ANNO QUINQUAGESIMO QUARTO

# GEORGII III. REGIS.

## *Cap.* 26.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Burlton*, through *Knockin*, to *Llanymynech*, in the County of *Salop*, and other Places therein mentioned. [4th *May* 1814.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His present Majesty, intituled *An Act for repairing, widening, and keeping in Repair, the Road from* Burlton, *in the County of* Salop, *through* Knockin, *to* Llanymynech *in the same County, and from* Knockin *to the East End of the* Llanriader *Road, and from* Place Carrick Lane *to the Turnpike Road from* Llanymynech *to* Oswestry, *near* Coid Issa *Mountain, and from* Oswestry *Turnpike Road, on* Knockin Heath, *to the East End of* Knockin Lane: And whereas another Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act of the Twelfth Year of His present Majesty, for repairing, widening, and keeping in Repair, the Road from* Burlton *in the County of* Salop, *through* Knockin *to* Llanymynech, *in the same County, and from* Knockin *to the East End of the* Llanriader *Road, and from* Place Carrick Lane *to the Turnpike Road from* Llanymynech *to* Oswestry, *near* Coid Issa *Mountain, and from* Oswestry *Turnpike Road, on* Knockin Heath, *to the East End of* Knockin Lane: And whereas a considerable Sum of Money hath been borrowed, and is now due on the Credit of the Tolls authorized to be collected by

12 G. 3. c. 96.

32 G. 3 c. 143.

virtue of the ſaid Acts; but the Money ſo borrowed and due as aforeſaid, cannot be paid off, nor the ſaid Road effectually amended and kept in good Repair, unleſs the Term granted by the ſaid recited Acts be further continued, and ſome of the ſaid Tolls increaſed, and other Alterations made in the ſaid Acts: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and the ſeveral Powers, Proviſions, Matters, and Things therein contained (except ſuch as are varied, altered, or repealed), ſhall remain in full Force and Effect, and ſhall have Continuance for and during the further Term herein-after mentioned, in like Manner and as fully and effectually as if the ſame were repeated and re-enacted in the Body of this preſent Act; and the Term, Tolls, 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 upon the Credit or on Account of the ſaid Roads, or which ſhall or may hereafter be borrowed or become due on the Credit or on Account of the ſame, by virtue of the ſaid recited Acts and this Act, and of all Intereſt due and to grow due thereon reſpectively.

Former Acts continued.

For increaſing ſome of the preſent Tolls.

II. And be it further enacted, That from and after the Second *Monday* next after the paſſing of this Act, inſtead of the Tolls authorized to be taken by virtue of the ſaid recited Acts, for any Horſe or other Cattle, drawing any Carriage whatſoever, the Tolls following ſhall for the future be demanded and taken at each Turnpike or Toll Gate erected or to be erected by virtue of the ſaid recited Acts; (that is to ſay),

Additional Toll.

For every Horſe or other Beaſt, Pair or Yoke of Oxen, drawing any Carriage whatſoever, the Sum of Four-pence:

Three-fourth Parts of Tolls to be taken between the Wolf's Head and the Weſt End of Knockin.

Provided always, that no more than Three-fourth Parts of the Tolls herein-before granted, ſhall at any Time or Times be demanded or taken, for any Horſe or other Beaſt, Pair or Yoke of Oxen, drawing any Waggon, Wain, Cart, Tumbrel, Car, Drag or Sledge, upon ſuch Part of the ſaid Road only as lies between the *Oſweſtry* Turnpike Road near the *Wolf's Head*, and the Place where the Direction Poſt now ſtands, at the Upper or Weſt End of *Knockin* aforeſaid.

Directing what Tolls ſhall be taken near Ruyton.

III. And be it further enacted, That if the Truſtees ſhall have erected a Turnpike, or ſhall at any Time cauſe a Turnpike to be erected upon the Road in or near the Village of *Ruyton*, the like Tolls ſhall be payable at ſuch Turnpike as at any other Turnpike upon the ſaid Road, any Thing in the ſaid recited Acts or this Act to the contrary notwithſtanding.

For compounding with ſeveral Pariſhes and Townſhips for a certain Annual Sum in lieu of Tolls.

IV. And whereas it is proper that the Occupiers of Lands within the ſeveral Pariſhes and Townſhips herein-after mentioned ſhould be allowed to compound for the Tolls payable for their Horſes and Beaſts of Burthen, upon the Terms herein-after mentioned, if they think fit; be it therefore further enacted, That ſuch of the Inhabitants and Occupiers of Lands, Tenements or Hereditaments, within the Pariſhes of *Knockin* and *Melverley*, and in the ſeveral Townſhips of *Kinnerley*, *Argoed*, *Edgerley*, *Dovaſton*, *Kynaſton*, and *Tir-y-Coed*, as ſhall, within Fourteen Days from the Fourteenth Day of

of *April* in any Year, pay or cauſe to be paid to the ſaid Truſtees, or any Five or more of them, or to the Treaſurer or Clerk to the Truſtees of the ſaid Roads for the Time being, by way of Compoſition, the Sum of One Shilling for each Horſe or Beaſt of Burthen then kept or intended to be kept within the Space of the then enſuing Year, by them reſpectively, for the Purpoſe of travelling, drawing, or otherwiſe working, ſhall be and they are hereby reſpectively exempted at the Turnpike called *Knockin Gate* for the Space of One Year, to be computed from the Thirtieth Day of *April* in each Year, from the Payment of the Tolls by the ſaid recited Acts and this Act directed to be paid; and the Money ariſing from ſuch Compoſition ſhall be applied in ſuch Manner as the Money ariſing from the ſaid Tolls is directed to be applied.

Perſons having alſo Lands, &c. out of the ſaid Diſtrict, not to have the Benefit of Compoſition in reſpect thereof.

V. Provided always, and it is hereby declared, That ſuch of the Inhabitants and Occupiers who may be ſo entitled to compound as aforeſaid, and who may alſo occupy other Lands or Tenements not lying within the ſaid laſt-mentioned Pariſhes or Townſhips, ſhall not be entitled to the Benefit of ſuch Compoſition as aforeſaid, for any Horſe or Beaſt of Burthen not uſually kept within the ſame Pariſhes or Townſhips or one of them; and the ſaid Truſtees or any Five or more of them are hereby authorized and required to make ſuch Regulations as they may think fit, for the Purpoſe of aſcertaining the Horſes and Beaſts of Burthen which may be compounded for as aforeſaid.

Repealing ſo much of former Act as relates to Annual Meetings.

VI. And be it further enacted, That ſo much of the ſaid laſt recited Act, as requires the ſaid Truſtees to hold a Meeting on the Firſt *Tueſday* in the Month of *April* in every Year, and to compound with the Occupiers of Hereditaments in certain Pariſhes and Townſhips therein mentioned, upon the Payment of One Penny for every Pound of the Rent or Value of ſuch Hereditaments, in reſpect of Beaſts or Cattle carrying Lime or Coal, be and the ſame is hereby repealed.

That the Tolls granted and continued ſhall be a Security for all Money borrowed.

VII. And be it further enacted and declared, That the Tolls payable by virtue of the ſaid recited Acts and this Act ſhall be a Security for all Money borrowed and due as aforeſaid, and for all Intereſt due and to grow due for the ſame, and ſhall be ſubject and liable to the Payment thereof; and that the ſeveral Aſſignments or Mortgages made for the Security thereof, by virtue of the ſaid recited Acts or either of them, ſhall be deemed and taken to be Aſſignments or Mortgages of the Tolls by the ſaid recited Acts and this Act authorized to be collected, for and during the Continuance of the ſaid recited Acts and this Act, unleſs the Money thereby ſecured, and the Intereſt thereof, ſhall be ſooner paid off and diſcharged.

Diſputes concerning Tolls to be ſettled by a Juſtice.

VIII. Provided always, and be it further enacted, That if any Diſpute ſhall happen about the Quantity of Toll due, or the Charge of keeping any Diſtreſs or Diſtreſſes, it ſhall be lawful for the Collector or Perſon diſtraining to retain the ſame, or the Money ariſing by the Sale thereof (as the Caſe may happen) until the Quantity of Toll due, and the Charges of ſeizing, diſtraining, keeping, and ſelling ſuch Diſtreſs or Diſtreſſes, ſhall be aſcertained by ſome Juſtice of the Peace for the County, Liberty, Diviſion, or Place, where ſuch Diſtreſs ſhall have been made, who, upon Application made to him for that Purpoſe, ſhall examine the ſaid Matter, on Oath of the Parties, or any credible Witneſs or Witneſſes (which Oaths

ſuch Juſtice is hereby empowered to adminiſter) and ſhall determine the Quantity of the Toll due, and aſſeſs the Charges of ſuch Seizure, Diſtreſs, Keeping, and Sale, and alſo of the Collector's Attendance for that Purpoſe on the ſaid Juſtice; all which Sums ſo determined or aſſeſſed, ſhall be paid to the ſaid Collector or other Perſon, before he ſhall be obliged to return any Diſtreſs, or the Overplus Money after the Sale thereof, or of any Part thereof.

Only One Toll to be taken in One Day except on paſſing more than Twice.

IX. Provided always, and be it further enacted, That only One Toll ſhall be taken in One Day, for paſſing or repaſſing through all the Toll Gates along the Line of the ſaid Road, with the ſame Horſes, Cattle, or Carriages, except the ſame ſhall ſo paſs or repaſs any of the ſaid Toll Gates more than Twice on the ſame Day, in which Caſe the like Toll ſhall be again payable, and ſo in like Manner for every other Third Time.

Collectors of Tolls not to be deemed incompetent Witneſſes.

X. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe, touching or in anywiſe relating to the ſaid Tolls or any of them, no Perſon or Perſons appointed to collect the ſaid Tolls, ſhall be deemed to be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his or their being appointed to collect ſuch Tolls.

Exemptions from Tolls.

XI. And be it further enacted, That no Toll ſhall be demanded or taken, for any Horſe, Cattle or other Beaſt, or Carriages employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying on the ſame Day, any Stone, Brick, Gravel, or other Materials for repairing the ſaid Road, or for repairing the Highways in any Pariſh, or Place through which any Part of the ſaid Road paſſes; or laden only with Dung, Marle, Soil or other Manure, to be uſed in manuring of Lands or Grounds, except Lime and Limeſtone; or with any Graſs, Hay, Clover, Fodder of any Sort, Straw, or Corn in the Straw, to be laid up in any of the Houſes, Outhouſes, Yards, Barns or Premiſes, of any of the reſpective Inhabitants or Occupiers of the Land within the ſaid reſpective Pariſhes or Places, or Corn for Seed, being the Growth and Produce of Land held and occupied by the reſpective Inhabitants and Occupiers within ſuch reſpective Pariſh or Place, and carried for their own private Uſe and Conſumption only, and not for Sale; nor for any Horſe, Cattle, or other Beaſt drawing or going with or going empty, or returning empty after being laden only with any Ploughs, Harrows or other Implements of Huſbandry, belonging to any ſuch Inhabitant or Occupier; nor for any Horſe employed in carrying Griſt only to or from any Mill, being for the Uſe and Conſumption of the Owner of ſuch Griſt, and not for Sale, or for going to or returning from ſuch Employ; nor for any Horſe or Horſes or other Cattle going to or from Water, Paſture, or Plough, or other Work in Huſbandry, upon or in any of the Lands within any of the ſaid ſeveral Pariſhes or Places, or going to be or returning from being ſhoed or farried; nor ſhall any Toll be demanded or taken of or from any Rector, Vicar or Curate, going to or returning from his own Pariſh Church or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners; or of or from any Perſon or Perſons in any of the ſaid Pariſhes or Places, for paſſing through any of the ſaid Toll Gates or Turnpikes on *Sundays*, or on any other Day on which Divine Worſhip is ordered by Authority

thority to be celebrated, to or from his, her, or their respective Parish Churches or other usual Place of religious Worship licensed according to Law, for the Purpose of attending, or after having attended Divine Service thereat; or for any Horses or Cattle or Carriage conveying the Corpse or attending the Funeral of any Person who shall be interred in any of the said Parishes or Places; or of any Horses or Carriages employed or to be employed in conveying, fetching or guarding the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, or in returning back from conveying or guarding the same; or for the Horses of Soldiers upon their March or upon Duty, or for Horses, Cattle or Carriages attending them, or laden only with their Arms or Baggage, or employed in conveying any sick, wounded, or disabled Officers or Soldiers; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance Barrack, or Commissariat, or other Public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for Horses or Carriages travelling with Vagrants sent by legal Passes; or for any Coaches, Berlins, or Landaus, Sociables, Chariots, Curricles, Calashes, Chaises, Phaetons, Whiskeys, Chairs or other Carriages, or Passengers on Horseback, going to or returning from any Election of any Knight or Knights of the Shire to serve in Parliament for the County of *Salop*, during such Election, or on the Day before or after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare or Gelding, furnished by or for any Person or 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 the 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 or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of this Act, and shall be recoverable in the Manner directed by the said recited Acts.

Carriages conveying Military Stores not to be subject to Penalty for Overweight.

XII. And be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; 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 other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this and the said recited Act contained, to the contrary notwithstanding.

Application of Money awarded amounting to or above 200l.

XIII. 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 Acts or this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, as in the ſaid recited Acts 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 *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Truſtees for executing the ſaid recited Acts 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 or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts, or other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled 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 or 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 Acts or this Act directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and above 20l.

XIV. 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 Five or more of the said Trustees for executing the said recited Acts 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 applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where less than 20*l.*

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

Directions in Cases of not making out Titles, &c.

XVI. 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 Acts or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or 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 Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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 Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable, and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

XVII. Provided

Reſpecting diſputed Titles.

XVII. 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 Acts 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 Acts 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, 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 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 direct Payment of Expences.

XVIII. 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 Acts 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, or Hereditaments to be ſettled to the like Uſes in purſuance of the ſaid recited Acts 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 Acts 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 Five or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Labour.

XIX. 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 County, Liberty, Diviſion or Place through which any Part of the ſaid Road paſſes, and they are hereby empowered and required, upon Application made to them for that Purpoſe by the ſaid Truſtees, or by their Treaſurer, Clerk or Surveyor, or 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

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 Ten Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid, which Liſts 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 Public 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 do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days, and at ſuch Times (not being 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 Acts 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 Public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and 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 or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in caſe the 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 Lifts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Statute Work may be compounded for.

XX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic 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 of the Parishes or Places in which the ſaid Road is 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 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 *December* 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.

A Juſtice may authorize a Conſtable to take Poſſeſſion of Toll Houſes, &c. in the Hands of Leſſees, Farmers, or Collectors.

XXI. And be it further enacted, That in caſe the Tolls ariſing from all or any of the Turnpikes or Toll Gates, erected or to be erected on the ſaid Road, ſhall at any Time or Times be demiſed or let to farm to any Perſon or Perſons whomſoever, and the Leſſee or Leſſees, Farmer or Farmers, to whom the ſaid Tolls ſhall reſpectively be demiſed or let, ſhall neglect or refuſe to perform the Terms and Conditions on which the ſame ſhall be ſo demiſed or let; or in caſe the Rent or Rents agreed to be paid by ſuch Leſſee or Leſſees, Farmer or Farmers, or any Part or Inſtalment thereof, ſhall be in Arrear and unpaid by the Space of Five Days next after the Days on which the ſame ought to be paid, purſuant to the Contract or Agreement for letting the ſame; or if any Collector or Receiver of the Tolls who ſhall be diſcharged from his ſaid Office by the ſaid Truſtees, or the Wife or Widow, or any of the Children, Family, or Repreſentatives of any Collector or Receiver, who ſhall die, abſcond, abſent himſelf or be diſcharged; or any other Perſon or Perſons who ſhall refuſe to deliver up the Poſſeſſion of any Toll Houſe or Toll Houſes, with the Buildings and Appurtenances thereto belonging, for the Space of Five Days next after Demand thereof made in Writing, ſigned by any Five of the Truſtees, or by their Clerk or Treaſurer, with their Authority, and left in ſuch Toll Houſe or in any Toll Houſes erected or to be erected; then and in any of the ſaid Caſes it ſhall be lawful for any Juſtice of the Peace for the ſaid County, by Warrant under his Hand and Seal, to order the Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be thought neceſſary, to enter into and upon the Poſſeſſion of ſuch Toll Houſe or Toll Houſes, Weighing Engine or Weighing Engines, and other Buildings and Premiſes, in the Day-time, and remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods out of the ſame, and from the Collection of the Tolls there payable, and to put the ſaid Truſtees or any of their Officers, or any other Perſon or Perſons appointed by the ſaid Truſtees, or any Five or more of them, in Poſſeſſion thereof; and on ſuch Leſſee or Leſſees, Farmer or Farmers, or any Perſon or Perſons employed by or in Poſſeſſion under them, being ſo put out of Poſſeſſion as aforeſaid, it ſhall be lawful for the ſaid Truſ-

tees, or any Five or more of them, if they shall think fit, to vacate and determine the Contract or Agreement for leasing and letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void, to all Intents and Purposes, as if such Demise, Contract, or Agreement had never been made (save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved or made payable); and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case, to demise, let, or farm the said Tolls again to any other Person or Persons, in the same Manner as if no former Demise, Contract, or Agreement had been made or entered into relative to the same.

Imposing a Penalty on Persons injuring Foot-paths.

XXII. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway, when made by the said Trustees, or any Surveyor or Surveyors of the Highways, or any other Person or Persons, within any of the said Parishes, Hamlets, or Places through which the said Road passes; or shall drive any Horse, Mule, Ass, Cattle, Beast, Pig, or Swine, Cart or other Carriage, or wheel any Wheel-barrow or Hand-cart thereon; or shall wilfully cause any Damage whatsoever to be done thereto; or shall lay any Timber, Hay, Straw, Dung, Compost, Ashes, Rubbish, or any other Matter or Thing whatsoever, upon the said Footpaths or Causeways, or any Part thereof; or shall obstruct or impede the Passage upon the same; every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, to be recovered, levied, and applied in such Manner as other Penalties and Forfeitures are by the said recited Acts and this Act, or either of them, directed to be recovered, levied, and applied.

Penalty on Persons interrupting Collectors or Surveyors.

XXIII. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or attempt so to do, or cause or procure to be assaulted, interrupted, or hindered, any Collector or Collectors of the Tolls, or any of the Turnpike Surveyors, or any other Person or Persons by them or any of them, or by the said Trustees, or any Two or more of them, employed in the Execution of the Powers by the said recited Acts or this Act given, or any of them, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to detain Persons guilty of Offences.

XXIV. And whereas Persons guilty of Offences against the said recited Acts or this Act, may be transient Persons unknown to the Collectors, Surveyors, or other Officers under this Act; be it therefore further enacted, That it shall be lawful for the Surveyors, or other Officers duly authorized by the Trustees, to seize any unknown Person or Persons guilty of any Offence as aforesaid, and to convey him or them before any One or more Justices of the Peace for the County, Liberty, Division, or Place where any such Offence or Offences shall be committed, without any other Warrant or Authority than this Act for so doing.

For paying the Expences of the Act.

XXV. And be it further enacted, That the Costs, Charges, and Expences of obtaining and passing this Act shall be paid out of any Money collected or received, or to be collected or received by virtue of the said recited Acts and this Act.

XXVI. And

Public Act.

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

Commencement and Continuance of the Act.

XXVII. And be it further enacted, That the Term granted by the ſaid recited Acts ſhall, upon the Second *Monday* next after the paſſing of this Act, ceaſe and determine; and the ſaid recited Acts (ſubject to the Alterations, Variations, and Additions herein-before contained) and this Act ſhall from thenceforth commence, 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.

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