ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. xlvii.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing and widening the Road from *Aldermaston* to *Basingstoke*, and several other Roads therein mentioned, in the Counties of *Berks* and *Southampton*.

[31st *May* 1816.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His present Majesty, intituled *An Act for repairing and widening several Roads from* Aldermaston *in the County of* Berks, *to* Basingstoke, *and from* Aldermaston *aforesaid to the Turnpike Road from* Basingstoke *to* Andover, *at or near* Worting, *and to the Turnpike Road leading to* Winchester *at* Popham Lane *in the County of* Southampton; whereby certain Persons therein named, and their Successors, were appointed Trustees for putting the said Act into Execution; and it was thereby enacted, that the Roads intended and directed to be repaired should be laid into Two Districts and separate Divisions, in Manner therein particularly described, and that the same should be called and distinguished by the several and respective Names of the First District and the Second District, and that such Districts should be independent of each other, and in each of them the Trustees should use and exercise the several Powers and Authorities thereby granted; And whereas another Act was passed in the Thirty-fourth Year of the Reign of His present Majesty, intituled *An Act to continue the Term and alter and enlarge the Powers of an Act passed in the Twelfth Year of the Reign of His present Majesty, for repairing and* 12 G. 3. c. 78. 34 G. 3. c. 141.

and widening several Roads from Aldermaston *in the County of* Berks, *to* Basingstoke, *and from* Aldermaston *aforesaid to the Turnpike Road from* Basingstoke to Andover, *at or near* Worting, *and to the Turnpike Road leading to* Winchester *at* Popham Lane *in the County of* Southampton: And whereas the Trustees appointed to put the said recited Acts into Execution have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby granted, which, together with the Tolls collected upon each District respectively, have been duly applied in repairing, widening, altering, and keeping in Repair the said Roads; but the Monies so borrowed as aforesaid cannot be repaid, nor the said Roads effectually amended and kept in Repair, unless the Term of the said Acts be further continued, and the Powers and Provisions thereof altered and enlarged, and the present Tolls increased; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all the Clauses, Powers, Provisions, Matters, and Things therein respectively contained, (except such Parts thereof as are hereby varied, altered, or repealed) shall be and continue in full Force and Effect, and shall be executed for and during the Term hereinafter mentioned, as fully and effectually 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 that this Act shall commence and take Effect upon the passing thereof, and the Terms and Powers hereby granted shall be and they are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said recited Acts, and of such other Sums of Money as shall be borrowed upon the Credit thereof, and of this Act, and of all Interest due and to grow due thereon respectively; provided that the Tolls on one of the said Districts of Roads shall in nowise be subject or liable to the Payment of any Money borrowed or to be borrowed on the Credit of the other District of the said Roads, but the Tolls of each of the said Two respective Districts shall be chargeable for the Money borrowed or to be borrowed on the Credit of the respective Districts only.

Recited Acts further continued.

For discontinuing the present Tolls, and granting new ones.

II. And be it further enacted, That the several Tolls now payable in and by the said recited Acts, at each and every of the Toll Gates erected under the Authority of the said Acts, shall, from and after the passing of this Act, cease and be no longer payable; and that instead thereof the following Tolls shall be demanded and taken before any Cattle or Carriage shall be permitted to pass through the same; (that is to say,)

For every Horse, Mare, Gelding, Mule, or Beast of Draught, drawing any Coach, Berlin, Landau, Chariot, Calash, Chaise-Marine, Sociable, Caravan, Curricle, Chair, Car, or other Carriage whatsoever, used for the Purposes of Pleasure, or for carrying Passengers, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, or Beast of Draught, drawing any Waggon, Wain, Cart, or other Carriage whatsoever, used for the Purpose of carrying any Goods or Merchandize, the Sum of Four-pence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, Two-pence:

For every Drove of Oxen or neat Cattle, the Sum of One Shilling and Four-pence *per* Score; and so in proportion for any less Number:

For every Drove of Calves, Hogs, Sheep, and Lambs, the Sum of Sixpence *per* Score; and so in Proportion for any less Number:

And that One Half over and above the said respective Tolls shall and may be demanded and taken on every *Sunday*, during the Continuance of this Act.

Manner of Recovery of Tolls.

III. And be it further enacted, That the said respective Sums of Money shall be demanded and taken in the Name of or as a Toll, and shall be and are hereby vested in the said respective Trustees, and shall be applied for the Purposes of the said recited Acts and this Act; and 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 respective Trustees or any Five or more of them to collect the said Tolls, to enforce the Payment of such Tolls by himself and themselves, or taking such Assistance as he or they shall think necessary, and to seize or distrain any Horse, Beast, or other Cattle, upon which any such Toll is by this Act imposed, together with their Saddles, Geers, 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, Carriage, 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.

Tolls not to be paid at more than One Gate in the same Day.

IV. Provided always, and it is hereby declared, That no Person shall be subject to pay the Tolls hereby granted at more than One Gate on the same Day, within each respective District, for or in respect of the same Horse, Cattle, or other Beast, and Carriage, passing or re-passing upon the said Roads, in case more than Two Gates shall hereafter be erected upon either of the said Districts.

For preventing Toll Collectors from taking undue Tolls.

V. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, 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 this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his 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 Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon Duty; and if any Collector of the same 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 shall be authorized to do by virtue of the Powers of this Act or the said recited Acts, 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

who ſhall be exempt from the Payment thereof, and claim ſuch Exemption; or ſhall refuſe to permit or ſuffer, or ſhall in anyways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them; or ſhall in Anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll (all which Tickets the Collectors of the Tolls are hereby required to deliver *gratis* on the Receipt of ſuch Toll, and ſuch Tickets ſhall name and ſpecify the ſeveral Gates freed by the Payment of ſuch Toll or Tolls); or ſhall unneceſſarily detain any Paſſenger or Paſſengers; or ſhall make uſe of abuſive Language to any Truſtee, Treaſurer, Clerk, Surveyor, or other Officer, or 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 Acts or this Act directed to be recovered and applied.

For ſettling Diſputes concerning Tolls.

VI. 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, Town, or Place in which the Cauſe of Diſpute ſhall ariſe, who, upon Application made to him or them for that Purpoſe, ſhall examine the Matter on the Oath of the Parties or other Witneſs or Witneſſes, 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 Nonpayment thereof forthwith, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, rendering the Overplus (if any) on Demand, after deducting ſuch Coſts and Charges and the Coſts and Charges of making ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

Accounts of the Truſt to be open to the Inſpection of Creditors.

VII. Provided always, and be it further enacted, That the ſaid Truſtees ſhall and they are hereby required from Time to Time to cauſe to be entered in a Book regular Accounts of the Receipts and Diſburſements, and of the ſeveral Articles for which ſuch Sums have been diſburſed, which Book ſhall be kept by the Treaſurer or Clerk, in order that any of the ſaid Truſtees, or any Creditor or Creditors on the ſaid Tolls, may at all ſeaſonable Times have Acceſs thereto, and take Copies or Extracts therefrom, without paying any Thing for the ſame; and in caſe the ſaid Treaſurer or Clerk ſhall refuſe to permit ſuch Perſon or Perſons as aforeſaid to inſpect or take Extracts from ſuch Book of Accounts, he ſhall forfeit and pay for every ſuch Offence any Sum not exceeding the Sum of Five Pounds.

Truſtees may ſue and be ſued in the Name of

VIII. And be it further enacted, That the ſaid reſpective Truſtees may ſue and be ſued, for and concerning any Thing to be done againſt or by virtue or in purſuance of the ſaid recited Acts or this Act, in the Name either of their Clerk or Treaſurer for the Time being; and that no Action or Suit to be

be brought or commenced by the Direction of or againſt the ſaid reſpective Truſtees in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death or Removal of ſuch Clerk or Treaſurer, or by any Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid reſpective Truſtees, or any Five or more of them, at any Meeting to be held in purſuance of this Act; but that the Clerk or Treaſurer for the Time being ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be) in every ſuch Action or Suit; and every ſuch Clerk or Treaſurer in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of the ſaid recited Acts or this Act, ſhall be fully reimburſed, out of the firſt Money to ariſe by virtue of the ſaid recited Acts and this Act, all ſuch Coſts, Charges, Damages, and Expenſes, as by the Event or in conſequence of any ſuch Action or Suit, or any Proceedings paſſed thereon, he ſhall bear, pay, expend, or be put unto, or become chargeable with or liable to, by reaſon of his ſo being made Plaintiff or Defendant as aforeſaid.

their Clerk or Treaſurer, who is to be reimburſed his Expenſes.

IX. 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 the Recovery of any of the Penalties by the ſaid recited Acts or this Act to be laid, or to the Execution of any of the Powers of the ſaid recited Acts or this Act, 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.

Collectors of Tolls not to be deemed incompetent Witneſſes.

X. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe, Cattle, Beaſt or Carriage employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Roads lie, or any Hay, Potatoes, Turnips, Straw, or Corn in the Straw only, not ſold or diſpoſed of, or going to be ſold or diſpoſed of, but paſſing to be laid up or placed in the Barns, Outhouſes, or Yards of the Owner or Owners thereof; or for any Horſe, Cattle, or Beaſt employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, or Mould, Dung, Marl, Compoſt, or Manure employed in Huſbandry for manuring or improving of Lands; or for any Inhabitant of the Town of *Baſingſtoke* going to or returning on Horſeback to and from his Lands lying in *Holy Ghoſt* or *Chapel Field*, upon Huſbandry Buſineſs; nor for any Horſes or Cattle going to or returning from Paſture or Watering-places, or going to be or returning from being ſhoed or farried; or from any Perſon reſiding in any Townſhip or Place in which the ſaid Roads lie, going to or returning from his or her proper Parochial Church, Chapel, or other Place of religious Worſhip authorized by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Perſon that ſhall die and be buried in any of the ſaid Townſhips or Pariſhes; or from any Clergyman going to or returning from viſiting any ſick Perſon, or

Exemptions from Tolls.

going to or returning from his Parochial or Miniſterial Duty on a *Sunday* or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſe, Cattle, or Carriage, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor 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 any Horſe, Cart, Cattle, or Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Horſe, Cattle, or Beaſt carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Berks* or *Southampton*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and that no Tolls ſhall be demanded or taken for any Horſe, Mare, or Gelding furniſhed by or for any 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 their 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 and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit for every ſuch Offence the Sum of Five Pounds, one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of this Act.

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

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

Application of Compenſation Money when amounting to 200 l.

XII. 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 Acts 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 Acts 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 Acts 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 Acts or this Act directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

If leſs than 200l. and exceeding 20l.

XIII. 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,

Option, and approved of by Five or more of the ſaid Truſtees for executing the ſaid recited Acts and this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon may be applied in Manner hereinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If leſs than 20l.

XIV. 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 Acts 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, &c.

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

XVI. Pro-

Reſpecting diſputed Titles.

XVI. 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 Acts or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of the ſaid recited Acts 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 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 reaſonable Expences of Purchaſes to be paid.

XVII. 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 Acts 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 Acts 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 Acts 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.

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

XVIII. 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 Acts 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 and Occupier of the Premiſes, or the known Agent of any ſuch Owner and Occupier, from which ſuch Materials are intended to be taken, or left for ſuch Owner and Occupier at their reſpective uſual Places of Reſidence, to appear before Two or more Juſtices of the Peace acting for the ſaid Counties of *Berks* or *Southampton*, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Owners and Occupiers, or any of them, or their or his Agent or Agents ſhall not attend, or ſhall attend purſuant to 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 Acts contained to the contrary hereof notwithstanding.

Satisfaction for Materials and Damages.

XIX. 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, Fields, 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, Fields, 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 County, City, or Place where or from whence such Materials shall be so cut, dug, gotten, gathered, taken, and carried away, 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; and the Judgment or Order of the said Justices therein shall be final and conclusive to and upon all Parties.

Statute Labour.

XX. 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 said Counties of *Berks* or *Southampton*, and they are hereby empowered and required, upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the 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, 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, 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 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 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 Acts 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 shall be sent with any Team or Draught to work upon 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 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, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may compound for Statute Duty

XXI. 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 thereof, 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 situate, for a certain

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 *October* 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 the Act.

XXII. And be it further enacted, That the Truſtees for the ſaid Roads and their Succeſſors, or any Five or more of them reſpectively, ſhall and they are hereby authorized and required, out of the firſt Monies to ariſe by the ſaid Tolls or Duties of the ſaid Two Diſtricts of Road reſpectively, or out of ſo much Money as ſhall be borrowed on the Credit thereof reſpectively, to pay and diſcharge all the Coſts and Expences of procuring and paſſing this preſent Act, in Two equal Shares and Proportions, allotting and charging One Moiety or Half Part of ſuch Coſts and Expences to and upon each of the ſaid Diſtricts, together with lawful Intereſt for the ſame, until Payment thereof, ſuch Intereſt to be computed from the Day of the paſſing thereof.

Public Act.

XXIII. 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.

Commencement and Continuance of this Act.

XXIV. And be it further enacted, That the Term granted by the ſaid recited Acts ſhall upon the paſſing of this Act ceaſe and determine; and the ſaid recited Acts (ſubject to the Alterations, Additions, and Amendments 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1816.