ANNO QUINQUAGESIMO

GEORGII III. REGIS.

****

Cap. 133.

An Act for enlarging the Term and Powers of an Act of His preſent Majeſty, for repairing the Road from *Buckingham*, through *Brackley*, to join the *Daventry* Turnpike Road near *Banbury*.

[24th *May* 1810.]

WHEREAS an Act was paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for amending and widening ſeveral Pieces of Road, and opening and making ſeveral Pieces of new Road therein deſcribed, ſo as to make a convenient Carriage Road from* Buckingham, *through* Brackley, *to join the* Daventry *Turnpike Road near* Banbury: And whereas the Truſtees appointed to put the ſaid Act into Execution, have made conſiderable Progreſs in the Repair of the ſaid Roads, and making the ſame convenient, and for that Purpoſe have borrowed ſeveral Sums of Money upon the Credit of the Tolls thereby granted, which Tolls are inſufficient for Payment of the Intereſt of the Sums borrowed on the Credit of ſuch Tolls, and for the proper Maintenance and Repair of the ſaid Road; and the ſaid Principal Money ſo due and owing, with the Intereſt thereof, cannot be repaid, nor the ſaid Road effectually amended and kept in Repair, unleſs the Term of the ſaid Act be continued, the Tolls increaſed, and the Powers thereby granted, altered and enlarged: May it therefore pleaſe Your Majeſty, That it may be enacted, And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid

31 G. 3. c. 105.

Former Act continued.

recited Act, and all the Clauſes, Powers, Proviſions, Matters and Things therein contained (except ſuch Parts thereof as relate to Exemptions from Stamp Duties, and alſo ſuch as are hereby varied, altered or repealed), ſhall be and continue in full Force and Effect, and ſhall be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Alterations and Amendments herein contained; and that this Act ſhall commence and take Effect upon the paſſing thereof, and the Term and Powers hereby granted ſhall be, and are hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing on the Credit of the ſaid recited Act, and of ſuch other Sums of Money as ſhall be borrowed upon the Credit thereof and of this Act, and of all Intereſt due and to grow due thereon reſpectively.

Additional Truſtees appointed.

II. And be it further enacted, That from and after the paſſing of this Act, *Thomas Carter* Eſquire, *Benjamin Price* Eſquire, *Thomas Stanhope Badcock* Eſquire, *George Morgan* Eſquire, *John Jackſon Blencowe* Eſquire, *Robert Haldane Bradſhaw* Eſquire, *George Ruſh* Eſquire, *Anthony Henderſon* Eſquire, the Reverend *William Shippen Willes* Clerk, the Reverend *Thomas Blencowe* Clerk, the Reverend *Nathaniel Humfrey* Clerk, the Reverend *Thomas Hughes Chamberlain* Clerk, the Reverend *Joſeph Gaſcoyne Littlehales* Clerk, the Reverend *John Dandridge* Clerk, the Reverend *Palmer* Clerk, the Reverend *Smith* Clerk, the Reverend *John Browne* Clerk, the Reverend *Ellis* Clerk, and their Succeſſors (being qualified according to the Directions of the ſaid recited Act) ſhall be added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Act, for putting the ſaid recited Act and this Act into Execution, and ſhall have the like Powers for that Purpoſe, as if they had been named and appointed Truſtees in or by virtue of the ſaid recited Act,

For diſcontinuing the preſent Tolls and granting new ones.

III. And be it further enacted, That the ſeveral Tolls and Duties in and by the ſaid recited Act, authorized to be demanded and taken at each and every of the Toll-gates erected under the Authority of the ſaid Act, ſhall from and after the paſſing of this Act ceaſe and be no longer payable; and that inſtead thereof the following Tolls ſhall be demanded and taken, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; (that is to ſay)

For every Coach, Sociable, Berlin, Landau, Chariot, Vis-a-vis, Barouch, Chaiſe-marine, Calaſh, Curricle, Chair, Gig, Whiſkey, Caravan, Hearſe, Litter or ſuch other like Carriage, drawn by One Horſe or other Beaſt of draught, the Sum of Sixpence;

And drawn by Two Horſes or other Beaſts of Draught, the Sum of Nine-Pence;

And drawn by Four Horſes or other Beaſts of Draught, the Sum of One Shilling and Sixpence;

And drawn by Six Horſes or other Beaſts of Draught, the Sum of Two Shillings and Three Pence:

For every Cart or other ſuch like Carriage, drawn by One Horſe or other Beaſt of Draught, the Sum of Eight Pence; and for every additional Horſe, Four Pence:

For

For every Waggon, Wain or other ſuch like Carriage, drawn by any number of Horſes or other Beaſts of draught, not exceeding Four, the Sum of Two Shillings; and if drawn by more than Four Horſes or other Beaſts of draught, the Sum of Two Shillings and Sixpence:

For every Horſe, Mare, Gelding, Mule or Aſs, ladenor unladed, and not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen, Cows, Heifers or Neat Cattle, the Sum of Ten Pence per Score, and ſo in proportion for any leſs number:

For every Drove of Calves, Swine, Sheep or Lambs, the Sum of Five Pence per Score, and ſo in proportion for any leſs Number:

Double Tolls to be taken on Sundays.

And that on every *Sunday*, during the Continuance of this Act, there ſhall be demanded and taken at the ſaid Toll-gates reſpectively, by ſuch Perſon or Perſons as are or ſhall be from Time to Time duly nominated and appointed Collector of the Tolls, before any Horſe, Cattle or Carriage ſhall be permitted to paſs through the ſame, double the ſaid reſpective Tolls (except ſuch Horſes or Beaſts as ſhall be employed ſolely for the Purpoſe of carrying or conveying Milk).

Manner of Recovery of Tolls.

IV. And be it further enacted, That the ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of or as a Toll, and ſhall be and are hereby veſted in the ſaid Truſtees, and ſhall be applied to the Purpoſes of the ſaid recited Act and this Act; and if any Perſon ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made, neglect or refuſe to pay the ſame or any Part or Parts thereof, it ſhall and may be lawful for the Perſon or Perſons authorized and appointed by the ſaid Truſtees, or any Five or more of them, to enforce the Payment of ſuch Tolls by himſelf or themſelves, or taking ſuch Aſſiſtance as he or they ſhall think neceſſary, and to ſeize or diſtrain any Horſe, Beaſt or other Cattle upon which any ſuch Toll is by this Act impoſed, together with their Saddles, Gears, Harneſs or Accoutrements, (except the Bridle or Reins of any ſuch Horſe or other Beaſt ſeparate from ſuch Horſe or other Beaſt), or any Carriage in reſpect of the Horſes or Beaſts drawing, on which Carriage ſuch Toll is by this Act impoſed; and if ſuch Toll and the reaſonable Charges of ſuch Seizure and Diſtreſs ſhall not be paid within the Space of Five Days after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining may ſell the Horſes, Beaſts, Cattle, Carriage or Things ſo ſeized and diſtrained, or a ſufficient Part thereof, returning the Overplus of the Money to ariſe by ſuch Sale (if any) and what ſhall remain unſold upon Demand to the Owner thereof, after ſuch Tolls, and the reaſonable Charges occaſioned by ſuch Seizure Diſtreſs and Sale, ſhall be deducted.

Power for Truſtees to vary Tolls.

V. And be it further enacted, That the ſaid Truſtees or any Seven or more of them, at any Meeting to be holden for that Purpoſe, whereof at leaſt Twenty Days' Notice ſhall be given in Writing affixed upon all the Toll-gates erected upon the ſaid Road, and inſerted in ſome one Newſpaper publiſhed or circulated in the ſaid Counties of *Northampton* and *Buckingham*, may and they are hereby authorized and empowered from Time to Time, in caſe it ſhall appear requiſite and expedient, to leſſen and reduce, and again to raiſe and advance the Tolls hereby authorized to be taken, or any Part or Parts thereof, and to order the ſame to be taken in ſuch Manner, Part and Proportions as they ſhall think fit; ſo that

that the respective Tolls so varied never exceed the Tolls by this Act authorized to be taken, and so that the Tolls so granted or varied be never lessened until the Money borrowed on the Credit thereof, together with the Interest, be repaid (except the Person or Persons entitled to Five-sixths or more of such Money consent thereto); and such Tolls so varied and every of them, shall be collected, recovered and applied in the same Manner as the Tolls hereby authorized to be taken are directed to be collected, recovered and applied.

Exemption from Tolls.

VI. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, Beast or Carriage employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel or other Materials for repairing of the said Road, or any of the Roads in the Townships or Parishes in which any Part of the said Road lies; or any Hay, Turnips, Straw or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Barns, Outhouses or Yards of the Owner or Owners thereof, or of carrying or conveying any Mould or Lime for manuring Land, or for any Horse, Cattle or Beast employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows or Implements of Husbandry, Corn for feeding the Ground, or any Dung, Compost or Manure employed in Husbandry, for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands, nor for any Horses or Cattle going to or returning from Pasture or Watering-places, or going to be or returning from being shoed or farried; or from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of religious Worship authorized by Law on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Townships or Parishes; or from any Clergyman going to or returning from visiting any sick Person, or going to or returning from his parochial or ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle or Carriage, of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cattle or Beast attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; 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 publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Cart, Cattle or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle or Beast carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Northampton* and *Buckingham*, on the Day or Days of such Election, or on the Day before

or

or Day after such Election shall begin or be concluded; and that no Tolls shall be demanded or taken for any Horse, Mare or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed 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 as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit for every such Offence the Sum of Forty Shillings, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Carriages conveying Military Stores not to be subject to Penalties for Overweight, &c.

VII. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat, or other publick Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or 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 or the said recited Act; contained to the contrary notwithstanding.

The 70*l.* per Annum paid by the Brackley Trustees to cease, and 15*l.* per Annum to be paid by the Daventry Trustees to the Brackley Trustees.

VIII. And whereas by the said recited Act it is enacted that no Turnpike or Side Gate should be erected nearer to the *Daventry* Turnpike Road than One hundred Yards West of the Town of *Farthinghoe*; and in consideration thereof, and that the Persons passing between the Towns of *Brackley* and *Banbury* might not be burthened with more than One Toll in the same Day, it was agreed (with the Trustees for executing an Act passed in the Fifth Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road from the Turnpike Road in* Banbury, *in the County of* Oxford, *through* Daventry *and* Cottesbach *to the South End of* Mill Field, *in the Parish of* Lutterworth, *in the County of* Leicester; And also an Act passed in the Twenty-fifth Year of the Reign of His present Majesty, intituled, *An Act to enlarge the Term, and explain and amend the Powers of an Act passed in the Fifth Year of the Reign of His present Majesty, intituled,* '*An Act for repairing and widening the Road from the Turnpike Road, in* Banbury, *in the County of* Oxford, *through* Daventry *and* Cottesbach, *to the South End of* Mill Field, *in the Parish of* Lutterworth, *in the County of* Leicester;' And also an Act passed in the Forty-seventh Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of Two Acts of the Fifth and Twenty fifth Years of His present Majesty, for repairing the Road from* Banbury, *in the County of* Oxford, *through* Daventry *and* Cottesbach, *to* Lutterworth, *in the County of* Leicester,) and enacted, That Persons having paid the Toll at any Turnpike Gate to be

erected by virtue of the said recited Act of the Thirty first Year of the Reign of His present Majesty, between *Brackley* and *Banbury*, should be permitted to pass through any Turnpike erected or to be erected at or near *Banbury Bridge*, and that all the Money which should be collected at the said last-mentioned Gate from Persons who should afterwards, on the same Day, pass with the same Cattle and Carriages through any Turnpike which should be erected on the *Brackley* Road, should be paid by the Treasurer of the *Daventry* Road to the Treasurer of the *Brackley* Road, in the Manner and according to the Regulations therein directed; And whereas it was thereby further enacted, that the Trustees of the said *Brackley* Road should pay to the Trustees of the said *Daventry* Road the annual Sum of Ten Pounds, in consideration of the extraordinary Expence attending the Repairs of such Part of the said *Daventry* Road as lies between the End of the *Brackley* Road and the Town of *Banbury*; And whereas in consideration of the Continuance of the aforesaid Restriction as to the Situation of the Turnpike Gate at *Farthinghoe*, and in consequence of the great Expence which the Trustees for executing the said Act and this Act will sustain in repairing that Part of the present Road from *Farthinghoe* through the Parishes of *Middleton Cheney* and *Warkworth* to the *Daventry* Road, where the Materials are very bad, it has been mutually agreed between the Trustees of the *Daventry* Road and the Trustees of the said *Brackley* Road, that the Agreement in the said recited Act respecting the Repayment of the Tolls to be taken at *Banbury Bridge* Gate to the Trustees of the *Brackley* Road should be continued, and that the said annual Sum of Ten Pounds should be no longer payable; but that from and after the Twenty-fourth Day of *June* next, the yearly Sum of Fifteen Pounds should be paid by the Treasurer to the Trustees of the said *Daventry* Road to the Treasurer to the Trustees of the said *Brackley* Road, towards the Repair of such Part of the said *Brackley* Road as lies between the said Turnpike Gate at *Farthinghoe* and the said *Daventry* Turnpike Road; be it therefore enacted, That from and after the said Twenty-fourth Day of *June* next, so much of the said recited Act as directs the Payment of the said annual Sum of Ten Pounds by the Treasurer to the Trustees of the said *Brackley* Road to the Treasurer to the Trustees of the said *Daventry* Road be and the same is hereby repealed; and that from thenceforth the annual Sum of Fifteen Pounds shall be paid by the Treasurer of the Trustees for the Care of the said *Daventry* Road to the Treasurer of the Trustees for executing the said recited Act and this Act, by four quarterly Payments in every Year; (that is to say) the Twenty-ninth Day of *September*, the Twenty-fifth Day of *December*, the Twenty-fifth day of *March*, and the Twenty-fourth Day of *June*, free and clear of and from all Deductions whatsoever, the first Payment thereof to begin and be made on the Twenty-ninth Day of *September* next, after the passing of this Act.

Application of Compensation Money when amounting to 200l.

IX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements or Hereditaments purchased taken or used by virtue of the Powers of the said recited Act or this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank

of

of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid recited Act or this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements and Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or other Incumbrances or part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements and Hereditaments, or affecting other Lands, Tenements and Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Truſts, Intents or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements or Hereditaments, which ſhall be conveyed and ſettled to, for and upon ſuch and the like Uſes, Truſts, Intents and Purpoſes, and in the ſame Manner as the 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 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 thereunto, 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 ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements or Hereditaments by the ſaid recited Act or this Act directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

When leſs than 200 l. and amounting to 20 l.

X. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements or Hereditaments purchaſed, taken or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being, entitled to the Rents and Profits of the Lands Tenements or Hereditaments ſo purchaſed, taken or uſed, or of his, her or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, to be placed to his Account as aforeſaid, in order to be applied in Manner before directed; or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees to be nominated by the Perſon or Perſons, making ſuch Option, and approved of by Seven or more of the ſaid Truſtees for executing the ſaid recited Act and this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money and the Dividends ariſing thereon may be

be applied in Manner herinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When leſs than 20l.

XI. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements or Hereditaments ſo purchaſed, taken or uſed for the Purpoſes of the ſaid Act and this Act, in ſuch Manner as the ſaid Truſtees or any Seven or more of them ſhall think fit, and in caſe of Infancy or Lunacy then to his, her or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of defective Titles, or if Perſons entitled to Money cannot be found, &c. ſame to be paid into the Bank of England.

XII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements or Hereditaments to be purchaſed by virtue of the ſaid recited Act or this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, to order the ſaid Sum or Sums of Money, ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements or Hereditaments [*deſcribing them*] ſubject to the Order, Controul and Diſpoſition of the ſaid Court of Chancery, which ſaid Court of Chancery 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 Publick Funds, and to order Diſtribution thereof or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XIII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of the ſaid recited Act or this Act, for the Purchaſe of any Lands, Tenements or Hereditaments, or of any Eſtate, Right or Intereſt in any Lands, Tenements or Hereditaments to be purchaſed in purſuance of the ſaid recited

Act

Act or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements and Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery, and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied and diſpoſed of accordingly; unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements or Hereditaments, or to ſome Eſtate or Intereſt therein.

Court of Chancery may order Truſtees to pay Expences.

XIV. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements or Hereditaments to be purchaſed under the Authority of the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements and Hereditaments to be ſettled to the like Uſes in purſuance of the ſaid recited Act or this Act, it ſhall be lawful for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Act or this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees or any Seven or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Reſpecting Statute-work.

XV. Provided always, and be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute-work, or are or ſhall be chargeable towards repairing and amending the ſaid Road or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the ſaid Counties of *Northampton* and *Buckingham*, and they are hereby empowered and required, upon Application made to them for that Purpoſe by the ſaid Truſtees, or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute-work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road lies, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute-work as aforeſaid, ſhall be by him, her or them paid to the ſaid Truſtees or to their Treaſurer; and in order thereunto, it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Five Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by law ſubject and liable to do Statute-work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute-work, diſtinguiſhing the Nature of the

Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid, which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as is, are or may be directed by any Law or Statute in Force and Effect for the Repair of the publick Highways; and out of ſuch Liſts ſuch Juſtices ſhall and may allot, appoint and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to Statute-work as aforeſaid, to do ſuch number of Days' Statute-work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt), and on ſuch Parts of the ſaid Road as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct and appoint, and the ſaid Juſtices ſhall and may alſo order and direct the Perſons, who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute-work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct, and in default of Payment thereof the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute-work as aforeſaid, after Notice in Writing given to or left for him, her or them, at his, her or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors 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 or liable to by any Law or Statute in Force and Effect for the Repair of the publick Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team and Draught had not been ſent to work on any Part of the ſaid Road, all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the ſaid 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 Forty Shillings.

For compounding for Statute-work.

XVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to compound and agree with any Perſons or Perſons, Bodies, Politick or Corporate, for the Statute-work to be by them done on the ſaid Road or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements or Hereditaments, of and in all or any the Pariſhes or Places in which the ſaid Roads are ſituate, for a certain Sum of Money by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the whole or of any Part of the Statute, or other Work to be by all or any of the ſaid Inhabitants and Occupiers

done

done on the ſaid Road; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in advance on or before the Firſt Day of *October* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

Truſtees may ſue, &c. in the Name of their Treaſurer or Clerk.

XVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to commence, proſecute or defend any Action or Actions, Suit or Suits, in any of His Majeſty's Courts at *Weſtminſter* for or concerning any Thing to be done in purſuance of the ſaid recited Act and this Act, or for the Performance of the Agreements entered into by the Truſtees of the ſaid *Daventry* Turnpike Road with the Truſtees for carrying the ſaid recited Act and this Act into Execution, or either of them, in caſe of the Non-performance of ſuch Agreements reſpectively, in the Name of their Treaſurer or Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees by virtue of this Act, in the Name of their Treaſurer or Clerk, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, nor by the Act of ſuch Treaſurer or Clerk without the Conſent of the ſaid Truſtees, or any Seven or more of them, at a Meeting to be held in purſuance of this Act, but that the Treaſurer or Clerk for the Time being to the ſaid Truſtees ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be) in every ſuch Action; Provided always, that every ſuch Treaſurer or Clerk, in whoſe Name any Action or Suit ſhall be commenced, proſecuted or defended in purſuance of this Act, ſhall be fully indemnified, reimburſed and paid, out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Damages and Expences as by the Event or in conſequence of any ſuch Action or Proceedings he ſhall pay, bear, expend, or be put unto, or become chargeable with by reaſon of his being ſo made Plaintiff or Defendant as aforeſaid.

For paying the Expences of the Act.

XVIII. And be it further enacted, That all the Coſts, Charges and Expences incident to and attending the obtaining and paſſing of this Act, together with lawful Intereſt for the ſame from the paſſing thereof, ſhall be paid out of any Money now remaining in the Hands of the Treaſurer to the ſaid Truſtees, or out of the firſt Money to ariſe by virtue of the ſaid recited Act and this Act, in preference to all other Payments whatſoever.

Publick Act.

XIX. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick 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.

XX. And be it further enacted, That the ſaid recited Act (ſubject to the Alterations, Additions and Amendments in this Act contained) and this Act ſhall continue and be in Force, and be executed for and during the Reſidue now to come of the Term granted by the ſaid recited Act, and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the end of the then next Seſſion of Parliament

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