ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 34.

An Act to enlarge the Term and Powers of several Acts for repairing the Road leading from *Galley Corner* adjoining to *Enfield Chase* in the Parish of *South Mims* in the County of *Middlesex*, to *Lemsford Mill* in the County of *Hertford*.

[28th *April* 1809.]

WHEREAS an Act was made in the Third Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for repairing the Road leading from* Galley Corner *adjoining to* Enfield Chase *in the Parish of* South Mims *in the County of* Middlesex, *to* Lemsford Mill *in the County of* Hertford: And whereas another Act was made in the Seventeenth Year of the Reign of His said late Majesty, intituled, *An Act for continuing and enlarging the Term and Powers granted by an Act passed in the Third Year of the Reign of His present Majesty, for repairing the Road leading from* Galley Corner *adjoining to* Enfield Chase *in the Parish of* South Mims *in the County of* Middlesex, *to* Lemsford Mill *in the County of* Hertford: And whereas another Act was made in the Tenth Year of the Reign of His present Majesty, intituled, *An Act to continue Two Acts of the Third and Seventeenth Years of the Reign of King* George *the Second, for repairing the Road leading from* Galley Corner *adjoining to* Enfield

3 G. 2. c. 10.

17 G. 2. c. 14.

10 G. 3. c. 73.

Enfield Chaſe *in the Pariſh of* South Mims *in the County of* Middleſex, *to* Lemsford Mill *in the County of* Hertford: And whereas another Act was made in the Eighteenth Year of the Reign of His preſent Majeſty, 18 G. 3. c 90. intituled, *An Act to enlarge the Term and Powers of Three Acts of the Third and Seventeenth Years of the Reign of King* George *the Second, and the Tenth Year of the Reign of His preſent Majeſty, for repairing the Road leading from* Galley Corner *adjoining to* Enfield Chaſe *in the Pariſh of* South Mims *in the County of* Middleſex, *to* Lemsford Mill *in the County of* Hertford: And whereas there is now due and owing upon the Credit of the Tolls granted by the ſaid Acts a conſiderable Sum of Money, which, together with the Tolls collected, have been duly applied, according to the Directions of the ſaid Acts; but the ſaid Road cannot be widened and improved, and made completely convenient for Travellers paſſing the ſame, and be effectually repaired and kept in Repair, and the Money now due and owing on the Credit of the ſaid Tolls be repaid, unleſs the ſaid Tolls are increaſed, and the Term of the ſaid Acts further continued, and the Powers thereof altered and enlarged; may it therefore pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice 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 ſeveral recited Acts, and all and every the Clauſes, Authorities, Powers, Penalties, Forfeitures, and Puniſhments therein contained (except ſuch as relate to Exemptions from Stamp Duties, and except ſuch as are hereby altered, varied, 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 whatever, as if the ſame were expreſsly repeated and re-enacted in the Body of this Act; 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.

No Truſtee to vote in the Election of any Officer, unleſs he ſhall have acted within a certain Period.

II. And be it further enacted, That no Truſtee ſhall have any Voice in the Election or Appointment of any Officer or Perſon to hold any Office or Place of Truſt or Profit under the ſaid Truſtees, by whatſoever Name he ſhall be deſcribed or called, unleſs ſuch Truſtee ſhall have been preſent at One or more Meeting or Meetings of the ſaid Truſtees within Three Years preceding the Death, Reſignation, or Removal of the laſt Officer, or in caſe the Office ſhall be of new Appointment, then preceding the Meeting at which ſuch new Appointment ſhall have been determined upon; and the Preſence of ſuch Truſtee at ſuch Meeting or Meetings as aforeſaid ſhall be aſcertained by his Name appearing in the Book or Books kept for the Purpoſe of entering all Proceedings of the Truſtees as being preſent on the Day or Days of ſuch Meeting.

New Tolls.

III. And be it further enacted, That from and immediately after the Twentieth Day of *October* One thouſand eight hundred and nine, the Tolls

Tolls and Duties authorized to be collected by the said recited Acts shall cease and determine and be no longer paid or payable, and that instead thereof from thenceforth the following Tolls and Duties shall be paid and payable at each and every Turnpike and Toll Bar erected or to be erected upon or across or on the Side of any Part of the said Road; (that is to say,)

For every Coach, Chariot, Landau, Berlin, Barouche, Chaise, Calash, Curricle, Hearse, or Chair, if drawn by Six Horses, the Sum of One Shilling and Sixpence; or by Four Horses, the Sum of One Shilling; or by Three Horses, the Sum of Nine-pence, or by Two Horses, the Sum of Sixpence:

For every One Horse Chaise, whether with Two or Four Wheels, the Sum of Three-pence:

For every Jockey Cart or Taxed Cart, the Sum of Two-pence:

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

For every Carriage with Four Wheels, fastened to or behind any Waggon, Wain, Dray, Cart, or other Carriage, if loaded, the Sum of Four-pence; and for every Carriage with Two Wheels so fastened, if loaded, the Sum of Two-pence:

For every Cart drawn by One Horse or Beast of Draught, the Sum of Two-pence:

For every Horse or Beast of Draught drawing any Waggon, Wain, Dray, Cart, or other such like Carriage with Nine or Six Inch Wheels, the Sum of Two-pence:

For every Horse or Beast of Draught drawing any Narrow-wheeled Waggon, Wain, Dray, Cart, or other such like Carriage, the Sum of Three-pence:

For every Score of Oxen or Neat Cattle, the Sum of Six-pence, and so in proportion for any greater or less Number: And

For every Score of Sheep, Pigs, or Calves, the Sum of Four-pence, and so in proportion for any greater or less Number;

Which said respective Sum and Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty, and the Money so to be raised and collected is and shall hereby be vested in the said Trustees, and the same and every Part thereof shall be paid, applied, or disposed of, or assigned to and for the several Uses, Intents, and Purposes, and in such Manner as in the said several former Acts are mentioned and declared with respect to the Tolls thereby granted.

Amount of Tolls payable in certain Cases.

IV. Provided always, and be it further enacted, That in case any Horse or Horses being either rode, led, or driven, but not drawing any Carriage, shall on any Day pass through any Toll Gate or Bar already or hereafter by virtue of the said recited Acts, or of this Act, to be set up or erected, and the Owner or Owners, or Person or Persons having the Care and Custody of such Horse or Horses, shall pay the Toll or Tolls payable in respect thereof; and such Horse or Horses shall afterwards during the same Day pass or go through the same Toll Gate or

Bar attached to any Coach, Chariot, Landau, Berlin, Barouche, Chaiſe, Calaſh, Curricle, Hearſe or Chair, that then and in every ſuch Caſe the Owner or Owners, or Perſon or Perſons having the Care or Poſſeſſion of ſuch Carriage to which ſuch Horſe or Horſes ſhall be attached, ſhall pay only ſuch Proportion of the Toll and Duty for ſuch Carriage as with the Sum or Sums which ſhall have been paid for ſuch Horſe or Horſes ſo having paſſed through ſuch Toll Gate or Bar, ſhall make up and amount to the Toll which would otherwiſe be paid and payable for ſuch Carriage with ſuch Horſe or the like Number of Horſes; and alſo that no Toll or Duty ſhall be demanded and taken for the Return of any Horſe or Horſes having paſſed through any ſuch Toll Gate or Bar attached to any ſuch Carriage, and in reſpect of which Carriage and ſuch Horſe or Horſes being attached thereto, a Toll Duty hath been before in ſuch Day demanded and paid, any Thing in the ſaid recited Acts or in this Act, to the contrary notwithſtanding.

Power to vary Tolls.

V. And be it further enacted, That it ſhall be lawful for the Truſtees for the Care of the ſaid Road or any Nine or more of them from Time to Time at any General Meeting or Meetings, to leſſen and reduce all or any of the Tolls by this Act granted and authorized to be demanded and taken, and for ſuch Time or Times as they ſhall think proper or expedient; and may afterwards from Time to Time advance all or any of the Tolls ſo leſſened or reduced, to any Sum or Sums of Money not exceeding the reſpective Sums or Tolls hereinbefore granted: Provided nevertheleſs, That no Reduction ſhall at any Time be made or take place, unleſs the Perſon or Perſons who ſhall be entitled to Five Sixth Parts at the leaſt of the Money which ſhall be then due and owing upon the Credit of the Tolls ſo intended to be leſſened or reduced, ſhall by Writing under his, her, or their Hand or Hands conſent thereto; and no Alteration ſhall be made in the ſaid Tolls, unleſs Fourteen Days Notice at the leaſt ſhall be given thereof in Writing, to be affixed upon or at all the Turnpikes or Toll-Houſes which are now or ſhall then be erected by virtue of the ſaid recited Acts or this Act, on the ſaid Road where ſuch Tolls ſhall be payable.

Obliging the Collector of Tolls to fix up his Name

VI. And be it further enacted, That all and every Toll Collector appointed either by the ſaid Truſtees, or by any Renter or Farmer of the ſaid Tolls authorized to be collected by this Act, or any Perſon demanding or taking any Toll payable by this Act, ſhall, and he is hereby required on each and every Day previous to his entering on Duty for the Collection of the ſaid Tolls to affix on a Board in legible Characters his Chriſtian and Surname, and let the ſame remain on the Frame of the front Door, or on ſome conſpicuous Part of the Toll-Houſe during the Time of his remaining on Duty to collect the ſaid Tolls; and in caſe ſuch Collector or Collectors, Perſon or Perſons ſhall refuſe or neglect ſo to do, and being convicted thereof on the Oath of One credible Witneſs, he or they ſhall forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, and applied in ſuch and the ſame Manner as any Penalties or Forfeitures are directed to be

be levied, recovered, and applied in and by the said recited Acts or either of them.

VII. And whereas it is expedient that the Exemptions granted by the said recited Acts should be repealed: Be it therefore enacted, That the said Exemptions shall from and after the Twentieth Day of *October* One thousand eight hundred and nine, be and the same are hereby repealed; and that from thenceforth no Toll shall 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 the said Road, or any of the Roads in the Parishes in which any Part of such Road doth lie; or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Out-houses or on the Lands of the Owners or Occupiers thereof; or for any Waggons, Wains, Carts, Carriages, or Horses 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 any Mould, Dung, Compost, or Manure employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands in any of the said Parishes (Lime only excepted); or 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 going to or returning from his 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 that shall die and be buried in any of the said Parishes; or 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; or 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; or 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 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, 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 of Exercise, provided such Persons are 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 Exemptions as aforesaid; or for any Horses, Carts, Exemptions.

Carts, or Waggons employed in Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast drawing any Coach, Landau, Berlin, Chariot, Calash, or Chair, or any Passenger on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Middlesex* or *Hertford*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; nor for any Horse or Beast laden with or drawing any Carriage carrying Corn ground or unground to or from *Lemsford Mill* in the Parish of *Hatfield* in the said County of *Hertford*, or laden with any other Sort of Goods going to or returning from any Market or Fair to be held at the said Town; 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 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 to the Purposes of the said Acts and this Act.

Stores.

VIII. 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 Over-weight; 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 Act contained, to the contrary notwithstanding.

For erecting Weighing Engines.

IX. And be it enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at any Meeting (if they shall think proper) to order and cause to be built upon any Parts of the said Road, as to them shall seem most eligible and expedient, a Crane, Machine, or Engine, with suitable Buildings thereto, proper for the weighing of Carts, Waggons, or Carriages conveying any Goods, Wares, or Merchandize whatsoever, and by Writing signed by them, or any Five or more of them, to order all and every or any such Carriage or Carriages which shall come upon any Part of the said Road within the Distance of Fifty Yards from any such Crane, Machine or Engine, whether the same shall have passed through any Toll Gate or Toll Bar, or not, to be weighed, together with the Loading thereof; and that all Clauses, Powers, Privileges, Exemptions, Restrictions, Penalties, and Forfeitures contained in an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament the general Laws now in being for regulating the Turnpike Roads in that Part of*

of Great Britain *called* England, *and for other Purposes*, applicable to Weighing Machines, shall in all Cases extend to and operate upon all Cranes, Machines, and Engines whatsoever, to be erected by virtue of this Act, any Thing herein contained to the contrary notwithstanding.

For letting Weighing Engines.

X. And be it further enacted, That it shall be lawful for the said Trustees at any Meeting, whereof Twenty-one Days Notice shall have been given in Writing, affixed upon all the Toll Gates or Turnpikes then erected by virtue of the said recited Acts and this Act, and by Advertisement inserted in some Newspaper circulated in the Neighbourhood of the said Road, from Time to Time by Writing under their Hands, to let and demise, or agree to let and demise, either with or without the Tolls, by the said recited Acts and this Act, authorized to be taken, the Weighing Cranes, Machines, and Engines which may be erected by virtue of the said recited Act passed in the Thirteenth Year of the Reign of His present Majesty and this Act, and the additional Tolls or Duties granted and made payable thereat, for any Carriage which with its Loading shall weigh more than the Weight allowed by Law, provided that the said additional Tolls be let in the same Manner as the Tolls arising at the Toll Gates or Turnpikes are by the said recited Acts directed or prescribed to be let.

Penalty on damaging Causeways or Footpaths.

XI. And be it further enacted, That if any Person or Persons shall ride upon any Causeway or Foot Path now made or hereafter to be made on the Side of the said Road, or any Part thereof, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall wilfully cause any Damages whatsoever to be done thereto, every such Person for every such Offence shall forfeit and pay any Sum not exceeding Forty Shillings, to be levied and recovered in such and the same Manner as is directed for the Recovery of Penalties and Forfeitures in and by the said recited Acts, or either of them.

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

XII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of the said recited Acts and this Act, in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees in the Name of their Clerk or Treasurer shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, nor by the Act of such Clerk or Treasurer without the Consent of the Trustees, or any Five or more of them, but that the Clerk or Treasurer for the Time being to the said Trustees, shall be deemed to be Plaintiff or Defendant, as the Case may be in every such Action.

Clerk or Treasurer to be paid his Expences,

XIII. Provided always, That every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid out of the first Money to arise by virtue of the said recited Acts

Acts and this Act, after such Action or Suit shall be commenced or discontinued, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding, he shall bear, pay, expend, or be put unto or become chargeable with by Reason of his being so made Plaintiff or Defendant as aforesaid.

Surveyors may dig Gravel, &c. on Waste Grounds.

XIV. And be it enacted, That it shall and may be lawful to and for the Surveyor or Surveyors to be appointed by the Trustees under the said recited Acts, and for such Person and Persons as the said Surveyor or Surveyors shall appoint, to dig, gather, take, and carry away any Gravel, Furze, Heath, Sand, Stones, or other Materials, out of any Waste or Common of any Parish, Town, Village, or Hamlet in the said Counties, proper and convenient for repairing and amending the Road aforesaid; and for Want of sufficient Gravel, Furze, Heath, Sand, Stones, or other Materials, then to dig, gather, take, and carry away the same out of the Waste or Common of any neighbouring Parish, Town, Village, or Hamlet in any other County or Counties, Liberty or Liberties, without paying any Thing for the same; and where there is not sufficient of such Materials on any Commons or Waste Grounds near adjoining, it shall and may be lawful for the said Surveyors, by order of the said Trustees, or any Five or more of them, to dig and gather the same on the several Lands or Grounds of any Person or Persons, (such Lands or Grounds not being a Yard, Garden, Orchard, Park, Paddock, Avenue to a House, Wood, Coppice, or Nursery for Trees) where such Materials are or may be found, and from Time to Time to carry away such and so much thereof as the said Surveyor and Surveyors in their respective Places shall judge necessary for repairing and amending the said Road, paying such Rate for such Materials, and the Damage done to the Owners or Occupiers of the Lands or Grounds where and from whence the same shall be dug, gathered, or carried away or over, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference concerning the same between such Owners and Occupiers, and the said Trustees or their Officers, touching such Damage, the Justices of the Peace at the next General Quarter Sessions to be holden for the County where such Materials shall be dug or gathered, and from whence the same shall be carried away, or such Damage done as aforesaid, shall and may adjudge, assess, and finally determine the same.

Notice to be given before Materials are taken.

XV. 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 Act, to dig, gather, get, take, or carry away any Materials for repairing such Road out of or from any inclosed Land or Ground until Notice in Writing, signed by the Surveyor, shall have been given to the Occupier 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 Occupier, to appear before the said Trustees, or any Five or more of them, or any Two or more Justices of the Peace acting in and for the County wherein such Premises shall lie, to show cause why such Materials shall not

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, the said Trustees or such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, get, take, and carry away such Materials at such Time or Times as to such Trustees or to such Justices shall seem proper; and if such Occupier or his Agent shall neglect or refuse to appear by himself or Agent, the said Trustees or 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 Occupier or his Agent had attended.

Penalties on taking away Materials.

XVI. And be it further enacted, That if any Person whomsoever shall take away any Materials which have been dug, gathered, or got in any Lands, Fields, Grounds, Wastes, or Commons, Rivers, or Brooks, for the Purposes of this Act, or shall get or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road before the said Surveyors or their Workmen shall have discontinued working therein for the Space of Fourteen Days (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get the Materials therein for his own private Use only and not for Sale), every Person so offending shall forfeit for every such Offence any Sum not exceeding Forty Shillings.

Statute Work.

XVII. And be it further enacted, That so much of the said recited Acts as relate to the Performance of Statute Labour on the said Road shall be and the same is hereby repealed; and 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 Road 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 Counties of *Middlesex* or *Hertford*; and they are hereby required and empowered upon Application made to them by the said Trustees, or by their Clerk or Surveyor, or by their Order yearly, to adjudge and determine what Part or Proportion of Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the said Road doth 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 Ttustees, or 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 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 re-

ſpective 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 Public 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 to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days' Statute Work in every Year upon the ſaid Road 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 Road 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 as 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 uſual Place or Places of Abode for that Purpoſe by any Surveyor of 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 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 on the ſaid Road ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſcharge 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 Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Highways; and if any Surveyor 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 or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Application of Compenſation where exceeding 200 l.

XVIII. 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 and this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon

or

or Persons under any other Disability or Incapacity, 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 *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 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 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, 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 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 Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation does not exceed 200*l.* nor less than 20*l.*

XIX. 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 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, and be placed to his Account as aforesaid, in order to be applied

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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 ſaid Truſtees, (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 where the Money is leſs than 20 l.

XX. 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 and this Act, in ſuch Manner as the ſaid Truſtees 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 Titles,

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank;

XXI. 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 accepr the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfactions 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 ſame 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

ſubject to the Order of the Court of Chancery on Motion or Petition.

what

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 Perſon who ſhall be in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe ſhall be deemed entitled thereto.

XXII. Provided always, and be it 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 Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Herediments, to be purchaſed in purſuance of the ſaid recited Acts and this Act, or to any Bank Annuities to be purchaſed with 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.

XXIII. Provided alſo, and be it 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 recited Acts and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees, or any Five or more of them, out of the Monies to be received by virtue of the ſaid recited Acts and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Expences of this Act, how to be paid.

XXIV. And be it further enacted, That all the Coſts and Charges expended in, about, or by reaſon of paſſing of this Act, ſhall as ſoon as may be after the paſſing of this Act, be paid out of the Monies collected or to be collected or borrowed by virtue of the ſaid former Acts or of this preſent Act.

Public Act.

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

Term of the Act.

XXVI. And be it further enacted, That the Terms granted by the ſaid recited Acts ſhall upon the Twentieth Day of *October* One thouſand eight hundred and nine ceaſe and determine; and that the ſaid Acts (ſubject to the Alterations herein-before mentioned) and this Act ſhall from thenceforth continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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