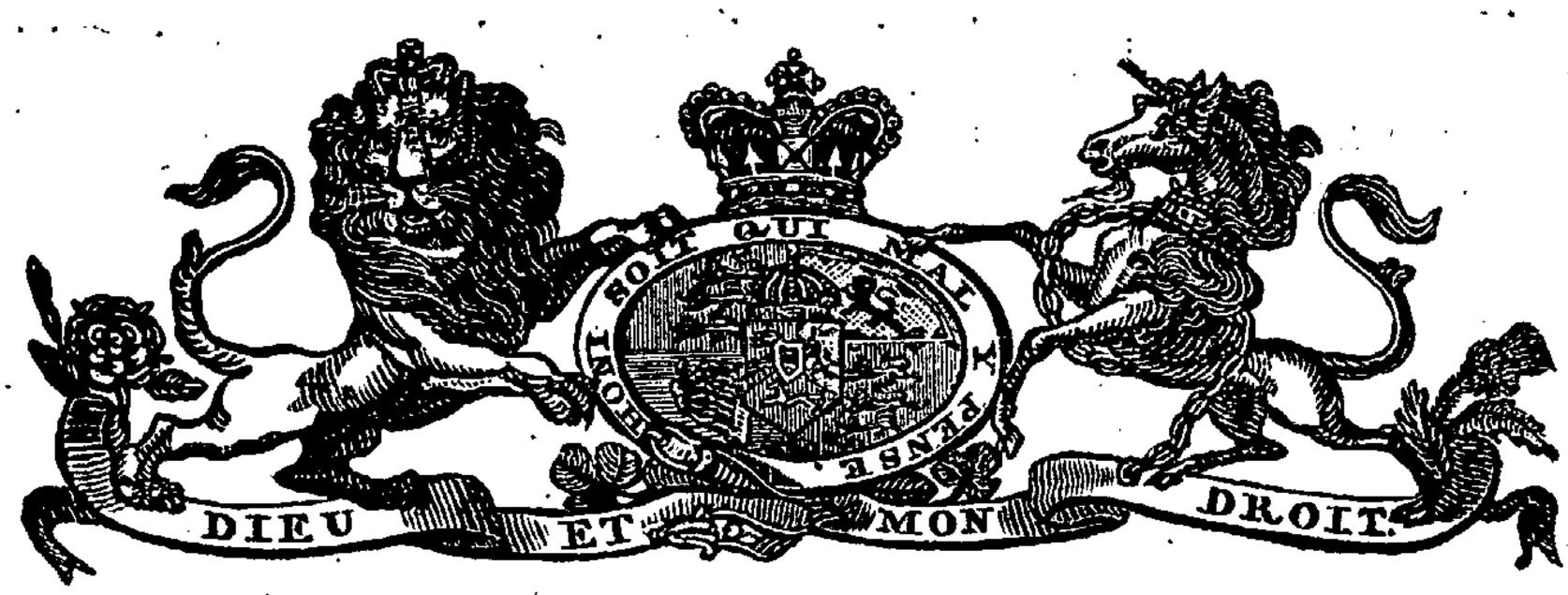


ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

***

'Bridge, *and from the Great Road near* Bishop Bridge *to* Bishop 'Norton Common, *and from the Hamlet of* Morton *to* Epworth, *and* '*from* Haxey Field *to the* Trent *at* Kinnald Ferry, *in the said County* '*of* Lincoln,' *as relates to the First and Second Districts of Roads therein described:* And whereas an Act was passed in the Forty-sixth Year of the Reign of His said late Majesty King *George* the Third,
46 G. 3. c. 18. intituled *An Act for continuing the Term and altering and enlarging the Powers of so much of Two Acts, passed in the Fifth and Twenty-sixth Years of His present Majesty, for repairing the Road from* Bawtry Bridge *in the County of* Nottingham *to* Hainton *in the County of* Lincoln, *and other Roads therein mentioned, as relates to the First and Second Districts of Roads therein described:* And whereas the Trustees acting under or by virtue of the said Three several recited Acts, so far as relates to the First and Second Districts or Divisions of the said Roads therein mentioned, and thereby directed or intended to be repaired and maintained, have borrowed several considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, which Money still remains due and owing and cannot be paid off, nor can the Roads comprising the said First and Second Districts or Divisions of the said Roads be effectually amended, widened, altered, improved, and kept in repair, unless the Powers and Provisions of the said recited Acts be amended and enlarged, so far as relates to the said First and Second Districts or Divisions of the said Roads: And whereas an Act was passed in the Third Year of the Reign of
3 G. 4. c. 126. His present Majesty King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of His said present
4 G. 4. c. 95. Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth
5 G. 4. c. 69. Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads:* And whereas it is expedient that the said first Three recited Acts should be repealed, and further, better, and more effectual Powers and Provisions made for the amending, maintaining, and otherwise improving and keeping in repair the said First and Second Districts of the said Roads; which said First District or Division of the said Roads comprises the Road leading from *Bawtry Bridge* in the County of *Nottingham*, through the Town of *Scaftworth*, to *Holling Hill*, and through the Town of *Everton*, by *Drake Holes*, and through the Towns of *Gringley* and *Walkeringham*, and over *Swine Marsh*, to *Walkerith Ferry*, all in the said County of *Nottingham*, and through Part of the Town of *Walkerith*, over *Walkerith* Common, and through the Town of *Morton*, and through the Hamlet of *Northolme*, and from thence by or near to the Parsonage Barn leading into the Road over *Gainsburgh* Middle Field, through *Towland Lane*, and over *Great Corringham* and *Little Corringham* Commons and Field, and through the Town of *Little Corringham*, and over *Little Corringham* Fields, the *Moor Leys* and *Madging Moor*, and through *Harpswell Lane*, and from the End of the said Lane in a strait Line over *Anacock* Springs in *Welldale*,

to the Gate leading to *Harpswell*, and from thence to the Top of *Hemswell Hill*, along *Harpswell Hedge*, to a Place called *Creampoke Nook*, and from thence along the Road by *Glentworth Wall*, across the old Street, to the Town of *Glentham*, over *Bishop Bridge*, and through the Towns of *West Raisin*, *Middle Raisin*, and *Market Raisin*, *Market Raisin* Moor or Common, *Tevelby* Moor or Common, to the Bridge into *North Willingham* Lordship, and through the Town of *North Willingham*, up the new Hill, and along *North Willingham Lane*, to the Parish of *Ludford*, and from the Great Road in the Town of *North Willingham* aforesaid, through a Lane leading South to the Town of *Six Hills*, and from thence to the Blacksmith's Shop in the Town of *Hainton*, in the said County of *Lincoln*; and the Second District or Division of the said Roads comprises the Road leading from the East End of the aforesaid *Willingham Lane*, over *Ludford* North Field, *Great Tows* Sheep Pastures, and *Calsthorpe* Sheep Pasture, and through *Kelstern Lane*, and over *Kelstern* Sheep Pasture, *South Elkington* West Field, and through the Town of *South Elkington*, and over *South Elkington* East Field, and through *Thorpe Hall Lane*, to *Thorpe Hall* Mill, and from thence through *West Gate End*, *Break Neck Lane*, and *Goosepool*, to *New King's Head Inn* Back Gate in *Louth*, and from thence to a Clump of Trees called *Julian's Bower*, over *Louth* South Field, by *Kenwick Thorne*, through the Parishes of *Raithby*, *Tathwell*, *Haugham*, *Burwell*, *Walmsgate*, *Ketsby*, *South Ormesby*, *Swaby*, and over *Calceby Bridge* and *Driby Warren*, and Part of *Ulceby* West Field, to the North Side of the Turnpike Road from *Alford* to *Spilsby*, opposite to the Road leading to *Fotheringhay*, otherwise *Fordington*, in the said County of *Lincoln*; but the Purposes aforesaid 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 from and after the Fourth *Thursday* next after the passing of this Act, the said several recited Acts of the Fifth, Twenty-sixth, and Forty-sixth Years of the Reign of His late Majesty King *George* the Third, so far as the same relate to the said First and Second Districts or Divisions of the said Roads comprised in this Act, shall be and the same are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Acts of 5, 26, and 46 G. 3. repealed.

II. And be it further enacted, That this Act shall be put into Execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, improving, maintaining, and keeping in repair the said First District or Division of the said Roads, which comprises the Road leading from *Bawtry Bridge* in the County of *Nottingham*, through the Town of *Scaftworth*, to *Holling Hill*, and through the Town of *Everton*, by *Drake Holes*, and through the Towns of *Gringley* and *Walkeringham*, and over *Swine Marsh*, to *Walkerith Ferry*, all in the said County of *Nottingham*, and through Part of the Town of *Walkerith* over *Walkerith* Common, and through the Town of *Morton* and through the Hamlet of *Northolme*, and from thence by or near to the Parsonage Barn leading into the Road over

This Act to be put into Execution for repairing the Roads herein described.

over *Gainsburgh* Middle Field, through *Towland Lane*, and over *Great Corringham* and *Little Corringham* Commons and Field, and through the Town of *Little Corringham*, and over *Little Corringham* Fields, the *Moor Leys* and *Madging Moor*, and through *Harpswell Lane*, and from the End of the said Lane in a straight Line over *Anacock* Springs in *Welldale*, to the Gate leading to *Harpswell*, and from thence to the Top of *Hemswell Hill*, along *Harpswell Hedge*, to a Place called *Creampoke Nook*, and from thence along the Road by *Glentworth Wall*, across the old Street, to the Town of *Glentham*, over *Bishop Bridge*, and through the Towns of *West Raisin*, *Middle Raisin*, and *Market Raisin*, *Market Raisin* Moor or Common, *Tevelby* Moor or Common, to the Bridge into *North Willingham* Lordship, and through the Town of *North Willingham*, up the new Hill, and along *North Willingham Lane*, to the Parish of *Ludford*, and from the Great Road in the Town of *North Willingham* aforesaid, through a Lane leading South to the Town of *Six Hills*, and from thence to the Blacksmith's Shop in the Town of *Hainton*, in the said County of *Lincoln;* and also the Second District or Division of the said Roads, which comprises the Road leading from the East End of the aforesaid *Willingham Lane*, over *Ludford* North Field, *Great Tows* Sheep Pastures, and *Calsthorpe* Sheep Pasture, and through *Kelstern Lane*, and over *Kelstern* Sheep Pasture, *South Elkington* West Field, and through the Town of *South Elkington*, and over *South Elkington* East Field, and through *Thorpe Hall Lane*, to *Thorpe Hall* Mill, and from thence through *West Gate End*, *Break Neck Lane*, and *Goosepool*, to *New King's Head Inn* Back Gate in *Louth*, and from thence to a Clump of Trees called *Julian's Bower*, over *Louth* South Field, by *Kenwick Thorne*, through the Parishes of *Raithby*, *Tathwell*, and *Haugham*, *Burwell*, *Walmsgate*, *Ketsby*, *South Ormesby*, *Swaby*, and over *Calceby Bridge* and *Driby Warren*, and Part of *Ulceby* West Field, to the North Side of the Turnpike Road from *Alford* to *Spilsby*, opposite to the Road leading to *Fotheringhay* otherwise *Fordington*, in the said County of *Lincoln;* and which said several and respective Districts or Divisions of the said Roads shall be and the same are hereby declared to be separate and distinct Districts or Divisions of Road for the Purposes of this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty.

Tolls to be subject to Debts, &c. under former Acts.

III. And be it further enacted, That this Act, and the Tolls hereby granted and to be received upon the said First and Second Districts or Divisions of the said Roads herein-before mentioned and described, shall be and the same are hereby respectively and separately, but not jointly, made subject and liable to the Payment of all Monies which at the Time of the Commencement of this Act shall be due and owing on the Credit of the Tolls authorized to be taken and collected upon the said First and Second Districts or Divisions of the said Roads, by virtue of the said first Three recited Acts hereby repealed, and of all Interest due and to grow due thereon respectively; and also to the Payment of all other Debts and Sum or Sums of Money which shall be due and owing to any Person or Persons whomsoever, in respect of the same Districts or Divisions of the said Roads, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due and owing on the Credit of this

Act,

Act, or of the Tolls hereby authorized to be collected on such several and respective Districts or Divisions; and all and every Person and Persons owing any Sum or Sums of Money on account of the said several Districts or Divisions of the said Roads, to the Trustees for executing the first Three recited Acts hereby repealed, shall be liable to the Payment thereof to the Trustees for executing this Act.

Conveyances, Securities, &c. under former Acts, to be valid, notwithstanding the Repeal of those Acts.

IV. And be it further enacted, That all Conveyances, Mortgages, Deeds, Bonds, Covenants, Agreements, Contracts, and Securities made to or by or entered into on account of the said several Districts or Divisions of the said Roads, by any Person or Persons, to or with the Trustees for executing the said Acts hereby repealed, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same shall be fully satisfied and performed on account of the several Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said Acts hereby repealed, to or with any Person or Persons for any Purpose relating to the said Roads, or to the Execution of the said Acts or any of them, so far as the same relate to the said several and respective First and Second Districts or Divisions of the said Roads herein-before mentioned and described, shall remain in full Force and Effect, and shall be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first Three recited Acts.

Books used under former Acts to be Evidence under this Act.

V. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees of the said several herein-before mentioned Districts or Divisions of the said Roads, kept according to the Directions or Provisions of the said first Three recited Acts hereby repealed, or of any Act heretofore passed relating to the said Roads, and made Evidence thereby, shall be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said Acts had not been repealed.

Officers under former Acts to account.

VI. And be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said Acts hereby repealed, so far as the same respectively relate to the several and respective Districts or Divisions of the said Roads now included in this Act, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said several and respective Districts or Divisions of the said Roads, or either of them, shall account, pay, and deliver over the same in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or either of them, inflicted in respect to the several Persons receiving any Monies or having the Possession

of any Books, Writings, or other Things by virtue of the said Acts and this Act.

Powers of General Turnpike Acts extended to this Act.

VII. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty; and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act,) and also the said recited Act passed in the Fifth Year of the Reign of His said present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act, and the several and respective Purposes thereof, into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Trustees.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Nottingham* and for the Parts of *Lindsey* in the County of *Lincoln* respectively, together with the Right Honourable *John Charles Spencer* commonly called Viscount *Althorp*, *Charles John Anderson*, *Julius Angerstein*, *Richard Atkinson* Clerk, *Robert Allwood*, *John Angerstein*, *William Alcock*, *George Marmaduke Alington*, *John Alington* Clerk, *Hynman Raddish Allenby*, *William Allison*, *Edward Allison*, *William Grant Allison*, *William Ashton*, the Right Honourable Sir *John Beckett* Baronet, *Christopher Beckett*, *William Beckett*, *George Beckett* Clerk, *Thomas Binney*, *William Brightmore*, *Mordecai Binney*, *Richard Binney*, *John Borwell*, *Simon Maw Bowen*, *John Bowen*, *George Archer Bellwood*, *John Burkinshaw*, *John Burcham*, *William Barnett* Clerk, *William Benton Barton*, *Matthew Barnett*, *Henry Bassett* Clerk, *Thomas Birch Bosville*, *Charles Bellwood*, *John Coats*, *Matthew Coats*, *Thomas Carter*, *Joseph Cox* Clerk, *Robert Cook*, *William Cook*, *Thomas Clerk*, *William Cross*, *Robert Cross*, *William Cross*, *James Cross*, *George Curtois* Clerk, *Thomas Pyke Cooper*, *Thomas Chantry*, *Marmaduke Clark*, *William Waldo Cooper*, *Montagu John Chomley*, *John James Clark*, *Adam Clarke*, *Samuel Cropper*, *John Campstone*, *Woodthorpe Collett*, *Thomas Carr*, *Richard Clark*, *Benjamin Codd*, *William Maxwell Constable*, *Charles Manners Sutton Chaplin*, *Richard Chaplin*, *Frederick Chaplin*, *George Chaplin*, *Edmund Beckett Denison*, *Robert Duckle*, *Robert Duckle* Clerk, *Frederick Anthony Duckle*, *Henry Charles Duckle*, *George Dealtry* Clerk, *John Dickinson*, *Robert Dungworth*, *John Dalton*, *Thomas Duckle*, *John Duckle*, *James Dixon*, *John Emerson*, *Robert Evans* Clerk, *John Emeris* Clerk, *Godfrey Egremont* Clerk, *Godfrey George Egremont* Clerk, *John Emeris* the younger, *William Emeris*, *Christopher Epworth*, *Adam Eve*, *William Eve*, *Robert Flower*, *Richard Furley*, *William Furley*, *Richard Dewdney Fretwell*, *Robert Fretwell*,

Fretwell, William Fretwell, John Fretwell, David Fridlington, John Lewis Fytche, George Augustus Fytche, Albert Fytche, Samuel Gurnhill, James Gurnhill, William Gibbins, Samuel Gurnhill the younger, *John Gamble, Francis Gamble, Barnabas Gibson, Frederick Goetze, Robert Gamson, Gervas Gamson, Cyrus Gordon, Augustus Gordon, Robert Gravenor, John Garfit, John Garfit* the younger, *Thomas Garfit, Gillyatt Edward Gillyatt, Isle Grant, Richard Grant, Benjamin Grant, Stephen Gray, Francis Hewgill* Clerk, *William Hett* Clerk, *Henry Bacon Hickman, William Hutton, George Hutton, William Charles Haslewood, John Hartley, Francis Gilbert Hewerdine, William Barnard Heaton, William Harrison* Clerk, *Matthew Hodge* Clerk, *George Fieschi Heneage, Edward Heneage, Charles Heneage, John Hobson, George Robert Heneage, Thomas Fieschi Heneage, William Hardy, Theophilus Harneis, Theophilus Harnies* the younger, *William Harrold, William Henry Hart, Thomas Bennett Harnies, Edward Holland, Grantham Hodgson, George Holland, George Jepson, Woodthorpe Johnson, Robert Johnson, William Jerrems, John Jackson, Wolley Jolland* Clerk, *William Hutchinson King* Clerk, *Joseph Kindall, William King, George Lister, George Lister* the younger, *Matthew Bancroft Lister, Matthew Henry Lister, John Laugton, John Laugton, John Lyon, John Herbert Lloyd, Joseph Livesey, John Loft, William Loft, Frederick Lucas, Frederick Richard Lucas, Joseph Kerman Miller* Clerk, Sir *Charles Monck* Baronet, *Morehouse Metcalfe, George Metcalfe, John Marshall, George Milnes, William Mercer, Fletcher Mercer, Thomas Massingberd, Hompech Massingberd, George Minnett, James Martin, William Mawer, John Maddison, John Maddison* the younger, *Christopher Neville* the younger, *George Neville,* Sir *Henry Nelthorpe* Baronet, *John Orvis, Coates Osborn, Francis Otter, Robert Dawson Otter, Thomas Oldham, Thomas Oldham* the younger, *Francis Overton, Francis Overton* the younger, *George Orme, Henry Orme, Charles Henry Cave Orme, Frederick Orme, Gervas Parnell, John Pashley* the younger, *Thomas Palian, William Burns Peacock, Thomas Petty, John Pashley, Lysimachus Parker* the younger, *John Parkinson* Doctor of Laws, the Honourable *George Anderson Pelham, Samuel Carter Pettener, Thomas Bentley Phillips, John Michael Phillips* Clerk, *Thomas Bentley Phillips* the younger, *Stephen Preston* Clerk, *Rashdall, Rashdall, Jonathan Jackson Rudsdall, William Radley, Robert Redgate, William Richardson, John Richardson, Francis Raynes, George Raynes, William Rawson, Thomas Rhodes, Thomas Shepherd* Clerk, *Samuel Sandars, Matthew Sooby, John Sooby, James Stephenson, Henry Spurr, Samuel Sandars* the younger, *George Sandars, Henry Smith, Adam Stark, George Silston, William Smith, Joseph Stockdale* Clerk, *George Skipworth, George Searle, Maurice Grant Searle, Philip Skipworth, William Smith, William Smyth* Clerk, *Edmund Smyth* Clerk, *William Tiffin* Clerk, *John Tidd, Thomas Tong, Thomas Torr, John Turner, William Tower* Clerk, *John Thorpe, William Thorpe, Francis Taylor, George Clayton Tennyson* Doctor of Laws, *Charles Tennyson, Frederick Tennyson, George Hildyard Tennyson, George Tennyson, Richard Thew, John Henry Vane, John Waite* Clerk, *John Trip Watson, John Wright, John Watkinson, John Watkinson* the younger, *Williamson Wells, Francis Wells, William Welfitt* the younger, *William Welfitt* Doctor of Laws, *Henry Watson, William Williamson, Wynder* Clerk, *William Wright, John West, John Dean Waite, Thomas*

Thomas Phillips Waite, *Francis Walesby*, *William Teale Welfitt*, *Samuel Welfitt* Clerk, *Samuel James Welfitt* the younger, *William Wilson*, *James Wilson*, *Charles Wing*, *John Posthumus Wilson*, *John Wright*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, shall be and they are hereby appointed the Trustees for putting this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His said present Majesty, into Execution.

Power to appoint additional Trustees at the First Meeting.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, being qualified according to the Directions and Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, (not exceeding Five in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act and the said last-mentioned Acts; and such Persons, when so elected and appointed, and being qualified according to the Directions of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, shall be and are hereby invested with the same Powers and Authorities for executing this Act and the said last-mentioned Acts, as if they had been herein named and appointed Trustees in and by this Act.

First Meeting of Trustees.

X. And be it further enacted, That the said Trustees shall hold their First Meeting for the said First District or Division of the said Roads, at some convenient House or Place in the Town of *Gainsburgh* in the said County of *Lincoln*; and for the said Second District or Division of the said Roads, at some convenient House or Place in the Town of *Louth* in the said County of *Lincoln*; or at some other Place or Places conveniently situated for the same Districts respectively, on the Fourth *Thursday* next after the passing of this Act, or as soon after as conveniently may be; and shall and may then and from Time to Time adjourn to and meet for the said several and respective Districts or Divisions of the said Roads, or for all or either of them, at such Times, and at such Place or Places on or near to the Line of the said Districts of Roads, as they shall respectively think proper.

Old Officers (except the Treasurer) to continue.

XI. And be it further enacted, That every Clerk, Receiver, Collector, Surveyor, and other Officer (save and except the Treasurer) appointed under and by virtue of the said recited Acts hereby repealed, so far as the same relate to the said First and Second Districts or Divisions of the said Roads now included in this Act, shall hold and enjoy their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authorities for the Purposes of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules

and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or this Act.

Same Person not to be Clerk and Treasurer.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Power to continue present Gates, and to erect others.

XIII. And be it further enacted, That the said Trustees shall and may, as they shall think proper, continue, remove, take away, or change the Situation of all or any of the Toll Gates or Turnpikes, and any Toll Houses and Weighing Machines erected by virtue of the said recited Acts hereby repealed, so far as the same relate to the said several and respective Districts or Divisions of the said Roads now included in this Act, or which shall or may be erected by virtue thereof and of this Act, or either of them, and may erect and set up, or cause to be erected and set up, any other Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, Weighing Machine or Weighing Machines, in, upon, or across any Part or Parts of the said Roads, or upon the Sides thereof respectively, and may also continue, erect, or provide a Toll House, with suitable Outbuildings and Conveniences, at or near each Toll Gate, and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses,

Weighing Machines, or any of them, as they the said Trustees shall think expedient; and also may take in and inclose from the said Roads convenient Garden Spots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre to each Toll House: Provided always, that no Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, shall be taken down or removed by Order of the said Trustees, unless such Order be made by a Majority of the Trustees present at a Meeting at which Seven Trustees at the least shall be present, and unless Notice of such Meeting, and of the Intention of taking down or removing such Toll Gate or Toll Gates, or Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, signed by the Clerk or Clerks to the said Trustees, to be affixed on all the Toll Gates or Turnpikes then erected on the said Roads, and inserted in One of the Newspapers circulating in the Districts where the said Roads are situate, Twenty-one Days at least before the Day of the holding the Meeting at which such Order shall be made.

Giving previous Notice of such Removal.

Trustees not liable to repair Pavements.

XIV. And be it further enacted, That no Part of the Money arising from the said Tolls, or any Money to be borrowed on the Credit thereof, shall be laid out in or applied to the paving or repairing any Highways, Streets, or Lanes in any Town or Street through which any Part of the Roads by this Act directed to be widened and repaired shall lead; any thing herein contained to the contrary notwithstanding.

Not to get Materials within 1,200 Yards of Somerby Hall, without Consent.

XV. Provided always, and be it further enacted, That nothing in this or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained shall extend, or be construed to extend, to empower the said Trustees or any of them, or any Surveyor or Surveyors, or other Person or Persons acting under them or any of them, to enter into and upon the ancient inclosed Lands and Grounds of the Right Honourable Sir *John Beckett* Baronet, situate at *Somerby* in the Parish of *Great Corringham*, which are or were comprised within the Limits of the ancient Park at *Somerby* aforesaid, nearer than One thousand two hundred Yards to, and to be computed and measured from, *Somerby Hall*, for the Purpose of getting, digging, gathering, taking, or carrying away any Materials for the Repair of the said Roads comprised within the First and Second Districts of the said Roads, or any or either of them, or any Part or Parts of them or either of them, without the Consent in Writing of the said Sir *John Beckett*, or the Owner or Owners of the said Park called *Somerby Park* for the Time being, his, her, or their Heirs or Assigns, for that Purpose first had and obtained.

Lamps to be lighted at Toll Houses.

XVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby required from Time to Time to order and direct One or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses to be continued or erected by virtue of this Act, as they the said Trustees shall think proper, and also to order and direct at what Times of the

Year and during what Hours such Lamp or Lamps, or any of them, shall be kept lighted; and all and every Collectors and Collector of the Tolls authorized by this Act to be taken and collected, appointed by the said Trustees, and also all and every Lessees or Lessee thereof, and all and every Persons and Person appointed by the said Trustees or their Lessees respectively, who shall neglect or omit to observe and fulfil the Orders of the said Trustees in respect to the keeping and lighting of such Lamp or Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission; and in case any Person or Persons shall damage or injure any Lamp to be set up as aforesaid, or extinguish the Light therein, such Person or Persons shall forfeit and pay any Sum not exceeding Forty Shillings; to be recovered and applied in such and the same Manner as Penalties incurred by Offences against the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty are by such Acts directed to be recovered and applied.

Power to take Tolls.

XVII. And be it further enacted, That it shall be lawful for the said respective Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors of the said Tolls, or the Lessee or Lessees thereof respectively for the Time being, or any Person or Persons by such Lessee or Lessees to be appointed, to demand and take the Tolls herein-after mentioned at each and every of the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued, or which shall be erected by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, in, upon, across, or on the Side or Sides of the said Roads included in the said First and Second Districts or Divisions of the said Roads herein-before particularly mentioned and described, or any Part or Parts thereof, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Stage Coach, Diligence, Van, Caravan, Sociable, Landau, Berlin, Chariot, Vis-a-Vis, Barouche, Phaeton, Chaise Marine, Calash, Curricle, Chair, Gig, Whiskey, Hearse, Litter, Chaise, Taxed Cart, or other such like Carriage, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding Sixpence Halfpenny:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half or upwards, and less than Six Inches, at the Bottom or Soles thereof, any Sum not exceeding Five-pence Halfpenny:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, or other such like Four-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the

the Bottom or Soles thereof, any Sum not exceeding Four-pence Halfpenny:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Cart or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Cart or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and less than Six Inches at the Bottom or Soles thereof, any Sum not exceeding Five-pence:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Cart or other such like Two-wheeled Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, any Sum not exceeding Four-pence Halfpenny:

For every Horse, Mule, Ass, or other Beast, laden or unladen, and not drawing, any Sum not exceeding One Penny Halfpenny:

For every Ox, Cow, or other Neat Cattle, any Sum not exceeding One Halfpenny:

For every Drove of Calves, Swine, Sheep, or Lambs, any Sum not exceeding Five-pence *per* Score, and so in proportion for any greater or less Quantity:

For every Coach, Chariot, Chaise, Waggon, or any other Carriage with Four Wheels, and being empty, and fixed to any Waggon, Wain, Cart, or other Carriage, any Sum not exceeding One Shilling:

For every Coach, Chariot, Chaise, Waggon, or any other Carriage with Four Wheels, and being laden, and fixed as aforesaid, any Sum not exceeding Two Shillings:

For every Chair, Cart, or other Carriage with Two Wheels only, being empty, and fixed as aforesaid, any Sum not exceeding Six-pence:

And for every Chair, Cart, or other Carriage with Two Wheels only, and being laden, and fixed as aforesaid, any Sum not exceeding One Shilling:

Tolls vested in the Trustees.

Which said respective Tolls or Sums of Money shall be demanded and taken in the Name of or as Toll, before any Horse, Mule, Ass, or other Beast or Cattle, Coach, Waggon, Cart, or any other Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, to be continued or erected upon the said several and respective Districts or Divisions of the said Roads, or any or either of them; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Fractional Part of a Halfpenny in Tolls.

XVIII. Provided always, and be it further enacted, That in all Cases where there shall be a Fractional Part of One Halfpenny in the gross or aggregate Amount of any of the Tolls by this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or any or either of them, granted or authorized

authorized to be collected, the Sum of One Halfpenny shall be demanded and taken in lieu of such Fractional Part.

Tolls to be paid but once for passing and repassing.

XIX. And be it further enacted, That when the full Toll shall have been paid for or in respect of any Horse, Beast, or Cattle passing through any of the Turnpikes or Toll Gates, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, erected or to be erected on the said Roads or the Sides thereof, the same Horse, Beast, or Cattle shall (on a Ticket being produced denoting such Payment) be permitted to return Toll-free through the same Toll Gate, Turnpike, or Side Gate, Side Bar, or Chain, and also through such other Gate and Gates, if any, as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid.

Limiting the Number of Tolls to be taken.

XX. Provided always, and be it further enacted, That no more than Six full Tolls shall be demanded or taken in the same Day, to be computed as aforesaid (except as herein-after mentioned), for or in respect of the passing or repassing of the same Horse or Horses, Beasts, Cattle, and Carriages, through all the several Toll Gates upon the Roads comprising the said First District; and no more than Three full Tolls shall be demanded or taken in the same Day, to be computed as aforesaid (except as herein-after mentioned), for or in respect of the passing and repassing of the same Horse or Horses, Beasts, Cattle, or Carriages, through all the several Toll Gates upon the Roads comprising the said Second District.

Stage Coaches, &c. to pay every Time of passing;

Post Chaises, &c. on every new Hiring.

XXI. And be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, or Caravan, Cart, Stage Waggon or other Stage Carriage, conveying Passengers or Goods for Pay, Hire, or Reward, every Time of passing or repassing along the said Road; and the Tolls hereby made payable shall be paid for or in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, every Time of passing and repassing along the said Road whenever any new Hiring thereof shall take place.

Carts drawn by One Horse may be weighed.

XXII. And whereas it frequently happens that Carts drawn by One Horse only, passing upon and along the said Roads, carry a greater Weight than is allowed by Law for Carts drawn by Two or more Horses; be it therefore further enacted, That from and after the Expiration of Two Calendar Months from the Commencement of this Act, all Carts passing upon the said Roads, or any Part or Parts thereof, drawn by One Horse only, shall and may be weighed at all and every the Weighing Machine or Weighing Machines now or hereafter to be erected in the said several Districts or Divisions of the said Roads; and the like additional Sums or Tolls as are payable under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, for the Overweight of Carts or Carriages and the Loading thereof, shall and may be demanded and taken for and in respect of all Carts drawn by One Horse only, which, with the Loading thereof, shall exceed the Weights thereby allowed for Waggons, Carts, and other Carriages drawn by more than

One Horse; and all the Powers, Regulations, and Penalties thereby provided, relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Roads drawn by One Horse only, and to the Drivers, Masters, and Owners thereof; any Law, Statute, or Usage to the contrary in anywise notwithstanding.

Manure to be exempt from Toll.

XXIII. Provided always, and be it further enacted, That none of the Tolls hereby authorized to be taken shall be demanded, taken, or received at any of the Turnpikes, Toll Gates, or Side Gates erected and continued upon, across, or by the Sides of the said Roads in the said First and Second Districts, for any Horse, Beast, or other Cattle or Carriage used or employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, or having been used or employed only in carrying or conveying, on the same Day, any Lime, Bones, Rape Dust, Dung, Soil, Compost, or Manure, for the *bonâ fide* Purpose of manuring or improving Lands; nor for any Horse, Ass, or other Beast carrying or conveying, or going for the Purpose of carrying or conveying, any Milk, or returning empty from carrying or conveying such Milk, or passing through any Turnpike Gate for the Purpose of grazing or depasturing only in any Lands or Grounds situate in or near the adjoining Parish, Township, or Place in which the Gate is or shall be situate, or returning therefrom; nor for any Horse or other Cattle or Carriage used or employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, or having been used or employed only in carrying or conveying, on the same Day, any Hay, Straw, Fodder for Cattle, Corn in the Straw, or Corn out of the Straw, which has grown or arisen on Land or Ground in the Occupation of the Owner of any such Hay, Straw, Fodder, Corn in the Straw, or Corn out of the Straw, Potatoes, or other Agricultural Produce, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of, but to be laid up on the Premises of the Grower thereof; any thing herein, or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained to the contrary thereof in anywise notwithstanding.

Application of the Tolls and other Monies on the First District.

XXIV. And be it further enacted, That all the Tolls and other Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said Three first-recited Acts hereby repealed, so far as regard the said First District or Division of the said Roads, and which 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 and made payable in or upon the same District or Division of the said Roads, together with all Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied, in the first place, in paying and defraying all the Costs, Charges, and Expences incident to, or which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or otherwise relative thereto respectively, with

Interest

Interest for the same; secondly, in Payment of the Expences of erecting and providing, altering and repairing Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the same District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, so far as regard the same District or Division of the said Roads; thirdly, in paying and keeping down the Interest of all Principal Monies which at the Commencement of this Act shall have been borrowed, or which shall hereafter be borrowed on Security of the Tolls arising on the same District or Division of the said Roads; fourthly, in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in otherwise putting this Act, and also the said Two recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, into Execution; and lastly, in repaying the Principal Monies already borrowed by virtue of the said Three first-recited Acts hereby repealed, or to be borrowed on the Credit of the Tolls arising on the same District or Division of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Application of the Tolls and other Monies on the Second District.

XXV. And be it further enacted, That all the Tolls and other Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said Acts hereby repealed, so far as regard the said Second District or Division of the said Roads, and which 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 and made payable in or upon the same District or Division of the said Roads, together with all Monies which have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be applied, in the first place, in paying and defraying all the Costs, Charges, and Expences incident to or which shall have been incurred in applying for, preparing, obtaining, and passing this Act, or otherwise relative thereto respectively, with Interest for the same; secondly, in Payment of the Expences of erecting and providing, altering and repairing Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, with suitable Outbuildings, upon, across, and by the Sides of the same District or Division of the said Roads, and of Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act, so far as regard the same District or Division of the said Roads; thirdly, in paying and keeping down the Interest of all Principal Monies which at the Commencement of this Act shall have been borrowed, or which shall hereafter be borrowed on Security of the said Tolls arising on the same District or Division of the said Roads; fourthly, in amending, altering, diverting, turning, widening, improving, and keeping in repair the same District or Division of the said Roads, and in otherwise putting this Act, and also the said Two recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, into Execution; and lastly, in repaying the Principal Monies already borrowed

borrowed by virtue of the said Three first-recited Acts hereby repealed' or to be borrowed on the Credit of the Tolls arising on the same District or Division of the said Roads by virtue of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Application of Compensation when amounting to 200*l.*

XXVI. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes,* and the General Orders of the said Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court 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, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or 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 or capable of taking effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court, 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*

1 G. 4. c. 35.

Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled, in case such Purchase, Conveyance, and Settlement were actually made.

Where less than 200*l.* and amounting to 20*l.*

XXVII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, 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 said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, of Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by the Trustees for executing this Act, and such Nomination and Appointment to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain an Order of the said Court touching the Application thereof.

When less than 20*l.*

XXVIII. And be it further enacted, That where such Money so agreed or awarded to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes aforesaid, for his, her, or their own Use and Benefit; or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees,

Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

XXIX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, 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 in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered; then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be paid to his Account there 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; which 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein for what and for whose Use the same is and are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank of *England* as aforesaid.

Persons in Possession presumptively entitled.

XXX. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act or the said last-mentioned Acts, for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or

under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities to be purchased with such Money, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Court may order reasonable Expences to be paid by Trustees.

XXXI. 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, taken, or used under the Authority of this Act or the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, 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 the said last-mentioned Acts, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Power to make Causeways, Ditches, Drains, Bridges, &c.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make any Causeway or Causeways, Footpath or Footpaths, for the Use of Foot Passengers, in, upon, or on the Sides of the said Roads, in such a Manner as they shall think proper, but not to extend the Width of all the Roads, Footpaths, and Causeways collectively beyond the Width of Sixty Feet; and also Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Roads dry and conveying the Water from the same, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Paddock, planted Walk, or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid; any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds, but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the

the said Roads, shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

For preventing Nuisances on the Road.

XXXIII. And be it further enacted, That if any Person or Persons driving or riding upon any Horse carrying any Milk Can or Cans, Crate or Crates, Pannier or Panniers, shall permit the same to go faster than a Trot, to the Annoyance of any Person or Persons travelling thereon, every Person so offending in any of the Cases aforesaid shall forfeit and pay a Sum not exceeding Forty Shillings, to be recovered, levied, and applied in such and the same Manner as other Penalties are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty directed to be recovered, levied, and applied.

For paying Expences of this Act.

XXXIV. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be defrayed out of the Monies already received or to arise within or upon account of the said First and Second Districts respectively, in equal Moieties, and in preference to all other Payments whatsoever.

Public Act.

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

Commencement and Continuance of this Act.

XXXVI. And be it further enacted, That this Act shall commence and take effect upon the said Fourth *Thursday* next after the passing thereof, and shall thenceforth continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by George Eyre and Andrew Strahan,
Printers to the King's most Excellent Majesty. 1827.