ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 83.

An Act for continuing and amending an Act of His late Majesty, and Two Acts of His present Majesty, for repairing certain Roads leading to and from the City of *Lincoln*, and other Roads therein mentioned. [27th *May* 1814.]

WHEREAS an Act was passed in the Twenty-ninth Year of His late Majesty King *George* the Second, intituled *An Act for repairing and widening the Roads from the North End of* Dunsby Lane *to the South-west Corner of* Riseholm Hedge, *and to* Carholm Gate, Drinsey Nook, *and* Dunham *and* Littleburgh Ferries, *and from the North End of* Waddington Field, *and the Bridge over the River* Witham *at* Bracebridge, *to the City of* Lincoln, *and from the Gate at the Foot of* Canwick Hill, *to the great Bar Gates of the said City; and for enforcing the Performance of Statute Work upon the Highways communicating with the said Roads to a certain Distance from the said Roads:* And whereas another Act was passed in the Seventeenth Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of an Act made in the Twenty-ninth Year of the Reign of King* George *the Second, for repairing and widening certain Roads leading to and from the City of* Lincoln; *and for repairing and widening the Roads from the Termination of the present Turnpike Road at the Foot of* Bracebridge Bridge, *over the said Bridge Westward, to the Extremity of the City of* Lincoln, *near a Place called* Potter Hill, *and from the Termination of the present Turnpike Road at the Foot of* Canwick Hill *Southward, to a Windmill at the Top of the said Hill:* And whereas another Act was passed in the Thirty-seventh Year of His present Majesty, intituled

29 G. 2. c. 84.

17 G. 3. c. 109.

37 G. 3. c. 168. intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts, passed in the Twenty-ninth Year of the Reign of His late Majesty King* George *the Second, and in the Seventeenth Year of the Reign of His present Majesty, for repairing and widening certain Roads leading to and from the City of* Lincoln; *and for repairing and widening the Roads from the Termination of the present Turnpike Road at the Foot of* Bracebridge Bridge, *over the said Bridge Westward, to the Extremity of the County of* Lincoln, *near a Place called* Potter Hill, *and from the Termination of the present Turnpike Road at the Foot of* Canwick Hill *Southward, to a Windmill at the Top of the said Hill:* And whereas in pursuance of the said recited Acts, or some of them, divers Sums of Money have been borrowed, and are now due, on the Credit and Security of the Tolls thereby granted; which Sums cannot be repaid, nor can the said Roads be maintained and kept in good and sufficient Repair, unless the said Acts be continued for a further Term, and the Tolls and Powers thereby granted, altered, and increased; and it is also expedient that divers of the Powers and Provisions contained in the said recited Acts, or some of them, should be altered, amended or repealed, and that other Powers and Provisions should be enacted for the better effectuating the Purposes of the said Acts: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Twenty-ninth Year of the Reign of His late Majesty King *George* the Second, and of the Seventeenth and Thirty-seventh Years of the Reign of His present Majesty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauses, Provisions, Matters, and Things therein contained and now in force, (except so far as the same are altered, varied or repealed), and also the Tolls, Powers, Authorities, Clauses and Provisions in this Act contained, shall be and continue in full Force and Effect for repairing, widening, improving, maintaining, and keeping in Repair the Roads herein-before mentioned, and herein-after more particularly described, (that is to say), the Roads from the North End of *Dunsby Lane* to the South-west Corner of *Riseholm Hedge*, from the Guildhall of the City of *Lincoln* to *Dunham Ferry* and *Littleburgh Ferry*, from the North End of *Waddington Field* to the great Bar Gates of the said City of *Lincoln*, from the Windmill at the Top of *Canwick Hill* to the great Bar Gates aforesaid, and from the same Bar Gates over *Bracebridge Bridge* Westward, to the Extremity of the County of *Lincoln*, near a Place called *Potter Hill*, for and during the Term herein-after mentioned; which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit and Security of the said Acts, or any of them, and of such Sums of Money as shall be borrowed in pursuance of this Act, and of all Interest due and to grow due for the same respectively.

Former Act continued.

New Trustees.

II. And be it further enacted, That the Right Honourable *Henry Hobart*, *Benjamin Bromhead*, *Charles Chaplin*, *Robert Cracroft*, *John Empson* Clerk, *Richard Ellison* junior, *Thomas Fardell*, *Edward Fowler*, *Richard Gibbeson*, *William Hall*, *Conings by Sibthorpe*, *Humphrey Sibthorpe* Clerk, *Charles Tennyson* and *Robert Vyner*, together with such other Persons, not exceeding Ten, as the said Trustees, or any Five or more of them, shall appoint, shall be and they are hereby appointed Trustees for carrying this Act and

the ſaid recited Acts into Execution; and they are hereby added to and joined with the Truſtees appointed by and in purſuance of the ſaid recited Acts, or any of them; and (being qualified according to the Directions thereof) they are hereby empowered to act in the Execution of the ſaid Acts and this Act, as fully and effectually to all Intents and Purpoſes, as the Truſtees appointed by or in purſuance of the ſaid recited Acts, or any of them.

Toll Bars. III. And be it further enacted, That the preſent Toll Gate or Toll Bar, called the *Bar Gate*, in the City of *Lincoln*, ſituate in the South-eaſt and South-weſt Diſtricts in the ſaid City, and alſo the preſent Toll Gate or Toll Bar ſituate in the Pariſh of *Saxilby*, in the North-weſt Diſtrict of the ſaid Roads, ſhall be continued in their preſent Situations or Places; and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby required and directed to erect and continue one other Toll Gate or Toll Bar in that Part of the ſaid Roads which lies between the Termination of One Mile from the North End of *Dunſby Lane* and the North Side of *Aſhby Lordſhip*, and one other Toll Gate or Toll Bar at or within One Mile of *Potter Hill*, in the Pariſh of *Swinderby;* and that all the other Toll Gates now erected, ſtanding or being upon or acroſs the Roads compriſed in this Act, except the Toll Gates hereinbefore particularly mentioned, ſhall from and after the Firſt Day of *July* next be diſcontinued and removed, and no other Gate or Toll Bar be erected thereon.

Side Gates or Bars may be erected. IV. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to erect or cauſe to be erected One or more Gate or Gates, Turnpike or Turnpikes, Bar or Bars, Chain or Chains, on the Side or Sides of the ſaid Roads, acroſs any public Lane or Way leading out of the ſame, except between *Dunſby Lane End* and the North Side of *Aſhby Lordſhip*, and between the Bar Gate in the City of *Lincoln*, and the North End of *Newport* in the ſaid City, and there to receive and take any ſuch Tolls as are by this Act granted and made payable; ſo that the ſame do not extend to a Double Charge in caſe of paſſing through any other of the Toll Gates or Turnpikes upon the ſaid Roads.

V. And be it further enacted, That the ſeveral Tolls herein-after particularly mentioned, ſhall be demanded and taken at each and every of the Toll Gates or Toll Bars which ſhall be continued or erected by virtue of this Act, before any Horſe, Cattle or Carriage, upon which any Toll is by this Act impoſed, ſhall be permitted to paſs through the ſame; (that is to ſay),

Tolls. For every Horſe, or other Beaſt of Draught, drawing any Coach, Landau, Berlin, Chariot, Barouche, Chaiſe, Chair on Springs, Calaſh, or Hearſe, the Sum of Sixpence:

For every Cart without Springs, drawn by One Horſe, the Sum of Sixpence:

For every Horſe, or other Beaſt of Draught, drawing any Carriage, the Sum of Four-pence Halfpenny:

For every Horſe, or other Beaſt of Draught, not drawing any Carriage, the Sum of One Penny Halfpenny:

For

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Tenpence *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 Five-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

Double Tolls on Sundays.

And on every *Sunday* (to be computed from Twelve of the Clock in the preceding *Saturday* Night to Twelve of the Clock in the next ſucceeding Night) Double the Tolls which ſhall for the Time being be authorized to be collected on any other Day under or by virtue of this Act:

Which ſaid Tolls and Duties by this Act granted and made payable as aforeſaid, ſhall be and are hereby veſted in the Truſtees for the Time being for carrying the ſaid recited Acts and this Act into Execution, and ſhall be received and taken at each and every of the Toll Gates or Toll Bars to be continued or erected upon the ſaid Roads, in purſuance of the ſaid recited Acts and this Act, or any of them, and ſhall be paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of, and aſſigned in ſuch Manner, and with, under, and ſubject to ſuch Limitations and Reſtrictions, not only in regard to the Tolls to be paid in the Courſe of one Day, but in all other reſpects as the Tolls and Duties granted by the ſaid recited Acts, or any of them, are thereby authorized and directed to be received, paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of and aſſigned, except as by this Act is otherwiſe particularly directed.

Limitations of Tolls with reſpect to the Pariſhes of Aſhby and Bloxholm.

VI. Provided always, and be it further enacted, That no Occupier of Meſſuages, Lands, Tenements, Tithes, Woods or Hereditaments, ſituate within either of the Pariſhes of *Aſhby* or *Bloxholm*, ſhall be ſubject in reſpect of ſuch his Occupation to the Payment of more than One Toll for the Paſſage of Horſes, Cattle or Carriages, along the Line of the ſaid Road extending from *Dunſby Lane* to *Riſeholm Hedge;* nor ſhall the Occupiers of Meſſuages, Lands, Tenements, Tithes, Woods, or Hereditaments, in either of the Pariſhes of *Swinderby* or *Thirlby*, be ſubject in reſpect of ſuch his Occupation to the Payment of Toll at any Toll Bar or Turnpike to be erected on the Line of the Road leading from either of the ſaid Pariſhes to the Weſtward Extremity of the ſaid Road at *Potter Hill.*

Exemptions from Toll.

VII. 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 herein-after mentioned ſhall be allowed; that is to ſay, that no Toll ſhall be demanded or taken for any Horſe or Carriage paſſing through any of the Toll Gates or Toll Bars which ſhall be continued or erected upon the ſaid Roads or on the Sides thereof by virtue of this Act, when going or returning and ſolely employed in carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be uſed on or about the ſaid Roads, or any of them, or any Part thereof, or any Highways in the Pariſhes, Townſhips, Diſtricts or Places, which are liable to perform Statute Duty thereupon; or Hay, Corn in the Straw,

or

or other Produce of Lands, not ſold or diſpoſed of, but going to be laid up in the Houſes, Outhouſes, Barns or Yards of the Owners thereof; or any Ploughs, Harrows, or other Implements of Huſbandry to be uſed in the Cultivation of Lands, or any Mould, Dung, Compoſt, Lime or Manure, to be uſed or laid upon Lands, Gardens or Grounds; 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, or by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts or Places, who ſhall paſs through any of the ſaid Toll Gates or Toll Bars to or from Church, Chapel, or other Place of Religious Worſhip, or who ſhall attend the Funeral of any Perſon who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle going to or returning from work in cultivating the Lands within the ſame, or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats or Hogs, going to or returning from Paſture on the Commons or other Grazing Grounds or Watering Places, or Blackſmiths Shops to be ſhod or having been ſhod; nor for any Horſe, or other Beaſt of Draught, or Carriage employed in carrying or conveying any Furze, Peats, Turf, or Heather for Fuel, or going or returning empty when ſo employed; nor for any Horſes or Carriages, of whatſoever Deſcription, 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 going for or returning from conveying the ſame; or 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; 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, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch 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 or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or 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 Repreſentative or Repreſentatives to ſerve in Parliament for the County or City of *Lincoln*, on the Day or Days of any ſuch Election, or on the Day before or Day after any ſuch Election ſhall begin and be concluded; and if any Perſon ſhall claim and 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 any Sum not exceeding Five Pounds.

Carriages employed in His Ma-

VIII. And be it further enacted, That no Perſon owning or driving any Waggon, Wain, Cart, or other Carriage, provided for the Service of

jesty's Service not to be subject to Regulations for Overweight.

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 or liable to any Penalty or Forfeiture for Overweight; 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 200l.

IX. 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 for the said Roads by virtue of the said recited Acts and this Act, or any of them, 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 Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments, standing settled 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, 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 Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the same Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

X. Provided

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

X. 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, be paid into the Bank of *England*, in the Name and with the Privity of the 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 Three 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 where the Money is leſs than 20l.

XI. 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 Acts or this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his 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.

XII. 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 the ſaid recited Acts and this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make out 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 ſo 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, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary

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 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 thereto, 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 to be deemed well entitled.

XIII. 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 the 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 ſhown to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XIV. 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, 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 of Chancery, 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.

Regulation as to Performance of Statute Duty.

XV. And be it further enacted, That ſo much of the ſaid recited Acts as relate 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 ſaid Roads, or any Part thereof, ſhall ſtill remain

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, upon Application made to them by the ſaid Truſtees, or any Three 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 Roads by the Inhabitants and Occupiers of Lands, Tenements, Woods, Tithes, and Hereditaments within the reſpective Pariſhes or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work 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, within Fourteen Days after the ſerving of ſuch Summons, of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts 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 do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times, (not being Seed-time, Hay-time or Harveſt), and on ſuch Parts of the ſaid Roads, as the ſaid Truſtees, or any Five or more of them, or their Surveyor or Surveyors, ſhall from Time to Time order, direct or appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices, or any Two or more of them, 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 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 uſual Place or Places of Abode, for that Purpoſe by any Surveyor or Clerk to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures, as ſuch Perſon or Perſons may be ſubject and 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 Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſons who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds; the ſaid ſeveral Forfeitures and Penalties laſt aforeſaid to be recovered as any Forfeiture or Penalty impoſed by the ſaid recited Acts, or any of them, is thereby authorized to be recovered.

For paying the Expences of the Act.

XVI. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act ſhall be paid out of any Money already collected or received, or out of the firſt Monies hereafter to be collected or received within the ſaid reſpective Diſtricts by virtue of the ſaid recited Acts and this Act, or any of them, in ſuch Proportions and Manner as the ſaid Truſtees, or any Five or more of them, ſhall direct or appoint, having due regard to the Amount of the Tolls and other annual Produce which has ariſen and been received within the ſaid reſpective Diſtricts for the Three laſt Years prior to the paſſing of this Act.

Public Act.

XVII. 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.

XVIII. And be it further enacted, That this Act ſhall commence upon the Firſt Day of *July* after the paſſing thereof, and ſhall continue in force for and during the Term of Twenty-one Years, and from thence to the End of the next Seſſion of Parliament.

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