ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

Cap. 18.

An Act for continuing the Term, and altering and enlarging the Powers of so much of Two Acts, passed in the Fifth and Twenty-sixth Years of His present Majesty, for repairing the Road from *Bawtry Bridge* in the County of *Nottingham* to *Hainton* in the County of *Lincoln*, and other Roads therein mentioned, as relates to the First and Second Districts of Roads therein described.

[2d *April* 1806.]

WHEREAS an Act was passed in the Fifth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for repairing and widening the Roads from* Bawtry Bridge *in the County of* Nottingham *to* Hainton *in the Connty of* Lincoln, *and from* North Willingham *to the North End of the Lane betwixt* Dexthorpe *and* Langton, *and from* West Raisin *to* Pilford Bridge, *and from the Great Road near* Bishop Bridge *to* Bishop Norton *Common, and from the Hamlet of* Morton *to* Epworth, *and from* Haxey Field *to the* Trent *at* Kinnald Ferry *in the said County of* Lincoln: And whereas an Act was passed in the Twenty-sixth Year of the Reign of His present Majesty for enlarging the Term and Powers of so much of the said Act as relates to the First and Second Districts of the Roads therein described: And whereas great Progress hath been made in the Execution of the said recited Acts, so far

5 G. 3. c. 85.

26 G. 3. c. 141.

far as relates to the First and Second Districts of Roads therein comprized; and a considerable Sum of Money hath been borrowed on the Credit of the Tolls authorized to be taken thereon, which still remains due and owing: And whereas the Roads comprized in the said First and Second Districts cannot be effectually amended, improved, and kept in Repair, nor the Monies now due and owing as aforesaid be paid off and discharged, unless the Term of the said Acts be further continued, and the Powers thereof, so far as the same relate to the said First and Second Districts of Roads, be altered, amended, 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 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 and every the Matters, Powers, Authorities, Privileges, Provisions, Articles, Rules, Penalties, and Clauses therein contained, so far as the same relate to the First and Second Districts of Roads in the said recited Acts mentioned and described, (except such of them as relate to Exemptions from Stamp Duties, or as are hereby varied, altered, or repealed,) shall be and continue in full Force and Effect for and during the Term herein-after 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 Amendments, Alterations, and Additions herein contained, and which (except the Tolls herein-after mentioned) shall commence and take Effect upon the passing of this Act; and this Act, and the Additional Term and Tolls hereby granted, shall be and are hereby made subject and liable to the Payment of all Money now due and owing upon the Credit of the Tolls arising within the said First and Second Districts, or upon Account of the said recited Acts or of this Act, so far as the same relates to the said First and Second Districts, and all Interest due or to grow due for the same respectively.

Acts further continued.

For appointing new Trustees.

II. And be it further enacted, That the Right Honourable *William Beauclerk*, commonly-called *Lord William Beauclerk*; the Honourable *Richard Lumley Savile*, the Reverend Sir *Charles John Anderson* Baronet, Sir *Henry Nelthorpe* Baronet, Sir *Charles Monk* Baronet, *John Julius Angerstein*, *John Angerstein*, *Richard Acklom*, *Joseph Ashton*, *Marmaduke Allington* Clerk, *William Allison* the younger, *Edward Allison*, *William Ashton*, *Ayscough Boucherett*, *Henry Bassett* Clerk, *Thomas Bowmer*, *Henry Brumby*, *William Bourne* the younger, *Arthur Bonson* Clerk, *George Bonson* Clerk, *Thomas Bonson*, *Edward Blyth*, *Thomas Bogg*, *John Coats*, *William Cross* the elder, *William Cross* the younger, *Benjamin Codd* the younger, *Charles Marshall Clark* Doctor of Physick, *Richard Clark*, the Reverend *William Chaplin*, the Reverend *Edward Chaplin*, *John Thory Chapman*, *Benjamin Dealtry*, *George Dealtry*, *Robert Ducle*, *Richard Dixon* Clerk, *Robert Evans* Clerk, the Reverend *John Emeris* the younger, *Adam Eve*, *William Eve*, *Thomas Espin*, *George Edwards*, *William Fretwell*, *Robert Fretwell*, *Edward Fowler*, *Robert Flower* the younger, *William Furley*, *John Furley* the younger, *John Fytche*, *William Gibbins*, *Robert Gamson*, *James Gamson* the younger, *John Gamble*, *John Garfit*, *Robert Graham*, *Stephen Gray*, *Samuel Goe*, *George Hutton* Clerk, *John Higgs Hunt*, *Thomas Haynes*, *George Robert Heneage*, *Thomas Fieschi Heneage*, *Edward Heneage*, *Thomas Jackson Holmes* Clerk, *William Hyde*, *William Hardy*, *William Hyde* the elder, *Sapsford Harrold*, *Theophilus Harneis* the elder, *Theophilus*

Harneis

Harneis the younger, *Woodthorpe Johnſon*, *Samuel Hardy Inett*, the Reverend *Wolley Jolland*, *Alexander Knight*, *William King*, *George Liſter*, *Matthew Bancroft Liſter*, *John Loft*, *William Loft*, *David Lloyd*, *Richard Luca*, *Charles Morehouſe* the elder, *Robert Morehouſe*, *Charles Morehouſe* the younger, *Henry Mozley*, *Morehouſe Metcalfe*, *Charles Morton*, *Nathaniel Main*, *John Maddiſon*, *Robert Marris*, *John Nettleſhip* the younger, *Chriſtopher Nevile*, *Gabriel Neve*, *John Naull* the younger, *Robert Dawſon Otter*, the Reverend *Thomas Orme* Doctor in Divinity, the Reverend *Thomas Orme* the younger, *Samuel Pyemont* Clerk, the Reverend *Stephen Preſton*, *Robert Paddiſon*, *Thomas Phillips* the younger, *Jonathan Rudſdall*, *Robert Raven*, *George Radley*, *John Robinſon* Clerk, *Francis Raynes* the younger, *John Scott*, *Daniel Scott*, *Robert Swan*, *Samuel Sandars*, *Cornelius Sandars*, *George Stovin*, *Philip Shipworth*, *John Sexty*, *Samuel Sugars*, *John Simpſon*, *George Searle*, *William Smith*, *Edmund Turnor*, *George Turner* Clerk, *Samuel Turner*, *George Tennyſon*, *George Clayton Tennyſon* Clerk, *Charles Tennyſon*, *Joſeph Torr*, *John Tidd*, the Reverend *Robert Uvedale*, the Reverend *Thomas Waite*, *Joſeph Wilcockſon*, *Francis Waleſby*, *William Wilſon*, and *John Wood*, ſhall be added to and joined with the Truſtees appointed in or by virtue of the ſaid recited Acts for putting the ſame and this Act in Execution; and the Truſtees hereby nominated and appointed, and their Succeſſors reſpectively being qualified according to the Directions of the ſaid recited Acts, are hereby empowered to act in Execution of the ſaid Acts and this Act, as fully and effectually, to all Intents and Purpoſes, as if they had been appointed Truſtees by the ſaid recited Acts.

Truſtees may ſue and be ſued in the Name of their Treaſurer or Clerk.

III. And be it further enacted, That all Actions, Suits, Proſecutions, Informations, Appeals, and other Proceedings whatſoever, to be had, taken, proſecuted, or defended by or againſt the ſaid Truſtees, ſhall be had, taken, proſecuted, or defended in the Name of their Treaſurer or Clerk; and that no Action, Suit, Proſecution, Information, Appeal, or other Proceeding, to be had, taken, proſecuted, or defended, by or againſt the ſaid Truſtees, or any of them, by virtue of this or the ſaid recited Acts, or any of them, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, but that the Treaſurer or Clerk for the Time being to the ſaid Truſtees ſhall always be deemed the Plaintiff, Proſecutor, Informant, Appellant, Defendant, or Reſpondent, in any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceeding, as the Caſe ſhall be: Provided always, that all and every ſuch Treaſurer or Clerk, in whoſe Name or Names any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceeding, ſhall be had, taken, proſecuted, or defended in purſuance of this Act, ſhall be fully reimburſed and paid, out of the Monies ariſing by virtue of this or the ſaid recited Acts, all ſuch Coſts, Charges, Damages, and Expences, as by the Event or in conſequence of any ſuch Action, Suit, Proſecution, Information, Appeal, or other Proceedings, he or they ſhall pay, bear, ſuſtain, expend, or be put unto or become chargeable with, or liable for, or be fairly entitled to by reaſon of his or their being ſo made Plaintiff or Plaintiffs, Defendant or Defendants, Informant or Informants, Appellant or Appellants, Reſpondent or Reſpondents as aforeſaid.

Toll Bar Keepers competent to Witneſſes.

IV. 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

to any other Matter or Thing done in the Execution of this or the ſaid recited Acts, the 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 not be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being ſo appointed to collect the ſaid Tolls, or acting under the Authority of the ſaid Truſtees.

Repealing former Tolls and granting new ones.

V. And whereas the Tolls granted and continued by the ſaid recited Acts are inadequate to the Purpoſe of ſufficiently amending, improving, and keeping in Repair the Roads comprized in the ſaid Firſt and Second Diſtricts of Roads; be it therefore enacted, That, from and after the Twelfth Day of *May* next after the paſſing this Act, the Tolls granted and continued by the ſaid recited Acts ſhall be and the ſame are hereby repealed; and that inſtead thereof, the reſpective Tolls following ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall from Time to Time appoint to receive the ſame, before any Horſe or other Cattle, Coach, Waggon, or other Carriage, ſhall be permitted to paſs through any Gate or Turnpike erected or to be erected in purſuance of the ſaid recited Acts, or this Act; (that is to ſay,)

Tolls.

For every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by Six or more Horſes or other Beaſts of Draught, the Sum of Three Shillings:

For every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by Four Horſes or other Beaſts of Draught, the Sum of Two Shillings:

For every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by Three or Two Horſes or other Beaſts of Draught, the Sum of One Shilling:

For every Two or more Horſes, Mares, Geldings, Mules, Aſſes, Oxen, Bullocks, or other Beaſts drawing in any Waggon, Wain, Car, Cart, Caravan, or other Carriage, the Sum of Four-pence Halfpenny each:

For every Chaiſe or Chair, Waggon, Wain, Car, Cart, Caravan, or other Carriage, drawn by One Horſe or other Beaſt of Draught only, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, Aſs, Ox, Bullock, or Beaſt, not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten Pence *per* Score, and ſo on in Proportion for any greater or leſs Number:

And for every Drove of Calves, Swine, Sheep or Lambs, the Sum of Five-pence *per* Score, and ſo in Proportion for any greater or leſs Number:

Which ſaid reſpective Tolls ſhall be, and the ſame are hereby veſted in the ſaid Truſtees, and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, aſſigned, varied, and diſpoſed of in ſuch and the ſame Manner, and by ſuch Ways and Means, and with ſuch Powers, Exemptions, Regulations, and Reſtrictions, as are contained in the ſaid recited Acts, or either of them, with reſpect to the Tolls thereby provided and made payable, but ſubject nevertheleſs to the Clauſes, Alterations, Amendments, and Regulations in the ſaid recited Acts, or either of them, contained, with reſpect to raiſing and leſſening the ſame.

VI. And

VI. And be it further enacted, That none of the Tolls granted by this Act shall be demanded or taken at any Gate within the Limits of the said First and Second Districts of Roads, for any Horse, Cattle, or Beast employed only in drawing any Cart or Carriage from one Part of such Districts to another, or other Parts thereof laden with any Dung, Soil, or Compost of any Kind, or other Manure for the manuring of any Garden, or other Land or Ground situate within the same, not bought, sold, or disposed of, or carried for the Purpose of being bought, sold, or disposed of, but passing to be laid up, or placed in the Outhouses, or on the Lands of the Owners thereof who shall not have bought the same; nor shall any Toll be demanded or taken for any Horse, Cattle, or Beast employed in drawing any Cart or Carriage laden with Dung, Soil, or Compost from any Parts lying within the said Districts, so as such Horse, Cattle, or Beast be then returning, and have on the Day preceding been subjected to the Payment of the said Tolls; nor shall any Toll be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horses 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 such Roads doth lie, or Hay, Straw, or Corn in the Straw, or Potatoes, Turnips, Parsnips, and Carrots not sold or disposed of, but passing to be laid up, or placed in the Outhouses, or on the Lands of the Owners thereof; nor for any Waggon, Wain, Cart, Carriage, or Horse employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or for any Thing employed in the Management of any Farm or Lands within the Districts in which the said Roads are situate; nor for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to or returning from being shoed or farried; nor from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person who shall die and be buried in any of the said Parishes; nor from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; nor for any Horses, Cattle, or Carriages of whatever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; nor for any Horses, Carts, or Waggons attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or 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 are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided by such Corps respectively at the Time of

Exemptions.

claiming ſuch Exemption as aforeſaid; nor for any Horſes, Carts, or Waggons employed in the Conveyance of Vagrants ſent by legal Paſſes; nor for any Horſe, Cattle, or Beaſt drawing any Coach, Landau, Berlin, Calaſh, Chair, or Paſſenger on Horſeback going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid Counties of *Lincoln* and *Nottingham*, or either of them, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, one Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied for the Purpoſes of the ſaid Acts and this Act.

If Pits or Holes are made in getting Materials, the Surveyor ſhall cauſe them to be filled up, or fenced off.

VII. And be it further enacted, That if any Surveyor, or Perſon or Perſons employed by him, ſhall, by reaſon of the ſearching for, digging, or getting any Gravel, Sand, Stones, Chalk, Clay, or other Materials for repairing any of the Roads comprized within the ſaid Firſt and Second Diſtricts, make or cauſe to be made any Pit or Hole in any Lands or Grounds, ſuch Surveyor, or Perſon or Perſons ſhall cauſe the ſame to be forthwith ſufficiently fenced off, and ſuch Fence to be ſupported and kept in Repair, during ſuch Time as the ſaid Pit or Hole ſhall continue open, and ſhall within Twenty Days after ſuch Pit or Hole ſhall ceaſe to be further uſeful, cauſe the ſame to be forthwith filled up, ſloped down, or levelled as far as the Turf or Clod which was dug out of the ſame will allow; taking care always to preſerve the top Turf or Clod, and alſo to lay the ſame on the Top of ſuch Pit or Hole ſo filled up, ſloped down, or levelled as aforeſaid.

Not to get Materials within the ancient Limits of Somerby Park, nearer than 1200 Yards to Somerby Hall without Conſent.

VIII. Provided always, and be it further enacted, That nothing in this or the ſaid recited Acts contained ſhall extend or be conſtrued to extend to empower the ſaid Truſtees, or any of them, or any Surveyor or Surveyors, or other Perſon or Perſons acting under them, or any of them, to enter into and upon the ancient incloſed Lands and Grounds of *John Beckett* Eſquire, ſituate at *Somerby* in the Pariſh of *Great Corringham*, which are or were comprized within the Limits of the ancient Park at *Somerby* aforeſaid, nearer than Twelve Hundred Yards to, and to be computed and meaſured from *Somerby Hall*, for the Purpoſe of getting, digging, gathering, taking, or carrying away any Materials for the Repair of the ſaid Roads, comprized in the ſaid Firſt and Second Diſtricts, or any or either of them, or any Part or Parts of them, or either of them, without the Conſent in Writing of the ſaid *John Beckett*, his Heirs, or Aſſigns, for that Purpoſe firſt had and obtained.

Statute Labour.

IX. 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 Roads comprized in the ſaid Firſt and Second Diſtricts, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid County, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, Clerk, Surveyor, or by their

their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Firſt and Second Diſtricts of Roads, by the Inhabitants of the reſpective Pariſhes or Places in which the Roads comprized in the ſaid Diſtricts do 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 to their Treaſurer or Treaſurers; and in order thereunto it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh 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 are or may be directed by any Law or Statute in Force and Effect for the Repairs of the publick Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons, who ſhall appear 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 at ſuch Days, and at ſuch Times, (not being Hay Time or Harveſt,) and in 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 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 uſual Place or Places of Abode for that Purpoſe, by any Surveyor 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 or Effect for the Repair of the publick Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments as aforeſaid as if he

had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads comprized in the said Districts, 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 and wilfully give in false and imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application of Compensation if amounting to 200*l.*

X. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said Acts and this Act for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for and on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other *Cestuique* Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to 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 there *ex parte* the Trustees for executing the said Acts and 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 or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, 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 and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court upon Application thereto, 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 mean Time, 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,

ments, and Hereditaments to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

Application of Compensation, if less than 200*l.* and exceeding 20*l.*

XI. 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 any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to 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, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein 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 of the 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 any Manner herein before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

Application of Compensation, if less than 20*l.*

XII. Provided also, and be it enacted, That where such Money so agreed or awarded to be paid as next 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 Acts and this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid 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 cannot be found, Purchase Money to be paid into the Bank, subject to the Order of the Court of Chancery on Motion or Petition.

XIII. 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 and 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 any Five or more of them, 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

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 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 publick 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.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſons who ſhall be in Poſſeſſion of the Land, etc. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereunto, according to ſuch Poſſeſſion, unleſs, etc.

XIV. 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 this Act, for the Purchaſe of any Lands, Tenements, or Herediments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of the ſaid recited Acts and this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments 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.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XV. 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 and 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, or Hereditaments, to be ſettled to the like Uſes, in purſuance of the ſaid recited Acts and this Act, it ſhall and may be lawful to and 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 Acts and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid

paid by the ſaid Truſtees out of the Monies to be received by virtue of the ſaid Acts and this Act, who ſhall from Time to Time pay ſuch Sums of Money, for ſuch Purpoſes as the ſaid Court ſhall direct.

Riding on Footpaths, and damaging Roads, etc.

XVI. And be it further enacted, That if any Perſon ſhall ride upon any Footway adjoining to the ſaid Roads, or ſhall drive any Horſe or other Cattle, or any Swine, or any Cart or other Carriage thereon, or ſhall cauſe any Damage to be done to ſuch Footway; or if any Perſon ſhall haul or draw, or cauſe to be hauled or drawn, upon any Part of the ſaid Roads, any Tree or Piece of Timber, or any Stone, otherwiſe than upon Wheeled Carriages, or ſhall ſuffer any Part of any Tree, or Piece of Timber, or Stone which ſhall be carried upon Wheeled Carriages, to drag upon any Part of the ſaid Roads, to the Prejudice thereof reſpectively; or if any Perſon driving any Pigs or Swine upon the ſaid Roads ſhall ſuffer the ſame to root up and damage the ſame, or any Part thereof, or the Fences, Hedge Backings, or Copſe, on either Side thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage upon the ſaid Roads, and meeting another Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage on the left or near Side of the ſaid Roads, or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him upon the ſaid Roads, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his care; or if any Perſon ſhall make, or aſſiſt in making, any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to, or let off, or throw any Squib, Rocket, Serpent, or Firework whatſoever, on any Part or Parts of the ſaid Roads; or if any Perſon ſhall leave any Waggon, Wain, Cart, or other ſuch Carriage, longer than may be neceſſary for loading or unloading the ſame, in, upon, or on the Side of any Part of the ſaid Roads, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Roads, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Perſons travelling thereon, every Perſon ſo offending ſhall for every or any ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

For paying the Expences of this Act.

XVII. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and paſſing of this Act ſhall be defrayed out of the Monies already received, or to ariſe within or upon account of the ſaid Firſt and Second Diſtricts reſpectively, in equal Moieties, and in preference to all other Payments whatever.

Limitation of Actions.

XVIII. Provided always, and be it further enacted, That no Action, Suit, Proſecution, Appeal, or other Proceeding, ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this or the ſaid recited Acts, until Twenty-one Days after Notice in Writing (ſtating the Grounds of ſuch Action, Suit, Proſecution, Appeal, or other Proceeding) ſhall have been given by the Perſon or Perſons aggrieved, to the Perſon or Perſons againſt whom ſuch Action, Suit, Proſecution, Appeal, or other Proceeding ſhall be commenced, and alſo to the Treaſurer and Clerk to the ſaid Truſtees for the Time being.

XIX. And

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

Commencement and Duration of the Act. XX. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force, and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Acts, and from the Expiration thereof, for and during the further 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. 1806.