

ANNO QUADRAGESIMO SEPTIMO

GEORGII III. REGIS.

Cap. 8.

An Act for continuing the Term, and altering and enlarging the Powers of an Act passed in the Thirty-second Year of His present Majesty, for repairing and improving the Road from the Town of *Chapel-en-le-Frith*, to or near to *Enterclough Bridge*, in the County of *Derby*, and other Roads therein mentioned in the said County, and in the County Palatine of *Chester*. [23d *March* 1807.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled, *An Act for repairing and improving the Road from the Town of* Chapel-en-le-Frith, *to or near to* Enterclough Bridge, *in the County of* Derby; *and also the Road from the Village of* Hayfield *to* Marple Bridge *in the said County; and also the Road from the Village of* Glossop, *to a certain Gate called* Clayland's Gate, *in the Township of* Longdendale, *on or near to the Side of the Turnpike Road leading from* Mottram *to* Woodhead *in the County Palatine of* Chester: And whereas the Trustees appointed in or by virtue of the said recited Act have proceeded to put the same in Execution, for which Purpose they have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby granted; which Money, together with a large 32 G. 3. c. 128.

Arrear of Intereſt due thereupon, ſtill remain due and owing, and cannot be paid off, nor can the Roads comprized in the ſaid Act be properly and effectually amended, widened, improved, and kept in Repair, unleſs the Term granted by the ſaid recited Act is further continued, and ſome of the Powers and Proviſions thereof altered, amended, and enlarged; and it is neceſſary that the Tolls granted by the ſaid recited Act ſhould be increaſed: 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,

Act further continued.

That the ſaid recited Act paſſed in the Thirty-ſecond Year of the Reign of His ſaid preſent Majeſty, and all and every the Clauſes, Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Matters, and Things therein contained (except ſo much thereof as relates to the Exemption from Stamp Duties, and alſo except ſo much and ſuch Part or Parts thereof as are by this Act varied, altered, or repealed) ſhall be and continue in full Force and Effect, and ſhall be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purpoſes, as if the ſame Clauſes, Powers, Proviſions, Matters, and Things were repeated and re-enacted in the Body of this Act, but ſubject nevertheleſs to the Amendments, Variations, Alterations, and Additions herein contained, and which (except the Tolls herein-after granted) ſhall commence and take Effect from the paſſing of this Act; and the additional Term and Tolls hereby granted ſhall be and are hereby made ſubject and liable to the Payment of all Monies now due and owing on the Credit or on Account of the ſaid Act, or on the Credit of the Tolls thereby granted and payable at the ſeveral Gates or Turnpikes now erected or hereafter to be erected on the ſaid Roads, as alſo to the Payment of all Sums of Money which ſhall hereafter become due on the Credit of the ſaid recited Act and this Act, and of all Intereſt due and to grow due thereon reſpectively.

For repealing former Tolls, and granting new Tolls.

II. And whereas the Tolls granted by the ſaid recited Act have been found inſufficient for the Purpoſes thereof, be it therefore enacted, That, from and after the Firſt Day of *May* next after the paſſing of this Act, the ſaid Tolls ſhall be and the ſame are hereby repealed; and that inſtead thereof there ſhall be demanded and taken, before any Horſe, Beaſt, or other Cattle, Coach, Waggon, or other Carriage, ſhall be permitted to paſs through any Gate or Turnpike now erected or hereafter to be erected on the ſaid Roads, or on any Part thereof, ſuch Tolls as the ſaid Truſtees, or any Five or more of them, ſhall from Time to Time appoint, not exceeding the ſeveral and reſpective Sums herein-after mentioned; (that is to ſay,)

New Tolls.

For every Horſe or other Beaſt of Draught drawing any Coach, Berlin, Landau, Sociable, Chariot, Curricle, Calaſh, Hearſe, Chaiſe, Phaeton, Whiſkey, Gigg, or Chair, the Sum of Sixpence:

For every Horſe or other Beaſt of Draught drawing any Wain, Cart, or other Carriage (except ſuch Waggons as are herein-after mentioned and deſcribed) having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or more, the Sum of Sixpence:

For every Cart having the Sole or Bottom of the Fellies of the Wheels thereof of leſs Breadth than Six Inches, if drawn by only One Horſe or other Beaſt of Draught, the Sum of Sixpence:

For

For every Horſe or other Beaſt of Draught drawing any Wain, Cart, or other Carriage (except One-horſe Carts as aforeſaid, and alſo except ſuch Waggons as are hereafter mentioned and deſcribed) having the Sole or Bottom of the Fellies of the Wheels thereof of a leſs Breadth than Six Inches, the Sum of Eight-pence:

For every Waggon drawn by One or more Horſes, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or more, the Sum of Four Shillings:

For every Waggon drawn by One or more Horſes, having the Sole or Bottom of the Fellies of the Wheels thereof of a leſs Breadth than Six Inches, the Sum of Six Shillings:

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One Penny:

For every Pair of Mill Stones, or Block or Blocks of Stone or Timber, drawn by Four or more Horſes or other Beaſt of Draught, the Sum of Nine-pence for each Horſe:

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

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

Double Tolls on Sunday.

And that on each and every *Sunday*, during the Continuance of this Act, there ſhall be demanded and taken at each Toll Houſe or Turnpike Gate erected or to be erected by virtue of the ſaid recited Act or this Act, Double the Tolls which ſhall, for the Time being, be ordered and authorized by the ſaid Truſtees to be collected at the ſame Toll Houſe or Turnpike Gate on any other Day; but ſo as ſuch Double Tolls ſhall not be demanded or received from any Perſon or Perſons going to or returning from Church, or other Place of Religious Worſhip:

Which ſaid ſeveral and reſpective Tolls ſhall be, and the ſame are hereby veſted in the Truſtees for executing the ſaid recited Act and this Act; and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, aſſigned, leſſened, varied, and diſpoſed of in ſuch and the ſame Manner, and by ſuch and the ſame Ways and Means, and with ſuch Powers, Proviſions, Remedies, and Reſtrictions, as are contained in the ſaid recited Act reſpecting the Tolls thereby authorized to be taken, except ſo far as ſuch Powers, Proviſions, and Reſtrictions, are by this Act, varied, altered, or repealed.

Certain Parts of the ſaid recited Act repealed.

III. And be it further enacted, That ſo much and ſuch Part and Parts of the ſaid recited Act, as directs that if there ſhall be more than Two Gates or Turnpikes erected between the Town of *Chapel-en-le-Frith* and *Enterclough Bridge*, no Perſon having paid the Tolls at Two of the ſaid Gates or Turnpikes ſhall be liable the ſame Day to pay any Tolls at any other Gate or Turnpike erected on any of the ſaid Roads included in the ſaid Act, for paſſing with the ſame Cattle or Carriage, upon producing a Ticket denoting ſuch Payment, which Ticket the Collector of the Tolls were thereby required to give *gratis*; and alſo, that if One or more Toll Gate or Toll Bars ſhall be erected on the Road intended to be improved and repaired at or near the Town of *Gloſſop* aforeſaid, and alſo at or near the Vill of *Hadfield*, within the Lordſhip of *Gloſſop*, every Perſon travelling on the ſaid Roads from the reſpective Hamlets within the Manor of *Gloſſop*,

Gloſſop, to and from *Clayland's Gate*, ſhall only be liable to pay at each Bar One Moiety or Half Part of the Tolls thereby directed to be paid, for all Cattle and Carriages travelling on the ſaid Roads; and further, that no Toll ſhall be demanded or taken for the paſſing of any Cattle or Carriage which ſhall only croſs the ſaid Roads or any of them, or ſhall travel on them or any of them for the Space of One hundred Yards only; and that it ſhall not be lawful for the ſaid Truſtees to erect any Toll Bar, Side Gate, or Croſs Gate, or to take Toll at any Place where the Roads directed to be repaired and amended do interſect, abut upon, or lead into other Turnpike Roads; and that it ſhall not be lawful for the Truſtees of any other Turnpike Road to erect any Toll Bar, Side Gate, or Croſs Gate, or to take Toll at any Place where ſuch other Turnpike Road doth interſect, abut upon, or lead into the Roads directed to be repaired and amended by the ſaid Act, ſhall be and the ſame and every Part thereof is and are hereby reſpectively repealed.

New General Exemptions.

IV. And whereas the Exemptions from Tolls granted by the ſaid recited Act have been found inconvenient and detrimental, be it therefore enacted, That the ſame ſhall be and are hereby repealed; and that, from and after the paſſing of this Act, no Toll or Duty ſhall be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horſes 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 Aſhler or other Stones, Bricks, Gravel, Piles, Rails, or any other Materials, as well for repairing of the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſuch Roads doth lie, as alſo for the building and repairing of Bridges, Arches, Drains, Culverts, Toll Houſes, and other Conveniences in, about, or acroſs the ſaid Roads, or acroſs any River, Stream, Brook, Water, or Ditch contiguous thereto; or Hay, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Outhouſes or on the Lands of the Owners thereof; or for any Waggons, Wains, Carts, Carriages, or Horſes employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, 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 (Lime excepted); or 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 for any Cattle or Carriage carrying Corn to any Mill to be ground, or returning empty after having delivered ſuch Loading, or going unladen to fetch ſuch Corn ground, or returning laden therewith, ſuch Corn being the Property of any Inhabitant of the Townſhip, Hamlet, or Place where ſuch Corn ſhall be ground, or of any adjoining Townſhip, Hamlet, or Place, provided ſuch Corn ſhall not be carried beyond Four Miles in ſuch adjoining Townſhip, Hamlet, or Place, and that the ſame ſhall be for the Uſe and Conſumption of ſuch Inhabitant only, and not for Sale; or from any Perſon going to or returning from his proper Parochial Church, Chapel, or other Place of Religious Worſhip tolerated by Law on a *Sunday*, or on 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 Pariſhes or Hamlets in which

which the ſaid Roads lie; or from any Clergyman going to or returning from viſiting any ſick Perſon, or upon other 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 Horſes, Cattle, or Carriages, of whatſoever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mail or Expreſſes, or in returning back from conveying the ſame; or for any Horſes, Carts, or Waggons attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or 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 of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided by ſuch Corps reſpectively, at the Time of claiming ſuch Exemption as aforeſaid; or for any Horſes, Carts, or Waggons employed in the Conveyance of Vagrants ſent by legal Paſſes; or for any Horſe, Cattle, or Beaſt drawing any Coach, Landau, Berlin, Chariot, Calaſh, Chair, or Paſſenger on Horſeback, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid Counties of *Derby* or *Cheſter*, or either of them, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of the ſaid recited Act.

No Exemptions to be claimed for Wheels of leſs Breadth than Six Inches.

V. And be it further enacted, That ſo much of the ſaid recited Act, as enacts and declares that the ſeveral Exemptions from Toll thereby allowed ſhall extend to Carriages not having the Soles or Bottoms of the Wheels of the Breadth or Gauge of Six Inches, be and the ſame is hereby repealed.

Exemptions in favour of Carriages, &c. travelling from Ludworth, &c. laden with Coal, repealed.

VI. And be it further enacted, That ſo much and ſuch Part of the ſaid recited Act, as enacts and declares that no Toll ſhall be demanded or taken at any Gate or Turnpike to be erected by virtue thereof, for any Waggon, Wain, Cart, or other Carriage, or any Horſe or other Beaſt laden only with Coal, and carrying ſuch Coal from *Ludworth*, *Chiſworth*, and *Simondley* Pits, in the Lordſhip of *Gloſſop*, to the Town of *Gloſſop*, for the Uſe of the Owners and Occupiers of Lands in the ſaid Town of *Gloſſop* only, or within the Precincts thereof, and the Penalty on Perſons taking Advantage of ſuch Exemption by falſe Pretences, be and the ſame is hereby repealed.

Power to erect Toll Gate on Side of Roads.

VII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, within their reſpective Diſtricts, to erect and ſet up a Toll Gate or Toll Gates, and Toll Houſe or Toll Houſes, or any Bar or Bars, Chain or Chains, on the Side or Sides of any Part or Parts of the ſaid Roads or Highways, acroſs any Way, Lane, or

or Road, publick or private, leading out of the ſame, and there to cauſe to be taken and levied ſuch Tolls as are by this Act made payable at any other Toll Gate erected or to be erected by virtue of this or the ſaid recited Act; but ſo nevertheleſs that the ſame do not extend to a Double Charge (except on a *Sunday*) on any Perſon paſſing through any other Toll Gate erected or to be erected by virtue of this or the ſaid recited Act.

Surveyors may dig Aſhler or other Stones, &c. for building and repairing of Bridges, &c.

VIII. And whereas Doubts have ariſen whether the Surveyor or Surveyors of the ſaid Roads, or any other Perſon or Perſons appointed by the ſaid Truſtees, are by virtue of the ſaid recited Act of the Thirty-ſecond Year of His preſent Majeſty, empowered to cut, dig, take, and carry away any Aſhler or other Stones, or any other Materials proper for the building and repairing of Bridges, Arches, Drains, Culverts, Toll Houſes, and other Conveniencies erected upon and acroſs the ſaid Roads, or acroſs any River, Stream, Brook, Water, or Ditch contiguous thereto, but merely for the Purpoſe of repairing the ſaid Roads only: And whereas it would be a great Detriment to the ſaid Roads if the ſame were not allowed; be it therefore enacted, That ſo much and ſuch Part of the ſaid recited Act as directs the Surveyors and other Perſons therein mentioned to dig Gravel, Sand, and other Materials for repairing the ſaid Roads, be and the ſame is hereby declared, and ſhall be conſtrued to extend to empower the Surveyor or Surveyors of the ſaid Roads, or any of them, and ſuch other Perſon and Perſons as are mentioned in the ſaid Act, and they are hereby empowered to cut, dig, take, and carry away any Aſhler or other Stones, Furze, Heath, Gravel, Sand, or other Materials proper for the building and repairing of Bridges, Arches, Drains, Culverts, Toll Houſes, and other Conveniencies, in and about or acroſs the ſaid Roads, or acroſs any River, Stream, Brook, Water, or Ditch contiguous thereto, out of or from any Lands or Grounds, River or Brook whatſoever, except as therein mentioned; and that the ſaid Clauſe, and every Matter and Thing therein contained, be conſtrued and taken to extend, and be applicable to the Purpoſe of getting Aſhler and other Stone, and any other Materials for the building and repairing of Bridges, Arches, Drains, Culverts, Toll Houſes, and other Conveniencies, in or about or acroſs the ſaid Roads, or acroſs any River, Stream, Brook, Water, or Ditch contiguous thereto, as if the ſame had been originally inſerted and enacted in the Body of the ſaid Act; any Thing therein contained to the contrary thereof in anywiſe notwithſtanding.

Meetings on Emergencies.

IX. And be it further enacted, That, if after any Adjournment of the ſaid Truſtees, it ſhall at any Time be thought neceſſary that there ſhall be an earlier Day of Meeting than the Day appointed by ſuch Adjournment, in that Caſe the Clerk to the ſaid Truſtees, by an Order in Writing ſigned by Five or more of the acting Truſtees, mentioning the Time, Place, and Purpoſe of ſuch Meeting, ſhall forthwith give Notice, by a Writing to be affixed on all the Toll Gates then erected by virtue of the ſaid Act and this Act, and alſo by Advertiſement to be inſerted in ſome Newſpaper printed or circulated in the Neighbourhood of the ſaid Roads, of the Time, Place, and Purpoſe which ſhall be mentioned in the Order of the ſaid Truſtees, ſuch Time not being leſs than Seven Days after ſuch Notice, and ſuch earlier Meeting ſhall and may be held accordingly; and all the Proceedings of the Truſtees at all ſuch Meetings, ſhall be as valid

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and effectual as they would have been in caſe ſuch Meetings had been held in purſuance of Adjournments.

Power to erect Weighing Machines.

X. And whereas by an Act paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, commonly called *The General Turnpike Act*, certain Powers were granted to any Five or more of the Truſtees acting upon any Turnpike Road to erect Weighing Engines; but by the ſaid Act no Power is given to the ſaid Truſtees to compel and enforce the weighing of any Carriages, unleſs the ſame ſhall paſs through ſome Turnpike Bar or Toll Gate, and which Reſtriction is found to be prejudicial to the Intereſt of the Roads to be repaired by virtue of the ſaid Act and this Act; be it therefore enacted, That it ſhall be lawful for the Truſtees for executing the ſaid recited Act and this Act, or any Five or more of them, at any publick Meeting, if they ſhall think proper, to order and cauſe to be built upon any Parts of the ſaid Roads as to them ſhall ſeem moſt eligible and expedient, a Crane, Machine, or Engine, with ſuitable Buildings thereto, proper for the weighing of Carts, Waggons, or Carriages, conveying any Goods, Wares, or Merchandize whatſoever, and by Writing ſigned by them, or any Five or more of them, to order all and every or any ſuch Carriage or Carriages which ſhall come upon any Part of the ſaid Roads, within the Diſtance of Fifty Yards from any ſuch Crane, Machine, or Engine, whether the ſame ſhall have paſſed through any Toll Gate or Bar, or not, to be weighed, together with the Loading thereof; and that all Clauſes, Powers, Privileges, Exemptions, Reſtrictions, Penalties, and Forfeitures, and Modes of Recovery thereof, mentioned and contained in the ſaid Act of the Thirteenth Year of the Reign of His preſent Majeſty, and applicable to Weighing Engines, ſhall in all Caſes extend to and operate upon all Cranes, Machines, and Engines whatſoever, to be erected by virtue of this Act; any Thing herein contained to the contrary notwithſtanding.

No Order to be revoked but by a greater Number than made the Order.

XI. And be it further enacted, That no Order made by the ſaid Truſtees, or any of them, at any of their Meetings, ſhall be revoked or altered, unleſs a greater Number of Truſtees ſhall attend at ſome Meeting to be held for that Purpoſe, in manner directed by the ſaid recited Act, to revoke and alter the ſame, than were preſent when ſuch Order was made.

Statute Labour.

XII. 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, or any Diverſion thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the County in which the ſaid Road ſhall be ſituate, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, Clerk, or Surveyor, yearly, to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads, by the Inhabitants of the reſpective Pariſhes, Townſhips, or Places in which the ſaid Road doth lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereunto it ſhall be lawful for

for ſuch Juſtices, from Time to Time, to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Townſhip, or Place, to bring in Liſts before ſuch Juſtice, 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, Townſhip, 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 Team 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 are or may be directed by any Law or Statute in force and effect for the Repairs of the publick Highways; and out of ſuch Liſt the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done at ſuch Days and at ſuch Times (not being Hay-time or Harveſt), and in 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 Act or this Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor to the ſaid Truſtees, ſhall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force or 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 diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments as 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, Townſhips, or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe and imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

XIII. And

XIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act of the Thirty-second Year of His present Majesty, and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity, as in the said first recited Act is 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 there *ex parte* the Trustees for executing the said recited Act and 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 or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be 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 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 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 Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the 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 Lands or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Compensation where exceeding 200*l.*

XIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands 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 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 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

Application where the Compensation does not exceed 200*l.* nor less than 20*l.*

Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application of Compensation 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 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 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 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.

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into Bank;

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 Act and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them; or in case 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 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.

subject to the Order of the Court of Chancery on Motion or Petition.

Where any Queſtion ſhall ariſe touching the Title to Money to be paid, the Perſons who ſhall be in Poſſeſſion of the Land, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereunto, according to ſuch Poſſeſſion, unleſs, &c.

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 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 and this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or 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.

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

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 Act and 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 Act and this Act, it ſhall and may be lawful to and 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 Act and this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Truſtees, or any Five or more of them, out of the Monies to be received by virtue of the ſaid Act and this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Riding upon Footpaths, &c.

XIX. And be it further enacted, That if any Perſon ſhall ride upon any Footway adjoining to the ſaid Road, or ſhall drive any Horſe, Cattle, or Swine, or any Carriage thereon, or ſhall cauſe any Damage to be done to any ſuch Footway; or if any Perſon ſhall hale or draw, or cauſe to be haled or drawn, upon any Part of the ſaid Road, any Tree or Piece of Timber, or any Stone, otherwiſe than upon Wheeled Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber or Stone which ſhall be carried upon Wheeled Carriages, to drag upon any Part of the ſaid Road to the Prejudice thereof; or if any Perſon driving any Pigs or Swine upon the ſaid Road ſhall ſuffer the ſame to root up and damage the ſame or any Part thereof, or the Fences, Hedge Backings, or Copſe, on either Side thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage, upon the ſaid Road ſhall not keep his Carriage on the left or near Side of the ſaid Road; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him, her, or them upon the ſaid Road

Road, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his Care; or if any Perſon or Perſons ſhall make or aſſiſt in making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatſoever, on any Part or Parts of the ſaid Road, or within Forty Yards of the ſame; or if any Perſon ſhall, without ſufficient Cauſe, leave any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage (longer than may be neceſſary for loading or unloading the ſame), in, upon, or on the Side of any Part of the ſaid Road, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Perſons travelling thereon, every Perſon ſo offending ſhall, for every ſuch Offence reſpectively, forfeit and pay any Sum not exceeding Forty Shillings.

Duration of the Term of the Act.

XX. 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.

Term and Continuance of this Act.

XXI. And be it further enacted, That the Term granted by the ſaid recited Act ſhall, from and after the paſſing of this Act, ceaſe and determine; and that the ſaid Act (ſubject to the Alterations, Additions, and Amendments herein contained) and this Act ſhall from 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.

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