



ANNO QUARTO

GEORGIIV. REGIS.

Cap. cviii.

An Act for more effectually repairing the Road leading from *Beaconsfield* in the County of *Buckingham* to *Stoken Church* in the County of *Oxford*.

[17th June 1823.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His late Majesty King George the First, intituled *An Act for repairing the Road from Beaconsfield in the County of Bucks to Stoken Church in the County of Oxford*: And whereas another Act was passed in the Ninth Year of the Reign of His late Majesty King George the Second, intituled *An Act for enlarging the Term and Powers granted by an Act passed in the Fifth Year of the Reign of His late Majesty King George the First, intituled 'An Act for repairing the Road from Beaconsfield in the County of Bucks to Stoken Church in the County of Oxford'*: And whereas another Act was passed in the Thirty-third Year of the Reign of His said late Majesty King George the Second, intituled *An Act for enlarging the Term and Powers of Two Acts made in the Fifth Year of His late Majesty, and in the Ninth Year of His present Majesty's Reign, for repairing the Road from Beaconsfield in the County of Bucks to Stoken Church in the County of Oxford*: And whereas another Act was passed in the Fifteenth Year of the Reign of His late Majesty, intituled *An Act to enlarge the Term and Powers of several Acts for repairing the Road from Beaconsfield in the County of Bucks to Stoken Church in the County of Oxford*: And whereas another Act was passed in the Thirty-

5G.1.c.2.

9G.2.c.11.

33G.2.c.37.

15G.3.c.70.

[Local.]

28 G

fourth

34G.3.c.142. fourth Year of the Reign of His late Majesty, intituled *An Act to continue the Term, and reduce into one Act the Powers of Four several Acts passed in the Fifth Year of the Reign of His late Majesty King George the First, and in the Ninth and Thirty-third Years of the Reign of His late Majesty King George the Second, and in the Fifteenth Year of the Reign of His present Majesty, for repairing the Road from Beaconsfield in the County of Bucks to Stoken Church in the County of Oxford*: And whereas the Trustees appointed in and by virtue of the said recited Acts have proceeded to put the same in Execution, and have for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls thereby authorized to be collected, which Money cannot be repaid, nor can the said Road be properly amended and kept in repair, unless Provisions are made for those Purposes; and it would be more convenient if the said Acts were repealed, and further and other Tolls, Powers, and Provisions granted instead thereof: And whereas an Act was passed in the Third Year of the Reign of His present Majesty,

3 G.4.c.126. intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: 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 from and after the Twenty-fourth Day of *June* next after the passing of this Act the said recited Acts, passed in the Fifth Year of the Reign of His Majesty King *George* the First, the Ninth and Thirty-third Years of the Reign of His Majesty King *George* the Second, and in the Fifteenth and Thirty-fourth Years of His late Majesty's Reign, shall be and the same are hereby repealed; and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned for the Purpose of repairing, widening, and improving the said Road from *Beaconsfield* in the County of *Buckingham* to *Stoken Church* in the County of *Oxford*.

Five first
recited Acts
repealed.

Acts made
subject to
Debts, Con-
tracts, &c.

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all the Monies which have been borrowed and are now due and owing on the Credit or Security of the said former Acts, or the Tolls thereby authorized to be taken, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed or become due and owing on the Credit or on account of this Act; and all and every Person and Persons owing any Sum of Money to the Trustees for executing the said former Acts shall be liable to the Payment thereof to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person to or with the Trustees for executing the said former Acts, shall remain in full force and effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed on account of and for the Benefit of the Trustees under this Act; and all Lettings of Tolls, Orders, Contracts, and Agreements made and entered into by the said Trustees for executing the said former Acts, shall, so far as the same are not altered or avoided by this Act, remain in full force and effect, and be observed and kept by the Trustees under this Act, according to the Stipulations thereof respectively, the Repeal of the said former Acts or any Law to the contrary notwithstanding.

III. And

III. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by this Act), shall be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Provisions of
3 G. 4. c. 126.
extended to
this Act.

IV. And be it further enacted; That all Books of Proceedings of the Trustees in the Execution of the said former Acts, provided according to the Directions or Provisions thereof, and thereby made Evidence, shall and may be admitted in Evidence in all Cases of Appeal, and in all Suits, Actions, Controversies, or Disputes touching any thing done by virtue or in pursuance of the said last recited Act or this Act, or in anywise relating thereto.

Books under
former Acts
may be given
in Evidence.

V. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (other than the Treasurer), nominated and appointed under and by virtue of the said several Acts hereby repealed, shall hold or enjoy their respective Offices and Employments until he or they shall be removed therefrom respectively by the Trustees for executing this Act; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of this Act.

Old Officers
to continue
until new ones
appointed.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks, or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance shall be allowed.

Prohibiting
the same
Person from
acting as
Clerk and
Treasurer.

VII. And be it further enacted; That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Buckingham* and *Oxford* respectively, the Right Honourable *Richard Plantaganet Grenville Nugent*

Trustees.

Nugent Chandos commonly called *The Marquis of Chandos*, the Honourable *Robert Smith*, *Sir John Dashwood King* Baronet, *Sir Thomas Baring* Baronet, *Sir William Lawrence Young* Baronet, *Sir Scrope Bernard Morland* Baronet, *Sir Richard Paul Jodrell* Baronet, *Sir George Nugent* Baronet, *Sir Francis Desanges* Knight, *William Henry Ashurst*, *Reuben Allen*, *John Airey*, *James Blackstone LL. D.*, *Benjamin Blackden*, *John Chalfont Blackden*, *Andrews Edward Biddle*, *Harry Baker*, *John Brown*, *James Ball*, *William Bradford* Clerk, *William Baly*, *Frederick Brittain*, *Joseph Burrough*, *Joseph Wilkinson Burrough*, *Thomas Clarke*, *John Crafts*, *John Carter*, *David Chambers*, *James Du Pre*, *Charles Depree*, *William Robert Davis*, *Thomas Dew*, *Thomas Dell*, *Thomas Edmonds*, *Samuel Edmonds*, *John Fane*, *John Fane junior*, *Richard Fell*, *John Grove*, *John Gould*, *John Grubb*, *Henry Geary*, *James Gomme*, *James Grace*, *John Guy*, *Philip Gibbons*, *John Hicks*, *John Hollis*, *William Hughes* Clerk, *Joseph Heath*, *John Hay*, *John Holland* Clerk, *Edmund Hopkinson*, *Joseph James Harper*, *William Hull*, *George Harman*, *Richard Paul Jodrell*, *Thomas Jones* Clerk, *William Jones*, *Thomas Joynson*, *Isaac King* Clerk, *Joseph King*, *Richard Kingham*, *Richard Lansdale*, *Robert Landor* Clerk, *Thomas Lunnon*, *William Lunnon*, *James Moody*, *Francis Bernard Morland*, *Ebenezer Fuller Maitland*, *Alexander Mitchell*, *George Edmund Nugent*, *John Norris*, *William Newell*, *Robert Nash*, *John Nash*, *Terence O'Brien O'Loghlin*, *James Price* Clerk, *William Parker*, *John Prestage*, *Richard Plaistowe*, *William Pegg*, *James Pegg*, *John Rotton*, *William Rose*, *Nathaniel Rumsey*, *Henry Round*, *James Rolfe*, *James Rance*, *John Rumsey*, *Richard Barry Slater*, *John Smith*, *Thomas Simmons*, *Freeman Gage Spicer*, *Stephen Spicer*, *William Sproston*, *John Henry Tilson*, *William Terry*, *Thomas George Tatem*, *Thomas George Tindal*, *Harry Waller* () *Webb of Adwell*, *Richard Widmer*, *Thomas Westwood*, *Robert Wheeler*, *John Wilkinson*, *Benjamin Way*, *Thomas Wethered*, *Owen Wethered*, *Owen Williams*, *Thomas Peers Williams*, and *William Young*, and their Successors, being duly qualified, and having taken and subscribed the Oath or Affirmation herein-after mentioned, shall be and they are hereby appointed Trustees for putting this Act in Execution.

For appointing additional Trustees.

VIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized at any Meeting to be holden in pursuance of this Act, to elect and appoint any Number of additional Trustees, not exceeding Five in the whole; which additional Trustees shall have the same Power and Authority for executing this Act as if they had been herein named and appointed.

Qualification of Trustees.

IX. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act and the said last recited Act into Execution, unless he shall be qualified in such Manner as in and by the said last recited Act is directed and prescribed; and unless he shall, at the Time of taking the Oath by the said Act prescribed, state and deliver to the Trustee or Trustees who shall administer such Oath a particular Description of the Lands, Tenements, or Hereditaments in right of which he is so qualified, and where the same are situate; and unless (being so qualified) he shall before he shall act as a Trustee (except in administering the Oath mentioned in the said last recited Act, and the Oath herein-after mentioned) take and subscribe before any One or more of the said Trustees an Oath, or being a Quaker an Affirmation, in the Words or to the Effect following; (that is to say),

‘ I *A. B.* do swear [*or, being a Quaker, do affirm*], That I will truly, Oath.
 ‘ honestly, and impartially, according to the best of my Judgment,
 ‘ execute and perform the several Powers, Authorities, and Trusts re-
 ‘ posed in me as a Trustee by virtue of an Act passed in the Fourth
 ‘ Year of the Reign of His Majesty King *George* the Fourth, intituled
 ‘ *An Act, etc.* [*here insert the Title of this Act*], and also an Act passed
 ‘ in the Third Year of the Reign of His said Majesty, intituled *An*
 ‘ *Act to amend the general Laws now in being for regulating Turnpike*
 ‘ *Roads in that Part of Great Britain called England.*
 ‘ So help me GOD.’

Which Oath or Affirmation any one or more of the said Trustees is and are hereby authorized and empowered to administer; and if any Person shall presume to act (except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlanee shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said last-recited Act or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath or Affirmation by this Act prescribed, shall be thereby impeached or rendered nugatory; but all such Acts and Proceedings shall be as valid and effectual as if such Person had taken and subscribed such Oath or Affirmation previously to his having acted as such Trustee as aforesaid.

Penalty on
Persons act-
ing not being
qualified.

X. And be it further enacted, That the said Trustees shall hold their First Meeting in pursuance of this Act in the Borough of *Chepping Wycombe* in the County of *Buckingham*, or at some other convenient Place, on the First *Tuesday* next after the said *Twenty-fourth Day of June*, or as soon after as conveniently may be, and then and there proceed to the Execution of this Act.

First Meeting
of Trustees.

XI. And be it further enacted, That the said Trustees shall, at all their several Meetings, pay and defray their own Expences, except any Sum not exceeding Ten Shillings *per Diem* for the Use of the Room wherein they shall meet; and all Orders and Determinations of the Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance thereof, and not otherwise; and that no Order or Determination shall be made unless the major Part of the Trustees present shall concur therein; and that all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Trustees, and all the Powers and Authorities hereby in them vested, shall and may be had, made, done, and exercised by the major Part of the Trustees who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Three; and that all Acts, Orders, or Proceedings had, made, or done by or before such Three or more Trustees, shall have the same force and effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were

Trustees to
pay their
Expences.

[*Local.*]

28 H

had,

had, made, done, or executed by or before all the said Trustees; and that a Chairman shall and may, in the first Place, be appointed at every Meeting to be held by virtue and for the Purposes of this Act, who, in case of an equal Number of Votes (including the Chairman's Vote), shall have the casting or decisive Vote; and that no Order or Determination at any Meeting of the said Trustees once made, agreed upon, or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration shall have been given at a previous Meeting holden for the said Road, and entered in the Book of Proceedings of such Meeting, and also by affixing such Notice, signed by Two or more of the said Trustees, on the Turnpike Gates erected upon the said Road Twenty-one Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made by Five Trustees at the least.

Power to continue or erect Turnpikes, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue all and every or any of the Turnpikes, or Toll Gates and Toll Houses now standing and being in and upon or across the said Road, or on the Sides thereof, and to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Road, or any Part thereof, or upon or across the Entrance to any Road, Lane, or Way leading into the same, or any Part thereof, such and so many Toll Gates, Turnpikes, Side Bars, Chains, and Weighing Machines, with Toll Houses, Outbuildings, Lamps, and other Conveniences thereto, and to inclose on the Sides of the said Road suitable Garden Spots for such respective Toll Houses (not exceeding One-eighth Part of a Statute Acre to each Toll House), as the said Trustees shall think necessary, and from Time to Time to take down and remove or to alter and discontinue the same or any of them as the said Trustees shall think proper and direct or appoint.

Power to sell the present Toll Houses.

XIII. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Acts hereby repealed on the said Roads to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, where they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same, and in case of Sale to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land as is by the said last recited Act directed to be given

where any Piece or Pieces of Ground, or old Road not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of.

XIV. And be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees in repairing, widening, and improving the said Road, to take or pull down any Dwelling House or other Building, or any Part thereof, or to take or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

Trustees
restrained
from pulling
down Houses.

XV. And be it further enacted, That from and immediately after the said Twenty-fourth Day of *June* next after the passing of this Act, there shall be demanded and taken at each and every Toll Gate to be continued or erected by virtue of this Act, before any Horse or other Beast, Cattle, or Carriage, upon which any Toll is hereby imposed shall be permitted to pass through the same, the several Tolls herein-after mentioned; (that is to say),

For every Horse or other Beast drawing any Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Break, Chaise, Curricle, Gig, Chair, or other such Carriage, any Sum not exceeding Sixpence:

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches at the Bottoms or Soles thereof, any Sum not exceeding Sixpence:

For every Horse or other Beast, laden or unladen, and not drawing, any Sum not exceeding Two-pence:

For every Drove of Oxen, Cows, or other Neat Cattle, any Sum not exceeding Ten-pence *per* Score; and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, any Sum not exceeding Five-pence *per* Score; and so in proportion for any greater or less Number:

For every Coach, Chariot, Chaise, Chair, or other Carriage whatsoever with Four Wheels, which shall be affixed, tied, or secured to any Waggon, Wain, Cart, or other Carriage, the same Toll as for a Coach, Chariot, Chaise, or other Carriage drawn by Two Horses or other Beasts:

For every Chair, Cart, or other Carriage whatsoever with Two Wheels only, which shall be affixed, tied, or secured to any Waggon, Wain, Cart, or other Carriage, the same Toll as for a Chair, Cart, or other Carriage drawn by One Horse or other Beast:

Which said respective Tolls in and by this Act granted and made payable as aforesaid shall be and are hereby vested in the Trustees for the Time being for carrying this Act into Execution.

XVI. Provided always, and be it further enacted, That no Person or Persons in respect of any Horse, Cattle, or other Beast, shall be subject to or charged with the Payment of any of the Tolls by this Act made payable more than Once in any one Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night)

Tolls to be
paid Once
Day.

for

for passing or repassing through all or any of the Toll Gates or Turnpikes to be continued or erected by virtue of this Act; but that all and every Person and Persons, after having paid Toll Once as aforesaid, and producing a Note or Ticket denoting such Payment (which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Payment of the Toll), shall afterwards be permitted to pass and repass during the same Day with the same Horse, Cattle, or other Beast, Toll-free through each and every Toll Gate or Turnpike so to be continued or erected by virtue of this Act, as often as there shall be Occasion.

Stage
Coaches,
Post Chaises,
&c. to pay
each Time of
passing.

XVII. Provided also, and be it further enacted, That the Tolls granted by this Act shall be paid for and in respect of all Horses or other Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads; and also for and in respect of all Horses or other Cattle drawing any Post Chaise or other Carriage travelling for Hire, for passing and repassing along the said Roads, upon every Time of a new Hiring of such Post Chaises and other Carriages, on a Ticket being produced denoting a new Hiring.

No Toll Gate
to be erected
between the
South End
of the Ris-
borough
Road and
the North
End of the
New Marlow
Road:

XVIII. And whereas Persons travelling from or to the South End of the *Risborough* Turnpike Road, facing the Stone Pillar in the Parish of *West Wycombe*, to or from the North End of the *New Marlow* Turnpike Road, by *Crispin's Chapel* in the same Parish, would pass over only Five Furlongs or thereabouts, of the Road hereby directed to be kept in repair, and would pay Tolls at Two Toll Gates, one near the said Stone Pillar, and the other about One Mile and an Half beyond *Crispin's Chapel* aforesaid; be it therefore further enacted, That it shall not be lawful for the said Trustees, or for any other Person acting under the Authority of this Act or otherwise, to erect or place any Toll Gate between the South End of the *Risborough* Turnpike Road, facing the Stone Pillar aforesaid, and the North End of the *New Marlow* Turnpike Road, by *Crispin's Chapel* aforesaid, being Five Furlongs in Length, or thereabouts.

Table of
Tolls to be
put up.

XIX. And be it further enacted, That the said Trustees shall and they are hereby required to put up or cause to be put up, and afterwards to be continued at every Toll Gate erected or continued by virtue of this Act, a Table, painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing the several Tolls, and the different Sorts of Carriages for which they are to be paid where there shall be any Variation therein, and also a List of the several Gates which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and the said Trustees shall also provide Tickets denoting the Payment of Toll, and on such several Tickets shall be specified the Name of the Gate at which same respectively shall be delivered, and also the Names of the several Gates freed by such Payment, one of which Tickets shall be delivered *gratis* to the Person paying the Toll; and on the Production of such

such Ticket at any Gate or Gates therein mentioned, as being cleared as aforesaid by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned, without paying any further or additional Toll.

XX. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act for any Horse, Beast, or other Cattle or Carriage employed in carrying or conveying, or returning empty, having been employed only in carrying or conveying on the same Day, any Dung, Soil, Compost, or Manure for improving Lands, or any Ploughs, Harrows, or Implements of Husbandry (unless laden also with some other thing not hereby exempted from Toll), or any Hay, Straw, Fodder for Cattle, and Corn in the Straw which has grown or arisen on Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, or Corn in the Straw, Potatoes, or other agricultural Produce, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of, or for any Horse or other Beast employed in Husbandry 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, such Horses or other Beasts not going or returning on those Occasions more than Two Miles on the said Road.

Agricultural Exemptions.

XXI. And be it further enacted, That all the Monies already collected or received under or by virtue of the said recited Acts hereby repealed, or which shall hereafter be borrowed, collected, or received under the Powers and Authorities of the said last recited Act and this Act, or either of them, shall be disposed of and applied in manner following; (that is to say), in the first Place, in Payment and Discharge of the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for any Monies which may have been advanced for that Purpose; in the second Place, in Payment and Discharge of the Salaries and Compensation to be made to Officers and other Persons assisting in the Execution of this and the said last-recited Act; and in the next Place, in Payment and Discharge of the Expences of widening, altering, diverting, repairing, improving, and keeping in repair the said Road, and paying the Interest of the Monies due on the Credit of the said former Acts, or any of them, and this Act, and in defraying the necessary Expences attending the Execution of this Act; and lastly, in paying off and discharging the principal Monies due and owing on the Credit of the said former Acts and this Act, and in otherwise putting this Act and the said last recited Act into Execution.

Application of the Money arising from the Road.

XXII. 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 Act of the Third Year of the Reign of His present Majesty 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

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

[Local.]

28 I

entitled

entitled to receive the same, within Ten 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 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: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall receive in pursuance of the said last recited Act or this Act, all such Sums, Costs, Charges, and Expences as he shall pay or be put unto by virtue of any such Order as aforesaid.

Statute
Labour.

XXIII. 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 the repairing and amending the said Road, shall be and remain liable thereto, in like Manner in every respect as they now are or have heretofore been; and it shall be lawful for any Two or more Justices of the Peace in and for the said Counties of *Buckingham* and *Oxford*, within their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the Treasurer, Clerk, or Surveyor of the said Road, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Hamlets, and Places in or through which the said Road doth or shall lie, lead, or pass; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees or their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Hamlet, or Place, to bring in a List before the said 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, Hamlet, 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 Drafts 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,

tions, as are or may be directed by any Law or Statute in force or effect for the Repairs of the Public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Hamlets, and Places respectively, to pay over to the said Trustees or their Treasurer, such Proportion of the Composition for Statute Work as aforesaid as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose by any Surveyor to the 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 Fines, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for Repairs 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 any Part of the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle and negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road; all which Forfeitures shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Road; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets, or Places shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and 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 Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the Counties of *Buckingham* and *Oxford*, within their respective Jurisdictions, on Complaint made to such Justices by the Surveyor to the said Trustees.

XXIV. And be it further enacted, That this Act shall be deemed Public Act. 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.

XXV. And

Commence-
ment and
Continuance
of Act.

XXV. And be it further enacted, That this Act shall commence on the Twenty-fourth Day of *June* next after the same shall receive the Royal Assent, and shall continue in force for 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. 1823.