ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. xlvi.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Evesham Bridge*, in the County of *Worcester*, to *Alcester*, in the County of *Warwick*.

[19th *May* 1819.]

WHEREAS an Act was passed in the Eighteenth Year of the Reign of His present Majesty King *George* the Third, intituled *An Act for repealing certain Parts of Three several Acts of Parliament of the First, the Seventeenth, and the Thirtieth Years of the Reign of His late Majesty King* George *the Second, made for repairing several Roads leading to and from the Borough of* Evesham, *in the County of* Worcester, *and for repairing and widening the Road from* Evesham Bridge, *in the said Borough, to the* Globe Inn *in* Alcester, *in the County of* Warwick: 18 G. 3. c. 93.
And whereas another Act was passed in the Thirty-ninth Year of the Reign of His said present Majesty, intituled *An Act to continue for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, and for enlarging the Powers of an Act made in the Eighteenth Year of the Reign of His present Majesty, for repairing and widening the Road from* Evesham Bridge *in the Borough of* Evesham, *in the County of* Worcester, *to the* Globe Inn *in* Alcester, *in the County of* Warwick: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded to put the same in Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, nor can the said Road be properly amended, improved, and kept in Repair, unless the Term of the said Acts be continued, 39 G. 3. c. 11.

tinued, and ſome of the Powers and Proviſions of the ſaid Acts be 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 Acts paſſed in the Eighteenth and Thirty-ninth Years of the Reign of His preſent Majeſty, and all and every the Authorities, Powers, Privileges, Proviſions, Penalties, and Clauſes therein contained (except ſuch as are varied, altered, or repealed), ſhall be and continue in full force, and be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purpoſes, as if the ſame were herein particularly repeated and re-enacted; but ſubject nevertheleſs to the Amendments, Variations, Alterations, and Additions herein contained; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all Money now due and owing upon the Credit or on account of the ſaid Acts, or which may hereafter be borrowed or become due and owing on the Credit of the ſaid Acts and this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Recited Acts further continued.

II. And be it further enacted, That ſo much of the ſaid Act paſſed in the Eighteenth Year of the Reign of His preſent Majeſty as requires any Officer or other Perſon to verify his Account on Oath, and as authorizes the Truſtees for executing the ſaid Act to adminiſter an Oath to any ſuch Officer or Officers appointed or to be appointed by virtue of the ſaid Acts or this Act, as to the Correctneſs or Juſtneſs of his or their Accounts, or reſpecting any Sum or Sums of Money received or expended by virtue of his or their Office, ſhall be and the ſame is hereby repealed.

For repealing ſo much of former Acts as authorizes Truſtees to adminiſter an Oath to Officers.

III. And be it further enacted, That ſo much of the ſaid recited Acts as relate to the Qualification of Truſtees ſhall be and is hereby repealed; and from and after the paſſing of this Act no Perſon ſhall be capable of acting as a Truſtee in the Execution of the ſaid recited Acts and this Act, unleſs at the Time of his acting therein he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or ſhall be Heir Apparent of a Perſon having ſuch Eſtate of the clear yearly Value of One hundred and fifty Pounds, or be poſſeſſed of a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount of Four thouſand Pounds, nor (except in adminiſtering the Oath or Affirmation herein-after mentioned) until he ſhall have taken and ſubſcribed before one or more of the ſaid Truſtees an Oath, or (being one of the People called *Quakers*) an Affirmation, in the Words or to the Effect following; (that is to ſay),

Qualification of Truſtees by former Acts repealed.

Oath.

'I *A. B.* do ſwear [*or, being one of the People called Quakers*, do ſolemnly affirm], That I am truly and *bonâ fide*, in my own Right or in the Right of my Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes; or am the Heir Apparent of *A. B.* who, to the beſt of my Knowledge, is entitled to a Real Eſtate of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds above Reprizes; or that I am poſſeſſed

‘ of a Perſonal Eſtate alone, or of a Real and Perſonal Eſtate together,
‘ of the Amount or Value of Four thouſand Pounds.

‘ So help me GOD.’

Penalty on acting if not qualified.

And if any Perſon not being qualified as above mentioned ſhall, nevertheleſs, preſume to act contrary to the true Intent and Meaning of this Act, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered by Action of Debt or on the Caſe, or by Bill, Suit, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is ſo qualified, or otherwiſe ſhall pay the ſaid Penalty without any other Proof or Evidence on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of the ſaid recited Acts and this Act: Provided nevertheleſs, that all the Acts and Proceedings of any ſuch Perſon as a Truſtee in the Execution of the ſaid recited Acts and this Act, previous to his being convicted of the ſaid Offence, ſhall be as valid as if ſuch Perſon had been qualified according to the Directions of this Act.

Juſtices of the Peace may act as Truſtees.

IV. And be it further enacted, That every Perſon acting as a Juſtice of the Peace for either of the Counties through which the ſaid Road or any Part thereof paſſes, ſhall be and is hereby appointed a Truſtee to act in the Execution of the ſaid recited Acts and this Act.

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

V. And be it further enacted, That the ſaid Truſtees may ſue or be ſued for or concerning any Thing to be done by virtue or in purſuance of the ſaid recited Acts and this Act, either in the Name of the Truſtees who may be Parties to any Deed or Inſtrument in Writing, upon which any Action ſhall or may be brought, or 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 their Names, or in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death, Incapacity, or Removal of any Truſtee or Truſtees, or Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees or any Five or more of them; but that the Clerk or Treaſurer for the Time being to the ſaid Truſtees, in caſe ſuch Action ſhall be brought by or againſt or defended in the Name of ſuch Clerk or Treaſurer, ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be) in every ſuch Action or Suit: Provided always, that every ſuch Truſtee, or Clerk or Treaſurer, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of the ſaid recited Acts or this Act, ſhall be fully reimburſed and paid out of the Monies ariſing by virtue of the ſaid recited Acts and this Act, all the Coſts, Charges, Damages, and Expences which, 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.

Offices of Clerk and Treaſurer not to be held by the ſame Perſon.

VI. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to appoint or continue the Perſon who has been or ſhall be appointed to act as their Clerk in the Execution of the ſaid recited Acts and this Act, or any of them, or the Partner of any ſuch Clerk,

Clerk, the Treaſurer for the Purpoſes of the ſaid recited Acts or this Act, or any of them, or to appoint or continue the Perſon who has been or ſhall be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Truſtees for executing the ſaid recited Acts or this Act, or any of them; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer for the Purpoſes aforeſaid, or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of any ſuch Treaſurer ſhall act as Clerk in the Execution of the ſaid recited Acts or this Act, or any of them, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed.

Accounts to be kept of Receipts and Diſburſements.

VII. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby required from Time to Time, and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books ſuch Clerk ſhall enter or cauſe to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the ſaid Road, and of the ſeveral Articles, Matters, and Things for which any Sums of Money ſhall have been diſburſed, laid out, and paid; which Book or Books ſhall at all ſeaſonable Times be open to the Inſpection of the ſaid Truſtees, or any Creditor or Creditors on the Tolls to be collected by virtue of the ſaid recited Acts or this Act, without Fee or Reward; and the ſaid Truſtees and Creditors ſhall or may take Copies of or Extracts from the ſaid Book or Books, or any Part or Parts thereof, without paying any Thing for the ſame; and in caſe the ſaid Clerk, or the Perſon or Perſons who ſhall have the Care and Cuſtody of the ſaid Book or Books, ſhall refuſe to permit or ſhall not permit the ſaid Truſtees or ſuch Creditors, or any of them, to inſpect the ſame, or take ſuch Copies or Extracts as aforeſaid, ſuch Clerk or Perſon or Perſons ſhall forfeit and pay any Sum not exceeding Five Pounds.

Tickets to be delivered to the Perſon on paying Toll.

VIII. And be it further enacted, That upon Payment of any of the Tolls authorized to be collected by virtue of the ſaid recited Acts or this Act, the Collector or Receiver ſhall and he is hereby required to deliver, *gratis*, to the Perſon paying ſuch Toll, a Note or Ticket denoting ſuch Payment; and all ſuch Notes or Tickets ſhall be provided by the ſaid Truſtees, and there ſhall be printed and ſpecified thereon the Names of the ſeveral or reſpective Gates which, under the Proviſions of the ſaid recited Acts, are allowed to be paſſed free for Payment of ſuch Toll.

Diſputes about Tolls to be ſettled by a Juſtice.

IX. Provided always, and be it further enacted, That if any Diſpute or Difference ſhall ariſe concerning the Amount of any Tolls due, or the Charges occaſioned by any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof (as the Caſe may happen), until the Amount of the Tolls due, and the Charges of ſeizing, diſtraining, keeping, and ſelling the ſame (as the Caſe ſhall happen), ſhall be aſcertained by one or more Juſtice or Juſtices of the Peace for the County where the Cauſe of ſuch Diſpute ſhall ariſe, who, upon Application to him or them made for that Purpoſe, is and

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are hereby authorized and required to examine the Matter upon Oath of the Parties or other Witneſs or Witneſſes, and to determine the Amount of the Tolls due; and it ſhall be lawful for ſuch Juſtice or Juſtices to aſſeſs and award ſuch Coſts and Charges to be paid by either of the Parties to the other of them as he or they ſhall think reaſonable; and in caſe of Nonpayment of the Tolls and Coſts and Charges ſo aſcertained upon Demand, the ſame ſhall and may, by virtue of a Warrant under the Hand and Seal of ſuch Juſtice or Juſtices, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame.

Puniſhing Toll Collectors miſbehaving.

X. And be it further enacted, That all and every the Toll Collectors being Leſſee of the ſaid Tolls, or appointed either by the ſaid Truſtees or by any ſuch Leſſee or Leſſees to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of the ſaid recited Acts or this Act, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate immediately on his beginning to collect ſuch Toll or coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt Two Inches in Length, and of a Breadth in proportion, and painted either in Black Letters on a White Ground or White Letters on a Black Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall collect ſuch Toll or be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of the ſaid recited Acts and this Act, or of the Orders and Reſolutions of the Truſtees made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in anyways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame on having paid the ſaid Tolls or any of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket denoting the Payment of the Tolls, and naming and ſpecifying thereon the ſeveral Gates freed by ſuch Payment, or upon the legal Toll being paid or tendered ſhall unneceſſarily detain or wilfully obſtruct, hinder, or prevent any Paſſenger or Paſſengers from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Traveller or Paſſenger, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge, and ſuch Penalty ſhall be recovered and applied as other Penalties are by the ſaid recited Acts directed to be recovered and applied.

General Exemption from Toll.

XI. And be it further enacted, That none of the Tolls authorized to be taken by virtue of the ſaid recited Acts or this Act ſhall be demanded, taken, or received at any of the Turnpikes or Toll Gates erected or to be erected or continued upon the ſaid Road, for any Horſes or Carriages belonging to or conveying or attending His Majeſty or any of the Royal Family; or for any Horſes, Cattle, or Carriages of whatſoever 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 therefrom; or for the Horſes belonging to any Officers or Soldiers on their March or on Duty; or for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes 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 the Horſes of any Rector, Vicar, or Curate going to or returning from his own Pariſh Church or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners; or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church or Chapel; or from any Perſon or Perſons going to or returning from his, her, or their uſual Place of Religious Worſhip tolerated by Law on *Sundays*, or on any other Day on which Divine Worſhip is or ſhall be ordered by Authority to be celebrated; or attending the Funeral of any Perſon or Perſons who ſhall die and be buried in any Pariſh, Hamlet, or Place through which any Part of the ſaid Road lies; or for any Horſes, Beaſts, Cattle, or Carriages uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Worceſter* and *Warwick*, or of a Burgeſs or Burgeſſes to ſerve in Parliament for the Borough of *Eveſham*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; or of carrying or conveying Vagrants ſent by legal Paſſes; or of carrying or conveying Hay, Straw, or Corn in the Straw, for the Uſe of the Owner, and not for Sale, or purchaſed or returning empty, having been ſo employed; or of carrying or conveying any Dung, Mould, Manure, or Compoſt (except Lime), to be uſed only for manuring the Land, or going or returning empty in that Employment; or for any Horſes, Beaſts, Cattle, or Carriages of any Deſcription, 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 any Plough, Harrow, or other Implement of Huſbandry, unleſs the Carriage bearing any ſuch Plough, Harrow, or other Implement of Huſbandry, be alſo laden with any other Thing not hereby intended to be exempted from Payment of Toll; or for any Horſe, Beaſt, or other Cattle paſſing to or repaſſing from Water or Paſture; or for any Horſe, Beaſt, or other Cattle when going to or returning from being ſhod or farried; or for any Horſe, Beaſt, Cattle, or Carriages uſed or employed for the Purpoſe only of carrying or conveying Materials for the making or repairing any Highway or public Road, within any ſuch Pariſh, Hamlet, or Place as aforeſaid; or for rebuilding, building, or repairing any preſent or future Bridge or Bridges on the ſaid Road under this Truſt; or for any Horſe, Beaſt, Cattle, or Carriage which ſhall croſs the ſaid Road only, or ſhall not paſs more than One hundred Yards thereon; or for any Horſe, Mare, or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place appointed for Exerciſe, Inſpection, or Review, provided that ſuch Perſon is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements according to the Regulations appointed for

ſuch Corps at the Time of claiming the Exemption; and if any Perſon ſhall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the ſame, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds; and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

Owners or Drivers of Waggons conveying Military Stores not ſubject to Penalties for Overweight.

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

Empowering Truſtees to take down Barns, &c. for widening Road.

XIII. And be it further enacted, That for the Purpoſe of widening and improving the ſaid Road, it ſhall be lawful for the ſaid Truſtees to take down Two Barns, a Shed, and Cart Hovel in the Pariſh of *Norton*, in the County of *Worceſter*, belonging to *Joſeph Aſhmore*, and in his own Occupation, making Satisfaction and Recompence for the ſame in like Manner as Satisfaction and Recompence are directed by the ſaid recited Act of the Eighteenth Year of the Reign of His preſent Majeſty to be made for Lands and Hereditaments to be uſed or taken under the Authority of the ſaid Act for widening or improving the ſaid Road.

Deviation not to exceed more than 100 Yards from the preſent Road without Conſent.

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

Power to borrow a further Sum of Money on Mortgage.

XV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Seven or more of them, from Time to Time or at any Time or Times hereafter, to borrow and take up at Intereſt ſuch Sum or Sums of Money, not exceeding the Sum of Three thouſand Pounds over and above the Sum of Four thouſand Pounds authorized to be borrowed by virtue of the ſaid recited Acts, as they ſhall think fit, upon the Credit of the Tolls ariſing by virtue of the ſaid recited Acts and this Act, or any Part or Parts thereof, and by Writing under their Hands and Seals to aſſign over the ſaid Tolls, or any Part or Parts thereof, and the Turnpikes, Toll Gates, and Toll Houſes for collecting the ſame (the Charges of ſuch Mortgages or Aſſignments to be paid out of the ſaid Tolls), to any Perſon or Perſons, during the Continuance of the Term granted by this Act, as a Security or Securities for the Repayment of the ſeveral Sums which ſhall be

be borrowed, with the Intereſt thereof, in the Manner and according to the Forms, Rules, and Directions contained in the ſaid recited Acts, or either of them.

An Action of Ejectment may be ſupported by One Mortgagee.

XVI. And be it further enacted, That if any Mortgagee or Mortgagees of the Toll Gates, Bars, Chains, Toll Houſes, and Buildings erected or to be erected by virtue of the ſaid recited Acts or this Act, ſhall ſeek to obtain the Poſſeſſion of the ſaid Toll Gates, Bars, Chains, Toll Houſes, and Buildings, or of the Tolls authorized to be collected thereat, in order to pay himſelf, herſelf, or themſelves the principal Money and Intereſt, or any Part thereof, due to him, her, or them, it ſhall be competent for him, her, or them, as Leſſor or Leſſors of the Plaintiff, and upon his, her, or their Demiſe only, and without uniting in ſuch Demiſe the other Mortgagees of the ſaid Tolls and Premiſes, to obtain ſuch Poſſeſſion; but ſuch Perſon or Perſons who ſhall obtain the Poſſeſſion thereof ſhall not apply the Tolls which may conſequently be received by him, her, or them to his, her, or their own excluſive Uſe and Benefit, but to and for the Uſe and Benefit of all the Mortgagees of the ſaid Tolls, Toll Gates, Buildings, and Premiſes, *pari paſſu*, and in proportion to the ſeveral Sums which which may be due to them as ſuch Mortgagees.

Application of Compenſation if amounting to 200l.

XVII. 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 Perſons under any Diſability or Incapacity, as in the ſaid Act paſſed in the Eighteenth Year of the Reign of His preſent Majeſty mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Truſtees for executing the ſaid recited Acts and this Act, purſuant to the Method preſcribed by the Act of the Twelfth Year of the Reign of King *George* the Firſt, Chapter Thirty-two, and the General Orders of the ſaid Court, without Fee or Reward, to the Intent that ſuch Money may 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 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, Truſts, Intents, or Purpoſes; or where ſuch Monies 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 Meſſuages, 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 the Conveyance and Settlement ſhall be exiſting, undetermined, and capable

capable of taking Effect; and in the meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery, upon Application thereto, be veſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until ſuch 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.

Where leſs than 200l. and exceeding 20l.

XVIII. 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 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 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 any 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 Court of Chancery.

Where not more than 20l.

XIX. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as laſt before mentioned ſhall not exceed 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 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 Titles, Purchaſe Money to be paid into the Bank.

XX. 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 ſaid Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands or Hereditaments [deſcribing them], ſubject to the Order, Controul, and Diſpoſition of the ſaid 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 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 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 in Poſſeſſion of the Lands, &c. at the Time of Purchaſe, ſhall be deemed entitled thereto.

XXI. 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 ſaid Court of Chancery in purſuance of the ſaid recited Acts or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, 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 ſaid Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Court of Chancery may order the reaſonable Expences of

XXII. 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 of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and

to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance thereof, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Acts or of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees or any Five or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct. Purchaſes to be paid by Truſtees.

XXIII. And be it further enacted, That ſo much of the ſaid recited Act paſſed in the Eighteenth Year of the Reign of His preſent Majeſty, as relates 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 *Worceſter* and *Warwick*, within their reſpective Juriſdictions, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor 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, Hamlets, or Places in which the ſaid Road lies; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Hamlet, 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 thereto it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Hamlet, or Place, within their reſpective Juriſdictions, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Five Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh, Hamlet, 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 Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may 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 on ſuch Days and at ſuch Times (not being Haytime 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 Surveyor or Surveyors of every ſuch Pariſh, Hamlet, Statute Work.

Hamlet, or Place for the Time being, to be by him or them paid over to the ſaid Truſtees, or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in default of Payment thereof by any ſuch Surveyor or Surveyors, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts, or either of them, authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe 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 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 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 Road; and if any Surveyor of the Highways for any of the ſaid Pariſhes, Hamlets, 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.

For getting Materials to repair the Road.

XXIV. And be it further enacted, That ſo much of the ſaid recited Act, paſſed in the Eighteenth Year of the Reign of His preſent Majeſty, as authorizes the ſaid Surveyors by Order of the ſaid Truſtees to get Materials for repairing the ſaid Road, ſhall be and the ſame is and are hereby repealed; and it ſhall and may be lawful for the Surveyor or Surveyors of the ſaid Road, and all ſuch Perſon or Perſons as he or they ſhall appoint, to ſearch for, dig, gather, and take away any Stones, Gravel, Sand, Chalk, Furze, Heath, or other Materials for making or repairing the ſaid Road, out of any Waſte or Common Ground, Common River or Brook, in any Pariſh, Town, or Place adjoining the ſaid Road, without paying any Thing for the ſame, they the ſaid Surveyor or Surveyors or other Perſon or Perſons filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks from whence ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and if ſufficient Quantities of Materials cannot be had or found in or upon any ſuch Waſte or Common Ground, Common River or Brook, then and in ſuch Caſe the Surveyor or Surveyors, or other Perſons as aforeſaid, may, by Order of any Two Juſtices of the Peace for the County in which the Land may be ſituated, ſearch for, dig, gather, and take away any ſuch Materials in and out of the Lands, Fields, or Grounds of any Perſon or Perſons where the ſame may be had or found

found (such Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Walks, or Avenue to a House, or a Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for the Value of the Materials, and for the Damage done to the Owners and Occupiers of such Ground where and from whence the same shall be dug, gathered, and carried away, or over which the same or any other Materials for making or repairing the said Road shall be carried, as the said Justices shall adjudge reasonable.

Notice to be given before Materials taken.

XXV. And be it further enacted, That it shall not be lawful for any Surveyor or Surveyors, or any Person or Persons acting under the Authority of this or the said recited Acts, 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 or Occupiers thereof first had and obtained for that Purpose, and until Ten Days previous Notice in Writing, signed by the Surveyor of the said Road, shall have been given to the Owners or Occupiers of the Premises from which such Materials are intended to be taken, or left at the House or last usual Place of Abode of such Owners or Occupiers, to appear before any Justice or Justices of the Peace acting in and for the County in which such Lands or Grounds shall be situate, to shew Cause why such Materials should not be had from such Lands or Grounds; and in case such Owner or 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 and at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or his 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 Owner or Occupier or his Agent had attended.

Penalty on taking away Materials got by Surveyor.

XXVI. And be it further enacted, That if any Person or Persons shall take and carry away any Materials which shall have been dug or gathered for the Purpose of repairing or amending the said Road, or if any Person or Persons 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 Twenty Days (except the Owner or Occupier of any private Ground, and the Person or Persons authorized by such Owner or Occupier to get Materials therein for his own private Use only, and not for Sale), all and every such Person and Persons so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Gates to open inwards.

XXVII. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatsoever, shall be made to open into or towards any Part of the said Road, or be suffered to continue so to open, except the hanging Post thereof shall be Thirty Feet at least from the Centre of such Parts of the said Road; and the Occupier or Occupiers of every Park, Paddock, Field, or Inclosure, having any Gate opening contrary to

the Directions of this Act, shall within Fourteen Days after Notice to him, her, or them given, either personally or in Writing from the Surveyor of the said Road, cause such Gate to be hung in the Manner hereby directed whenever the same shall be practicable, but in every Case in such a Manner as that no Part of the Gate when open shall project over any Part of the said Road or any Footpath belonging thereto; and in default thereof the Surveyor of the said Road is hereby authorized to cause such Gate to be so hung, and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made to any Justice or Justices of the Peace acting in and for the County in which such Gate shall have been erected, and upon Conviction thereof on the Oath of One credible Witness, pay to such Surveyor such Sum as the said Justice or Justices shall direct to defray the Expence of making the Alteration and hanging such Gates, and shall also forfeit and pay a further Sum not exceeding Forty Shillings for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made as aforesaid.

Riding on Footpaths, &c.

XXVIII. And be it further enacted, That if any Person shall ride upon any Footpath or Causeway formed upon or on the Side of or adjoining to the said Road, or shall drive any Horse, Beast, or Swine, or any Carriage upon, or cause any Damage to be done to any Footpath or Causeway; or if any Person shall cause to be hauled or drawn upon any Part of the said Road any Timber, Stone, or other Thing (otherwise than upon Wheeled Carriages), or shall suffer any Timber, Stone, or other Thing which shall be carried upon Wheeled Carriages to drag upon the said Road to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Road shall suffer the same to root up and damage the same or the Fences on either Side thereof; or if any Person shall turn or suffer any Horse, Ass, Beast, or Swine to be turned on or to be or remain upon the said Road to graze or depasture on the Sides thereof; or if any Person driving any Carriage upon the said Road shall ride on the Shafts or other Part of the said Carriage without holding the Reins of the Horse or Horses, or meeting another Carriage shall not keep his or her Carriage on his or her Left or near Side of the said Road, and also keep on the same Side himself; or if any Person shall in any other Manner wilfully prevent any other Person or Persons from passing him or her or any Carriage under his or her Care upon the said Road; or if any Person shall kill or singe any Hog, Pig, or Swine, or 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, within Ten Yards from the Centre of any Part of the said Road, or play at Football or any other Game or Games on any Part of the said Road; or if any Person shall leave any Carriage (except in Cases of Accident) upon or on the Side of the said Road longer than may be necessary to load or unload the same, either with or without any Horse or Beast of Draught harnessed or yoked thereto, and then such Carriage shall be placed as near to the Side of the said Road as conveniently may be; or shall lay any Timber, Stones, Chalk, Marl, Lime, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever upon the said Road, or on the Side or Sides thereof between the said Road and the Fences now standing or hereafter to be erected on the Sides thereof; or shall plough up, dig up, or break up any of the Soil between any Part of the said Road and such Fences as

aforesaid, for the Purpose of making Compost or Manure; or otherwise shall scrape off any Soil or other Thing from the said Road or the Sides thereof, or shall take up and carry away any Scrapings thereof, or any Dung, Mould, Soil, Compost, or Manure from the Sides thereof, except such as may be lying in his own Ground, and be carried away without being brought over any Part of the said Road, or that the same be done at such Times and under such Regulations as the Trustees or their Surveyor shall direct and order, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as other Penalties are by the said recited Acts directed to be recovered and applied.

For paying the Expences of this Act.

XXIX. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, together with lawful Interest for the Money which shall be advanced from Time to Time for that Purpose, shall be paid out of any Money already raised by virtue of the said recited Acts, or out of the first Monies which shall be raised or borrowed upon the Credit of the said recited Acts and this Act, or out of any Money to be collected by virtue thereof, in preference to all other Payments whatsoever.

Public Act.

XXX. 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.

XXXI. And be it further enacted, That this Act shall commence and have Effect upon the passing thereof, and the said recited Acts (subject to the Alterations, Additions, and Amendments in this Act contained) and this Act shall be put in force and be executed for and during the Residue now to come of the Term granted by the said recited Act of the Thirty-ninth Year of the Reign of His present Majesty, 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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