ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 49.

An Act to continue the Term and alter and enlarge the Powers of Three Acts of His present Majesty, for amending the Road from *Besselsleigh* through *Wantage* to *Hungerford*, in the County of *Berks*, and other Roads in the said Acts mentioned, in the said County, and in the County of *Wilts*.

[18th *May* 1814.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty, intituled *An Act for amending and widening the Road from* Besselsleigh, *through* Wantage *to* Hungerford, *in the County of* Berks, *and from* Wantage *to* Marlborough, *in the County of* Wilts; *and from the Turnpike Road between* Reading *and* Wallingford, *through* Halfpenny Lane, *to* The Old Red House *upon* Wantage Downs, *and from thence to* Lambourn, *in the said County of* Berks: And whereas an Act was passed in the Twelfth Year of His said present Majesty's Reign, intituled *An Act to explain and amend an Act of the Eleventh Year of the Reign of His present Majesty, for amending and widening the Road from* Besselsleigh *through* Wantage *to* Hungerford, *in the County of* Berks, *and from* Wantage *to* Marlborough, *in the County of* Wilts; *and from the Turnpike Road between* Reading *and* Wallingford, *through* Halfpenny Lane, *to* The Old Red House *upon* Wantage Downs, *and from thence to* Lambourn, *in the said County of* Berks: And whereas an Act was passed in the Twenty-first Year of His said present Majesty's Reign, intituled *An Act to enlarge the Term and Powers of Two Acts, passed in the Eleventh and Twelfth Years of His present Majesty, for amending and widening the Road from* Besselsleigh *through* Wantage *to* Hungerford, *in the County of* Berks, *and from* Wantage *to* Marlborough, *in the County of* Wilts; *and from the Turnpike Road between* Reading *and* Wallingford, *through* Halfpenny Lane, *to* The Old Red House *upon* Wantage Downs, *and from thence to* Lambourn, *in the said County of* Berks; *and for amending the Road through* Pigeon Lane, *instead of the said Road through* Halfpenny Lane: And whereas the Term of the said

11 G. 3. c. 97.

12 G. 3. c. 104.

21 G. 3. c. 101.

Acts is near expiring; and conſiderable Sums of Money have been borrowed, and are now due and owing upon the Credit of the Tolls authorized to be collected upon the ſaid Roads by virtue of the ſaid Acts; which Money cannot be paid off, nor can the ſaid Roads be effectually amended, widened, improved, and kept in good Repair, unleſs the Term granted and continued by the ſaid recited Acts be further continued, and ſome of the Powers and Proviſions thereof 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 of the Eleventh, Twelfth, and Twenty-firſt Years of the Reign of His preſent Majeſty, and all and every the Clauſes, Powers, Penalties, Forfeitures, and other Matters and Things therein reſpectively contained (except ſuch as relate to Exemptions from Stamp Duties, and ſuch as are varied, altered, or repealed), ſhall be and continue in full Force and Effect, and, together with this preſent Act, ſhall be put in Execution for the ſeveral Purpoſes hereby and thereby intended, for and during the Term herein-after mentioned, as fully and effectually, in all Reſpects, and to all Intents and Purpoſes whatſoever, as if the ſame were expreſsly repeated and re-enacted in the Body of this Act; but ſubject nevertheleſs to the Alterations and Additions herein contained; and which ſaid Term hereby granted ſhall be and is hereby declared to be ſubject and liable to the Payment of all Monies now due and owing on the Credit of the ſaid recited Acts, or which ſhall or may hereafter be borrowed or become due on the Credit of the ſaid recited Acts and this Act, and all Intereſt due and to become due for the ſame reſpectively.

Acts further continued.

II. And be it further enacted, That it ſhall be lawful for the Truſtees for executing the ſaid recited Acts (who are hereby declared to be Truſtees for executing the ſame reſpectively and this Act), or any Seven or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in purſuance of the ſaid recited Acts and this Act, to elect any Number of Perſons, not exceeding Ten in the Whole, to be Truſtees for the Purpoſes of the ſaid recited Acts and this Act, in Addition to the Truſtees by the ſaid recited Acts, or any or either of them, appointed; and ſuch Truſtees ſo elected, ſhall be and are hereby inveſted with the ſame Powers and Authorities for executing this Act and the ſaid recited Acts, as if they had been named and appointed in and by virtue of the ſaid Acts and this Act.

Power to appoint additional Truſtees.

III. Provided always, and be it further enacted, That none of the Tolls granted and continued by the ſaid recited Acts, ſhall be demanded or taken, of or from any Perſon or Perſons, for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Cart or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty 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 making or repairing the ſaid Roads, or any of the Roads in the Townſhips in which any Part of the ſaid Roads lie; or with Seed for ſeeding the Ground; or Hay, Turnips, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns,

Exemption from Tolls.

Barns, Outhouſes, or Yards, or on the Lands of the Owners thereof; or for any Horſe, Beaſt, or other Cattle or Carriage, employed in carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt, or Manure, employed in Huſbandry for manuring or improving Land, or any other Thing employed in the Management of any Farm or Lands; or for any Horſes or other Beaſts going to or returning from Plough or Harrow, or to or from Paſture or Watering Place, or going to be or returning from being ſhoed or farried; or from any Perſon or Perſons going to or returning from his or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die, and be buried, in any of the Pariſhes in which the ſaid Roads lie; or from any Clergyman going to viſit, or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes 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 or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers on their March or on Duty; or for any Horſe or Horſes or other Beaſt, or any Cart, Carriage or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or 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, employed in carrying or conveying any Ordnance or Barrack or Commiſſariat or other Public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning empty from having been ſo employed; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection, or Review; provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture, and Accoutrements according to the Regulations of ſuch Corps, at the Time of claiming the Exemption; or for any Horſes, Carts, or Waggons, travelling with Vagrants ſent by legal Paſſes, or returning empty after having been only ſo employed; or for any Horſe or Horſes, Coaches or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Berks*, or County of *Wilts*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; any Thing in the ſaid recited Acts, or any or either of them, contained to the contrary notwithſtanding; and if any Perſon ſhall, by any fraudulent or colluſive Means whatſoever, claim or 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 Five Pounds, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

IV. And

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

IV. 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, or the Horſe or Horſes drawing the ſame, while ſo employed, 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 the 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 Money awarded above 200l.

V. 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 ſaid recited Acts or this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Perſon or Perſons under any other Diſability or Incapacity, 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 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, or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrance 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 and with 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, and 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, or 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 High Court of Chancery, 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 and Hereditaments ſo to be purchaſed, in caſe ſuch Purchaſe or Settlement was made.

VI. Provided

Where less than 200l. and above 20l.

VI. 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 Commitees, in caſe of Infancy 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 or more 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 Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain, the Direction or Approbation of the ſaid High Court of Chancery.

Where under 20l.

VII. Provided alſo, and be it further 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 or this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or 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 a good Title, or Perſons cannot be found, the Purchaſe Money to be paid into the Bank, ſubject to the Order of Chancery on Petition.

VIII. 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 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 be lawful 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 High 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 High Court of Chancery; which ſaid Court, 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.

In caſe of diſputed Titles.

IX. 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 High Court of Chancery, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, Title, 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 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 High 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 may order reaſonable Expences to be paid by the Truſtees.

X. 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 High Court of Chancery, and be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall be lawful for the ſaid High 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, to be paid by the ſaid Truſtees out of the Monies to be received by virtue of the ſaid recited Acts or this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Notice to be given before Materials taken, &c.

XI. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Surveyor, or any Perſon or Perſons acting under the Authority of this or the ſaid recited Act, to dig, gather, get, take, or carry away any Materials for repairing ſuch Road, out of or from any incloſed Lands or Grounds, without the Conſent in Writing of the Owners thereof firſt had and obtained for that Purpoſe, and until Ten Days previous Notice in Writing, ſigned by the Surveyor of the ſaid Roads ſhall

have been given to the Occupiers of the Premiſes from which ſuch Materials are intended to be taken, or left at the Houſe or laſt or uſual Place of Abode of ſuch Occupiers, to appear before any Juſtice or Juſtices of the Peace acting in and for the County or Place in which ſuch Lands or Grounds ſhall be ſituate, to ſhew Cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Occupier or his Agent ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, ſuch Juſtice or Juſtices ſhall, if he or they think proper, authorize ſuch Surveyor or other Perſons, to dig, gather, get, take, and carry away ſuch Materials, in ſuch Manner as is directed by the ſaid recited Act, at ſuch Time or Times as to ſuch Juſtice or Juſtices ſhall ſeem proper; and if ſuch Occupier ſhall neglect or refuſe to appear by himſelf or Agent, ſuch Juſtice or Juſtices may (upon Proof on Oath of the Service of ſuch Notice, and which Oath they or any of them are hereby empowered to adminiſter) make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Occupier or his Agent had attended.

Statute Labour.

XII. 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 be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Berks*, or County of *Wilts*, (as the Caſe may be), and they are hereby empowered and required (upon Application made to them for that Purpoſe by the ſaid Truſtees, or any Five or more of them, 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, ſhall be by him or them paid to the ſaid Truſtees or to their Treaſurer; 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 Fourteen 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 or may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads, as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt) and on ſuch Parts of the ſaid Roads, as the ſaid Truſtees, or any Five or more of them, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject or liable to the Payment

ment 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 or 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 this Act authorized 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 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 Five Pounds.

For paying the Expences of this Act.

XIII. And be it further enacted, That all the Coſts, Charges, and Expences attending the obtaining and paſſing of this Act, and incident thereto, ſhall be paid and diſcharged out of the Monies now in the Hands of the reſpective Treaſurers to the ſaid Truſtees, or out of the firſt Monies collected or to be collected or borrowed or ariſe by virtue of the ſaid recited Acts or of this Act, in preference to all other Payments whatſoever.

Public Act.

XIV. 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.

XV. And be it further enacted, That this Act ſhall commence upon the paſſing thereof, and that the ſaid recited Acts (ſubject to the Alterations and Amendments in this Act contained) and this Act, ſhall continue and be in force and be executed thenceforth for and during the Reſidue now to come of the Term granted and continued 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.

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