ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 93.

An Act for continuing and amending Three Acts of His late and present Majesty, for repairing the Road from *Hitchin* to *Bedford*, and the Roads branching therefrom, through *Henlow* to *Gerford Bridge* and to *Arlesey*, in the Counties of *Hertford* and *Bedford*.

[21st *May* 1813.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His late Majesty, intituled *An Act for amending, widening, and keeping in Repair the Road from the Town of* Hitchin *in the County of* Hertford, *through the Town of* Shefford *and* Carrington Cotton End, *to a Lane opposite a Farm House called* Saint Leonard's, *leading into the Turnpike Road from* Saint Alban's *to the Town of* Bedford, *and also the Road from the turning out of the aforesaid Road into* Henlow Field *to* Gerford Bridge, *and also the Road from the Town of* Henlow, *over* Henlow Bridge, *to* Arlesey, *in the County of* Bedford: And whereas another Act was passed in the Ninth Year of the Reign of His present Majesty, intituled *An Act to continue and render more effectual an Act passed in the Thirtieth Year of His late Majesty, for repairing the Road from* Hitchin, *in the County of* Hertford, *through* Shefford, *to the Turnpike Road from* Saint Alban's *to* Bedford, *and other Roads therein mentioned, and for repairing and widening the Road from* Shefford Way Post *to the Turnpike Road at* Henlow, *in the County of* Bedford: And whereas another Act was passed in the Thirtieth Year of the Reign of His present Majesty, intituled *An Act for continuing the Term and enlarging the Powers of certain Acts for repairing the Road from the Town of* Hitchin, *through* Shefford, *to the Turnpike Road from* Saint Alban's *to* Bedford, *and other Roads therein mentioned, in the* Counties

30 G. 2. c. 43.

9 Geo. 3. c. 7.

30 G. 3. c. 125.

Counties of Hertford *and* Bedford: And whereas conſiderable Sums of Money have been borrowed and ſtill remain due upon the Security of the Tolls by the ſaid recited Acts reſpectively granted; which cannot be repaid, nor can the ſaid Roads be effectually amended and kept in Repair, unleſs the ſaid Acts be continued for a further Term, and the Tolls thereby granted increaſed; and it is expedient that ſome further Powers and Proviſions ſhould be granted for more effectually improving and keeping in Repair the ſaid Roads: 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 paſſed in the Thirtieth Year of the Reign of His late Majeſty King *George* the Second, and in the Ninth and Thirtieth Years of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, Proviſions, Matters, and Things therein reſpectively contained and now in force (except ſo far as the ſame are altered, enlarged, or otherwiſe provided for by this Act, or as relate to Exemptions from Stamp Duties), ſhall, together with the Powers and Proviſions in this Act contained, continue in full Force and Effect for and during the Term herein-after limited; and that all the Tolls and Duties to be raiſed and received by virtue of the ſaid Acts and of this Act, ſhall be and the ſame are hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Security of the Tolls granted by the ſame Acts or any of them, and of ſuch further Sum or Sums as ſhall be borrowed for the Purpoſes of this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Former Acts continued.

Securities continued, though the Terms granted thereby may have expired.

II. And be it further enacted, That all Mortgages or Securities made for ſecuring the Repayment of any Money borrowed upon the Credit of the Tolls authorized to be collected upon the ſaid Roads, the Terms of which ſhall have expired or may hereafter expire, ſhall remain and continue in force during the Term granted by this Act, unleſs the Money thereby ſecured, with the Intereſt thereof, ſhall be ſooner paid off and diſcharged.

Five Truſtees may act.

III. And be it further enacted, That all Acts and Proceedings by the ſaid recited Acts and this Act, or any of them, authorized to be done by the ſaid Truſtees in the Execution thereof, may be done and executed by any Five or more of the Truſtees for the Time being, except only in the Caſes herein-after mentioned, as requiring a leſs Number of them.

Meetings on Emergencies.

IV. And be it further enacted, That if after any uſual Quarterly Meetings, or any Adjourned Meetings of the ſaid Truſtees, any Three or more of ſuch Truſtees ſhall think it neceſſary that a Meeting of the ſaid Truſtees ſhall, on ſome ſpecial Occaſion, be held before the Day which ſhall at the laſt Quarterly or Adjourned Meeting have been fixed and appointed for the next Meeting of the ſaid Truſtees, in that Caſe the Clerk of the ſaid Truſtees, upon an Order in Writing, ſigned by ſuch Three or more Truſtees, ſpecifying the Time, Place, and Purpoſe of a Special Meeting, ſhall, Ten Days at leaſt before the holding thereof, give Notice of ſuch Special Meeting and the Purpoſes thereof, in the Manner directed by the ſaid recited Acts, or either of them, as to other Meetings of the ſaid Truſtees, and ſuch Special Meetings ſhall and may be held accordingly; and all the Proceedings of the Truſtees at every ſuch Meeting ſhall be as valid

valid and effectual as they would have been in case such Meeting had been held in pursuance of the usual Appointments or Adjournments.

Penalty of Gatekeepers for Misconduct.

V. And be it further enacted, That if any Tollgatherer or Gatekeeper appointed or to be appointed by virtue of the said Acts or any of them, or of this Act, to collect the Tolls thereby or hereby granted, shall, in the Execution of his Duty as such Tollgatherer or Gatekeeper, demand or receive a greater or less Toll than he shall be authorized to demand and receive, or shall wilfully absent himself from his Duty, or shall be guilty of any Embezzlement or Fraud in respect of the Tolls which shall have been or ought to be demanded and collected by him, or shall use abusive, insolent, or opprobrious Language towards any Person passing through any such Toll Gate on the said Road, or be guilty of any other Misconduct in the Execution of the said Office of Tollgatherer or Gatekeeper, and shall be lawfully convicted thereof before One or more of His Majesty's Justices of the Peace for the County in which such Offence shall be committed, upon his own Confession, or the Oath of One or more credible Witness or Witnesses, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and levied in like Manner as other Penalties for Offences against the said Acts, or any of them, are directed to be recovered and levied.

Power to appoint temporary Gatekeeper.

VI. And be it further enacted, That upon any such Conviction as aforesaid, or upon the Incapacity or Absence of any Tollgatherer or Gatekeeper, it shall be lawful for any Two or more of the said Trustees to nominate and appoint some other fit Person in his Place, until the next Meeting of the Trustees of the said Roads, which Person so to be nominated and appointed, shall have the like Power and Authority, and be accountable in the same Manner, in all Respects, as the Person in whose Place he shall have been appointed.

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

who is to be reimbursed his Expences

VII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of 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 by virtue of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, nor by the Act of such Clerk, without the Consent of the said Trustees, but that the Clerk for the Time being to the Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action or Suit; and 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 Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding, he shall pay, bear, expend, or be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant as aforesaid.

Toll Houses, Materials, and Tools, vested in Trustees.

VIII. And be it further enacted, That the Property of the several Turnpikes, Toll Gates, Toll Houses, and other Buildings erected or to be erected by virtue of the said recited Acts or of this Act, with the Ground, Fences, and Appurtenances thereto respectively belonging, and of all Tables of Tolls, and all Gates, Rails, Bars, Fences, Mile Stones, Mile Posts, Guide Posts, or other Posts erected and set up, or to be erected and set up,

up, on the ſaid Roads, and of all Materials, Carts, Harneſs, Tools and Implements, Articles and Things, which ſhall have been found and provided for making or repairing the ſaid Roads, ſhall be and the ſame are hereby veſted in the ſaid Truſtees; and they or any Five or more of them are hereby authorized and empowered to bring or cauſe any Action or Actions to be brought, or to prefer or cauſe to be preferred any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall dig up, break or pull down, ſpoil, deſtroy, or injure any ſuch Turnpike, Toll Gate, Toll Houſe, or other Building, Table of Tolls, Gate, Rail, Bar, Fence, Mile Stone, Mile Poſt, Guide Poſt or other Poſt, or who ſhall ſteal, take, or carry away any of the Materials thereof, or any of the Materials, Carts, Harneſs, Tools, Implements, or other Matters and Things, which ſhall have been provided for the Repair of the ſaid Roads; and in all ſuch Actions and Bills of Indictment reſpectively, it ſhall be and ſhall be deemed to be ſufficient to lay, charge, and ſtate generally that the Article or Articles, Thing or Things, for or in reſpect of which any ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment ſhall be preferred, to be the Property of the Truſtees for the Time being acting in the Execution of this Act, without ſpecially naming them or any of them.

New Tolls. IX. And be it further enacted, That from and after the Twenty-fourth Day of *June* One thouſand eight hundred and thirteen, the ſeveral Tolls now payable by virtue of the ſaid recited Acts ſhall ceaſe, determine, and be no longer payable; and that inſtead thereof the following Tolls ſhall be demanded and taken at each and every of the Turnpikes or Toll Gates to be continued or erected upon the ſaid Roads, or on the Sides thereof, by virtue of this Act, before any Carriage, or any Horſe, Cattle, or Beaſt, in reſpect whereof any ſuch Tolls are hereby made payable, ſhall be permitted to paſs through the ſame; (that is to ſay),

For every Horſe, Mare, Gelding, or other Beaſt of Draught, drawing any Coach, Chariot, Hearſe, Chaiſe, Chair, Waggon, Wain, Cart, or other Carriage, the Sum of One Shilling:

For every Coach, Chariot, Chaiſe, Chair, or other ſuch Carriage with Four Wheels, being empty, or having no other Load than the Harneſs to be uſed therewith, which ſhall be faſtened to and drawn behind any Waggon, Wain, Cart, or Carriage, the Sum of One Shilling and Sixpence:

For every Chaiſe, Chair, or other ſuch Carriage, with leſs than Four Wheels, being empty, or having no other Load than the Harneſs to be uſed therewith, which ſhall be faſtened and drawn as aforeſaid, the Sum of One Shilling:

For every Horſe, Mare, Gelding, or Mule, laden or unladen, and not drawing, the Sum of Four-pence:

For every Aſs, laden or unladen, and not drawing, the Sum of Two-pence:

For every Drove of Oxen, Cows or Neat Cattle, the Sum of One Shilling *per* Score; and ſo in Proportion for any greater or leſs Number: And,

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Six-pence *per* Score; and ſo in Proportion for any greater or leſs Number.

Which ſaid ſeveral Tolls, and every Part thereof, ſhall be, and the ſame reſpectively are hereby veſted in the Truſtees for the Time being for the Execution of the ſaid Acts and this Act, and ſhall be paid, collected, levied, recovered, leaſed, mortgaged, applied, diſpoſed of, and aſſigned in the ſame Manner

and with, under, and ſubject to ſuch Limitations and Reſtrictions, and with ſuch Penalties for refuſing or evading the Payment thereof, as in the ſaid recited Acts, or either of them, are provided or enacted with reſpect to the Tolls and Duties thereby granted; except as by this Act is otherwiſe particularly directed.

Only Two Tolls to be taken for paſſing through all the Toll Gates.

X. Provided always, and be it further enacted, That no more than Two Tolls ſhall be demanded or taken from any Perſon or Perſons for paſſing or repaſſing on the ſame Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock the next ſucceeding Night, with the ſame Horſe, Beaſt, Cattle, or Carriage, through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act.

Power to reduce Tolls;

XI. Provided, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at any Meeting or Meetings of ſuch Truſtees, (of which Meeting Fourteen Days Notice in Writing ſhall be given upon all the Turnpikes or Toll Gates then erected upon the ſaid Roads, or on the Sides thereof, and in ſome public Newſpaper or Newſpapers uſually circulated in the Counties of *Hertford* and *Bedford*), to reduce all or any of the Tolls hereby granted, and to appoint the Time at and from which ſuch Reduction ſhall take place; and the ſame Tolls, or any of them, at any other ſuch Meeting or Meetings, of which the like Notice ſhall be given, again to raiſe and advance to any Amount not exceeding the reſpective Tolls herein-before granted and ſpecified, and ſo from Time to Time to reduce and advance ſuch Tolls, or any of them, as the ſaid Truſtees ſhall ſee Occaſion; and ſuch reduced Tolls ſhall be collected and recovered in the ſame Manner, and the Payment thereof enforced by the ſame Means and Penalties as the Tolls hereby granted are to be collected and recovered: Provided further, that ſuch Tolls, or any of them, ſhall not be reduced to leſs than Two-thirds of the Sums hereby reſpectively granted, without the Conſent of the Perſon or Perſons entitled to Five-ſixth Parts of the Money borrowed, and which ſhall then remain due upon the Credit of the Tolls granted by this Act.

with Conſent of Creditors.

Exemptions from Tolls.

XII. And be it further enacted, That all and every Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Acts, or any of them, ſhall ceaſe and be no longer allowed, and that in lieu thereof the ſeveral Exemptions from Tolls hereinafter mentioned ſhall be allowed; (that is to ſay), that no Tolls ſhall be demanded or taken for any Horſe or Carriage paſſing through any of the Turnpikes or Toll Gates or Toll Bars erected or to be erected upon or on the Sides of the ſaid Roads, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be uſed on or about the ſaid Roads, or for the repairing any Highways in the Pariſhes, Townſhips, Diſtricts, or Places which are liable to perform Statute Duty upon any Part of the ſaid Roads, nor returning empty when ſo employed; nor carrying or conveying Hay, Corn in the Straw only, not ſold or diſpoſed of, but going to be laid up in the Houſes, Outhouſes, Barns, or Yards of the Owners thereof; nor any Ploughs, Harrows, or other Implements of Huſbandry to be uſed in the Cultivation of Lands, nor any Lime or Manure to be uſed or laid upon Lands, nor returning empty when ſo employed; nor ſhall any Toll be paid by any Rector, Vicar, or Curate going to officiate, or returning from officiating, at any

Church, Chapel, or other Place of Religious Worſhip, or when viſiting his ſick Pariſhioners, or upon any other his Parochial or Miniſterial Duty; nor by any other Perſon or Perſons reſiding in any of the Pariſhes or Places through which the ſaid Roads do paſs, who ſhall paſs through the ſaid Turnpikes, Toll Gates, or Toll Bars, to or from Church, Chapel, or other Place of Religious Worſhip, or for the Purpoſe of attending the Funeral of any Perſon or Perſons who ſhall die, and be buried in any of the ſaid Pariſhes or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle, which are kept within ſuch Pariſhes, or Places, going to or returning from Work in cultivating Lands; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats, or Hogs which ſhall be kept within the ſaid Pariſhes or Places going to or returning from Paſture on the Commons or other grazing Grounds, or Watering Places or Blackſmiths Shops within the ſame; nor for any Horſe or other Beaſt of Draught or Carriage employed in carrying or conveying any Furze, Peats, Turf, or Heath for Fuel, or returning empty, having been ſo employed; nor for any Horſes 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 the ſame, or in returning back from conveying the ſame; nor for the Horſes of Soldiers on the March or on Duty, or Carriages or Horſes or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; nor 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, provided ſuch Perſons ſhall be in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption; nor 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 Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor for any Carriage, Horſe, or other Beaſt employed in the Conveyance of Vagrants travelling with legal Paſſes, or travelling with Vagrants ſent by legal Paſſes; nor for any Horſe or Carriage going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for either of the ſaid Counties of *Hertford* and *Bedford*, on the Day or Days of Election, or on the Day before any ſuch Election ſhall begin, or the Day after the ſame ſhall be concluded; and if any Perſon ſhall claim or take the Benefit of any of the Exemptions aforeſaid, not being entitled thereto, or ſhall make Uſe of any Fraud whatſoever, whereby the Payment of the ſaid Tolls, or any Part thereof, ſhall be evaded, every ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay a Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act.

Exemptions from Tolls of the Inhabitants of Henlow;

XIII. Provided, and be it further enacted, That none of the Inhabitants of the Pariſh of *Henlow*, in the County of *Bedford*, ſhall be charged with or liable to the Payment of any of the Tolls granted by this Act at any Turnpike or Toll Gate erected or to be erected on or by the Side of the ſaid Road within the ſaid Pariſh of *Henlow*, for or in reſpect of the Horſes

or other Cattle or Carriages of ſuch Inhabitants by them kept in the ſaid Pariſh, unleſs the ſame ſhall be employed in conveying thraſhed Corn from and out of the ſaid Pariſh, or in conveying into the ſaid Pariſh ſome Article or Commodity (other than Fuel or Food for the Uſe of the Poor of the ſaid Pariſh of *Henlow*) not intended for the Conſumption or Uſe of the Owner of the Cattle or Carriage laden therewith; or unleſs ſuch Horſes or other Cattle and Carriage ſhall be paſſing through the ſaid Pariſh of *Henlow*, from ſome Place without the ſame to ſome other Place beyond the Boundary thereof.

and of the Inhabitants of Arleſey.

XIV. Provided alſo, and be it further enacted, That none of the Inhabitants of the Pariſh of *Arleſey*, in the ſaid County of *Bedford*, ſhall be charged with or liable to the Payment of any of the Tolls granted by this Act at any Turnpike or Toll Gate erected or to be erected on the ſaid Road, within the ſaid Pariſh of *Arleſey*, or within the Pariſh of *Henlow* aforeſaid, for or in reſpect of the Horſes or other Cattle or Carriages of ſuch Inhabitants of *Arleſey* by them there kept, unleſs the ſame ſhall be laden with or employed for the Conveyance of Coals, thraſhed Corn, Timber or Deals; or ſhall be laden with or employed for the Conveyance of ſome other Article or Commodity not intended for the Conſumption or Uſe of the Owner of the Cattle or Carriage laden therewith.

Penalties on Inhabitants of Henlow and Arleſey claiming fraudulent Exemptions.

XV. And be it further enacted, That every Perſon who ſhall falſely or fraudulently claim any of the Exemptions from Toll, hereby given to the Inhabitants of the ſaid Pariſhes of *Henlow* and *Arleſey* reſpectively, ſhall be ſubject and liable to ſuch and the like Penalties and Forfeitures as Perſons evading or refuſing the Payments of the Tolls hereby granted, are in other Caſes ſubject and liable to.

Application of the Money.

XVI. And be it further enacted, That all Monies which, before the Day of the Commencement of this Act, ſhall have been raiſed and produced by virtue of the ſaid herein-before recited Acts, or any of them, and ſhall be remaining undiſpoſed of on the Day of the Commencement of this Act, and alſo all the Monies which ſhall ariſe and be produced by and from the Tolls by this Act granted or made payable, together with the Monies which ſhall be borrowed upon the Credit thereof, and all other Monies which ſhall ariſe and be produced by virtue of this Act, ſhall be veſted in the ſaid Truſtees for the Time being, and applied to and for the ſeveral Uſes, Intents, and Purpoſes, and in the Order and Manner following; (that is to ſay), in the Firſt Place, in Payment of all the Coſts, Charges, and Expences incident to or attending the obtaining and paſſing this Act; in the Second Place, in paying the Intereſt due and which ſhall become due upon the ſeveral Principal Sums of Money borrowed in purſuance of the ſaid former Acts or any of them, and upon the Principal Sums to be borrowed in purſuance of this Act reſpectively, and from Time to Time remaining due and owing on Mortgage or Security of the Tolls by this Act granted, without any Preference or Priority; in the Third Place, in defraying the Expences of amending, repairing, widening, altering, improving, and keeping in Repair the ſaid Roads, and in Payment of the Salaries of the Clerk, Treaſurer, Surveyor, and Collectors of the Tolls, and the other Charges and Expences of and incident to the Execution of this Act; and laſtly, in reducing, paying off, and diſcharging the ſeveral Principal Sums borrowed and to be borrowed

in

in pursuance of the said former Acts and of this Act respectively, without any Preference or Priority in respect of the Dates of such Securities or otherwise.

Carriages employed in His Majesty's Service, not to be subject to Penalty for Over-weight.

XVII. 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, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Over-weight; nor shall any 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.

Application of Compensation when amounting to 200*l.*

XVIII. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the said recited Act or this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid 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 the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled 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 Messuages, 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 Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three *per Centum* Consolidated, or Three *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated

ſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation is leſs than 200l. and exceeds 20l.

XIX. Provided always, and be it further enacted, That if any Money ſo agreed or aſſeſſed to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Body Politic, 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 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, to be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing 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 Court of Chancery.

Application when the Money is leſs than 20l.

XX. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or aſſeſſed to be paid as herein-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 Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Act or this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his 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 good Titles.

XXI. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded or aſſeſſed for any Lands, Tenements, or Hereditaments to be purchaſed by virtue of 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 ſuch Sum or Sums of Money ſhall be ſo awarded or aſſeſſed 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 Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his

Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them], ſubject to the Order, Control, 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 Intereſts 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.

Perſons in Poſſeſſion preſumptively entitled.

XXII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon or Perſons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or 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, and 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 be lawfully entitled to ſuch Lands, Tenements, and Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XXIII. 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 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 or Hereditaments to be ſettled to the like Uſes in purſuance of this Act, 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 this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

XXIV. And

Regulations as to Performance of Statute Work.

XXIV. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Roads, 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 Road comprised in the said recited Act 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 within their respective Jurisdictions, 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 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 or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or to their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways of every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons, not being less than Ten Days after the serving of such Summons, of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which Lists or 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 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 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 Hay-time or Harvest), and on 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, 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 Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures

feitures as such Person or Persons may be subject or liable to by any Law or Statute in force for the Repair of the Public Highways; and if any Person who shall come or be sent to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and 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 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 in case the Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on drawing Timber otherwise than on Wheel Carriages.

XXV. And be it further enacted, That if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon Wheel Carriages, to drag upon any Part of such Roads, to the Prejudice thereof, every such Person shall, for every such Offence, forfeit any Sum not exceeding Forty Shillings.

Public Act.

XXVI. 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 the Act.

XXVII. And be it further enacted, That this Act shall commence on the Day on which the same shall receive the Royal Assent, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1813.