ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

****

Cap. xxiv.

An Act for enlarging the Term and Powers of an Act of His preſent Majeſty, for repairing the Roads from *Alconbury Hill* to *Wanſford Bridge*, and from *Norman Croſs* to *Peterborough Bridge*, all in the County of *Huntingdon*. [8th *April* 1819.]

WHEREAS an Act was paſſed in the Thirty-eighth Year of the Reign of His preſent Majeſty, intituled *An Act for repairing the Roads from the* Stone Pillar *upon* Alconbury Hill *to* Wanſford Bridge, *and from* Norman Croſs *to* Peterborough Bridge, *all in the County of* Huntingdon, *and for repealing certain Acts relating thereto:* (38 G. 3. c. 48.) And whereas the Truſtees appointed by or in purſuance of the ſaid recited Act, have made great Progreſs in carrying into Execution the Powers and Authorities thereby veſted in them, and ſeveral Sums of Money borrowed upon the Credit of the Tolls authorized to be taken upon the ſaid Roads have, together with ſuch Tolls, being duly applied and now remain due; and which Money ſo borrowed, with an Arrear of Intereſt, cannot be repaid, nor the ſaid Roads effectually amended and kept in Repair, unleſs the Term of the ſaid Act be further continued, the exiſting Tolls increaſed, and ſome of the Proviſions thereof altered and enlarged: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice

Act further continued.

and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, and all and every the Clauſes, Powers, Penalties, Forfeitures, Privileges, Proviſions, Matters and Things therein contained, (except ſuch Parts thereof as are hereby varied, altered, or repealed), ſhall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, in as full, ample, and beneficial a Manner, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Alterations and Amendments herein contained; and the Term, Tolls, and Powers hereby granted ſhall be, and the ſame are hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on account of the ſaid Roads, or which ſhall or may hereafter be borrowed or become due on the Credit or on account of the ſame by virtue of the ſaid recited Act and this Act, and of all Intereſt due and to grow due thereon reſpectively.

Truſtees appointed.

II. And be it further enacted, That from and after the paſſing of this Act the Honourable and Reverend *George Gordon*, Sir *James Duberley* Knight, *John Atkinſon*, *Thomas Atkinſon*, *Robert Bird*, *Andrew Chambers*, *James Clarke*, *Euſebius Cleaver*, *Henry Crofts* junior, *James Duberley* junior, *Henry Freeman* junior, *John Gates*, *John Moyer Heathcote*, the Acting Magiſtrates for the County of *Huntingdon* for the Time being, *William Lawrance*, *John Newton*, *Joſeph Procter* Doctor of Divinity, *William Roberts*, *Caſtel Sherard*, *William Strong* junior, Clerk, *Henry Sweeting* junior, *Charles Warner*, *Joſeph Warwick*, *Michael Wells*, and *Tycho Wing*, together with Ten other Perſons to be named as Truſtees at the firſt or any other Meeting to be held under this Act, ſhall be added to and joined with the ſurviving Truſtees appointed by or in purſuance of the ſaid recited Act for putting the ſaid recited Act and this Act into Execution; and the Truſtees ſo nominated or to be appointed as aforeſaid, and their Succeſſors (being qualified according to the Directions of the ſaid recited Act), are hereby empowered to act in the Execution of the ſaid recited Act and this Act, as fully and effectually to all Intents and Purpoſes as if they had been appointed Truſtees in or by the ſaid recited Act.

Qualification of Truſtees.

III. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of the ſaid recited Act or this Act, unleſs at the Time of his acting he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or be Heir Apparent of a Perſon ſeized of an Eſtate in Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds, or be poſſeſſed of a Perſonal Eſtate to the Amount or Value of Four thouſand Pounds; any Thing in the ſaid recited Act contained to the contrary thereof notwithſtanding: Provided nevertheleſs, that all the Acts and Proceedings of any ſuch Perſon acting or who ſhall act in the Execution of the ſaid recited Act or this Act, previous to his being convicted of the ſaid Offence, ſhall be as valid and effectual as if ſuch Perſon had been qualified according to the Directions of this Act.

IV. And

Five Truſtees to be a Quorum.

IV. And be it further enacted, That all Acts to be done relative to the Execution of the ſaid recited Act or of this Act, ſhall and may be done and executed by the Majority of the Truſtees who ſhall be preſent at the reſpective Meetings to be holden in purſuance thereof, the whole Number preſent of ſuch Truſtees not being leſs than Five; and all Acts, Proceedings, Matters and Things ſo done, ſhall be as good, valid, and effectual as if the ſame had been done by all the Truſtees named or appointed by virtue of the ſaid recited Act or this Act.

No Order to be revoked, unleſs at a Meeting for that Purpoſe, nor unleſs Nine of the Truſtees preſent concur.

V. And be it further enacted, That no Order, Appointment, or Proceeding made at any Meeting of the Truſtees holden in purſuance of the ſaid recited Act or this Act, ſhall be revoked or altered at any ſubſequent Meeting, unleſs at a Meeting to be holden for that expreſs Purpoſe only, nor unleſs Notice, ſpecifying the Revocation or Alteration intended to be made, ſigned by the Clerk to the ſaid Truſtees, be advertiſed in ſome Newſpaper uſually circulating in the Neighbourhood of the ſaid Roads, and affixed on all and every the Turnpikes that ſhall be ſtanding on the ſaid Roads, at leaſt Ten Days before ſuch ſubſequent Meeting, nor unleſs a Majority of Nine Truſtees at the leaſt preſent at ſuch ſubſequent Meeting ſhall decide in favour of ſuch Revocation or Alteration; and that the ſaid Truſtees at all their Meetings ſhall pay their own Expences.

Preſent Tolls to ceaſe, and new ones granted.

VI. And be it further enacted, That the ſeveral Tolls now payable upon the ſaid Roads, by virtue of the ſaid recited Act, ſhall from and after the Twelfth Day of *Auguſt* next after the paſſing of this Act, ceaſe and be no longer payable, and that inſtead thereof, the following Tolls ſhall be demanded and taken at each and every of the Toll Gates erected or to be erected under the Authority of the ſaid recited Act or this Act; (that is to ſay),

For every Horſe or other Beaſt of Draught, drawing any Coach, Berlin, Landau, Chariot, Chaiſe, Curricle, Calaſh, Hearſe, Chaiſe Marine, Chair, Gig, Whiſkey, Taxed Cart, or other Carriage of the like Kind, the Sum of Sixpence:

For every Horſe or other Beaſt of Draught, drawing any Waggon, Wain, Cart, or other Carriage of the like Kind, the Sum of Threepence:

For every Four-wheeled Carriage, in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawing, the Sum of One Shilling; and for every Two-wheeled Carriage ſo fixed, the Sum of Sixpence:

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

For every Drove of Oxen or Neat Cattle, the Sum of Ten-pence *per* Score, and ſo in proportion for any leſs Number:

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

Toll Gates, &c.

VII. And be it further enacted, That the ſaid Truſtees ſhall and may continue the preſent Toll Gates and Weighing Engines, with the ſeveral Houſes, Outbuildings, and Appurtenances thereto belonging, or may remove

remove such Toll Gates and Weighing Engines, or any of them, to any Places or Place on the said Roads, as they shall find necessary; and may also erect and set up such Toll Gates or Turnpikes on the Sides of the said Roads, and in, upon, or across any Lane or Bye-Way that doth or shall lead into or out of the said Roads, as they shall think proper, and shall erect and provide a Toll House to each of the said Toll Gates or Turnpikes, and to each Weighing Engine, with suitable Buildings and other Conveniences thereto, and inclose from the Sides of the said Roads convenient Gardens for the same.

Toll Houses, &c. vested in Trustees.

VIII. And be it further enacted, That the Right and Property of and in all the Toll Gates and Turnpikes and Toll Houses, Weighing Engines, Buildings, Lamps, Bars, Milestones, Toll Boards, Guide Posts, Posts, Rails and Fences, which are or shall be erected and provided in pursuance of the said recited Act or this Act, with the several Conveniencies and Appurtenances thereto respectively belonging, and the Materials of which the same shall consist, and all Materials which shall be provided for repairing the said Roads, shall be vested in the said Trustees for the Time being, and they are hereby authorized and empowered to apply and dispose of the same as they shall think fit, and to bring or cause to be brought any Action or Actions, and to prefer and prosecute, or order and direct the preferring and prosecuting of any Informations or Indictments against any Person or Persons who shall dig up, break or pull down, or deface, steal, take or carry away, spoil, destroy, injure or damage any of the said Toll Gates, Turnpikes or Toll Houses, Weighing Engines, Buildings, Lamps, Bars, Milestones, Toll Boards, Guide Posts, Posts, Rails and Fences, or any of the Conveniencies and Appurtenances thereto belonging, or any of the Materials aforesaid, stating the Property therein to be in their Clerk or Treasurer.

Tolls not payable at more than Two Gates; and Tickets to be provided.

IX. Provided always, and be it further enacted, That no Person or Persons shall be liable to the Payment of Toll at more than Two Bars on the said Roads on passing between *Alconbury Hill* and *Wansford Bridge*, or between *Alconbury Hill* and *Peterborough Bridge*, in any one Day; and that upon Payment of any of the Tolls granted or made payable by virtue of the said recited Act or this Act, the Collector or Receiver shall, and he is hereby required to deliver *gratis* to the Person or Persons paying such Toll, a Note or Ticket denoting such Payment; and all such Notes or Tickets shall be provided by the said Trustees, and there shall be printed and specified thereon the Name of the Gate where such Payment shall have been made, for what such Payment shall have been made, and the Name of the Gate and Gates which such Ticket shall free, and the Person or Persons producing the same shall be allowed to pass Toll-free through the Gate therein specified.

Manner of Recovery of Tolls.

X. And be it further enacted, That if any Person subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, or any Part or Parts thereof, it shall and may be lawful for the Person or Persons authorized and appointed by the said Trustees to collect the said Tolls, to enforce the Payment of such Tolls by himself or themselves, or taking such Assistance as he or they shall think necessary, and to seize or distrain any Horse, Beast, or other

other Cattle upon which any such Toll is by this Act impoſed, together with their Saddles, Gears, Harneſs or Accoutrements (except the Bridle or Reins of any ſuch Horſe or other Beaſt ſeparate from ſuch Horſe or other Beaſt) or any Carriage in reſpect of the Horſes or Beaſts drawing; and if ſuch Toll, and the reaſonable Charges of ſuch Seizure and Diſtreſs, ſhall not be paid within the Space of Four Days after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining may ſell the Horſes, Beaſts, Cattle, Carriages or Things ſo ſeized and diſtrained, or a ſufficient Part thereof, returning the Overplus of the Money to ariſe by ſuch Sale (if any) and what ſhall remain unſold, upon Demand to the Owner thereof, after ſuch Tolls, and the reaſonable Charges occaſioned by ſuch Seizure, Diſtreſs and Sale, ſhall be deducted.

For ſettling Diſputes reſpecting Tolls.

XI. And be it further enacted, That if any Diſpute ſhall happen about the Amount of the Tolls due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof, (as the Caſe may happen) till the Amount of the Tolls due and the Charges of the Diſtreſs and Sale and of keeping the Diſtreſs (as the Caſe may happen) be aſcertained by One or more Juſtice or Juſtices of the Peace for the County of *Huntingdon*, who, upon Application made to him or them for that Purpoſe, ſhall examine the Matter on the Oath of the Parties and other Witneſs or Witneſſes (if any) and ſhall determine the Amount of the Tolls due, and ſhall award ſuch Coſts and Charges to either Party as to the ſaid Juſtice or Juſtices ſhall appear right and proper; all which Coſts and Charges ſhall and may be levied and recovered, in caſe of Non-payment thereof forthwith, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, rendering the Surplus (if any) on Demand, after deducting the Coſts and Charges, and the Coſts and Charges of making ſuch Diſtreſs, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

Collectors of Tolls not to be deemed incompetent Witneſſes.

XII. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in anywiſe relating to the ſaid Tolls, or any of them, or to the Recovery of any of the Penalties by the ſaid recited Act or this Act impoſed, no Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall be deemed to be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his or their being appointed to collect the ſaid Tolls, or acting as aforeſaid.

Truſtees in the Commiſſion of the Peace may act as Juſtices, and Creditors may act as Truſtees.

XIII. And be it further enacted, That ſuch of the Truſtees of the ſaid recited Act and this Act for the Time being, as are or ſhall be in the Commiſſion of the Peace for the County of *Huntingdon*, ſhall and may act as Juſtices of the Peace in the Execution of the ſaid recited Act and this Act, notwithſtanding ſuch Juſtices being Truſtees as aforeſaid; and that any Mortgagee, or Aſſignee of any Mortgage or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by the ſaid recited Act or this Act, or receiving Intereſt for

for the ſame, ſhall not on that account be deemed diſqualified to act as a Truſtee.

For puniſhing Toll Collectors for Miſconduct.

XIV. And be it further enacted, That all and every Toll Collector, being Leſſee of the Tolls authorized to be collected upon the ſaid Roads, or appointed or continued, either by the ſaid Truſtees, 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 Act or this Act, ſhall, and he and ſhe is hereby required to place his or her Chriſtian and Surname, painted on a Board in legible Characters, in the Front or ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately on his or her coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or in Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he or ſhe ſhall be upon 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 than he or ſhe ſhall be authorized to do by virtue of the ſaid recited Act or this Act, or of the Orders and Reſolutions of the Truſtees made in purſuance thereof, 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 or her Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame on having paid the ſaid Tolls, or any of them, or ſhall in anſwer to any ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket denoting the Payment of the Toll, and naming and ſpecifying the ſeveral Gates freed by ſuch Payment (all which Tickets the Collectors are hereby required to deliver *gratis*, on Payment of ſuch Toll), or ſhall unneceſſarily detain any Paſſenger or Paſſengers, or ſhall make uſe of abuſive Language to any Traveller or Travellers, Paſſenger or Paſſengers, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by the ſaid recited Act, or by this Act, directed to be recovered and applied.

Exemptions from Tolls.

XV. And be it further enacted, That no Toll ſhall be demanded or taken for any Cattle or Carriages employed in carrying or conveying, or in going to carry or convey, or returning empty from carrying or conveying on the ſame Day, any Stone, Brick, Gravel, or other Materials for repairing the ſaid Roads, or for repairing the Highways in any Pariſh or Place through which or into which any Part of the ſaid Roads paſs, or laden only with Dung, Marle, Soil, or other Manure, (Lime excepted) to be uſed in manuring of Lands or Grounds, or with any Graſs, Hay, Clover, Fodder of any Sort, Straw, or Corn in the Straw, not ſold or diſpoſed of, or going to be ſold or diſpoſed of, but to be laid up in any of the Houſes, Outhouſes, Yards, Barns, or Premiſes of any of the reſpective Inhabitants or Occupiers of Land within the ſaid

reſpective

reſpective Pariſhes or Places; nor for any Cattle drawing or going with, or going empty or returning empty after being laden only with any Ploughs, Harrows, or other Implements of Huſbandry, belonging to any ſuch Inhabitant or Occupier; nor for any Horſe or Horſes, or other Cattle, going to and from Water, Paſture, or Plough, or other Work in Huſbandry, upon or in any of the Lands within any of the ſaid ſeveral Pariſhes or Places, or going to be or returning from being ſhoed or farried; nor for any Horſe, Cattle, or Carriage belonging to any of the Inhabitants of *Elton*, for paſſing through *Wansford Bar*, at the Place where the ſame now ſtands, or within Two Hundred Yards thereof; nor for any Horſe, Cattle, or Carriage belonging to any of the Inhabitants of *Sibſon-with-Stibbington*, for paſſing through the ſaid laſt-mentioned Bar to *Wansford*, or any Part thereof, and not elſewhere; nor ſhall any Toll be demanded or taken of or from any Rector, Vicar, or Curate, going to or returning from his own Pariſh Church, or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners, or of or from any Perſon or Perſons in any of the ſaid Pariſhes or Places, or the Pariſh or Place next adjoining, for paſſing through any of the ſaid Toll Gates or Turnpikes on *Sundays*, or any other Day on which Divine Worſhip is ordered by Authority to be celebrated, to or from his, her, or their proper parochial Church or Chapel, or other uſual Places of religious Worſhip tolerated by Law, for the Purpoſe of attending, or returning after having attended Divine Service thereat; or of any Horſes or Carriages employed or to be employed in conveying, fetching, or guarding the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, or in returning back from carrying or guarding the ſame; or any Horſes or Carriages belonging to His Majeſty, or any of the Royal Family, or any Horſes or Carriages attending His Majeſty, or any of the Royal Family; or for the Horſes of Soldiers upon their March or upon Duty, or for Horſes, Cattle, or Carriages attending them, or laden only with their Arms or Baggage, or employed in 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, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for Horſes or Carriages travelling with Vagrants ſent by legal Paſſes; or for any Coaches, Berlins or Landaus, Sociables, Chariots, Curricles, Calaſhes, Chaiſes, Phaetons, Whiſkeys, Chairs, or other Carriages, or Paſſengers on Horſeback going to or returning from any Election of any Knight or Knights of the Shire to ſerve in Parliament for the County of *Huntingdon*, or on the Day before or Day after ſuch Election ſhall begin or be concluded, the Perſons travelling thereby being Freeholders and entitled to vote at ſuch Election; and that no Toll ſhall be demanded or taken for any Horſe, Mare, or Gelding furniſhed by or for any Perſon or Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided that ſuch Perſons ſhall be dreſſed in the Uniform of their reſpective Corps, and have the Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption as aforeſaid; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner whatſoever claim or take the Benefit

Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

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

XVI. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart, or other Carriage provided and uſed only for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to the Highways or Turnpike Roads, or in the ſaid recited Act or this Act contained to the contrary notwithſtanding.

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

XVII. 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 produced 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, laid out, and paid; which Book or Books ſhall at all ſeaſonable Times be open to the Inſpection of the ſaid Truſtees, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the ſaid Truſtees and Creditors, or any of them, ſhall or may take Copies of or Extracts from the ſaid Book or Books, or any Part or Parts thereof, without paying any Thing for the ſame; and in caſe the ſaid Clerk ſhall refuſe to permit the ſaid Truſtees or ſuch Creditors to inſpect the ſame, or take ſuch Copies or Extracts as aforeſaid, ſuch Clerk ſhall forfeit and pay any Sum of Money not exceeding Five Pounds.

Clerk not to be Treaſurer, and vice verſa.

XVIII. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to continue or to appoint the Perſon who has been or may be appointed to act as their Clerk in the Execution of the ſaid recited Act and this Act, or either of them, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of the ſaid recited Act or this Act, or either of them, or to continue or to appoint the Perſon who has been or may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Truſtees for executing this Act; and in caſe any Perſon ſhall act in both Capacities as Clerk and Treaſurer for the Purpoſes aforeſaid, or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of any ſuch Treaſurer ſhall act as Clerk in the Execution of the ſaid recited Act or this Act, every Perſon ſo offending ſhall for every Offence forfeit and pay the Sum of Fifty Pounds

to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance, ſhall be allowed.

Truſtees not to have Power to adminiſter Oaths on verifying Officers Accounts.

XIX. Provided always, and be it further enacted, That nothing in the ſaid recited Act contained ſhall extend or be conſtrued to extend to authorize or empower the ſaid Truſtees, or any of them, to verify the Accounts of or to adminiſter any Oath or Oaths to any Clerk, Treaſurer, Collector of the Tolls, Surveyor, or other Officer or Officers now appointed, or hereafter to be appointed, under or by virtue of the ſaid recited Act or this Act, or either of them.

Roads not to be deviated more than One hundred Yards.

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

Gates to Fields to open inward.

XXI. And be it further enacted, That all Gates to be hereafter made and placed in any Hedge or other Fence of any Field, Ground, Yard, or other Place adjoining to any Part of the ſaid Roads, ſhall be ſo made, hung, and conſtructed, as to open inward towards ſuch Field, Ground, Yard, or other Place, and not outward towards the ſaid Roads; and in caſe any Perſon ſhall hang or conſtruct any Gate or Gates contrary to the Directions of this Act, or ſhall, after the ſame ſhall have been hung ſo as to open inward towards ſuch Field, Ground, Yard, or other Place as aforeſaid, again alter the ſame ſo as to open outward towards the ſaid Roads, every ſuch Perſon or Perſons ſhall for every ſuch Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds; and that it ſhall be lawful for the ſaid Truſtees, or any Three or more of them, to cauſe all or any ſuch Gates as are now erected, and open outward towards the ſaid Roads, to be altered and made to open inward towards ſuch Field, Ground, Yard, or other Place, as they the ſaid Truſtees ſhall think proper.

To enable Truſtees to take Poſſeſſion of Toll Houſes, &c. in the Hands of Leſſees, Farmers, or Collectors.

XXII. And be it further enacted, That in caſe the Tolls ariſing from all or any of the Turnpikes, Toll Gates, or Weighing Engines erected or to be erected on the ſaid Roads, ſhall at any Time or Times be demiſed or let to farm to any Perſon or Perſons whomſoever, and the Leſſee or Leſſees, Farmer or Farmers, to whom the ſaid Tolls ſhall reſpectively be demiſed or let, 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 and unpaid by the Space of Two Days next after the Days on which the ſame ought to be paid purſuant to the Contract and Agreement for letting the ſame; or if any Collector or Receiver of the Tolls who ſhall be diſcharged from his ſaid Office by the ſaid Truſtees, or the Wife or Widow or any of the Children,

dren, Family, or Repreſentatives of any Collector or Receiver who ſhall die, abſcond, abſent himſelf, or be diſcharged, or any other Perſon or Perſons, ſhall refuſe to deliver up the Poſſeſſion of any Toll Houſe or Toll Houſes, or Weighing Engine, with the Buildings and Appurtenances thereto belonging, for the Space of Two Days next after Demand thereof in Writing, ſigned by any Five of the Truſtees, or by their Clerk or Treaſurer with their Authority, and left in ſuch Toll Houſe; then and in any of the ſaid Caſes it ſhall be lawful for the ſaid Truſtees, or any Two or more of them, or the Clerk or Treaſurer, or other Perſon authorized by Writing under the Hands of any Five or more of the ſaid Truſtees, with ſuch Aſſiſtance as ſhall be thought neceſſary, to enter into and upon the Poſſeſſion of ſuch Toll Houſe or Toll Houſes, or Weighing Engine, and other Buildings and Premiſes, in the Day-time, and remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods, out of the ſame, and from the Collection of the Tolls there payable, and to put the ſaid Truſtees, or any of their Officers, or any other Perſon or Perſons appointed by the ſaid Truſtees, or any Five or more of them, in Poſſeſſion thereof; and on ſuch Leſſee or Leſſees, Farmer or Farmers, or any Perſon or Perſons employed by or in Poſſeſſion under them, being ſo put out of Poſſeſſion as aforeſaid, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, if they ſhall think fit, to vacate and determine the Contract or Agreement for leaſing and 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, as if ſuch Demiſe, Contract, or Agreement had never been made (ſave as to the Covenants or Agreements for the Payment of the Rent or Rents thereby reſerved or made payable); and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, in every ſuch Caſe to demiſe, let, or farm the ſaid Tolls again to any other Perſon or Perſons, in the ſame Manner as if no former Demiſe, Contract, or Agreement had been made or entered into relative to the ſame.

Power to make Footpaths, and impoſing Penalties on Perſons injuring them.

XXIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to cauſe Footpaths or Cauſeways to be made on the Sides of the ſaid Roads, or any Part or Parts thereof; and if any Perſon or Perſons ſhall ride upon any Footpath or Cauſeway when made by the ſaid Truſtees, or any Surveyor or Surveyors of the Highways, or any other Perſon or Perſons within any of the Pariſhes, Hamlets or Places through which the ſaid Roads paſs, or ſhall wilfully drive any Horſe, Mule, Aſs, Cattle, Beaſt, Pig or Swine, Cart or other Carriage, or wheel any Wheelbarrow or Hand Cart thereon, or ſhall wilfully cauſe any Damage whatſoever to be done thereto, or ſhall lay any Timber, Hay, Straw, Dung, or any other Matter or Thing whatſoever upon the ſaid Footpaths or Cauſeways, or any Part thereof, or ſhall obſtruct or impede the Paſſage upon the ſame, every ſuch Perſon ſhall for every Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, and applied in ſuch Manner as other Penalties and Forfeitures are by the ſaid recited Act and this Act, or either of them, directed to be recovered, levied, and applied.

To prevent Encroachments and Annoyances.

XXIV. And for the better preventing and removing Encroachments, Nuiſances, and Annoyances in and upon the ſaid Roads, be it further enacted, That if any Owner or Occupier of any Lands or Tenements near to

to the ſaid Roads ſhall refuſe or neglect, by the Space of Ten Days after Notice in Writing given to him or her, or left at his or her uſual Place of Abode, under the Hand of any Surveyor appointed or to be appointed by virtue of the ſaid recited Act or this Act, to ſcour out and cleanſe any Ditch, Drain, or Watercourſe contiguous to or leading out of or from the ſaid Roads, or to make, build, or erect acroſs ſuch Drain, Ditch, or Watercourſe any Arch or Arches ſufficient for the free Courſe of the Water under his or her Gateway or Paſſage leading from the ſaid Roads into any Field, Ground, or other Premiſes, or to pull down, take away, or remove any Encroachments, Poſts, Rails, or any other Nuiſance whatſoever, to or upon the ſaid Roads, or any Part thereof; or if any Perſon ſhall ſuffer his or her Sink or Drain to run into or upon the ſaid Roads, or any Part thereof, or the Footpaths belonging thereto, or any of them, or ſhall throw, caſt, or lay, or permit or ſuffer to be thrown, caſt, or laid, any Duſt, Dirt, Dung, or other Filth or Annoyance, into and upon the ſaid Roads or Footpaths, or any Part thereof reſpectively, or into or upon any of the Ditches, Drains, or Watercourſes thereto belonging, it ſhall and may be lawful for the Surveyor or Surveyors of the ſaid Turnpike Roads, or for any Perſon or Perſons by him or them employed, to ſcour and cleanſe any ſuch Ditch, Drain, or Watercourſe, and to make, build, or erect ſuch Arch or Arches as aforeſaid, and effectually to turn, prevent, or ſtop up ſuch Sinks or Drains ſo running into or upon any Part of the ſaid Roads and Footpaths, or any of them, and to abut or pull down and take away any ſuch Nuiſance or Encroachment, and to remove ſuch Duſt, Dirt, Dung, or other Filth or Annoyance from the ſaid Roads and Footpaths, or from the ſaid Ditches, Drains, or Watercourſes, or any of them; and in any of the ſaid Caſes, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County of *Huntingdon*, to levy the Charge thereof (the ſame being firſt ſettled and aſcertained by ſuch Juſtice) by Diſtreſs or Sale of the Goods and Chattels of ſuch Owner or Occupier, rendering upon Demand to the Perſon whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold, the Overplus (if any) after deducting the Charges of ſuch Diſtreſs and Sale; and every Perſon who ſhall have permitted or ſuffered his or her Sink or Drain to run into the ſaid Roads, or the ſaid Footpaths, or any Part thereof, or who after the Abatement or Removal of any Nuiſance, Encroachment, or Annoyance by him or her made, cauſed, or permitted, ſhall again offend in the like Manner, he or ſhe ſhall forfeit and pay the Sum of Twenty Shillings over and above the Charges of removing every ſuch Nuiſance, Encroachment, or Annoyance (to be ſettled and aſcertained as aforeſaid), to be recovered as any Penalty can or may by the ſaid recited Act be recovered.

An Action or Ejectment may be ſupported by One Mortgagee.

XXV. And be it further enacted, That if any Mortgagee or Mortgagees of the ſaid Tolls, Toll Gates, Bars, Toll Houſes, and Buildings, ſhall ſeek to obtain the Poſſeſſion of the ſaid Toll Gates, Bars, Toll Houſes, and Buildings, in order to pay himſelf, herſelf, or themſelves the Principal Money and Intereſt, or any Part thereof, due to him, her, or them, it ſhall be competent for him, her, or them, as Leſſor or Leſſors of the Plaintiff, and upon his, her, or their Demiſe only, and without uniting in ſuch Demiſe the other Mortgagees of the ſaid 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 conſequently be received

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.

Penalty on Persons interrupting Collectors or Surveyors.

XXVI. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or attempt so to do, or cause or procure to be assaulted, interrupted, or hindered, any Collector or Collectors of the Tolls, or any of the Turnpike Surveyors, or any other Person or Persons by them or any of them, or by the said Trustees or any Two or more of them empowered, in the Execution of the Powers by the said recited Act or this Act given, or any of them, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on riding upon Causeways, &c.

XXVII. And be it further enacted, That if any Person or Persons shall ride upon any Footway or Footways, Causeway or Causeways, made or to be made in or near the Sides of the said Roads, or shall suffer any Horse or other Beast or Cattle, Pig or Swine, to graze or stray upon the said Roads, or on the Footpaths, or on the Side or Sides thereof, or shall lead or drive any Horse or Horses, Carriage or Carriages, Cattle or Swine, or shall cause any Injury or Damage to be done to the same, or to any Hedges, Fences, Walls, Posts, Rails or Paling set up along the Side of or upon any such Footway; or if any Person or Persons shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Roads, any Timber, Stone, or other Thing, otherwise than upon wheeled Carriages, or shall suffer any Timber, Stone, or other Thing which shall be carried upon wheeled Carriages to drag upon any Part of the said Roads, to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Roads shall suffer such Pigs or Swine to root up and damage the said Roads, or the Fences or Banks on either Side thereof, or shall suffer any Horse or other Beast, Pig or Swine, to graze or run loose upon the said Roads or any of them; or if any Person driving any Carriage, Waggon, Wain, or Cart upon the said Roads, and meeting another Carriage, Waggon, Wain, or Cart, shall not keep his or her Carriage, Waggon, Wain, or Cart upon his or her left or nearest Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage, Waggon, Wain, or Cart under his or her Care, upon the said Roads, or shall make or assist in making any Fire or Fires, or shall set fire to or let off or throw any Squib, Rocket, Serpent or Firework whatsoever on any Part of the said Roads, or on the Side or Sides thereof, or on the Banks or Lands adjacent or lying open thereto, or play at Foot-ball or any other Game or Games upon the said Roads, or any Part thereof, or shall lay any Timber, Stone, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, upon any Part of the said Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice or Annoyance of Persons travelling thereon; every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, and applied in Manner directed by the said recited Act.

Power to detain Persons guilty of Offences.

XXVIII. And whereas Persons guilty of Offences against the said recited Act or this Act may be transient Persons unknown to the Collectors, Surveyors, or other Officers under this Act; be it therefore enacted, That it shall be lawful for the Surveyors or other Officers duly authorized by the Trustees, to seize any unknown Person or Persons guilty of any Offence as aforesaid, and to convey him, her, or them before any One or more Justice or Justices of the Peace for the County of *Huntingdon*, without any other Warrant or Authority than this Act for so doing.

Application of Compensation Money when amounting to 200l.

XXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Act or this Act particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Act or this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, and Hereditaments, or affecting other Lands, Tenements, and Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereunto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments by the said recited Act or this Act directed to be purchased, in case such Purchase or Settlement were made.

When less than 200l. and amounting to 20l.

XXX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees for executing the said recited Act and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When less than 20l.

XXXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act and this Act, in such Manner as the said Trustees or any Five or more of them shall think fit; and in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles; or if Persons entitled to Money cannot be found, &c. the same to be paid into the Bank of England.

XXXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Act or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Trustees or any Five or more of them to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which

said

ſaid Court of Chancery, 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 the ſame, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XXXIII. 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 Court of Chancery, in purſuance of the ſaid recited Act or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of the ſaid recited Act or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, and Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid 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 to 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 of Chancery may order Truſtees to pay Expences.

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

XXXV. Pro-

Notice to be given to the Owners and Occupiers of Lands before Materials are taken for repairing the Roads.

XXXV. Provided always, and be it further enacted, That it ſhall not be lawful for any Surveyor or Surveyors, or other Perſon or Perſons under the Authority of the ſaid recited Act or this Act, to dig, gather, get, take or carry away any Materials for repairing the ſaid Roads or any Part thereof, out of or from any incloſed Lands or Grounds, until Notice in Writing, ſigned by the Surveyor or Surveyors for the Time being, ſhall have been given to the Owner or Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Owner or Occupier at their reſpective uſual Places of Reſidence, to appear before Two or more Juſtices of the Peace acting for the ſaid County of *Huntingdon*, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Owners or Occupiers or any of them, or their or his Agent or Agents ſhall not attend, or ſhall attend in purſuance of ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in either of the ſaid Caſes the ſaid Juſtices ſhall or may authorize ſuch Surveyor or Surveyors, or other Perſon or Perſons, to dig, get, gather, and carry away ſuch Materials, at ſuch Time or Times as to the ſaid Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall refuſe or neglect to appear by himſelf or herſelf, or his or her Agent, ſuch Juſtices ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Owner or Occupier had attended, any Thing in the ſaid recited Act or this Act contained to the contrary hereof notwithſtanding.

Satisfaction for Materials and Damages.

XXXVI. Provided always, and be it further enacted, That ſuch Surveyor or Surveyors, or other Perſon or Perſons as aforeſaid, ſhall make or tender Satisfaction for the Materials ſo taken away, and for the Damages done thereby, to the Owners and Occupiers of ſuch Lands or Grounds where and from whence the ſame ſhall be cut, dug, gotten, gathered, and carried away, or over which the ſame or any other Materials for making and repairing the ſaid Roads ſhall be carried, according to their reſpective Rights and Intereſts in ſuch Lands or Grounds, as the ſaid Truſtees ſhall judge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſon or Perſons employed as aforeſaid, and the ſaid Owners or Occupiers reſpectively, or any of them, concerning ſuch Damages, it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Huntingdon*, on Application made to them for that Purpoſe, and Ten Days Notice thereof in Writing being given by either Party to the other, or left at their reſpective Places of Abode, to hear, ſettle, and determine ſuch Payment and Damages.

Reſpecting Statute Work.

XXXVII. Provided always, 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 thereto in like Manner as heretofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the County of *Huntingdon*, 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 Portion of the Statute Work ſhall every Year be done upon the ſaid Roads, by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie, or into which they lead,

and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh 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; and in order thereunto it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh 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 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 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 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 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 ſuch reſpective Pariſhes or Places, to be by him or them paid over to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct, and in default of Payment thereof the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Act or 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 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 liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the

ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes 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 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.

For compounding for Statute Work.

XXXVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Statute Work to be by them done on the ſaid Roads or any Part of the ſame, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any of the Pariſhes or Places in which the ſaid Roads are ſituated, or into which they lead, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in advance, on or before the Firſt Day of *December* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

For paying the Expences of this Act.

XXXIX. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the paſſing of this Act, ſhall be paid by the ſaid Truſtees or any Five or more of them, as ſoon as may be, out of the Monies received or to be received or borrowed by virtue of the ſaid recited Act or this Act, in preference to all other Payments whatſoever; and in caſe any Perſon or Perſons ſhall advance and pay any Money for the Expences of obtaining and paſſing this Act, ſuch Perſon or Perſons ſhall be repaid the ſame as aforeſaid, with lawful Intereſt thereon, from the Time of advancing ſuch Money.

Public Act.

XL. 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.

Term and Continuance of the Act.

XLI. And be it further enacted, That the Term granted by the ſaid recited Act ſhall on the Twelfth Day of *Auguſt* next after the paſſing of this Act ceaſe and determine, and the ſaid recited Act, (ſubject to the Alterations, Variations, and Additions herein-before contained) and this Act ſhall from thenceforth commence, continue, and be in force, 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.

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