



ANNO QUARTO

GEORGIIV. REGIS.

Cap. xxix.

An Act for amending the Road from the *Devizes* Turnpike Road, at or near *Somerham Brook*, through *Melksham*, to the *Horse and Jockey* in the Parish of *Box* in the County of *Wilts*, and certain other Roads leading out of the said Road, all in the said County. [12th May 1823.]

WHEREAS an Act was passed in the Twentieth Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for amending the Road from the West End of Seend Street to the Horse and Jockey in the Parish of Box in the County of Wilts, and certain other Roads leading out of the said Road; and for making an additional Road from the said Road in the Chapelry of Seend, to communicate with the Devizes Turnpike Road at or near Somerham Brook in the same Chapelry, all in the said County:* 20 G. 3. c. 98. And whereas an Act was passed in the Forty-second Year of the Reign of His said late Majesty, intituled *An Act for continuing the Term and Powers of an Act made in the Twentieth Year of the Reign of His late Majesty, intituled 'An Act for amending the Road from the West End of Seend Street to the Horse and Jockey in the Parish of Box in the County of Wilts, and certain other Roads leading out of the said Road; and for making an additional Road from the said Road in the Chapelry of Seend, to communicate with the Devizes Turnpike Road at or near Somerham Brook in the same Chapelry, all in the said County:'* 42 G. 3. c. 3. And whereas the Trustees appointed in or by virtue of the said Acts have proceeded to put the same into Execution, and considerable Sums of Money

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have been borrowed on the Credit of the Tolls by the said Acts granted, which still remain due and owing, and cannot be paid off, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Term granted by the said recited Acts be further continued; and it would be more convenient if the said Acts passed in the Twentieth and Forty-second Years of the Reign of His said late Majesty King George the Third were repealed, and other Powers and Provisions granted instead thereof: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King George the Fourth, 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 the said recited Acts passed in the Twentieth and Forty-second Years of the Reign of His said late Majesty King George the Third, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and that this Act shall commence and take effect in lieu and instead thereof, and shall be put in execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, turning, altering, improving, and keeping in repair the Road leading from the *Devizes* Turnpike Road, at or near *Somerham Brook* in the Chapelry of *Seend* through the Town of *Melksham*, to the *Horse and Jockey* in the Parish of *Box* in the County of *Wilts*, and certain other Roads leading out of the said Road; and also the Road from the *George Inn* in the Parish of *Melksham*, to the *Wilts* and *Berks* Canal Bridge, at or near *Catley Cross* in the same Parish; and also the Road from the Town of *Melksham* to the South End of a Wall inclosing a Garden formerly belonging to *Samuel Rumsey* in *Semington Lane* in the said Parish.

3 G. 4. c. 126.

Recited Acts
20 G. 3. c. 98.
42 G. 3. c. 3.
repealed.

This Act to
be subject to
the Two Acts
repealed as
to Money
owing.

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit or on account of the said Two first-recited Acts, and also of such other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of the said recited Acts and of this Act, or any of them, and of all Interest due and to grow due for the same respectively.

Extending
the Powers of
3 G. 4. to this
Act.

III. And be it further enacted, That all the Powers, Provisions, Remedies, Penalties, and Exemptions, Matters and Things, contained in the said recited Act passed in the Third Year of the Reign of His said present Majesty, shall extend and be deemed, construed, and taken to extend to this Act, in as full, large, and ample a Manner, to all Intents, Constructions, and Purposes whatsoever, as if the same respectively were repeated, and re-enacted in the Body of this Act, save and except where the same are or any Part thereof is expressly varied, altered, or repealed by this Act.

Bonds and
Securities
entered into
under the
former Acts,
to remain in
force until
satisfied and
paid.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities, made or entered into by any Person or Persons, to or with any of the Trustees for executing the said Two first recited Acts, according to the Provisions and Directions thereof respectively, 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, and all

Contracts,

Contracts, Agreements, Demises, Mortgages, and Securities, duly made or entered into by the Trustees for executing the said Acts hereby repealed, to or with any Person or Persons; shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said last recited Act, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively.

V. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Wilts*, together with *Ambrose Awdry, John Awdry, Ambrose Awdry the younger, John Awdry the younger, Peter Awdry, Jeremias Awdry Clerk, James Henry Arnold Doctor of Laws, William Bruges, Thomas Bruges the younger, Christopher Beaven, Nathaniel Barton, George Thomas Chamberlain Clerk, John Fuller the younger, Thomas Flower, Robert Fowler, Thomas Fowler, John Fowler, William Gaisford, James Gent, Robert Hale Blagden Hale, Thomas Heathcote Clerk, William Hughes, Thomas Jefferys, Richard Long the younger, John Long the younger, Walter Long Clerk, Thomas Noyes Lewis, George Moule, Frederick Moule, Henry Atworth Merewether, Edward Phillips, Edward Phillips the younger, John Ledyard Phillips, Thomas Redman, James Redman, William Redman, Thomas Redman the younger, Joseph Smith Clerk, William Salmon, William Wroughton Salmon, John Tylee, Thomas Tylee, Charles Tylee, William Tinker, John Charles Tufnell, Bouchier William Wrey Clerk*, and their Successors, shall be and they are hereby appointed the Trustees for putting the said last-recited Act and this Act in execution. Trustees.

VI. And be it further enacted; That it shall and may be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized and empowered, at their First Meeting, or at any General Meeting to be holden in pursuance of this Act, to elect any Number of Persons not exceeding Five in the whole, to be Trustees for the Purposes of this Act and the said last-recited Act, in addition to the Trustees hereby and by the said last-recited Act appointed; and such Trustees so elected, and being qualified according to the Directions of the said last-recited Act and this Act, shall be and are hereby invested with the same Powers and Authorities for executing this and the said last recited Act as if they had been hereby nominated and appointed. Power to appoint additional Trustees.

VII. 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 (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), Trustees to take an Oath truly to execute the Acts.

‘ 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 reposed
 ‘ 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, &c.*
 ‘ [here

' [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, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparance, 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 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 such Oath previously to his having acted as such Trustee as aforesaid.

Meetings of
the Trustees.

VIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the *Kings Arms Inn* in *Melksbam* in the said County of *Wilts*, or at some other convenient House or Place on or near the said Roads, on the First *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, for the Purpose of carrying the same and the said last-recited Act into Execution; and that the said Trustees, or any Five or more of them, shall and may adjourn themselves from Time to Time, and meet at the above Inn, or at any House or Place, as they or any Five or more of them may think proper; and that if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and that Two Trustees shall be sufficient for the Purpose of Adjournment only; and that in case the said Trustees or any of them shall not attend, or shall omit to adjourn, then the Clerk to the said Trustees shall adjourn the said Meeting, and appoint the said Trustees to meet at the Place where such last Meeting was appointed to be held, within Fourteen Days next after the Day on which such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on the several Turnpike Gates on the said Road, at least Ten Days before such Meeting.

Trustees to
appoint Offi-
cers.

IX. And be it further enacted, That the said Trustees shall and may, by Writing under their Hands, elect and appoint a Treasurer or Treasurers, and a Clerk or Clerks, and also a Collector or Collectors of the Tolls, and of all the Monies to be collected, or which shall or may be due and payable under or by virtue of the said last-recited Act and this Act; and the said Trustees shall likewise appoint some fit and proper Person or Persons to be a Surveyor or Surveyors of the said Roads, and all such other Officers as they the said Trustees shall think proper; and they the said Trustees shall and may from Time to Time remove all such Treasurers, Clerks, Collectors, Receivers, Surveyors, and other Officers, or any of them, when and as often as they shall see Occasion, and appoint others
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in their Stead, as to the said Trustees shall seem proper; and the said Trustees shall and may, out of the Tolls and other Monies to be collected and received under or by virtue of the said last-recited Act and this Act, make such Allowance, by way of Salaries or otherwise, unto the Treasurers, Clerks, Collectors, Receivers, Surveyors, and other Officers so to be appointed, for and in consideration of the Care and Pains by them respectively taken in the Execution of their respective Offices, and to such other Person or Persons as shall be assisting in and about the Execution of the said last recited Act and this Act, as to the said Trustees shall seem proper.

X. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (except the Treasurer), nominated and appointed under and by virtue of the said Two first-recited Acts hereby repealed, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying the said recited Act of the Third Year of the Reign of His said present Majesty and this Act into Execution, and shall be subject and liable to such 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 may continue until others are appointed.

XI. 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 Impar lance, shall be allowed.

Trustees not to appoint the same Person to Two Offices.

XII. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said Two first-recited Acts, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Acts had not been repealed.

Books used under former Acts to be Evidence under this Act.

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XIII. Pro-

Officers under former Acts to account.

XIII. Provided always, and be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said Two first-recited Acts, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Roads, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said last-recited Act inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Acts and this Act.

Power to continue present Gates, or to erect others, &c.

XIV. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, as they shall think proper, continue or remove all or any of the Toll Gates erected by virtue of the said Two first recited Acts, or which shall or may be erected by virtue thereof and of this Act, or any of them, and may erect and set up, or cause to be erected and set up, any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Roads, and upon the Sides thereof respectively, and also across any Lane or Way leading into or out of the same, and may also continue, erect, or provide a Toll House, with suitable Out-buildings and Conveniences, at or near each Toll Gate, and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees or any Five or more of them shall think expedient, and also may take in and inclose from the said Roads convenient Garden Spots for the said Toll Houses respectively, not exceeding One-eighth Part of an Acre to each Tollhouse, any thing in this or the said Two first-recited Acts to the contrary notwithstanding.

Power to sell the present Toll Houses.

XV. 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 recited 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, when 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 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 Non-application thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Lands 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.

XVI. And be it further enacted, That the several Tolls following shall be demanded and taken at each of the Gates, Bars, or Chains, by such Person or Persons as the said Trustees, or any Three or more of them, shall from Time to Time appoint for that Purpose, before any Horse, Cattle, or Carriage shall be permitted to pass through the same; (that is to say),

Power to take
Tolls.

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Sledge, Dray, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and an Half at the Bottom thereof, the Sum of Nine-pence :

Tolls.

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Sledge, Dray, or such other Carriage, having the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches, the Sum of Seven-pence Halfpenny :

For every Horse or other Beast, drawing any Waggon, Wain, Cart, Sledge, Dray, or other such Carriage, having the Wheels thereof of the Breadth of Six Inches, the Sum of Sixpence :

For every Horse or other Beast, drawing any Taxed Cart, the Sum of Sixpence :

For every Horse or other Beast, drawing any Coach, Chariot, Landau, Berlin, Hearse, Curricule, Chair, or other Carriage of whatever Description, the Sum of Three-pence :

For every Horse or other Beast, laden or unladen and not drawing, the Sum of One Penny :

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any greater or less Number : And,

For every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Eight-pence *per* Score, and so in proportion for any greater or less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed.

XVII. Provided always, and it is hereby further enacted and declared, That if it shall at any Time appear to the said Trustees, or to a Majority of them, at any Meeting to be held under or by virtue of this Act, such Majority not being less than Eleven, that the Roads included in this Act cannot be sufficiently repaired, widened, and altered, and the Interest of the Money borrowed on the Credit thereof be from Time to Time punctually paid, then it shall be lawful for the said Trustees and they are hereby required to raise and increase the said several Tolls, not exceeding One Half of the present Amount thereof, and the Tolls so raised shall be from Time to Time collected, recovered, and applied in the same Manner as the Tolls by this Act are directed to be collected, recovered, and applied; but no such Increase of Toll shall be made until Thirty Days previous Notice in Writing under the Hand of the Clerk of the said Trustees, of the Time and Place of Meeting for that Purpose, by the Order of the said Trustees, fixed on all the Turnpike Gates then erected across or on the Sides of the Road intended to be repaired by virtue of this Act, nor until the like Notice be advertized in One or more Newspapers circulated in the said County of *Wilts.*

Power to
raisetheTolls
One Half if
Roadscannot
be sufficient-
ly repaired.

XVIII. Pro-

Tolls to be paid but once a Day at each Gate.

XVIII. Provided always, and be it further enacted, That no Person shall be subject to the Payment of Toll more than once in any One Day (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), for passing and re-passing with the same Horse or Horses, Beasts or Cattle, through the same Turnpike, (except as herein-after mentioned), such Person or Persons producing a Note or Ticket denoting the Payment of such Toll, and which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Payment of the Toll.

Limiting the Number of Tolls to be taken in one Day.

XIX. And be it further enacted, That no more than One full Toll shall be taken upon the said Roads for the same Horses, Beasts, Cattle, and Carriages passing and re-passing through all or any of the Toll Gates erected or to be erected across or on the Sides of the said Roads in any one Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night; but that all and every Person and Persons, after having paid One full Toll as aforesaid, and producing a Note or Ticket or Notes or Tickets denoting the Payment of such Toll, shall afterwards pass with the same Horses, Beasts, Cattle, and Carriages, Toll-free during such Day, to be computed as aforesaid, through all and every the Gate and Gates, Turnpike and Turnpikes, erected or to be erected by virtue of this Act on the said Roads, or across any Road or Way leading out of the same; and that all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis*, on Receipt of the Toll in Manner aforesaid.

Stage Coaches, Caravans, and Post Chaises, to pay every Time of passing.

XX. Provided always, and be it further enacted, That for or in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for re-passing through such Toll Gate, in like manner as if no Toll had been before paid; and the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise and other Carriage travelling for Hire, for every Time of passing or re-passing along the said Roads, on the same Day, with a Ticket denoting a fresh Hiring.

Carts and Waggon passing more than Six Times upon the Canal Wharf at Melksham, to pay a Second Time.

XXI. Provided also, and be it further enacted, That in all Cases of Carts and Waggon passing any Gate upon the said Roads more than Six Times in any One Day, from the Canal Wharf at *Melksham*, such Carts and Waggon shall be liable to pay the Toll a Second Time for passing upon the said Roads, any thing herein contained to the contrary notwithstanding.

Expences of the Act how to be paid, &c.

XXII. And be it further enacted, That out of the Monies already raised by virtue of the said Two first-recited Acts, and now in the Treasurer's Hands, or out of the first Monies that shall be raised by virtue of the said Act, passed in the Third Year of the Reign of His present Majesty, and this Act, the said Trustees shall pay and discharge all the Expences and Costs relative to procuring and passing of this Act, in preference to any other Payment whatsoever; and that the Treasurer to the said Trustees shall thenceforth, Twice at least in every Year, discharge the Interest upon

upon all Mortgages and other Securities made by virtue of the said former Acts, or to be made by virtue of the said last recited Act or this Act, if the same shall be demanded, in preference to all other Payments; and the Remainder of the Money so raised shall from Time to Time be applied in putting this Act in Execution, and in repaying the principal Monies by this Act charged or borrowed.

XXIII. Provided always, and be it enacted, That the Powers and Authorities hereby given shall not in any case be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in 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.

Dwelling Houses not to be taken down without the Consent of Proprietor.

XXIV. And be it further enacted, That the said Trustees, or such Person or Persons as they shall for that Purpose authorize, delegate, or appoint, shall and may and they and he are and is hereby empowered to contract with any Person or Persons for making, altering, diverting, widening, repairing, or otherwise improving the said Roads, or any Part thereof, or for doing any other Work to be performed in the Execution of the said last recited Act and this Act, in such manner, and for such Sum or Sums of Money, as the said Trustees shall think proper.

Trustees may contract for the making or repairing the Roads.

XXV. 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 Roads or any Part thereof, shall still remain liable thereunto in like manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the said County of *Wilts*, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Clerks, Surveyor or Surveyors, by their Order), yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Townships, or Places liable thereto, or in which the said Roads do lie, 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 their Treasurer or Treasurers; and in order thereto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Township, or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons, either personally or by leaving the same at his or their Dwelling House or Dwelling Houses), 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 Draughts or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is or may be directed by any Law or Statute

Regulations as to the Performance of Statute Work.

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in Force and Effect for the Repair of the Public Highways; and out of such Lists such Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said 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 shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Surveyor or Surveyors of such respective Parishes, Townships, or Places, to pay over to the said Trustees, or their Treasurer or Treasurers, 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 Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them 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 Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had refused or neglected 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 or Treasurers to the said Trustees, and applied towards amending the said 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 or 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 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 One or more Justice or Justices, on Complaint made to such Justice or Justices, by the Surveyor to the said Trustees.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to

XXVI. 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 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 or Costs, or for any 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

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 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, 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 their Treasurer for the Time being, as the Case may be: Provided always, that the said Treasurer shall and may retain, out of any Monies which may come into his Hands in pursuance of this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of such Order or Orders as aforesaid.

be levied by
Distress of
the Goods of
such Trustees
or their
Treasurer.

XXVII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to keep in repair all and every the Causeway or Causeways for the Use of Foot Passengers in, upon, or on the Sides of the said Roads; and they are hereby authorized to make such further Causeway or Causeways in, upon, or on the Sides of the said Roads, as they shall think proper.

Causeways to
be kept in
Repair.

XXVIII. 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 especially pleaded.

Public Act.

XXIX. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Term of the
Act.

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