ANNO QUINQUAGESIMO PRIMO

GEORGII III. REGIS.

Cap. 28.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from *Dudley* to the *New Inn*, *Pattingham*, and also the Road from *Shut End*, to join the *Wolverhampton* Turnpike Road, in the Counties of *Worcester*, *Stafford*, and *Salop*. [11th *April* 1811.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act for making, amending, widening, and keeping in Repair, a Road from* Eve Hill *near* Dudley, *to the* New Inn *in the Parish of* Pattingham, *and from the Turnpike Road at or near* Shut End *in the Parish of* Kingswinford, *to the Turnpike Road leading from* Dudley *to* Wolverhampton, *in the Counties of* Worcester, Salop, *and* Stafford: And whereas great Progress hath been made in repairing the said Roads, and a considerable Sum of Money, borrowed upon the Credit of the Tolls, with a considerable Arrear of Interest, is now due and owing, which cannot be paid off, nor the said Roads effectually amended and kept in good Repair, unless the Term and Powers of the said Act be continued and enlarged, and the present Tolls 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, That the said recited Act, and all and every the Powers, Provisions, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, (except

30 G. 3. c. 102.

(except such Parts thereof as relate to Exemptions from Stamp Duties, and also such as are hereby varied, altered, or repealed,) shall be and continue in full Force and Effect, and, together with this present Act, shall be put in Execution for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the said Act, and the Powers, Provisions, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, were expressly repeated and re-enacted in the Body of this Act; but subject nevertheless to the Alterations and Amendments herein contained; which said additional Term hereby granted shall be a Security for the Payment of all Money now due and owing, or which shall hereafter become due and owing, on the Credit of the Tolls authorized to be collected upon the said Roads, and all Interest due, and which may hereafter become due for the same.

Additional Trustees appointed.

II. And be it further enacted, That from and after the passing of this Act, *Edward Amphlett*, *Thomas Badger*, *Isaac Badger*, *John Badley* Surgeon, *Joseph Bate*, *William Bennitt*, *Joseph Bennitt*, *Joseph Green Bourne*, *James Bourne* the younger, *Herbert Dudley Bourne*, *Thomas Boycott*, *Samuel Stone Briscoe*, *William Bunch*, *Thomas Higgins Burne*, *Thomas Caddick*, *Cornelius Cartwright* of *Dudley*, *Charles Creswell*, *George Dalton*, *John Davies*, *Edward Davies*, *Thomas Davies*, the Reverend *Thomas Dethick* Clerk, *Edward Dixon*, *Francis Downing*, *Robert Dudley*, *Richard Dudley*, *Edward Gatacre*, *Edward Gatacre* the younger, *Alexander Gordon*, *Edward Guest*, *James Farmer*, *Samuel Fereday*, *John Fereday*, *Dudley Bagley Fereday*, *John Turton Fereday*, *Thomas Hawkes*, *Roger Wright Hawkes*, *Timothy Hill*, *Dan Hill*, *Thomas Webb Hodgetts*, *Booth Hodgetts* the younger, *Joseph Hodgetts* the younger, *Joseph Hollington*, *John Homer*, *Mark Bolton Hughes*, *Edward Jessop* the younger, *Joseph Lane*, *Benjamin Leadbetter*, *Richard Bayley Marsh*, *Thomas Moore*, *Joseph Moss* the younger, *George Parkes*, *William Bradney Persehouse* of *Penn*, *Richard Philpots* the younger, *Thomas Peach Pudsey*, *John Rann*, the Reverend *Proctor Robinson* Clerk, *Joseph Royle*, *William Sprigg*, *Thomas Stiles*, *Theophilus Southall*, *Farmer Taylor* of *Chicknell*, the Reverend *Richard Thursfield* Clerk, *John Twamley*, *Edward Harper Wainwright*, *Benjamin Woolley*, *Walford*, and their Successors, (being qualified in Manner directed by the said recited Act,) shall be added to and joined with the remaining and surviving Trustees appointed in or by virtue of the said recited Act, for carrying the same and this Act into Execution, as fully and effectually to all Intents and Purposes as if they had been named or appointed Trustees in or by virtue of the said recited Act.

For discontinuing the present Tolls and granting new ones.

III. And whereas the Tolls by the said recited Act authorized to be taken upon the said Roads are found insufficient for effectually amending and keeping the same in good Repair, be it therefore further enacted, That from and after the passing of this Act the present Tolls, authorized to be collected on the said Roads, shall cease, and be no longer paid or payable; and that instead thereof, the following Tolls shall be demanded and taken at the several Turnpikes erected or to be erected upon the same Roads; (that is to say,)

Tolls.

For every Coach, Berlin, Landau, Phaeton, Chariot, Chaise, Calash, Hearse, Chair, Caravan, or other such like Carriage, drawn by Six Horses or other Beasts, the Sum of Two Shillings, and so in Proportion

for any greater Number; and drawn by Three or Four Horſes or other Beaſts, the Sum of One Shilling and Sixpence; and drawn by Two Horſes or other Beaſts, the Sum of Nine-pence; and drawn by One Horſe or other Beaſt, the Sum of Sixpence:

For every Waggon, Wain, Cart, or other ſuch like Carriage, having the Fellies of the Wheels thereof of leſs Breadth or Gauge than Nine Inches, and drawn by One Horſe or other Beaſt, the Sum of Nine-pence:

For every Waggon, Wain, Cart, or other ſuch like Carriage, having the Fellies of the Wheels thereof of leſs Breadth or Gauge than Nine Inches, and drawn by Two or more Horſes or other Beaſts, the Sum of Four-pence Halfpenny, for each and every Horſe or other Beaſt drawing the ſame:

For every Horſe or other Beaſt drawing any Waggon, Cart, Wain, or other ſuch like Carriage, having the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches or upwards, the Sum of Three-pence Halfpenny:

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

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

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

And that Double the ſaid reſpective Tolls ſhall be demanded and taken on every *Sunday* during the Continuance of this Act: Double Toll on Sundays.

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

V. And be it further enacted, That no Toll ſhall be demanded or taken for any Horſe, Cattle, Beaſt, or Carriage employed in carrying Exemptions from Tolls.

or

or conveying or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Stones, Brick, Timber, Wood, Gravel, or other Materials for repairing of the ſaid Roads, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Roads lie; 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, for the Purpoſe of thraſhing out ſuch Corn, or of feeding out ſuch Hay or Straw; or for any Horſe, Cattle, or Beaſt employed in carrying or conveying or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry, Corn for ſeeding the Ground, or any Dung, Compoſt, or Manure employed in Huſbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands, (Lime, Limeſtone, and Chalk excepted,) nor for any Horſes or Cattle going to or returning from Paſture or Watering Places, or going to be or returning from being ſhoed or farried; or from any Perſon going to or returning from his or her proper or Parochial Church, Chapel, or other Place of Religious Worſhip authorized by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated; or attending the Funeral of any Perſon that ſhall die and be buried in any of the ſaid Townſhips or Pariſhes; or from any Clergyman going to or returning from viſiting any ſick Perſon, or going to or returning from his Parochial or Miniſterial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horſe, Cattle, or Carriage of whatever Deſcription, employed or to be employed in carrying the Mails of Letters and Expreſſes, under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat, or other publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſe, Cart, Cattle, or Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Horſe, Cattle, or Beaſt carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Worceſter*, *Stafford*, or *Salop*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; and that no Tolls ſhall be demanded or taken for any Horſe, Mare, or Gelding furniſhed by or for any Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided that ſuch Perſons ſhall be dreſſed in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemptions as aforeſaid; and if any Perſon or Perſons ſhall in any fraudulent or colluſive Manner whatſoever claim and take the Benefit of any of the Exemptions by

by this Act granted, not being entitled to the same, every such Person shall forfeit for every such Offence any Sum not exceeding the Sum of Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

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

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

Application of Compensation Money, when amounting to 200*l.*

VII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of the said recited Act or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, 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 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 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, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, 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 thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated

ſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, by the ſaid recited Act or this Act directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

Application when Compenſation Money is leſs than 200l. and amount to 20l.

VIII. 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 Act and this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties,) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be 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.

Application where Money is leſs than 20l.

IX. 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 Act and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; and in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles.

X. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of the ſaid recited Act or this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or

if

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 Publick Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XI. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery in purſuance of the ſaid recited Act or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of the ſaid recited Act or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, and Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

XII. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, and Hereditaments,

Hereditaments, to be ſettled to the like Uſes, in purſuance of the ſaid recited Act or this Act, it ſhall be lawful for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Act or this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, or any 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.

Perſons chargeable to Statute Work to continue ſo.

Juſtices to determine Differences touching Statute Work.

XIII. 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 Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the ſaid Counties of *Worceſter*, *Stafford*, or *Salop*, 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 Roads, by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them, paid to the ſaid Truſtees or to their Treaſurer; and in order thereunto, it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within 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 Repairs of the publick Highways; and out of ſuch Liſts ſuch Juſtices ſhall and may allot, appoint, and order, ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads 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 on ſuch Parts of the ſaid Roads as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons, who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment

thereof, in like Manner as any Penalty is by the ſaid recited Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force and Effect for 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 Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team and Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

XIV. 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 Politick or Corporate, for the Statute Work to be by them done on the ſaid Roads, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any the Pariſhes or Places in which the ſaid Roads are ſituate, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in advance, on or before the Firſt Day of *October* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

For Payment of Expences of the Act.

XV. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the procuring and obtaining this Act, together with lawful Intereſt from the Time of advancing the ſame till the Time of Payment, ſhall be paid and ſatisfied by the ſaid Truſtees; and that it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and required, to order and direct the Payment of the ſaid Charges and Expences, with Intereſt as aforeſaid, out of the firſt Monies that ſhall be collected, borrowed, or received by virtue of the ſaid recited Act or this Act, in preference to all other Payments and Diſburſements whatſoever.

Publick Act.

XVI. 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 the Act.

XVII. And be it further enacted, That the Term granted by the ſaid recited Act ſhall, on the paſſing of this Act, ceaſe and determine; and the ſaid recited Act (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 next Seſſion of Parliament.

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