto in like  
Manner



Manner as heretofore ; and it shall be lawful to and for any Two or more Justices of the Peace acting in and for the County, Borough, Riding or Place where the said Roads are situate, and they are hereby required and empowered (upon Application made to them by the said Trustees or any Five or more of them, or by the Treasurer, Clerk, or Surveyor, or by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Townships, or Places in which the said Roads or any Part thereof lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of any such Parish, Township or Place, in lieu of or as a Composition for such Statute Works as aforesaid, shall be by him or them paid to the said Trustees or their Treasurer or Treasurers ; and in order thereto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, 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, Township, or Place respectively, 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 or effect for the Repair of the public Highways ; and out of such Lists the said Justices shall and may appoint and order such and so many Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable ; and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Roads as the said Trustees or any Five or more of them, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint ; and the said Justices may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for such Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the Surveyor of such Parish, Township, or Place, to be by him paid over to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct ; and in Default of Payment thereof, the same shall or may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered ; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, signed by the Surveyor or Surveyors to the said Trustees, shall for every Day of his or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or  
 [Local.] 9 L Draughts,



Draughts, Horse or Horses, Beast or Beasts to be provided by him 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 and effect for the Repair of the public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor of 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 Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the 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, or to collect or pay over such Composition or any Part thereof in Manner 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.

Trustees to compound for Statute Work.

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

Expences of this Act.

XXXV. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and defrayed by the said Trustees, or any Five or more of them, out of the Monies now remaining in their Hands, or which shall first come into their Hands by virtue of the said recited Acts and this Act or either of them.

Public Act.

XXXVI. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without the same being specially pleaded.



XXXVII. And be it further enacted, That the Term granted by this Act shall commence on the Day of the passing thereof, and shall continue for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-  
ment and  
Continuance  
of this Act.

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