ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. i.

An Act to continue the Term, and to amend and enlarge the Powers of several Acts passed for repairing the Road from *Cirencester*, in the County of *Glouceſter*, to *Birdlip Hill*, in the said County.

[23d *March* 1815.]

WHEREAS an Act was passed in the Twentieth Year of the Reign of His late Majesty King *George* the Second, for repairing the Road from *Cirencester*, in the County of *Glouceſter*, to *Birdlip Hill*, in the said County: And whereas an Act was passed in the Tenth Year of the Reign of His present Majesty, to enlarge the Term and Powers of the said recited Act: And whereas another Act was passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act to enlarge the Term and Powers of Two several Acts passed in the Twentieth Year of the Reign of His late Majesty King* George *the Second, and in the Tenth Year of the Reign of His present Majesty, for repairing the Road from* Cirencester, *in the County of* Glouceſter, *to* Birdlip Hill, *in the said County:* And whereas the Trustees appointed in or by virtue of the said recited Acts have made great Progress in the Execution of the same, and have borrowed several considerable Sums of Money upon the Credit of the Tolls arising upon the said Road; which Money, together with the Tolls, have been duly applied according to the Directions of the said recited Acts;

20 G. 2. c. 23.

10 G. 3. c. 74.

35 G. 3. c. 141.

but the ſaid Road cannot be effectually amended, widened, improved, and kept in Repair, nor can the ſaid Sums of Money ſo borrowed as aforeſaid, be paid off, unleſs the Term granted and continued by the ſaid recited Acts be further continued, ſome of the Powers and Proviſions thereof amended, altered and enlarged; and it is expedient that the Tolls granted by the ſaid recited Acts ſhould be increaſed; but the ſeveral Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts paſſed in the Twentieth Year of the Reign of His late Majeſty King *George* the Second, and the Tenth and Thirty-fifth Years of the Reign of His preſent Majeſty, and all and every the Authorities, Powers, Privileges, Proviſions and Clauſes therein contained (except ſuch of them as are varied, altered or repealed) ſhall be and continue in full force for and during the Term herein-after mentioned, in as full, large, and ample Manner, and as effectually to all Intents and Purpoſes, as if the ſaid recited Acts, and all the Authorities, Powers, Privileges, Proviſions and Clauſes therein contained, were repeated and re-enacted in the Body of this Act; and the ſaid additional Term, and the Tolls, Powers, and Proviſions hereby continued and granted, ſhall be and are hereby declared to be ſubject and liable to the Payment of all Monies now due and owing on the Credit or on Account of the ſaid recited Acts, or that may be borrowed on the Credit thereof reſpectively, and of this Act, and all Intereſt due and to grow due for the ſame reſpectively.

Recited Acts continued.

Appointing additional Truſtees.

II. And be it further enacted, That the Members ſerving in Parliament for the County of *Glouceſter*, for the City of *Glouceſter*, for the Borough of *Cirenceſter*, and for the Borough of *Tewkeſbury*, for the Time being, the Honourable *John Bathurſt*, the Honourable *William Bathurſt*, the Honourable *Charles Seymour Bathurſt*, *Michael Beach Hicks Beach*, *William Hicks Beach*, *Edmund Adams*, *Henry Beeſley Bowly*, *Devereux Bowly* the younger, *James Hart Bowly*, *George Bevir*, *Joſeph Bevir*, *Francis Bedwell*, *John Bedwell*, *Thomas Crowther Brown*, *Robert Jefferys Brown*, *Joſeph Cripps* the younger, *Henry Cripps* Clerk, *Charles Cripps*, *John Cripps*, *William Croome*, *Robert Bennet Croome*, *John Croome* Clerk, *William Davis* the younger, *Joſeph Gillman*, *William Gillman*, *Richard Hall* the younger, *Robert Hall*, *Edward Haines* the younger, *Francis Hoare*, *William Lawrence* the younger, *Charles Lawrence*, *John Lawrence*, *Thomas Lediard* the younger, *William Lediard*, *Samuel Lediard*, *Cornelius Pitt*, *Joſeph Pitt* the younger, *Charles Pitt*, *William Gregſon Pitt*, *George Hicks Pitt*, *William Search*, *George Smith*, *Thomas Slatter*, *William Stevens* the younger, the Right Honourable *John Thynne* commonly called Lord *John Thynne*, *William Thompſon*, *Thomas Vaiſey* the younger, *Edward Wilbraham* the younger, *William Wilbraham* Clerk, *Henry Wilkins*, and *John Wilkins* the younger, ſhall be and are hereby added to and joined with the Truſtees appointed in or by virtue of the ſaid recited Acts, or any or either of them, for putting the ſame and this Act in Execution; and the Truſtees herein nominated, and their Succeſſors, being qualified according to the Directions of the ſaid recited Act of the Thirty-fifth Year of the Reign of His preſent Majeſty, are hereby empowered to act in the Execution of the ſaid recited Acts and this Act, as fully and effectually to all Intents

and Purpoſes, as if they had been appointed under or by virtue of the ſaid recited Acts, or any or either of them.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in purſuance of the ſaid recited Acts or this Act, to elect any Number of Perſons, not exceeding Ten in the Whole, to be Truſtees for the Purpoſes of this Act, in Addition to the Truſtees hereby appointed; and ſuch Truſtees ſo elected, and being duly qualified, ſhall be and are hereby inveſted with the ſame Powers and Authorities for executing the ſaid recited Acts and this Act, as if they had been herein named and appointed.

Preſent Tolls to ceaſe.

IV. And be it further enacted, That the ſeveral Tolls granted and made payable by virtue of the ſaid recited Acts, or any or either of them, on the ſaid Road, ſhall ceaſe, determine, and be no longer paid or payable; and that inſtead thereof, the following Tolls, or ſuch Proportion thereof, and at ſuch Gate or Gates as the ſaid Truſtees, or any Five or more of them, ſhall from Time to Time ſee fit, ſhall be demanded and taken at any of the Turnpikes or Toll Gates erected or to be erected upon the ſaid Road, or on the Sides thereof, before any Horſe, Beaſt, or other Cattle, or Coach, Waggon, or any other Carriage, ſhall be permitted to paſs through the ſame; (that is to ſay)

Tolls.

For every Horſe or other Beaſt, drawing any Coach, Barouche, Landau, Chariot, Chaiſe, Curricle, Caravan, Chair, or other wheeled Carriage, (not being a Waggon or Cart), the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing any Waggon, Wain, Cart, or other ſuch Carriage, the Fellies of the Wheels whereof ſhall be of the Breadth of Six Inches or more at the Bottom or Sole thereof, the Sum of Four-pence Halfpenny:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing any Waggon, Wain, Cart, or other ſuch like Carriage, the Fellies of the Wheels whereof ſhall be of leſs Breadth at the Bottom or Sole thereof than Six Inches, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, laden or unladen, and not drawing any Carriage, the Sum of One Penny Halfpenny:

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

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score; and ſo in Proportion for any greater or leſs Number:

Double Tolls on Sunday.

And on every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night, to Twelve of the Clock on *Sunday* Night) during the Continuance of this Act, there ſhall be demanded and taken at the Toll Gates on the ſaid Road, by the ſaid reſpective Collectors, before any Horſe, Beaſt, Cattle, or Carriage ſhall be permitted to paſs through the ſame, Double the ſaid reſpective Tolls for every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing any Carriage, or laden or unladen, and not drawing; or Drove of Oxen, Cows, or other Neat Cattle, Calves, Swine, Sheep, or Lambs:

And the ſaid reſpective Tolls ſhall be demanded and taken before any Horſe, Mare, Gelding, Mule, or other Beaſt, Coach, Waggon, Wain, Cart, or other Carriage whatſoever, or Drove of Oxen, Cows, or other Neat Cattle, Calves, Swine, Sheep, or Lambs, be permitted to paſs through any Turnpike or Toll Gate erected or to be erected upon the ſaid Road by virtue of this Act, or upon or acroſs any Lane or Way leading into the ſame; and upon Payment of any of the ſaid Tolls, the Collector or Receiver ſhall and he is hereby required to deliver *gratis*, to the Perſon paying ſuch Toll, a Note or Ticket denoting ſuch Payment; and the ſaid reſpective Tolls ſhall be and the ſame are hereby reſpectively veſted in the ſaid Truſtees for carrying this Act and the ſaid recited Acts into Execution; and the ſame and every Part thereof ſhall be collected, recovered, levied, paid, applied, varied, reduced, aſſigned, and diſpoſed of, in ſuch and the ſame Manner, and by ſuch and the ſame Ways and Means, and with ſuch Remedies for ſecuring and enforcing the due Payment thereof, and with ſuch Penalties for the Non-payment or Evaſion of the ſame, and with ſuch Powers, Proviſions, Regulations, and Exemptions as are contained in the ſaid recited Acts with reſpect to the Tolls thereby authorized to be taken; except ſo far as the ſame Proviſions, Regulations, Remedies, Penalties, and Exemptions are by this Act varied and altered.

Tolls veſted in the Truſtees.

Tolls to be paid once a Day.

V. And be it further enacted, That no Perſon having Occaſion to paſs through any Turnpike or Turnpikes, where the Tolls are or ſhall be taken, and who ſhall return the ſame Day through the ſame or any other Turnpike or Turnpikes, continued or erected by virtue of the ſaid recited Acts or this Act, before Twelve of the Clock in the Night of that Day, with the ſame Horſes, Mares, Geldings, Mules, Aſſes, or any Sort of Cattle, for which ſuch Tolls ſhall have been paid, ſhall be liable or compelled the ſame Day to pay the ſaid Tolls more than once, ſuch Perſon producing a Ticket denoting that ſuch Toll hath been paid on that Day; all which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of ſuch Toll; and each Ticket delivered upon receiving Toll for the Paſſage of any Carriage, ſhall ſpecify the ſeveral Gates through which any Perſon having once paid Toll ſhall be allowed to paſs without again paying Toll on the ſame Day.

For preventing Toll Collectors from taking undue Tolls.

VI. And be it further enacted, That all and every Toll Collector, being Leſſee of the ſaid Tolls, or appointed either by the ſaid Truſtees, or by any ſuch Leſſee or Leſſees, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of this Act, ſhall, and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately upon his coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground; and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of this Act, or of the Orders and Reſolutions of the Truſtees made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be

exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in any ways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon the legal Toll being paid or tendered ſhall unneceſſarily detain, or wilfully obſtruct, hinder, or prevent any Paſſenger or Paſſengers from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Truſtee, Treaſurer, Clerk, Surveyor, or other Officer, or any Paſſenger or Paſſengers; then and in every ſuch Caſe, every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

Exemptions from Toll.

VII. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty 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 making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſaid Road lies; or with Seed for Seeding the Ground; or Hay, Turnips, Potatoes, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Outhouſes, or Yards, or on the Lands of the Owners thereof; or for any Horſe, Beaſt, or other Cattle or Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the ſame Day, any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Compoſt or Manure, (Chalk and Lime only excepted) employed in Huſbandry, for manuring or improving Land; or for any Horſes or other Beaſts going to or returning from Plough or Harrow, or to or from Paſture or Watering Place, or going to be or returning from being ſhoed or farried; or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes in which the ſaid Road lies; or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his Parochial or Miniſterial Duty; or for any Horſes or Carriages 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 or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for the Horſe or Horſes of any Officers or Soldiers, or Militia or Local Militia Men, on their March or on Duty, or for any Horſe or Horſes or other Beaſt, or any Carriage or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying, having been employed

employed only in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or 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, employed in conveying any Ordnance or Barrack or Commiſſariat or other Public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, or returning empty from having being ſo employed; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry, or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exerciſe, Inſpection or Review, provided that ſuch Perſon ſhall be dreſſed in the Uniform of his Corps, and ſhall have his Arms, Furniture and Accoutrements, according to the Regulations of ſuch Corps, at the Time of claiming the Exemption; or for Horſes, Carts, or Waggons travelling with Vagrants ſent by legal Paſſes, or returning empty after having been only ſo employed; or for any Horſe or Horſes, Coaches or other Carriages, going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of *Gloucester*, on the Day or Days of ſuch Election, or the Day before or Day after ſuch Election ſhall begin or be concluded; and if any Perſon ſhall, by any fraudulent or colluſive Means whatſoever, claim or 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 Five Pounds, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this and the ſaid recited Acts; and the ſame ſhall be recovered and levied in the ſame Manner as other Penalties and Forfeitures are by the ſaid recited Acts, or any or either of them, empowered or directed to be levied and recovered.

Paſſengers on Election Days for Knights of the Shire, exempted.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

VIII. 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 or Barrack or Commiſſariat or other Public Stores, of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject or liable to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart or other Carriage, or the Horſe or Horſes drawing the ſame, while ſo employed, 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 the Owner or Driver of any ſuch Waggon, Wain, Cart or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act or the ſaid recited Acts contained to the contrary notwithſtanding.

Form of Mortgage.

IX. And be it further enacted, That any Mortgage or Mortgages which may hereafter be made of the Tolls payable by virtue of the ſaid recited Acts and this Act, ſhall and may be drawn up in the Form or to the Effect following; (that is to ſay),

'BY virtue of an Act paſſed in the Fifty-fifth Year of the Reign of His Majeſty King *George* the Third, intituled *An Act* [*here inſert the Title of this Act*] we of the Truſtees for putting the ſaid Act

'and

' and the ſeveral Acts therein mentioned in Execution in Conſideration of
' the Sum of paid by of
' to the Treaſurer of the ſaid Road, do hereby bargain, ſell,
' and aſſign unto the ſaid Executors, Adminiſtrators, and
' Aſſigns, ſuch Proportion of the Tolls and Money to ariſe upon the ſaid
' Road as the ſaid Sum of doth or ſhall bear
' to the whole Sum due or hereafter to become due on the Security thereof,
' to hold the ſame unto the ſaid Executors, Adminiſ-
' trators, and Aſſigns, from the Day of the Date hereof, for and during
' the Continuance of the ſaid Act, unleſs the ſaid Sum of
' with Intereſt at the Rate of *per Centum per Annum*,
' ſhall be ſooner paid and ſatisfied. Given under our Hands and Seals
' this Day of .'

And Copies of all ſuch Mortgages ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Truſtees; and all Perſons to whom any Mortgage ſhall be made as aforeſaid, or who ſhall be poſſeſſed of any Mortgage made by virtue of the ſaid recited Acts, or any or either of them, or who ſhall be entitled to the Money thereby reſpectively ſecured, may from Time to Time transfer his, her, or their Right, Title, Intereſt or Benefit to the ſaid Mortgage, and the Principal and Intereſt thereby ſecured, to any Perſon or Perſons whomſoever, by ſigning an Inſtrument to be annexed to ſuch Security, or by indorſing on the back of ſuch Security, before one credible Witneſs, the following Words, or Words to the like Effect; (that is to ſay),

' I *A. B.* do transfer the within Mortgage [*or*, the annexed Mortgage,
' *as the Caſe may be*] with all my Right and Title to the Principal
' Money hereby [*or* thereby] ſecured, and all the Intereſt now due or to
' grow due thereon, unto *C. D.* his Executors, Adminiſtrators, and
' Aſſigns. Dated this Day of
' Witneſs *E. F.* ' *A. B.*'

Which Transfer ſhall be produced and notified to the ſaid Clerk or Treaſurer, who ſhall cauſe an Entry or Memorial to be made thereof in the before mentioned Book or Books, containing the Numbers, Dates, Names of the Parties, and Sums of Money therein transferred, for which the ſaid Clerk ſhall be paid ſuch Sum as the ſaid Truſtees, or any Five or more of them, ſhall appoint, not exceeding the Sum of Twenty Shillings; and ſuch Transfer ſhall then entitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators and Aſſigns, to the Benefit thereof and Payment thereon; and ſuch Aſſignee may in like Manner aſſign or transfer the ſame again, and ſo *toties quoties*; but in caſe any Sum or Sums of Money ſo to be transferred ſhall not exceed the Sum of Fifty Pounds, it ſhall be lawful for the reſpective Perſons entitled thereto, by an Indorſement of his, her, or their Name or Names without Witneſs, to transfer his, her, or their Intereſt or Property therein to any other Perſon or Perſons, without any Entry being made thereof in Manner aforeſaid; and it ſhall not be in the Power of any Perſon or Perſons, except the Perſon or Perſons to whom the ſame ſhall be laſt transferred, to make void, releaſe, or diſcharge the original Security, or any Monies thereby due, or any Part thereof; and the ſaid Truſtees, or any Five or more of them may and ſhall, if thereunto required, receive in and cancel all or any Mortgages or Aſſignments now ſtanding out, that were made by virtue of the ſaid recited Acts or any or either of them, and

give and execute another or others for the respective Sums, in Manner aforesaid, instead and in lieu thereof respectively.

Application of Compensation Money exceeding 200l.

X. 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 first recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Acts 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, Tenements, or Hereditaments, in the Purchase of the Land Tax, or 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, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner, as the Messuages, Lands, Tenements, and 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 said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application of Compensation Money less than 200l. and exceeding 20l.

XI. 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 exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments

ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to 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 under 20l.

XII. 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 Hereditaments ſo purchaſed, taken, or uſed, for the Purpoſes of the ſaid recited Acts and this Act, and 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;

XIII. 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 any Five or more of them; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found; or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered; then and in every ſuch Caſe, it ſhall be lawful for the ſaid Truſtees, 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 ſaid Accountant General of the High 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 High Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of 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 ſame 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

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

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

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.

XIV. 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 ſaid Accountant General of the ſaid High Court of Chancery, in purſuance of the ſaid recited Acts or of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or 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 High 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 Expenſes of Purchaſes to be paid by Truſtees.

XV. Provided alſo, and be it further enacted, That when 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 High Court of Chancery, and to be applied in thePurchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall and may be lawful to and for the ſaid High 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, to be paid by the ſaid Truſtees out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Notice to be given before Materials, taken, &c.

XVI. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Surveyor or Surveyors, or any other Perſon or Perſons acting by or under the Authority of the ſaid recited Acts or this Act, to dig, gather, get, take, or carry away any Materials for repairing the ſaid Road, or any Part or Parts thereof, out of or from any incloſed Lands or Grounds, without the Conſent in Writing of the Owners thereof firſt had and obtained for that Purpoſe, or until Ten Days previous Notice in Writing, ſigned by the Surveyor of the ſaid Road, ſhall have been given to the Occupiers of the Premiſes from which ſuch Materials

rials are intended to be taken, or left at the Houſe or laſt uſual Place of Abode of ſuch Occupiers, to appear before Two or more Juſtices of the Peace acting in and for the County or Place in which ſuch Lands ſhall be ſituate, to ſhew cauſe why ſuch Materials ſhall not be had from ſuch Lands or Grounds; and in caſe ſuch Occupier or his Agent ſhall not attend, or ſhall attend purſuant to ſuch Notice, but ſhall not ſhew ſufficient Cauſe to the contrary, then and in either of the ſaid Caſes the ſaid Juſtices ſhall authorize ſuch Surveyor or Surveyors, or other Perſon or Perſons, to dig, gather, get, take, and carry away ſuch Materials, at ſuch Time or Times as to the ſaid Juſtices ſhall ſeem proper; and ſhall and may make ſuch Order therein as they ſhall think fit, making or tendering ſuch Satisfaction for the Materials, and for the Damage done to the Owners or Occupiers reſpectively of ſuch Lands or Grounds where or from whence the ſame ſhall be dug, gathered, gotten, taken or carried away, or upon, over or through which the ſame or any other Materials ſo dug for repairing the ſaid Road and gathered as aforeſaid, ſhall be conveyed, as any Two or more Juſtices of the Peace for the ſaid County ſhall adjudge reaſonable.

Perſons chargeable to Statute Work, to continue ſo.

XVII. And be it further enacted, That ſo much of the ſaid recited Acts as relates to the Performance of Statute Labour on the ſaid Road ſhall be and the ſame is hereby repealed; and that from and after the paſſing of this Act, all Perſons who by Law are or ſhall be liable to do Statute Work, or who 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 for any Two or more Juſtices of the Peace for the ſaid County of *Glouceſter*, 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, ſhall be by him or them paid to the ſaid Truſtees, or to their Treaſurer; and in order thereunto, it ſhall be lawful 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 Fourteen Days after the ſerving of ſuch Summons) of the Names of the ſeveral Perſons, who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work; diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts 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 or 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 or 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)

Juſtices to determine Differences touching Statute Work.

Harveſt) and on ſuch Parts of the ſaid Road, as the ſaid Truſtees or their Surveyor or Surveyors (by their Order) 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 and levied by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as other Penalties and Forfeitures impoſed by this Act or the ſaid recited Acts may 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 Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, apportioned, and applied, as other Penalties and Forfeitures impoſed by the ſaid recited Acts or this Act may be recovered, and are directed to be apportioned and applied.

For paying the Expences of this Act.

XVIII. And be it further enacted, That the Charges and Expences of obtaining and paſſing this Act, ſhall be defrayed out of any Money already raiſed by virtue of the ſaid recited Acts, or out of the firſt Money to be raiſed by virtue thereof and of this Act, in Preference to all other Payments whatſoever.

Public Act.

XIX. 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.

Term and Continuance of this Act.

XX. And be it further enacted, That the Term granted and continued by the ſaid recited Acts ſhall from and after the paſſing of this Act ceaſe and determine; and that the ſaid recited Acts (ſave and except ſuch Parts

thereof as are hereby repealed) 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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