



ANNO TERTIO

GEORGIIV. REGIS.

Cap. lxxiii.

An Act to enlarge the Term and Powers of several Acts, for repairing and widening the Road from the Market House in *Tetbury*, to the Turnpike Road on *Minchin Hampton Common*, and several other Roads therein mentioned, all in the County of *Gloucester*, so far as the same Acts relate to the Second District of Roads therein mentioned. [24th *May* 1822.]

WHEREAS an Act was passed in the Thirty-first Year of the Reign of King *George* the Second, intituled *An Act for repairing and widening the Roads from Tetbury to the Gates on the West of Simond's Hall Down, and from the Turnpike Gate at the Top of Frocester Hill to the Turnpike Road from Cirencester towards Bath, and from the Field called Bouldown Sleight to the End of a Lane adjoining to the Road from Horsley to Tetbury, near Tiltup's Inn, and from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common, and from the said Road in Minchin Hampton Field unto the Turnpike Road from Cirencester to Stroud, near Burnt Ash, and from the said Turnpike Road to Tayloe's Mill Pond, in Chalford Bottom, and through Hide, to the Bottom of the Bourn Hill, in the County of Gloucester; whereby the said Roads were divided into Two Districts: And whereas another*

[Local.] 22 O Act 31 G. 2. c. 65. 20 G. 3. c. 70.

Act was passed in the Twentieth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enlarge the Term and Powers of an Act, passed in the Thirty-first Year of the Reign of His late Majesty, for repairing and widening the Roads from Tetbury to the Gates on the West of Simond's Hall Down, and other Roads in the said Act mentioned, so far as the same relates to the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common; and from the said Road in Minchin Hampton Field unto the Turnpike Road from Cirencester to Stroud, near Burnt Ash; and from the said Turnpike Road to Tayloe's Mill Pond, in Chalford Bottom, and through Hide, to the Bottom of the Bourn Hill, in the County of Gloucester*: And whereas another Act was passed in the Forty-first Year of the Reign of His said late Majesty King George the

41 G. 3. c. 85. Third, intituled *An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of Two Acts, passed in the Thirty-first Year of the Reign of His late Majesty King George the Second, and in the Twentieth Year of the Reign of His present Majesty, for repairing and widening several Roads therein-mentioned, so far as the same Acts relate to the Road from the Market House in Tetbury to the Turnpike Road on Minchin Hampton Common; and from the said Road in Minchin Hampton Field unto the Turnpike Road from Cirencester to Stroud, near Burnt Ash; and from the said Turnpike Road to Tayloe's Mill Pond, in Chalford Bottom, and through Hide, to the Bottom of the Bourn Hill, in the County of Gloucester; and for repairing, altering, and improving the Road from Tayloe's Mill Pond aforesaid, to Foston's Ash, in the Parish of Bisley, in the said County of Gloucester*: And whereas considerable Sums of Money have been borrowed and taken up at Interest upon the Credit of the Tolls arising upon the said Second District of Roads, for the Purpose of repairing and improving the said Second District of Roads, which still remain due and owing, and cannot be repaid; nor can the said Second District of Roads be effectually amended and kept in Repair, unless the Term and Powers of the said Acts are 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 the several Clauses, Powers, Authorities, Trusts, Provisions, Directions, Rules, Tolls, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, and now in force, so far as the same relate to the said Second District of Roads (except such as are varied, altered, or repealed), shall be, continue, and remain in full force and effect, and the same are hereby further continued, and, together with this present Act, shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of repairing and supporting the said Second District of Roads, in like Manner, and as fully and effectually in all respects, and 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, and the Tolls to arise or be collected on the said Second District of Roads, shall be subject and liable to the Payment of all Monies now due and owing on the Credit of the said recited Acts, or any of them, on account of the said Second District of Roads, or which may be borrowed and become due on the Credit of the said recited Acts and of

Acts con-
tinued.

this Act, and of the Interest due or to grow due for the same respectively, on account of the said Second District of Roads.

II. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of Gloucester for the Time being, together with *Edward Aldridge, Thomas Packer Butt, Thomas Brooke* Doctor of Laws, *Henry Burgh, John Ballinger, Charles Ballinger, John Baker, Joseph Browne, Daniel Cox, James Chambers, William Chambers, William Cockin* Clerk, *Thomas Clutterbuck, James Clutterbuck, Edmund Clutterbuck, Harry Davis, Richard Davis* Clerk, *William George Clerk, Joseph Grazebrooke, Sir Robert Bateson Harvey, George Christopher Hayward* Clerk, *Joseph Hort, Peter Leversage, John Lewis, William Lewis, George Lewis, William Moore* Doctor in Divinity, *William Moore* Clerk, *Edward Mansfield* Clerk, *Henry Neale, John Neale, Robert Owen, William Playne, William Playne* the younger, *Peter Playne, John Paul Paul, Samuel Paul Paul, Robert Clark Paul, Walter Matthews Paul, David Ricardo, Osman Ricardo, David Ricardo* the younger, *John Roberts, Daniel Webb Smith, Samuel Albin Saunders, Thomas Sheppard, William Smith, Monkhouse Tate, William Tayloe, William Toghill, Samuel Tanner, Edward Taylor, Sir Samuel Wathen* Knight, *Philip Wathen, John Hayward Wathen, George Wathen, Joseph Watts, William Wood, John Gregory Welch, Nathaniel Peach Wathen, Richard Whitehead, William Tugwell Williams, John Winn,* and their Successors, to be elected in Manner hereafter mentioned, shall be and they are hereby appointed the Trustees for amending, widening, and keeping in Repair the Roads in the said Second District, and for carrying this Act and the said recited Acts into Execution, so far as the same relate to the Second District of Roads.

III. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings to be holden in pursuance of this Act, to elect and appoint any Number of Persons (not exceeding Five in the Whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act and the said recited Acts; and such Persons so elected and appointed, and being duly qualified as herein-after mentioned, shall be Trustees for the Purposes of this Act and the said recited Acts, and are hereby invested with the same Powers and Authorities for executing this Act and the said recited Acts as if they had been herein named.

IV. And be it further enacted, That when and so often as any of the Trustees herein named and appointed (except the Justices of the Peace acting for the County of Gloucester), or to be elected and appointed by virtue of this Act, shall die or become disqualified by Bankruptcy, Insolvency, or otherwise, or by Writing under his or their Hand or Hands, delivered to the Clerk to the Trustees acting in Execution of this Act or the said recited Acts, signify his or their Refusal to act, it shall be lawful for the surviving or remaining Trustees, or any Three or more of them, and they are hereby authorized and empowered to elect and appoint some other Person or Persons to be a Trustee or Trustees in the Room of any Trustee or Trustees so dying, or becoming disqualified, or refusing to act; and Notice of the Time and Place of Meeting for every such Election shall be given by the Clerk to the said Trustees, or by any Three

or

or more of the said Trustees, which Notice shall be published in some Public Newspaper usually circulated in the Neighbourhood of the said Roads, or affixed on all the Turnpike Gates then standing or being across the said Roads; at least Seven Days previous to every such Meeting; and all and every Person and Persons who shall be so elected and appointed, and shall be duly qualified as herein-after mentioned, shall be a Trustee or Trustees for the Purposes of this Act and the said recited Acts, and is and are hereby invested with the same Powers and Authorities for carrying this Act and the said recited Acts into Execution, as if he or they had been herein named.

Qualification
of Trustees.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act or the said recited Acts (except in administering the Oath or Affirmation of Qualification herein-after mentioned), unless he shall at the Time of his acting be in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment of, or in the Receipt of Rents and Profits issuing out of Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and fifty Pounds above Reprizes, or shall be Heir Apparent of a Person seised of a Real Estate in Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear yearly Value of Three hundred Pounds, or be possessed of a Personal Estate alone, or Real and Personal Estate together, to the Amount of Four thousand Pounds; nor until he shall have taken and subscribed, before any Three or more of the said Trustees, an Oath, or being a Quaker, until he shall have made and subscribed an Affirmation in the following Form of Words; and which Oath or Affirmation, the said Trustees, or any One of them, at any of their Meetings held in pursuance of this Act, are and is hereby authorized to administer; (that is to say),

Oath.

‘ I do swear, [*or being One of the People called Quakers, do solemnly affirm*], That I truly and *bonâ fide* am in my own Right [*or, in the Right of my Wife*] in the actual Possession and Enjoyment of, or in the Receipt of the Rents and Profits issuing out of Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear Yearly Value of One hundred and fifty Pounds above Reprizes, [*or am possessed of a Personal Estate alone, or Real and Personal Estate together, of the Value of Four thousand Pounds, or am the Heir Apparent of* who to the best of my Knowledge is seised of a Real Estate in Freehold or Copyhold Lands, Tenements, or Hereditaments, of the clear Yearly Value of Three hundred Pounds,] [*as the Case may happen*]; and that I will truly, faithfully, and impartially act in the Execution of the Trusts and Powers resposed in me by virtue of an Act, passed in the Third Year of the Reign of King George the Fourth, intituled *An Act [here set forth the Title of this Act,]* and the several other Acts relating to the said Second District of Roads.

‘ So help me GOD.’

[*Or being a Quaker, omit the Words, ‘ So help me God.’*]

Nor shall any Person be capable of acting as a Trustee in the Execution of this Act or the said recited Acts, in any Case wherein he shall be personally interested other than as a Creditor, nor while he holds any Place of Profit under this Act, or the said recited Acts, or who shall sell any Ale, Beer, or Wine, or Spirituous Liquors by Retail, or who shall

shall be interested or concerned in any Contract relating to the said Roads, or who shall be Lessee or Farmer of the Tolls, or any Part or Parts thereof, under this Act, or the said recited Acts; and if any Person not being qualified as aforesaid, or not having taken and subscribed the Oath as aforesaid, or being a Quaker, not having made and subscribed the Affirmation as aforesaid, or being disqualified by any of the Causes aforesaid, shall nevertheless act as a Trustee in the Execution of this Act or the said recited Acts, 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, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed; and the Person so sued or prosecuted shall prove that he is qualified, or otherwise shall pay the said Penalty without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act or the said recited Acts: Provided nevertheless, that such Acts and Proceedings as shall have been done and performed by any such Person touching the Execution of this Act or the said recited Acts, previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act: Provided always, that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls arising on the said Roads, or receiving Interest thereout for the same, shall on that Account be deemed unqualified to act as a Trustee in the Execution of this Act or the said recited Acts: Provided also, that such of the said Trustees hereby nominated, or to be appointed by virtue of this Act, as are or shall be in the Commission of the Peace for the County of *Gloucester*, shall not, by reason of being such Trustees, be deemed disqualified from acting as Justices of the Peace in the Execution of this Act or the said recited Acts, except only in such Cases where they shall be personally interested.

VI. And be it further enacted, That the Trustees for executing this Act and the said recited Acts, shall meet together at the *Company's Arms Inn* at *Chalford*, or some other convenient Place in the Parish of *Minchin Hampton*, on the Second *Thursday* after the passing of this Act, or as soon after as conveniently may be, and shall and may then, and from Time to Time after, adjourn to and meet at such Times, and at such Place or Places upon or near the said Roads, as they shall think proper; and in case a competent Number of Trustees to act in the Execution of this Act and the said recited Acts, shall not attend at any appointed Meeting, then the Trustees or Trustee present at any such appointed Meeting, or the Clerk to the Trustees, shall and they and he are and is hereby respectively authorized to adjourn the Meeting to the Place where the same was appointed to have been held, and to such Time as they or he shall think fit, not being more than Forty Days, nor sooner than Ten Days from the Day of such last intended Meeting; and in such Case the Clerk shall give at least Seven clear Days Notice of such adjourned Meeting in such Newspaper or Newspapers as aforesaid, or on all and every the Turnpike Gates on the said Roads; and in case no Adjournment or Notice shall be made or given as aforesaid, then it shall be lawful for the Clerk to the

Meetings of
Trustees.

said Trustees, or for any Three or more of such Trustees, although not assembled at a Meeting, to call a Meeting of the Trustees by Notice inserted in some or one of such Newspapers as aforesaid, or affixed on all and every the Turnpike Gates on the said Roads, appointing the Trustees to meet at such Time and Place upon or near the same Roads as the said Clerk or the said Trustees respectively giving such Notice shall think proper, not exceeding Forty Days, nor sooner than Ten Days from the Date of advertising such Meeting; and all Meetings of the Trustees in the Execution of this Act, or the said recited Acts, shall be held between the Hours of Ten of the Clock in the Forenoon, and Four of the Clock in the Afternoon; and all the Powers and Authorities by this Act or the said recited Acts given to the said Trustees, shall and may be executed by or before the Majority of the Trustees assembled at some Meeting to be held in pursuance of this Act, the whole Number present not being less than Three, and the same shall be of as full Force and Effect as if executed or done by or before all the Trustees for executing this Act and the said recited Acts (except in such Cases where any such Power, Authority, Provision, Matter, or Thing is by this Act particularly directed or authorized to be executed or done by any other Number of Trustees, or in any other Manner); and at all such Meetings a Chairman shall or may be appointed, and in all Cases when there shall be an Equality of Votes upon any Question (including the Vote of the Chairman), such Chairman shall have the decisive or casting Vote; and all Orders made under the Powers and Provisions of this Act, or of the said recited Acts, may be revoked or altered if Occasion shall require, provided no such Order be revoked or altered except at some Meeting where not less than Five Trustees shall be present, nor unless a Majority of the Trustees so present shall concur in such Revocation or Alteration, nor unless Three or more Trustees (although not assembled at a Meeting), shall give Notice in Writing to the Clerk under their Hands, and also cause Notice to be published in such Newspaper or Newspapers as aforesaid, specifying that such Revocation or Alteration is intended to be moved for, Fourteen Days at least previous to any Meeting to be holden for that Purpose; and the Trustees shall at all their Meetings pay their own Expences, but shall not be liable to pay for the Use of the Room or Rooms where their Meetings shall from Time to Time be held for the Purposes of this Act.

So much of Act 41 G. 3. as enacts that Trustees may sue and be sued in the Name of their Clerk, and be reimbursed Expences of such Suits, &c. repealed.

Trustees may sue and be sued in the Name of the Clerk or of a Trustee.

VII. And be it further enacted, That so much of the said recited Act of the Forty-first Year of the Reign of His late Majesty King *George* the Third, as enacts that the said Trustees shall sue and be sued in the Name of their Clerk or Clerks, in manner therein mentioned, and as provides that the Costs, Charges, Damages, and Expences, which he or they might bear, pay, sustain, expend, or be put unto, by reason of his or their being so sued, shall be and the same is hereby repealed.

VIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any thing to be done by virtue of or in pursuance of the said recited Acts and this Act, in respect of the said Second District of Roads, in the Name of the Clerk for the Time being to the said Trustees, or in the Name of any one of the said Trustees; and that no Action or Suit brought or commenced by the Direction of

or against the said Trustees, in the Name of the Clerk or of a Trustee, shall abate or be discontinued by the Death or Removal of any such Clerk, or by the Death, Incapacity, or declining to act of such Trustee, or by the Act of any such Clerk or Trustee, without the Consent of the said Trustees: Provided always, that every such Clerk and Trustee in whose Name any Action or Suit shall be commenced, sued, prosecuted, or defended, in pursuance of the said Acts or of this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event, or in consequence of any such Action or Proceeding, he shall pay, bear, expend, or be put unto or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

IX. 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 may be appointed to act as their Clerk in the Execution of the said Acts and this Act, as to the said Second District of Roads, or any of them, or the Partner of any such Clerk, the Treasurer for the Purposes of the said Acts and this Act, as to the said Second District of Roads, or any of them; or to continue or appoint the Person who has been or who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing the said Acts and this Act, as to the said Second District of Roads, or any of them; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Acts and this Act, as to the said Second District of Roads, 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 Acts and this Act, as to the said Second District of Roads, 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, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlançe shall be allowed.

Clerk restrained from acting as Treasurer, and vice versa.

X. And be it further enacted, That so much of the said recited Acts as enacts that all Officers and Persons accounting as therein mentioned, shall verify the Accounts upon Oath; and also so much thereof as enacts that if any such Officer or Person shall refuse to verify the Articles of any such Account upon Oath, he shall be subject to the Punishment therein mentioned, shall, so far as relates to the said Second District of Roads, be and the same is hereby repealed.

Repealing so much of former Acts as requires Officers to verify their Accounts on Oath.

XI. 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, Matters, and Things for which such Sums of Money shall have been disbursed,

Books to be kept of Accounts of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

bursed, laid out, and paid ; which Book and Books shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward ; and the said Trustees and Creditors, or 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, or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, 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, recovered, and applied in manner herein-after provided for the Recovery and Application of Penalties.

Toll Gates,
Houses, &c.
vested in
Trustees.

XII. And be it further enacted, That the Right and Property of, in, and to all the Toll Gates, Turnpike Gates, Weighing Machines, Bars, Chains, Rails, Fences, Toll Houses, and other Houses and Buildings, and the several Conveniences and Appurtenances thereto, now being upon the said Second District of Roads, erected by virtue of the said recited Acts, or any of them, by the Sides of the said Roads, or across any Lane or Way leading into the same, or which shall be provided, erected, or made by virtue of the said recited Acts or any of them, or this Act, and all Materials for building or repairing the same, and for improving, repairing, or making the said Roads, or any Part thereof, and all other Materials, Articles, and Things which shall be purchased, collected, or provided for the Purposes of the said recited Acts, or this Act, shall be vested in the said Trustees ; and it shall be lawful for the said Trustees and they are hereby empowered to sell and dispose of the same Materials respectively as they shall think proper, for the Purposes of the said recited Acts, or this Act, and to bring or cause to be brought any Action or Actions, or to prefer or cause to be preferred and prosecuted, any Bill or Bills of Indictment against any Person or Persons who shall without Right keep Possession of any such House or Appurtenances, or who shall break down or damage, steal or take away, any such Turnpike Gates, Toll Gates, Weighing Machines, Bars, Chains, Rails, Fences, Toll Houses, Buildings, Conveniences, or Appurtenances, or any Part or Parts thereof respectively, or any such Materials, Articles, or Things, or who shall disturb the said Trustees or their Agents or Servants in the Possession thereof ; and in all Actions, Indictments, and Proceedings whatsoever, whether civil or criminal, it shall be sufficient to state the same to be the Property of " The Trustees for amending, widening, and keeping in repair the Road from *Tetbury* to *Minchin Hampton Common*, and other Roads thereto adjoining, in the County of *Gloucester*," without naming or otherwise describing the said Trustees.

Repealing so
much of Act
31 G. 2.
as enacts that
no Gate shall
be set up
within the
Town of Min-
chin Hamp-
ton, &c.
Waggons,
&c. allowed

XIII. And be it further enacted, That so much of the said recited Act of the Thirty-first Year of the Reign of King *George* the Second, as enacts, that no Gate or Turnpike shall, during the Continuance of this Act, be erected and set up within the Town of *Minchin Hampton*, or on the West Side thereof, shall be and the same is hereby declared to be repealed.

XIV. Provided always, and be it further enacted, That for or in respect of all Waggons, Wains, Carts, or other such Carriages having the Wheels
of

of the Width and Description, and the Axletrees fixed as mentioned and set forth in or by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, 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 for or in respect of the several Horses and other Beasts drawing the same, the Privileges and Exemptions granted by the said Act, shall be had and enjoyed.

Privileges and Exemptions granted by 55 G. 3. c. 119.

XV. And be it further enacted, That upon Payment of any of the Tolls arising on the said Second District of Roads, the Collector or Receiver shall, and he is hereby required to deliver, *gratis*, to the Person paying such Toll, a Note or Ticket denoting such Payment, which Notes or Tickets shall be provided by the said Trustees or their Lessees, and there shall be printed and specified thereon the Name of the Gate at which the Toll is received, and of the Gate or Gates which such Tickets shall free.

Tickets to be printed.

XVI. And be it further enacted, That the said Trustees shall and they are hereby required to cause proper Tables of the Tolls by the said recited Acts or this Act made payable, to be affixed and put up in the Front, or on some other conspicuous Part of the several Toll Houses erected on the said Roads, and to be kept clean and legible; and the said Trustees shall and they are hereby required to cause the Name of the Gate to be painted in legible Characters (each of the Letters of every such Name 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), at the Top or Head of such Tables of Tolls.

Tables of Tolls to be put up, and Name of Gate to be painted thereon.

XVII. Provided always, and be it further enacted, That every Person who shall have paid Toll at any Turnpike Gate on any Part of the said Roads, or by the Side thereof, for or in respect of any Horse or Horses, Beast, Cattle, or Carriage, shall be entitled to pass and repass Toll free, with the same Horse or Horses, Beast, Cattle, or Carriage, through the same Turnpike Gate, and also through all other Turnpike Gates on any Part of the said Roads, or by the Sides thereof, in the same Day (to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), such Person or Persons producing a Note or Ticket denoting the Payment of such Toll, and which Note or Ticket the Collector or Collectors is and are hereby required to deliver *gratis* on the Receipt of such Toll.

Tolls to be paid but once a Day.

XVIII. Provided always, and be it further enacted, That all Horses travelling for Hire, and drawing or having drawn any Chaise or other Carriage, for which any Toll shall have been paid at any Turnpike Gate or Toll Gate, Side Bar, Side Gate, or Chain erected or to be erected on the said Second District of Roads, shall, on returning without a Ticket denoting a fresh Hiring being produced, be permitted to repass Toll free, although such Horses, Chaise, or Carriage shall not have passed through such Turnpike Gate or Toll Gate, Side Bar, Side Gate, or Chain, on the same Day.

Post Horses to return Toll free another Day.

[Local.]

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XIX. Pro-

Exemptions
from Tolls.

XIX. Provided always, and be it further enacted, That no Toll shall be demanded or taken for any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom; nor for any Horses or Carriages of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for the Horse or Horses of any Officers or Soldiers on their March or on Duty, or for any Horse or Horses, or other Beast, or any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any sick, wounded, or disabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, employed in conveying any Ordnance, or Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty after having been so employed; or for any Carriage conveying Volunteer Infantry, or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, or on other Public Duty, (provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements, according to the Regulations of such Corps at the Time of claiming the Exemption); or from any Person or Persons for any Horse or Horses, or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Stone, Bricks, Timber, Wood, Gravel, Lime, or other Materials for making or repairing the said Roads, or any of the Roads within any Parish, Township, Chapelry, Hamlet, or Place, in which any Part of the said Road lies, or for erecting, setting up, rebuilding, building, or repairing any present or any future Toll House or Toll Houses, Toll Gate or Toll Gates, Weighing Engine or Weighing Engines, Bridge or Bridges, or any of the Fences thereof, or on the Sides of any of the said Roads; or in carrying or conveying any Seed for seeding the Ground, or Hay, Grass, Saintfoin, Fodder, Rushes, Teazles, Vetches, Straw, or Corn or Pulse in the Straw only, Turnips or Potatoes, or other agricultural Produce, or Milk for the Use of the Owner and not for Sale, or not sold or disposed of, but passing to be laid up or placed in the Houses, Barns, Outhouses, or Yards, or on the Lands of the Owners thereof; or for the Use of the Owners thereof, or of or from any Surveyor of the said Roads for the Time being; or for any Horse, Beast, or other Cattle or Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day any Ploughs, Harrows, or Implements of Husbandry (unless laden also with some other Thing not herein exempted from Toll), or any Mould, Dung,

Soil, Marl, Manure, or Compost, employed in Husbandry for manuring or improving Land, Lime excepted; or for any Horses, Oxen, or other Beasts, going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shod or farried; nor for any Horse, Beast, Cattle, or Carriage, which shall cross the said Roads only, or shall not pass more than One hundred Yards thereon; or from any Person or Persons who shall pass through any of the said Toll Gates or Toll Bars, to or from his, her, or 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, on a *Sunday*, or on any other Day on which Divine Worship is or shall be ordered by Authority to be celebrated, or attending the Funeral of any Person passing to be buried in any Parish wherein the Toll Gate shall be situate; or from any Clergyman going to attend, or returning from attending any of his sick Parishioners, or going to or returning from Church or Divine Service, or on any other his Parochial or Ministerial Duty; or for any Horses or Carriages employed only in carrying or conveying Vagrants sent by legal Passes, or returning empty after having been only so employed; or of carrying or conveying or returning from carrying or conveying any Person or Persons in Custody under a legal Warrant; or for any Horse or Horses, Coaches or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Gloucester*, on the Day or Days of such Election, or on the Day before or Day after any such Election shall begin or be concluded respectively; and if any Person shall, by any fraudulent or collusive Means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and in all Cases the Proof of Exemption shall be upon the Person claiming the same.

XX. Provided always, and be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses, or other Cattle drawing the same, while so employed, be stopped or detained by reason of any Weight in or upon any such Waggon, Wain, Cart, or other Carriage, or of its being drawn by any Number of Horses or Oxen; but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage for drawing the same; any thing in any Act or Acts of Parliament, relating to Highways or Turnpike Roads, or in this Act contained to the contrary thereof notwithstanding.

Carriages for His Majesty's Service not to be weighed.

XXI. And be it further enacted, That in case any Dispute or Disputes shall happen respecting the demanding or taking or the Payment of Tolls, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined

Disputes concerning Tolls to be settled by a Justice.

mined by some Justice of the Peace for the County or Place where the Cause of Dispute shall arise, who, upon Application to him made for that Purpose, shall examine the Matter upon Oath of the Parties, or other Witness or Witnesses (which Oath every such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other, as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue); and the Overplus (if any), after Payment of such Costs and the reasonable Costs of such Distress and Sale (to be ascertained and determined in case of Dispute concerning the same by such Justice), shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained.

Collectors
declared not
to be incom-
petent Wit-
nesses.

XXII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting under the Authority of the said Trustees, shall not be incompetent on account of his being appointed to collect such Tolls, to give Evidence in any such Dispute, Suit, or Litigation.

Tolls may
be leased.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to demise or let to farm, or agree to demise or let to farm, all or any of the Tolls arising by virtue of the said recited Acts or this Act on the said Second District of Roads, and all or any of the Toll Houses and the Conveniences and Appurtenances thereto belonging, for any Term not exceeding Three Years, upon Public Bidding to the highest Bidder, and for the best Price or Rent such Trustees can at the Time get for the same, payable quarterly in advance, or at such other Time or Times as the said Trustees shall think proper, to any Person or Persons who shall be willing to take or farm the same, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees shall think fit, without being compelled to put up the said Tolls at the Sum at which they were last let, or to have any other Meeting for the Letting thereof; and at such Letting the Trustees present shall have and be entitled to One or more Bidding or Biddings for the said Tolls, either by themselves or their Clerk or Treasurer, or other Person by them authorized; and in case at any Time or Times hereafter, when the said Tolls shall be put up to Auction, there shall be no Bidder or Bidders, or in case the same shall not be let at such Auction, then it shall be lawful for the said Trustees to accept a private Tender for the same, and to demise or let to farm, or agree to demise or let to farm, all or any of such Tolls, at any Sum not less than the Sum at or for which they shall have been then last let; any thing in any Law or Statute to the contrary notwithstanding; and the Rent or Money arising by such Letting shall be applied in such Manner as the Tolls arising under the said recited Acts or this Act, on the said Second District of Roads, are directed to be applied.

XXIV. And

XXIV. And be it further enacted, That during such Time as the Lessees of Tolls may appoint Persons to receive the same. Tolls by this Act, or the said recited Act of the Forty-first Year of the Reign of His late Majesty, authorized to be received, or any Part or Parts thereof, shall be leased, demised, or in farm, to any Person or Persons whomsoever, it shall be lawful for the Lessee or Lessees, Farmer or Farmers thereof, or such other Person or Persons as he, she, or they shall, by Writing or Writings under his, her, or their Hand or Hands, authorize and appoint, to demand and take the said Tolls so leased, demised, or farmed, and to use all such Means and Methods for the Recovery thereof, in case of Nonpayment or Evasion, as any Collector of the said Tolls appointed under or by virtue of this Act, is by the said recited Acts, as to the said Second District of Roads, and this Act, authorized and empowered to use; and such Lessee or Lessees, Farmer or Farmers, or other Person or Persons as aforesaid, so demanding and taking the said Tolls, shall be subject to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions, as any Collector of the said Tolls appointed by the said Trustees is subject or liable to.

XXV. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act or the said recited Acts, on the said Second District of Roads, shall be demised or let to farm to any Person or Persons by virtue of the Powers or Provisions of the said recited Acts or this Act, or 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, or any Part or Instalment thereof, shall be in Arrear or unpaid, for the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Contract, or Agreement for demising or letting thereof; or in case such Lease, Contract, or Agreement shall in any other Manner become void, then and in any of the said Cases it shall be lawful for any Justice of the Peace for the County of *Gloucester*, upon Application made to him by the said Trustees, or by any Person by them appointed on their Behalf, 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 or every Toll House or Toll Houses, Toll Gate, Bar, Chain, or Weighing Machine so let, and the Buildings, Gates, and Appurtenances thereto belonging, in the Day-time, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, or other the 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 any Person acting by or under their Authority, Possession thereof; and thereupon it shall be lawful for the said Trustees (if they shall think fit) to vacate and determine the Lease, Contract, or Agreement for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants or Agreements for the Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements, on the Lessee's Part), as if such Lease, Contract, or Agreement, had never been made;

[Local.]

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and

and it shall and may be lawful for the said Trustees, in every such Case, to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Lease, Contract, or Agreement had been made relative thereto.

Allowing an
Action of
Ejectment to
be supported
by One Mort-
gagee.

XXVI. And be it further enacted, That if any Mortgagee or Mortgagees of the Tolls arising on the said Second District of Roads, shall seek to obtain the Possession of the Toll Gates, Toll Houses, and Buildings erected on the said Roads, in order to pay himself, herself, and 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 Tolls and Premises, to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof, shall not apply the Tolls which may be consequently 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.

Punishing
Collectors
Misbehaving.

XXVII. And be it further enacted, That all and every Toll Collector or Collectors, being Lessee or Lessees of the said Tolls, or appointed either under the said recited Acts or any of them, or this Act, or by the Trustees for executing the same, or by any such Lessee or Lessees, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of the said recited Acts or any of them, or this Act, shall and he is hereby required, on each and every Day previous to his entering on Duty for Collection of the said Tolls, to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on 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 said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of the Powers of the said recited Acts and this Act, 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 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; or 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 and specified thereon the Gate at which such Toll has been paid, and also the several 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 Gate 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 Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge : Provided also, that if any Person or Persons shall at any Time assault, hinder, or molest any Collector who shall or may be employed by virtue of or in the Execution of the said recited Acts or any of them, or of this Act, in the Performance of his Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds,

XXVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used, under or by virtue of the Powers of the said recited Acts, as to the said Second District of Roads, 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 the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees 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 there, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said High Court of Chancery ; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable ; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out a good Title, or Persons cannot be found, the Purchase Money to be paid into the Bank, subject to the Order of Chancery, on Petition.

XXIX. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, in pursuance of the said recited Acts or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts or this Act, for the Purposes aforesaid, as far as the same Acts respectively relate to the said Second District of Roads, 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

In case of disputed Titles.

ditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expenses to be paid by the said Trustees.

XXX. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of the said recited Acts or this Act, as far as the same Acts relate to the said Second District of Roads, the Purchase Money for the same shall be required to be paid into the High Court of Chancery, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of the said recited Acts or this Act, it shall be lawful for the said High Court of Chancery to order the Expenses of all Purchases from Time to Time to be made in pursuance of the said recited Acts or this Act, as to the said Second District of Roads, or so much of such Expenses as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of the said recited Acts or this Act, as to the said Second District of Roads, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Deviation not to exceed 100 Yards from the present Line, without Consent.

XXXI. Provided always, and be it further enacted, That the said Trustees in widening, turning, or altering any Part of the said Roads, under the Powers of the said recited Acts or this Act, shall not deviate more than One hundred Yards of Three Feet each from the present Line, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

For getting Materials to repair the Roads.

XXXII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Trustees, and all such Persons as he or they shall appoint, to search for, dig, gather, get, and take away any Stones, Gravel, Sand, or other Materials for making, amending, altering, improving, or repairing the said Second District of Roads, or any Part thereof, and any Footways and Paths on the Sides thereof, out of any Waste or Common, or out of any common River or Brook, in any Parish, Township, or Place in which any Part of the said Second District of Roads shall lie or be situate, or in any adjoining Parish, Township, or Place within the said County of *Gloucester*, convenient for the Purpose, without paying any thing for the same, they the said Surveyor or Surveyors, or other Person or Persons, filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks wherefrom such Materials shall be taken, or railing or fencing off such Pits or Quarries,

Quarries, so that the same may not be dangerous to Passengers or Cattle, and paying for the Damages done by going through or over any inclosed Lands or Grounds for or with such Materials (which they are hereby authorized and empowered to do, not being an Orchard, Garden, Yard, Park, Paddock, Plantation, or Nursery for Trees), such Damage to be ascertained as herein-after mentioned; and also that it shall be lawful for the said Surveyor or Surveyors, having first obtained the Order of some Justice or Justices of the Peace as herein-after mentioned, and such Persons as he or they shall appoint, to search for, dig, gather, take, and carry away any such Materials in or out of the Land of any Person in any Parish, Hamlet, Township, or Place in which any Part of the said Second District of Roads shall lie and be situate (not being an Orchard, Garden, Yard, Park, Paddock, planted Walk, or Avenue to any House, or any Piece of Ground planted or set apart as a Nursery for Trees), making or tendering such Satisfaction to the Owners or Occupiers of the Lands where and from whence the same shall be dug, gathered, and carried away, or over which the same shall be carried, as the said Trustees shall judge reasonable; and in case of any Difference between the said Trustees, Surveyors, or other Persons appointed and employed as aforesaid, and the Owners or Occupiers of such Lands, or any of them, concerning such Payments and Damages as aforesaid, any One or more Justice or Justices of the Peace for the said County of *Gloucester*, on Ten Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages.

XXXIII. Provided always, nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor, or any Person or Persons acting under the Authority of the said recited Acts, or any of them, or of this Act, to dig, gather, get, take, or carry away any Materials for repairing the said Second District of Roads, out of or from any inclosed Land or Ground, until Notice in Writing, signed by the said Trustees, or by such Surveyor or Surveyors, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any Justice or Justices of the Peace acting in and for the said County of *Gloucester*, to shew Cause why such Materials shall not be had from such Land or Ground; and in case such Owner or Occupier, or his or her Agent, shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justice or Justices shall, if he or they think proper, authorize such Surveyor or Surveyors, or other Person or Persons, to dig, gather, get, take, and carry away such Materials, at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, such Justice or Justices may (upon Proof on Oath of the Service of such Notice, and which Oath he or they or any of them is and are hereby empowered to administer) make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier, or his or her Agent, had attended.

Notice to be given before Materials taken.

Penalty on taking away Materials raised by Surveyors.

XXXIV. And be it further enacted, That if any Person whomsoever shall take away any Materials which shall be dug, gotten, or gathered in any Land, Field, Ground, Waste or Common, River or Brook, for the Repair or Use of the said Roads, or any of the Purposes aforesaid, or shall get, raise, take, or carry away any Materials out of, or otherwise interfere with or obstruct the working of any Pit or Quarry, which shall have been made or opened for the Purpose of getting Materials for making and repairing the said Roads, or any of the Purposes aforesaid, before the said Surveyor or Surveyors, or his or their Workmen shall have discontinued working therein for the Space of Six Weeks then last (except the Owner or Occupier of the Land in which such Pit or Quarry shall be made, as to the Materials for his or her own private Use only, and not for Sale), every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be levied, recovered, apportioned, applied, and disposed of in Manner herein-after provided for the Recovery and Application of Penalties and Forfeitures.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

XXXV. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of the said recited Acts or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees, or their Treasurer in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of the said recited Acts or this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees, or to their Treasurer for the Time being, as the Case may be.

Penalty for damaging Milestones, &c. or injuring Causeways, &c.

XXXVI. And be it further enacted, That if any Person or Persons whomsoever shall wilfully pull up, injure, or damage any Turnpike Gate or Turnpike Gates, or any of the Posts, Boards, Milestones, or Tables of Tolls, put up or placed by the said Trustees, or by their Order, or by virtue

virtue of the said recited Acts or this Act, upon the said Second District of Roads, or any Part thereof, or wilfully or designedly deface or obliterate any of the Inscriptions, Letters, Figures, or Marks thereon, or shall wilfully break, throw down, or otherwise damage any Lamp, Lamp Post, or Lamp Iron, set up or affixed by Order of the said Trustees at or near to any of the said Turnpike Gates, or on any other Part of such Roads, or shall cause or procure the same to be done; or if any Person or Persons shall wilfully pull up, injure, or damage any other Posts, Rails, or Fences, now or at any Time hereafter to be placed or put up by Order of the said Trustees, or the Surveyor or Surveyors, either by the Side or Sides of such Roads, or at or near to any Pit or Quarry which shall be used, opened, or made for the getting of Stones or other Materials for the Purposes of the said recited Acts or this Act, in order to prevent Accidents, or to protect and preserve any Hedge or Quickset, or any Part or Parts thereof, which the said Trustees, by virtue of the said recited Acts or this Act, are authorized to plant and keep in good Order; or if any Person or Persons shall wilfully root up, cut, destroy, or damage any such Hedge or Quickset, or any Part or Parts thereof, or shall haul or draw, or caused to be hauled or drawn upon any Part of such Roads, any Tree or Piece of Timber, or any Stone, otherwise than upon a Wheel Carriage, or shall suffer any Tree or Piece of Timber which shall be conveyed upon a Wheel Carriage, to drag upon any Part of such Roads, to the Prejudice thereof; or shall wilfully drive any loaded Waggon, Cart, or Carriage along or against any Causeway, being Part of or adjoining to such Roads; or shall, without being thereto authorized by the Surveyor or Surveyors for the Time being acting under the said recited Acts and this Act, for the said Second District of Roads, shovel up, scrape, gather, or carry away any Stones, Gravel, Sand, or other Materials, Slutch, Dirt, Mire, Drift or Soil from off any such Causeway, or any other Part of such Roads; or if any Person or Persons shall drive any Cart or other Carriage upon any Footway or Causeway made upon such Roads, or shall wilfully or carelessly cause any Damage to be done to the said Footway or Causeway; or if any Person shall turn loose any Horse, Ass, Beast, or Swine upon such Roads, or suffer any Horse, Ass, Beast, or Swine to be turned loose, or to wander or stray, or to be or remain upon such Roads, to graze or depasture on the Sides thereof; or if any Person or Persons driving any Swine upon such Roads, shall suffer the same to root up and damage such Roads, or any Part thereof, or the Fences, Hedgings, Backings, or Copse on either Side thereof; or if any Person or Persons shall wheel any Carriage, Truck, or Wheelbarrow on any Footway or Causeway adjoining to such Roads; or shall in or upon any Part of such Roads, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Lamb, or other Cattle, or cause or permit any Blood to run from any Slaughter-house, House, Building, Butcher's Shop, or Shambles, into such Roads; or burn, dress, or sweep any Piece or Pieces of Cork; or hoop, fire, cleanse, wash, or scald any Cask or Casks, in any Part or Parts of such Roads, or in any exposed Situation near thereto; or shall hew, saw, or cut, or cause to be hewn, sawn, or cut any Stone, Wood, or Timber; or shall shoe, farry, or bleed any Horse, Mule, or Ass, on such Roads, or on the Sides thereof, except in the Case of Accidents; or if the Driver of any Waggon,

gon, Cart, Dray, Sledge, or other Carriage used for the Carriage of Goods and Merchandize, shall ride on the Shafts or on any other Part of such Waggon, Cart, Dray, Sledge, or other Carriage, or on any of the Horses drawing the same, upon any Part of such Roads; or if any Person on Horseback, or driving any Coach, Chaise, Waggon, Cart, or other Carriage upon such Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, or Person on Horseback, shall not keep his Horse or Carriage on his Left or Near Side of such Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in the making any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or other Firework whatsoever upon such Roads, or within Eighty Feet of the Centre thereof, or play at Football or any other Game on any Part or Parts of the said Roads, to the Annoyance of any Passenger or Passengers; or if any Person shall leave any Waggon, Wain, Cart, or other such Carriage, longer than may be necessary for loading or unloading the same, in, upon, or on the Side of any Part of such Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or in case the same shall not during such loading or unloading be placed as near to the Side of such Roads as conveniently may be; or if any Person shall erect or place any Tent, Camp, Awning, or Hut on the Sides of the said Roads, or any Part thereof, or make any Fire or Fires on the Sides of the said Roads or any Part thereof; or if any Person shall, after having blocked or stopped any Waggon, Wain, Cart, or other Carriage in going up a Hill or rising Ground, leave or suffer to be or remain on such Roads, or any Part thereof, the Stone or other Thing with which such Waggon, Wain, Cart, or other Carriage shall have been blocked or stopped; or if any Person driving any Horse or other Beast on the said Roads, conveying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, or other Matter or Thing, so that the same, or any of them, shall project more than Twenty-four Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person, or any Horse, Beast, or Carriage travelling along the said Roads; or if any Blacksmith or other Person occupying a Blacksmith's Shop having Doors or Windows to the Front of the said Roads, shall not by good and close Shutters every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from such Shop shining into the said Roads; or if the Driver of any Waggon, Wain, Cart, or other Carriage shall wilfully or carelessly pull up, break, or damage any Posts or Stones to be erected for the Security of the said Causeway, or wilfully or carelessly drive the Wheel of any Carriage against the same, or shall lay any Piece of Timber, Packs of Wool, or any Stones, Hay, Straw, Dung, Manure, Soil, Ashes, Filth, Rubbish, or other Matter or Thing whatsoever, on any Part of such Roads, or on the Side or Sides thereof, or upon the Footpaths or Causeways adjoining to such Roads, to the Prejudice, Annoyance, or Interruption of Persons travelling and passing thereon; or shall lay or place on the Walls or Fences of such Roads, or on the Sides of such Roads, for any Purpose whatever, any Wool, woollen or cotton Cloth,

Warp.

Warp, or Linen; every such Person shall forfeit a Sum not exceeding Five Pounds for every such Offence, to be levied, recovered, apportioned, and applied in Manner herein-after provided for the Recovery, Apportionment, and Application of Penalties and Forfeitures; and such Offenders shall also pay to the said Trustees, or their Treasurer or Treasurers, or One of them, such Sum of Money as shall be a full Satisfaction for the Damage so done, which Damage shall be settled or ascertained by the Justice or Justices of the Peace by or before whom such Offender shall be convicted of any of the Offences aforesaid, and shall and may be levied and recovered in like Manner as any Penalties or Forfeitures imposed by this Act may be recovered, and shall be applied for the Purposes of this Act.

XXXVII. And be it further enacted, That from and after the passing of this Act no Gate of any Park, Paddock, Field, or Inclosure whatsoever, now standing or hereafter to be made, shall remain placed or be placed so as to open or swing into or towards any Part of the said Second District of Roads, except the respective Hanging Posts shall be so far removed from the Centre of the said Roads that no Part of such Gate respectively when opened shall swing or hang over any Part of the said Roads, or any Footpath belonging thereto; and the Occupier or Occupiers of every Park, Paddock, Field, or Inclosure, having any Gate opening outwards, contrary to the meaning of this Act, shall, within Ten Days after Notice to him, her, or them given, either personally or in Writing, by or from any Surveyor of the said Second District of Roads, cause such Gate to be hung in such a 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 case of the Neglect or Default of any such Occupier or Occupiers, then the Surveyor of the said Second District of Roads shall and may and he is hereby authorized to cause the Gate and Hanging Posts to be removed, and to be placed and hung according to the Directions 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 Conviction upon the Oath of One credible Witness, of the giving of such Notice, and of such Neglect or Default, pay to such Surveyor such Sum as the said Justice or Justices shall direct, to defray the Expence of making the Alteration and hanging such Gate, and shall also forfeit and pay a further Sum not exceeding Five Pounds for his, her, or their Neglect or Default therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made.

Gates to
Fields, &c. to
open inwards.

XXXVIII. 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 upon the said Second District of Roads, or any Part thereof, or by the Sides thereof (except on such Parts of the said Second District of Roads as lead or pass through or over any Commons or uninclosed Lands), it shall and may be lawful to and for the Surveyor of the said Trustees for the Time being, and also for any other Person or Persons whomsoever, to seize and impound every such

Cattle stray-
ing.

[Local.]

22 T

Horse,

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 shall provide for that Purpose, and the same there to detain until the Owner or Owners thereof shall for each and every Horse, Ass, Sheep, Swine, or other Beast or Cattle so impounded, pay the Sum of Ten Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and 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 such Surveyor, or Person or Persons impounding the same, 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 Charges and Expences of impounding, keeping, and selling every such Horse, Ass, Sheep, Swine, or other Beast or Cattle, shall be paid to the Person whose Property the same so sold shall appear to have been.

Punishment
of Persons
guilty of
Pound
Breach.

XXXIX. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Horse, Ass, Sheep, Swine, or other Beast or Cattle which shall be seized for the Purpose of being impounded under the Authority of the said recited Acts or this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened; or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of the said recited Acts or this Act, until or before such Horse, Ass, Sheep, Swine, or other Beast or Cattle seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, and which Oath the said Justice is hereby authorized and empowered to administer, be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction for the County or Place wherein the said Offence shall have been committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Statute La-
bour.

XL. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Second District of Roads, or any Part thereof, shall still remain liable thereto, as heretofore; and it shall and may be lawful for any Two or more Justices of the Peace for the County or Place in which the said Second District of Roads, or any Part thereof lies, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order) yearly to adjudge and determine what Part or Proportion of the said Statute Work shall every Year be done upon the said Second District of Roads by the Inhabitants of the

Respective Parishes, Townships, or Places in which the said Second District of Roads lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or to their Treasurer; and in order thereunto, it shall be lawful for such Justices, from Time to Time to summon the Surveyor or Surveyors 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, 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 Draught or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways, and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject or liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable; and the same shall be done on such Days and at such Times (not being Hay Time or Harvest), and on such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors, by their Order, 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 Surveyor or Surveyors of every such Parish, Township, or Place, for the Time being, to be by him or them paid over to the said Trustees or to their Treasurer, at such Time or Times as the said Justices shall direct; and in default of Payment thereof by any such Surveyor or Surveyors, 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 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, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or who shall be sent with any Team or Draught to work on the said Second District of Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge the Person who shall be found idle or negligent
as

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 Second District of Roads; and in case the said 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 and wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, apportioned, and applied as other Penalties and Forfeitures are by this Act herein-after directed to be apportioned and applied.

For securing
transient
Offenders.

XLI. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act or the said recited Acts, to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, Surveyors, or Officers) who shall commit any Offence or Offences against this Act or the said recited Acts, and take him, her, or them before any Justice or Justices of the Peace for the said County of *Gloucester*, near to the Place where the Offence or Offences shall be committed; and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act and the said recited Acts.

Penalties,
&c. not to be
recovered by
Warrant of
Trustees.

XLII. And be it further enacted, That so much of the said recited Act of the Thirty-first Year of the Reign of King *George* the Second, as authorizes the levying and Recovery of Penalties and Forfeitures by Warrant or Warrants under the Hands and Seals of any Five or more of the Trustees for the said Second District of Roads, and as authorizes, empowers, and requires such Trustees to issue any such Warrant or Warrants, shall be and the same is hereby repealed.

Penalties,
&c. how to
be recovered;

XLIII. And be it further enacted, That all Penalties and Forfeitures by the said recited Acts (so far as the same relate to the said Second District of Roads), or by this Act imposed or authorized to be imposed, (the Manner of levying, recovering, and applying whereof is not otherwise particularly directed), shall, upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Gloucester*, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justice is in every such Case hereby fully authorized to administer), be levied (in case of Nonpayment) by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant), and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and
the

the Charges of such Distress and Sale are deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid or levied (if not otherwise particularly directed to be applied), shall be from Time to Time paid, one Moiety to the Informer, and the other Moiety to the Treasurer or Treasurers to the said Trustees, and applied for the Purposes of the said Second District of Roads; and in case such Penalties, Forfeitures, and Fines respectively shall not, upon Conviction, be paid forthwith, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; and if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the said County of *Gloucester*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied; any thing in the said recited Acts, or any of them, contained to the contrary notwithstanding.

and Application thereof.

XLIV. And be it further enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid by the said Trustees, or any Three or more of them, out of the Money already raised by virtue of the said former Acts, and now in the Treasurer's Hands, or out of the first Monies which shall be collected or received by virtue of the said recited Acts or of this Act; and that in case any Person or Persons shall advance and pay any Money for or on account of obtaining this Act, the Person or Persons advancing and paying any such Money shall be repaid the same out of any Monies already raised or received, or to be raised or received by virtue of the said recited Acts and of this Act, together with Interest for the same, after the Rate of Five Pounds *per Centum per Annum*, from the Time of advancing the same.

Expences of Act how to be paid.

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

Public Act.

XLVI. And be it further enacted, That the Term granted by the said recited Acts shall, on the passing of this Act, cease and determine; and the said recited Acts (subject to the Alterations and Amendments herein contained),

Commencement and Continuance.

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contained),

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3^o GEORGIIV. *Cap.* lxxiii.

contained), so far as the same Acts respectively relate to the said Second-District of Roads, and this Act, shall from thenceforth commence, continue, and be in force and effect, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1822.