ANNO PRIMO

# GEORGII IV. REGIS.

## *Cap.* i.

**An Act to continue the Term, and alter and enlarge the Powers, of several Acts passed for repairing the Roads therein described, so far as the said Acts relate to the Roads leading from *Ferrybridge*, through *Wetherby*, to *Boroughbridge*, in the County of *York*. [6th *June* 1820.]**

WHEREAS an Act was passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the Roads from* Doncaster, *through* Ferrybridge, *to the South Side of* Tadcaster Cross; *and also from* Ferrybridge *to* Wetherby, *and from thence to* Boroughbridge, *in the County of* York: And whereas an Act was passed in the Twenty-sixth Year of the Reign of His said late Majesty, intituled *An Act to explain and make more effectual an Act passed in the Fourteenth Year of His present Majesty's Reign, for repairing the Roads from* Doncaster, *through* Ferrybridge, *to the South Side of* Tadcaster Cross; *and also from* Ferrybridge *to* Wetherby, *and from thence to* Boroughbridge, *in the County of* York: And whereas an Act was passed in the Twenty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enlarge the Term and Powers of Two Acts, made* 14 G. 2. c. 28. 26 G. 2. c. 77. 23 G. 3. c. 95.

*made in the Fourteenth and Twenty-sixth Years of the Reign of King* George *the Second, for repairing the Roads from* Doncaster, *through* Ferrybridge *to the South Side of* Tadcaster Cross; *and also from* Ferrybridge *to* Wetherby, *and from thence to* Boroughbridge, *in the County of* York, *so far as the same relate to the Road between* Ferrybridge *and* Wetherby, *and from thence to* Boroughbridge: And whereas an Act was passed in the Thirty-ninth Year of His said late Majesty's Reign, intituled *An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers, of Three several Acts, passed in the Fourteenth and Twenty-sixth Years of the Reign of His late Majesty King* George *the Second, and in the Twenty-third Year of the Reign of His present Majesty, for repairing the Roads from* Doncaster, *through* Ferrybridge, *to the South Side of* Tadcaster Cross; *and also from* Ferrybridge *to* Wetherby, *and from thence to* Boroughbridge, *in the County of* York, *so far as the same relate to the Road between* Ferrybridge *and* Wetherby, *and from thence to* Boroughbridge: And whereas the Trustees appointed in or by virtue of the said several Acts proceeded to put the same in execution, and did for that Purpose borrow several Sums of Money on the Credit of the Tolls, by the said Acts granted and made payable upon that Part of the said Road leading from *Ferrybridge*, through *Wetherby*, to *Boroughbridge*, and a great Part of such Money is still due and owing and cannot be paid off, and the Interest thereof discharged, within the subsisting Term of the said Acts, nor can the same Road be effectually amended, improved, and kept in repair, unless the Term and Powers of the said several recited Acts be further continued, and some of the Powers and Provisions thereof respectively altered, amended, and enlarged; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, so far as the same relate to the said Road leading from *Ferrybridge*, through *Wetherby*, to *Boroughbridge*, (except such as relate to Exemptions from Stamp Duties, and such as are varied, altered, or repealed,) shall be and continue in full Force and Effect, and shall be executed for and during the Term herein-after mentioned, in like Manner and as fully and effectually to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Amendments, Alterations, Variations, and Additions in this Act contained, and which shall commence and take effect immediately from and after the passing of this Act, and continue and be in force during the Term herein-after mentioned; and this Act, and the additional Term hereby granted, shall be subject and liable to the Payment of all the Money now due on the Credit or on Account of the said recited Acts or any of them, or which shall be borrowed on the Credit of them and

39 G. 3. c. 10.

Money borrowed still due.

The said recited Acts further continued, so far as relates to the Road from Ferrybridge, through Wetherby, to Boroughbridge.

of this Act, and all the Interest due and to grow due thereon respectively.

Additional Trustees.

II. And be it further enacted, That all His Majesty's Justices of the Peace acting in and for the said County of *York*, together with the Honourable *Frederick William Robinson*, Sir *Harry James Goodricke*, Sir *John Ramsden*, Baronets, *John Abbay*, *William Abbay*, *Thomas Barstow*, *Varley Bealby*, *Thomas Davison Bland*, *John Brewin*, *John Charge* Clerk, *Thomas Clapham*, *William Collins*, *John Dalton*, *John Dalton* the younger, *Thomas Duncombe*, *Thomas Slingsby Duncombe*, *Humphrey Fletcher*, *George Lane Fox*, *William Henry Harrison*, *John Harrison*, *John Hartley* Clerk, *Richard Hartley* Clerk, *John Henlock*, *Ralph Bates Hunter* Clerk, *John Husband* Clerk, *James Landon* Clerk, *Andrew Lawson*, *Isaac Newton*, *Charles Christopher Oxley*, *Howell Worster Powell* Clerk, *Grosvenor Perfect*, *Gregory Rhodes*, *Edmund Robinson*, *William Lister Fenton Scott*, *Thomas Simpson*, *Thomas Kitchinman Staveley*, *Joseph Beevers Terry*, *John Farside Watson*, *George James Watson*, *Anthony Watson* Clerk, *Francis Whincup*, and *Montague Winyard* Clerk, shall be and they are hereby added to and joined with the Trustees appointed or elected for putting the said recited Acts in Execution, so far as the same relate to the said last-mentioned Road; and that the said Trustees, by and in pursuance of the said recited Acts and of this Act, appointed or to be elected and qualified as in this Act directed, shall be and they are hereby nominated and appointed Trustees for surveying, ordering, amending and keeping in Repair the said Road, and for otherwise putting the said recited Acts and this Act in Execution with relation thereto.

Qualification of Trustees.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of the said recited Acts and this Act, whilst he holds any Place of Profit or be concerned or interested in any Contract or Contracts under the said recited Acts and this Act, or either of them, nor in any case wherein he shall be personally interested, otherwise than as a Creditor; nor shall any Person be qualified to act as a Trustee unless at the Time of his acting he shall be in his own Right, or in the Right of his Wife, in the actual Possession of and Enjoyment or Receipt of the Rents and Profits issuing out of Freehold or Copyhold Lands, Tenements or Hereditaments, of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent to some 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 Affirmationh erein-after mention- until he shall have taken and subscribed before any Two 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,)

Oath.

'I *A. B.* do swear, [*or*, *being one of the People called Quakers*, do solemnly affirm,] that I truly and *bonâ fide* am in my own Right

'Right [*or*, in the Right of my Wife] in the actual Possession and 'Enjoyment or Receipt of Rents and Profits issuing out of Freehold 'or Copyhold Lands, Tenements, or Hereditaments, of the clear 'yearly Value of One hundred Pounds above Reprizes [*or*, am pos- 'sessed of a Personal Estate alone, or Real and Personal Estate toge- 'ther], to the Amount of Four thousand Pounds, or am Heir Appa- 'rent of *A. B.* who, to the best of my Knowledge, is possessed of a 'Real Estate in Lands, Tenements, or Hereditaments, of the clear 'yearly Value of One hundred and fifty Pounds.

'So help me GOD.'

And if any Person unqualified by any of the Causes aforesaid, or not being qualified as herein-before mentioned, shall nevertheless presume to act contrary to the true Intent and Meaning hereof, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall inform or 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, Plaint, Suit, or Information, 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 Prosecutor, than that such Person hath acted as a Trustee in the Execution of the said recited Acts and this Act, or either of them, any thing in the said recited Acts to the contrary thereof notwithstanding: Provided nevertheless, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees in the Execution of the said recited Acts and this Act, or either of them (although not duly qualified), previously to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been qualified according to the Directions of this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at their First or Second Meeting to be holden in pursuance of the said recited Acts or this Act, to elect any additional Number of fit and proper Persons, not exceeding Ten in the whole, to be Trustees for the Purposes of the said recited Acts and this Act, so far as the same relate to the said last-mentioned Road; and such Trustees so elected shall be and are hereby invested with the same Powers and Authorities for executing the said recited Acts and this Act, as if they had been named and appointed Trustees in or by virtue of this Act.

Trustees to take Security from their Treasurer, Receiver, and Collectors.

V. And be it further enacted, That the said Trustees, or any Five or more of them, shall, and they are hereby directed and required to take sufficient Security from the Treasurer or Treasurers, Receiver or Receivers, and Collector or Collectors already appointed, or to be elected and appointed by virtue of the said recited Acts

and of this Act, or any of them, for the due Execution of their respective Offices.

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

VI. 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 or of this Act, in the Name of their Clerk 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, shall abate or be discontinued by the Death or Removal of any such Clerk, nor by the Act of such Clerk, without the Consent of the said Trustees, or any Five or more of them; but that the Clerk 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: Provided always, that every such Clerk 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 or 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, Suit 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.

Accounts to be kept of Receipts and Disbursements, which shall be open to the Inspection of the Trustees and Creditors.

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 the said recited Acts and 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 such 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 by the said recited Acts and this Act granted, without Fee or Reward; and the said Trustees and Creditors, or any of them, 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 shall refuse to permit, or shall not permit the said Trustees or such Creditors to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds; to be levied, recovered and applied in manner by the said recited Acts mentioned.

Clerk restrained from acting as Treasurer, and vice versa.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may 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, the Treasurer for the Purposes of the said

said Acts and this Act, or any of them, or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing the said Acts and this Act, or any of them; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Acts and this Act, or any of them; 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 and 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, or more than one Imparlance shall be allowed.

Trustees not to administer Oaths on verifying Accounts.

IX. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Trustees, or any of them, to administer any Oath or Oaths to any Clerk, Treasurer, Collector of the Tolls, Surveyor or other Officer or Officers, now appointed or hereafter to be appointed under or by virtue of the said recited Acts and this Act, or any of them, for the Purpose of verifying his or their Accounts.

Tolls to be paid but once a Day.

X. And be it further enacted, That if any Person shall have paid the full Toll by the said recited Act of the Thirty-ninth Year of His said late Majesty's Reign, authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage, through the Toll Gates erected or set up upon the said last-mentioned Road by virtue of the said recited Acts, or which may at any Time or Times hereafter be erected and set up upon the same Road by virtue of the said recited Acts or of this Act, such Person shall, upon producing a Note or Ticket denoting the full Payment thereof on that Day, be permitted to pass Toll-free with the same Horse, Cattle, Beast, and Carriage, through the said Toll Gates or any of them at any Time or Times during the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night.

Tickets to be provided denoting the Payment of Tolls.

XI. And be it further enacted, That upon Payment of the Tolls by the said recited Acts and this Act granted and continued, the Collector or Receiver thereof shall, and he is hereby required to deliver *gratis* to the Person paying such Toll, a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees, and there shall be printed and specified thereon the Name or Names of the Gate or Gates freed by such Payment.

Collectors of Tolls not incompetent Witnesses.

XII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall happen to arise, touching or in anywise relating to the Tolls to be collected on the said Road, or the Recovery thereof, the Person or Persons now appointed or hereafter to be appointed to collect

lect the said Tolls, or any other Person or Persons, acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his, her, or their being so appointed to collect the said Tolls, or acting under the Authority of the said Trustees.

To enable Trustees to take Possession of Toll Houses, &c.

XIII. And be it further enacted, That in case all or any of the Tolls arising by virtue of the said recited Acts or any of them, or of this Act, at the Turnpike Gates or Toll Bars now erected or hereafter to be erected upon the said Road, or any of them, shall be demised or let to farm to any Person or Persons in pursuance of the said recited Acts or any of them, or of this Act, and such Person or Persons shall neglect or refuse to perform the Terms and Conditions of the Demise or Contract by which the same are let to him, her, or them, either by taking a greater or less Toll in respect of any Carriage, Waggon, Cart, Horse, Beast, or Cattle, than those demised or let to him, her, or them, or in any other Way or Manner; or in case the Rent for which such Tolls shall be demised or let, or any Instalment thereof, shall be in Arrear or unpaid for the Space of Fourteen Days next after any of the Days or Times whereon the same shall become due and ought to be paid, pursuant to such Demise or Contract, and the Toll House or Toll Houses appertaining to such Turnpike Gate or Gates, or Toll Bar or Bars, shall be in the Possession of any such Lessee or Lessees, Farmer or Farmers, or any Person or Persons, by him, her, or them appointed to collect the Tolls thereat; then and in any of the said Cases it shall be lawful for the said Trustees, or any Five or more of them (if they shall think proper) to vacate and determine such Demise and Contract, giving a Notice in Writing of such their Determination, to such Lessee or Lessees, Farmer or Farmers, by leaving the same at the Toll House or Toll Houses at such respective Turnpike Gate or Turnpike Gates; and such Lease or Contract shall from that Time be utterly void to all Intents and Purposes (save as to the Covenants for Payment of the Rent to the Day of such Notice being delivered), as if the same had not been made; and in case any such Lessee or Lessees, Farmer or Farmers, shall not, on Service of such Notice as aforesaid, deliver the Possession of the Toll House or Toll Houses, and the Turnpike Gate or Turnpike Gates, or Toll Bar or Toll Bars, with the Appurtenances, so demised and let to him, her, or them, it shall be lawful for any Justice of the Peace for the Riding, Liberty, or Place in which such Toll House or Toll Houses, Turnpike Gate or Turnpike Gates, or Toll Bar or Toll Bars, with the Appurtenances, shall be situate, by Warrant under his Hand and Seal to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House or Toll Houses and Premises in the Day Time, and to remove the Person or Persons who shall be found therein, together with their Goods, out of such House or Houses, and to put such Person or Persons into the Possession thereof, as the said Trustees, or any Five or more of them shall appoint.

Exemptions.

XIV. And be it further enacted, That no Toll shall be demanded or taken for or in respect of any Carriage, Horse, Cattle, or Beast employed

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, Stones, Bricks, Lime, Timber, Wood, Gravel, or other Materials for repairing of the same Road, or any of the Roads or public Bridges in the Townships in which any Part of the said Road is situate; or Hay, Grass, Straw, or Corn in the Straw, not sold or disposed of, or passing for that Purpose, but passing to be placed or laid up in the Buildings or on the Premises of the Owners thereof; or for or in respect of any Carriage, Horse, Cattle, or Beast, employed only in carrying or conveying, or going empty or unladen to carry or convey, or returning empty or unladen 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 other Manure, to be employed only in Husbandry for manuring, or improving Lands, (and not for Purposes of Trade), or for any other Thing employed in the managing of any Farms or Lands; or for any Horses or Cattle going to or returning from Pasture or Watering Place, or going to be or returning from being shoed or farried, or from any Person going to or returning from his or her Parochial Church or Chapel, or from any Person going to or returning from his or her usual 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 for any Hearse or Carriage conveying the Corpse, or attending the Funeral of any Person who shall die and be buried in any of the Parishes in which the said Road doth lie; or for any Horse, Beast, Cattle, or Carriage of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying or returning back from conveying the same; or for any Horse or Carriage attending His Majesty or any of the Royal Family; or for any Horse, Beast, Cattle or Carriage attending any Soldiers on their March or on Duty, or 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, Commissariat, or other Publick Stores, of, for, or belonging to His Majesty, for the Use of His Majesty's Forces, or returning from attending them on such Occasions; 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 the Place appointed for and on the Days of Exercise or Review, provided that such Persons are in the Uniforms 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; or for any Horse, Cart, Waggon, or other Carriage employed in the Conveyance of Vagrants sent by legal Passes, or returning from such Employment; or for any Horse, Cattle, Beast, or Carriage carrying or conveying any Person, or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliment for the said County of *York*, on the Day or Days of such Election, or on the Day before or Day after such Election shall

begin or be concluded: And if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions 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 this and the said recited Acts; and in all Cases the Proof of Exemption shall lie on the Person claiming the same; which Penalty shall and may be levied and recovered in such and the same Manner as Penalties are directed to be levied and recovered by the said recited Acts, or any or either of them.

Owners or Drivers of Waggons in the King's Service, not subject to Penalties for Overweight.

XV. 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 in any such Waggon, Wain, Cart, or other Carriage, or for 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.

Tolls may be reduced and raised again.

XVI. And be it further enacted, That the said Trustees, or any Five or more of them, at any Meeting to be held for that Purpose, whereof Ten Days Notice shall be affixed on all the Turnpike Gates which shall be then erected upon the said last-mentioned Road, shall and may, and they are hereby empowered from Time to Time to reduce all or any of the Tolls granted by the said recited Act of the Thirty-ninth Year of His present Majesty's Reign, and to order such Tolls, so reduced, to be collected and received in such Manner, Parts, and Proportions, and for such Time as they shall think fit, so as such Reduction be made with the Consent of the Person or Persons entitled to Five-sixth Parts of the Money then due on the Credit of the said Tolls, and to raise the same again, or any Part thereof, so as the same do not exceed the respective Tolls by the said last-mentioned Act granted.

Abatement of Toll in certain Cases.

XVII. And be it further enacted, That all Waggons, Carts, and other Carriages, having the Wheels of the Widths and Descriptions, and the Axletrees fixed, as mentioned and set forth in and by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying Extra Weights in certain Cases* shall be allowed an Abatement of One-fourth Part of the Tolls by the said recited Acts and this Act granted and continued.

Tolls not to be applied in repairing the

XVIII. And be it further enacted, That no Part of the Tolls arising at the Toll Gates now erected or to be erected upon any Part of

Streets of Wetherby and Boroughbridge.

of the said Road, shall be laid out or applied in repairing, amending, or paving the Town Streets of *Wetherby* and *Boroughbridge*, or either of them.

Toll Collectors to put up their Names.

XIX. And be it further enacted, That every Toll Collector appointed either by the said Trustees, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected upon the said Road, shall, and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters in the Front or on some other conspicuous Part of the Toll House or Toll Gate, immediately upon coming on Duty, each of the Letters of such Name to be at least One Inch in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the said 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 or Persons than he shall be authorized to do by virtue of the said recited Acts and this Act, or any or either of them, 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 anywise 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 been paid the said Tolls, or any of them, or shall give a false Name or Names on such Demand, or shall refuse or neglect to deliver a Ticket *gratis*, denoting the Payment of the Toll, and naming and specifying the Gate or Gates freed by such Payment, or shall make use of any scurrilous or blasphemous Language to any Person or Persons travelling upon the said Road, or shall without sufficient Cause detain or delay any Person or Persons travelling thereon, then and in every such Case every such 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 levied, recovered, paid, and applied, in such and the same Manner as other Penalties are by the said recited Acts, or any of them, directed to be levied, recovered, paid, and applied.

For settling Disputes concerning Tolls.

XX. And be it further enacted, That if any Dispute shall happen about the Amount of Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person so distraining, to retain such Distress, or the Money arising from the Sale thereof [as the Case may happen]; until the Amount of the Tolls, or the Charges of the Distress and Sale, and of keeping the Distress [as the Case may happen] be ascertained by some Justice of the Peace for the Riding, Liberty, or Place wherein the Cause of Dispute shall arise; who, upon Application made to him for that Purpose shall examine the Matter by Oath of the Parties or other Witness or Witnesses, (which Oath such Justice is hereby authorized to administer), and shall determine the Amount of the Tolls due, and shall award such

Costs

Costs and Charges to either Party, as to the said Justice shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal of such Justice, by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, rendering the Overplus (if any) on Demand, after deducting the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

An Action of Ejectment may be supported by One Mortgagee.

XXI. And be it further enacted, That if any Mortgagee or Mortgagees of the said Tolls, Toll Gates, Bars, Chains, Toll Houses and Buildings, shall seek to obtain the Possession of the said Toll Gates, Bars, Chains, Toll Houses, and Buildings, 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 may be due to them as such Mortgagees.

In altering the Course of the present Road, Trustees not to deviate more than 100 Yards from the present Line.

XXII. And be it further enacted, That it shall not be lawful for the said Trustees, in diverting, turning, or altering the Course or Path of any Part or Parts of the said Road, to deviate more than One hundred Yards from the present Line or Course of the said Road, without the Consent in Writing of the Owners, or reputed Owners and Occupiers for the Time being of the Lands or Grounds which may be affected by any such Diversion or Alteration.

Houses, &c. not to be injured.

XXIII. And be it further enacted, That nothing in this or the said recited Acts, or any or either of them contained, shall extend or be construed to extend to authorize the said Trustees in diverting or altering the Line of the said Road, to take or pull down, injure, or damage any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained.

For getting Materials to repair the Road.

XXIV. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Road, and to and for all such Person or Persons as he or they respectively shall appoint, to search for, cut, dig, get, gather, and take away any Furze, Heath, Stones, Gravel, Sand, or other Materials for repairing the said Road, out of

or from any Commons or Waste Grounds, common River, Brook, or Pit, in any Parish, Township, or Place in which any Part of the said Road shall lie, or in any adjoining Parish, Township, or Place, without paying any Thing for the same, the said Surveyor or Surveyors, or other Person or Persons acting by his or their Appointment, filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where 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 also that such Surveyor or Surveyors, or other Person or Persons as aforesaid, may by Order of any Two or more Justices of the Peace for the Riding, Liberty, or Place in which the said Road doth lie, search for, cut, dig, gather, and take away any such Materials as aforesaid, in, out of, or from the private Lands, Fields, or Grounds of any Person or Persons where the same may be had or found, in any Township, Parish, or Place in which any Part of the said Road shall lie or be situate, or in any adjoining Township, Parish, or Place, (such Lands, Fields, or Grounds not being a Garden or Orchard, Yard, Park, Paddock, planted Walk or Walks, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for the same, and for any Damages done thereby to the Owners or Occupiers of the Grounds and Premises where and from whence the same shall be cut, dug, gotten, gathered, and carried away, or over which the same or any other Materials for repairing the said Road shall be carried, according to their respective Rights and Interests in such Grounds and Premises, as the said Trustees, or any Five or more of them, shall deem reasonable; and in case of any Difference between the said Trustees, Surveyor or Surveyors, or other Persons employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning the Value of such Materials and Damages, it shall be lawful for any Two or more Justices of the Peace for the said Riding, Liberty, or Place in which the said Road doth lie, on Ten Days Notice in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine the Matters of such Payment and Damages.

Notice to be given to Occupiers of inclosed Lands, before Materials are taken therefrom.

XXV. And be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons, under the Authority of the said recited Acts or this Act, to dig, gather, get, take, or carry away any Materials for repairing the said Road out of or from any inclosed Lands or Grounds, until Ten Days Notice in Writing, signed by such Surveyor, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner or Occupier at his or her last or usual Place of Residence, to appear before any One or more Justice or Justices of the Peace acting for the Riding or Place where such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier, or his or her Agent, shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, then

and

and in such Case it shall be lawful for the said Justice or Justices, by his or their Order or Orders, to authorize such Surveyor or other Person or Persons to dig, get, gather, take, and carry away such Materials, 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 herself, or his or her Agent, such Justice or Justices shall and may make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes, as if such Owner or Occupier, or his or her Agent, had attended; any thing in the said recited Acts contained to the contrary notwithstanding.

Penalty on taking away Materials got by the Surveyor.

XXVI. Provided always, and be it further enacted, That if any Person whomsoever shall take away any Materials which shall have been dug or gathered, for the Purpose of repairing or improving the said Road, or shall get or take away any Materials out of any Pit or Quarry, which shall have been made, dug, or opened for the Purpose of getting the said Materials, before the said Surveyor or his Workmen shall have discontinued working therein for the Space of Forty Days (except the Owner or Occupier of any private Ground, and the Person or Persons authorized by such Owner or Occupier to get Materials for his own private Use only, and not for Sale), every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, and applied in Manner by the said recited Acts mentioned.

Gates not to open or swing into the Road.

XXVII. And be it further enacted, That all Gates to be hereafter placed in any Field or Ground adjoining any Part of the said Road, shall be made and hung to open and swing inward towards such Field or Ground, and not outward towards the said Road; and it shall be lawful for the said Trustees, or any Five or more of them, to order all such Gates as are now erected, or may hereafter be erected, and open and swing outward towards the said Road, to be altered and made to open and swing inward, as they the said Trustees, or any Five or more of them, shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outward towards the said Road, shall (after Ten Days Notice from the Surveyor of the said Road, requiring him, her, or them to alter any such Gate or Gates, and make the same to open and swing inward) refuse or neglect to make such Alteration, or after such Alteration shall have been once made, shall again alter the same, every such Occupier or Occupiers shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, paid, and applied in Manner directed by the said recited Acts, or any or either of them.

For preventing Nuisances on the Road.

XXVIII. And be it further enacted, That if any Person or Persons shall slaughter, burn, or dress any Animal, on or adjoining the said Road, or shall leave or suffer any Horse, Cattle, Sheep, Pig or Beast to graze or be and remain loose on the said Road, or any Footway or Path

Path on the Side or Sides thereof; or if any Person shall ride upon any Footway, Causeway, or Path formed upon or to be formed upon or on the Side of the said Road, or shall drive any Horse, Beast, Cattle or Swine, or any Carriage upon, or cause any Damage to be done to any Footway, Causeway or Path; or if any Person shall hale or draw, or cause to be haled 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 any Part of the said Road to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Road, shall suffer them to root up or damage the same, or the Hedges or Fences on either Side thereof; or if any Person driving any Waggon, Wain, Cart, or other Carriage, shall ride on the Shafts or other Part of such Waggon, Wain, Cart, or other Carriage, or on any of the Horses drawing the same; or if any Person driving or having the Care of any Coach, Chaise, or other such like Carriage, upon the said Road, shall drive the same without holding the Reins; or if any Person driving or having the Care of any Carriage whatsoever, and meeting another Carriage, shall not keep his Carriage on the Left or Near Side of the said Road, and also keep on the same Side himself or herself; 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 make or assist in making any Fire or Fires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever, within Sixty Feet of the Centre of the Road, or play at Football or any other Game or Games on the said Road, or on any Part or Parts thereof, or on any Footway or Path belonging thereto, to the Annoyance of any Passenger or Passengers; or if any Person or Persons shall leave any Waggon, Wain, Cart, or other Carriage (except in Cases of Accident) upon or on the Side of the said Road, without a proper Person in the Custody or Care thereof, longer than may be necessary to load or unload the same, or shall not place the same during the Time of loading or unloading thereof, as near to the Side of the said Road as conveniently may be, either with or without any Horse or other Beast of Draught harnessed or yoked thereto; or if any Person, after having blocked any Waggon, Wain, Cart, or other Carriage whatsoever, in going up any Hill or rising Ground, shall leave on the said Road the Stone or other Matter or Thing used in such blocking; or shall scrape off any Soil or other Thing from the said Road or the Side or Sides thereof, or shall take up or carry away any Scrapings thereof without Leave of the said Trustees, or any Five or more of them, or their Surveyor or Surveyors; or if any Person shall lay any Timber, Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, upon the said Road, or on the Side or Sides thereof, to the Prejudice of the said Road, or to the Prejudice, Annoyance, or Interruption of any Person or Persons passing or travelling thereon; or if any Person or Persons shall wilfully commit any other Nuisance or Annoyance upon the said Road, or on the Footways or Paths on the Side or Sides thereof; every Person offending in any or either of the Cases aforesaid,

aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; to be recovered, levied, and applied in the same Manner as other Penalties are directed to be recovered, levied, and applied.

Directing the Application of Money paid for Compensation for Lands, &c. when amounting to £200 or upwards.

XXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid, for any Lands and Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds or upwards, 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 and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands and Hereditaments, or affecting other Lands and 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 and 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 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 meantime, 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 meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being, have been entitled to the Rents and Profits of the said Lands and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than £200, and exceeding £20.

XXX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands and Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging

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 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 and 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, and to 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 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 or Approbation of the Court of Chancery.

Where less than 20*l*.

XXXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands and Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; 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,

XXXII. 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 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 the Person or Persons to whom any 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 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 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; which said Court, on the Application of any Person

Purchase Money to be paid into the Bank,

subject to the Order of the

or

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 or 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.

Court of Chancery, on Motion or Petition.

XXXIII. Provided always, and be it further enacted, That where any Question shall arise, touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or of any Estate, Right, or Interest in any Lands or Hereditaments, to be purchased in pursuance of the said recited Acts or of this Act, or to any Bank Annuities to be purchased with any such Money; or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of any such Lands 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 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 or Hereditaments, or to some Estate or Interest therein.

Where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank, the Person in possession of the Land, &c. at the Time of the Purchase, shall be deemed entitled thereto, unless such Possession was a wrongful Possession.

XXXIV. Provided always, 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 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 Court of Chancery, and to be applied in the Purchase of other Lands or Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts and this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts or this Act, or so much of such Expences as the said Court shall deem reasonable,

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

to

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

Statute Labour.

XXXV. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said 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 Riding, Liberty, or Place in which the said Road doth lie, and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes, Townships, 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, Township, 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; 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, Township, or Place, to bring Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who, within such Parish, Township, or Place, are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force or 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 do 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 any Five or more of them, or their Surveyor or Surveyors, shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Persons who by such Lists shall 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 such Parishes, Townships, or Places respectively, 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, the same shall and may be recovered by Distress and Sale of the Goods

Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said Acts, or any 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 to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Fines, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute now in Force or 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 dismiss the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, in such and the same Manner 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 of the said Trustees, and applied towards amending the said Road; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect and pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, paid, and applied, in such and the same Manner as Penalties are by the said recited Acts, or any or either of them, directed to be levied, recovered, paid, and applied.

For paying the Expences of the Act.

XXXVI. And be it further enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing this Act, shall be paid and discharged by the Trustees for putting the said recited Acts and this Act in Execution, or any Five or more of them, out of the Money which hath arisen by virtue of the said recited Acts, or out of the first Money which shall arise by virtue thereof and of this Act, together with lawful Interest for the same, from the Time of advancing or disbursing the same.

Public Act.

XXXVII. 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.

Continuance and Term of the Act.

XXXVIII. And be it further enacted, That this Act shall commence and take Effect upon the passing thereof; and that the said recited Acts (subject to the Additions, Alterations, and Amendments in this Act contained),

contained), and this Act shall continue and be in force, and be executed for and during the Residue now to come of the Term granted and continued by the said recited Act of the Thirty-ninth Year of His said late Majesty's Reign, 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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