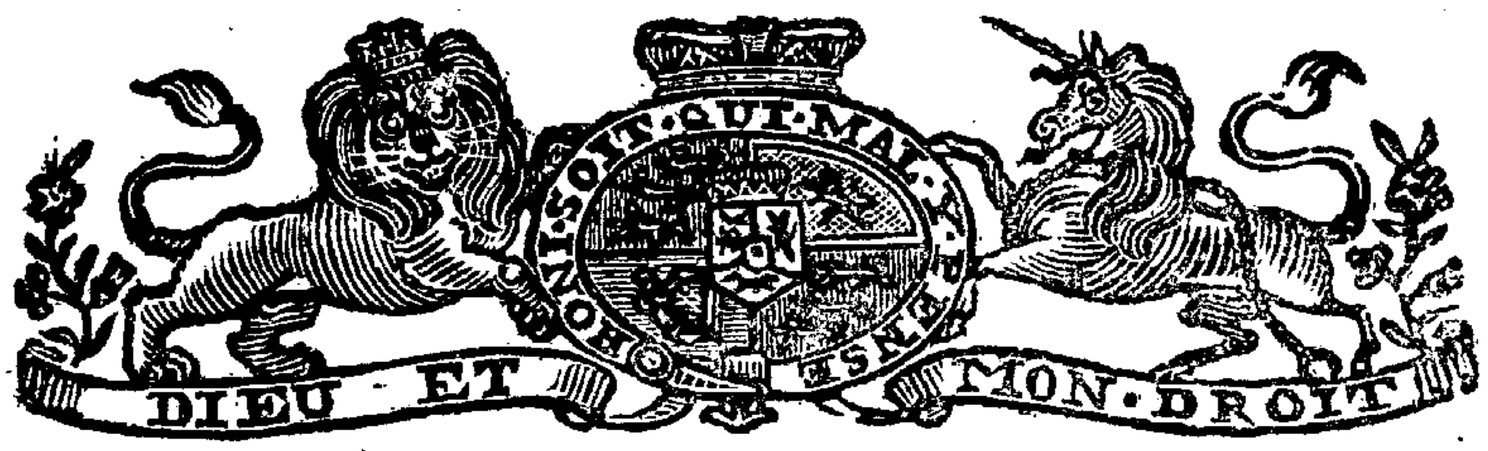


ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxii.

An Act for enlarging the Term and Powers of Four Acts of His present Majesty, for repairing several Roads leading from *Fisherton*, *Wilton*, *Heytesbury*, and other Places in the County of *Wilts*; and for diverting the Line of Part of the said Roads.

[25th *May* 1815.]

WHEREAS an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act for amending, widening and keeping in Repair, the Road leading from* Fisherton Bridge, *to the Turnpike Road at* Willoughby Hedge *in* West Knoyle, *and from* Wilton Bridge, *to the Turnpike Road at* the *West End of* Heytesbury, *and also the Road from the Turnpike Road at the Top of* Red Hone Hill, *in the Parish of* Urshfont, *to the Mile Stone at the Western End of* Fisherton-street, *in the County of* Wilts: And whereas another Act was passed in the Second Year of the Reign of His said present Majesty, intituled *An Act to amend and render more effectual, an Act passed in the last Session of Parliament, intituled* '*An Act for amending, widening and keeping in Repair, the* 'Road leading from Fisherton Bridge, *to the Turnpike Road at* Willoughby 'Hedge *in* West Knoyle, *and from* Wilton Bridge *to the Turnpike Road at* 'the *West End of* Heytesbury, *and also the Road from the Turnpike Road at* 'the *Top of* Red Hone Hill *in the Parish of* Urshfont, *to the Mile Stone at* 'the *Western End of* Fisherton-street, *in the County of* Wilts:' And whereas another Act was passed in the Twentieth Year of the Reign of His said present Majesty,

1 G. 3.

2 G. 3.

20 G. 3. Majeſty, intituled *An Act for enlarging the Terms and Powers of Two Acts of the Firſt and Second Years of His preſent Majeſty, for amending, widening and keeping in Repair, the Road leading from* Fiſherton Bridge *to the Turnpike Road at* Willoughby Hedge *in* Weſt Knoyle, *and from* Wilton Bridge *to the Turnpike Road at the Weſt End of* Heyteſbury, *and alſo the Road from the Turnpike Road at the Top of* Red Hone Hill *in the Pariſh of* Urſhfont, *to the Mile Stone at the Weſtern End of* Fiſherton-ſtreet, *in the County of* Wilts: And whereas another Act was paſſed in the Forty-firſt

41 G. 3. Year of the Reign of His ſaid preſent Majeſty, intituled *An Act to continue for Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, the Term, and alter and amend the Powers of Three Acts paſſed in the Firſt, Second and Twentieth Years of the Reign of His preſent Majeſty King* George *the Third, for amending, widening and keeping in Repair the Road leading from* Fiſherton Bridge, *to the Turnpike Road at* Willoughby Hedge *in* Weſt Knoyle, *and ſeveral other Roads therein mentioned, in the County of* Wilts: And whereas in purſuance of the ſaid recited Acts or ſome of them, divers Sums of Money have been borrowed and are now due on the Credit and Security of the Tolls thereby granted, which Sums cannot be repaid, nor can the ſaid Roads be kept and maintained in good and ſufficient Repair, unleſs the ſaid Acts be continued for a further Term, and the Tolls thereby granted increaſed: And whereas it is expedient that the Truſtees ſhould be diſcharged from the Repair of Part of the preſent Road leading from *Fiſherton Bridge* aforeſaid to the Turnpike Road at *Willoughby Hedge* aforeſaid, beginning at or near the Pound in the Pariſh of *Dinton*, and leading to a Bridge, called *Spark's Bridge*, in the Pariſh of *Teffont Magna*, and that inſtead thereof a new Road ſhould be made from the ſaid Pound or near thereto, through the ſaid Pariſh of *Dinton* and the Pariſhes of *Teffont Evias* and *Teffont Magna* in the ſaid County of *Wilts*, to join the ſaid Road leading to *Willoughby Hedge*, at or near the ſaid Bridge, called *Spark's Bridge*, in the Pariſh of *Teffont Magna* aforeſaid, whereby Two very ſteep Hills and a Turning dangerous to Carriages travelling on the ſaid Road would be avoided: And whereas it is expedient that ſome of the Powers and Proviſions in the ſaid Acts reſpectively contained ſhould be amended and enlarged, and that ſome of the ſaid Powers and Proviſions ſhould be repealed and others granted, for the better effectuating the Purpoſes of the ſaid Acts: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid ſeveral recited Acts, paſſed in the Firſt, Second, Twentieth, and Forty-firſt Years of the Reign of His preſent Majeſty, and all and every the Clauſes, Powers, Authorities, Truſts, Proviſions, Directions, Rules, Exemptions, Penalties, Forfeitures, Payments, Remedies, Articles, Matters and Things whatſoever, in any of the ſaid Acts contained, and now in force (except ſuch Parts thereof as relate to Exemptions from Stamp Duties, or as are by this Act altered, varied or repealed), ſhall be, continue and remain in full Force and Effect, and the ſame are and is hereby further continued, and, together with this preſent Act, ſhall be executed for and during the Term herein-after mentioned, in as full and ample a Manner to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act; but ſubject nevertheleſs to the Amend-

Recited Acts further continued.

ments, Alterations, Variations and Additions herein contained; and that this Act, and the additional Term and the Tolls hereby granted, ſhall be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on Account of the ſaid recited Acts or any of them, and to the Payment of ſuch other Sum or Sums of Money as ſhall be borrowed or become due and owing on the Credit thereof and of this Act, together with the Intereſt due and to grow due upon the ſame reſpectively.

New Truſtees.

II. And be it further enacted, That the Honourable and Reverend *Alfred Harris*, *Henry Hoare*, *Alexander Powell*, *Perſoy Jervoiſe*, *Thomas Wyndham*, *Wadham Wyndham*, *William Wyndham* Junior, *James Charles Still*, *William Moody* Junior, *Edward Baker*, *Peter Still*, *John Thomas Mayne*, *Herbert Hawes* Doctor in Divinity, *Matthew Marſh* Clerk, *Charles William Shuckburgh* Clerk, *Chriſtopher Rigby Collins* Clerk, *W. S. Wapſhare* Clerk, *William Dally*, *Walter Fitz Henry Larkam*, *Robert Bracher Larkam*, *Charles Nicholſon*, *Edward Andrews Nicholſon*, *James Smith*, *James Sidford*, *Henry King* of Compton Chamberlayne, *William Rowden*, *James Randall*, *William Randall*, *George Newman*, *Henry Bracher*, *John Green*, *William Thring*, and *Henry Hubbard*, together with the Truſtees appointed by or in purſuance of the ſaid recited Acts or any of them, ſhall be and are hereby appointed and declared to be Truſtees for carrying this Act and the ſaid recited Acts into Execution; and the Truſtees herein-before named and their Succeſſors, being qualified according to the Directions contained in the ſaid recited Acts, ſhall be and they are hereby empowered and authorized to act in the Execution of the ſaid recited Acts and of this Act, as fully and effectually to all Intents and Purpoſes, as if they had been appointed Truſtees in or by the ſaid recited Acts, or any of them; and the Truſtees and their Succeſſors appointed or to be appointed by or in purſuance of the ſaid recited Acts or any of them, ſhall be and they are hereby empowered and authorized to act in the Execution of this Act and the ſaid recited Acts, as fully and effectually to all Intents and Purpoſes as if they had been named in this Act.

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 Twenty in the Whole, to be Truſtees for the Purpoſes of this Act and the ſaid recited Acts, 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 Authority for executing this Act and the ſaid recited Acts, as if they had been hereby nominated and appointed.

Truſtees may ſue and be ſued in the Name of their Clerk or Treaſurer.

IV. And be it further enacted, That the ſaid Truſtees may ſue or be ſued for or concerning any Thing to be done by virtue or in purſuance of the ſaid recited Acts, or either of them and this Act, either in the Names of the Truſtees who may be Parties to any Deed or Inſtrument in Writing upon which any Action ſhall or may be brought, or in the Name of their Clerk or Treaſurer for the Time being; and that no Action or Suit, to be brought or commenced by the Direction of or againſt the ſaid Truſtees in their Names, or in the Name of any of them, or in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death, Incapacity

Incapacity or Removal of any Truſtee or Truſtees, or Clerk or Treaſurer, or by the Act of any ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees, or any Five or more of them; but that in Caſes where the Action ſhall be brought by or againſt ſuch Truſtees as aforeſaid, the ſame ſhall be continued and carried on in the ſame Names of Truſtees, as if ſuch Truſtees or any of them had not died, become incapacitated or removed; and that the Clerk or Treaſurer for the Time being to the ſaid Truſtees, in caſe ſuch Action ſhall be brought by or againſt, or defended in the Name of ſuch Clerk or Treaſurer, ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action or Suit: Provided always, that ſuch Truſtees, or Clerk or Treaſurer, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted or defended in purſuance of this Act, or the ſaid recited Acts, or either of them, ſhall be fully paid and reimburſed out of the Monies ariſing by virtue of the ſaid recited Acts, or either of them, and this Act, all ſuch Coſts, Charges, Damages and Expences, as by the Event or in conſequence of any ſuch Action or Proceeding he or they ſhall bear, pay, expend, or be put unto or become chargeable with, by reaſon of their or his being made Plaintiff or Defendant as aforeſaid.

Turnpikes may be erected on new Road.

V. And be it further enacted, That all and every the Powers and Proviſions contained in the ſaid recited Acts for the Erection, making or providing of Turnpikes, or Toll Gates and Toll Houſes, Gardens and Appurtenances, and the demanding, receiving and recovering of Tolls, ſhall be extended to this Act, and ſhall and may be exerciſed, uſed and put in Execution with reſpect to the new Road hereby authorized to be made, as fully and effectually as if ſuch new Road had been Part of the Roads compriſed in the ſaid recited Acts.

Former Tolls repealed.

VI. And be it further enacted, That from and immediately after the paſſing of this Act, all the Tolls granted by the ſaid recited Acts, or any of them, ſhall ceaſe, determine and be no longer paid or payable; and that inſtead or in lieu thereof, there ſhall be demanded and paid at each of the Toll Gates or Turnpikes already erected on the ſaid Roads, or to be continued or erected by virtue of this Act, or the ſaid recited Acts, or any of them, the ſeveral Tolls and Sums of Money herein-after mentioned, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; (that is to ſay),

New Tolls granted.

For every Coach, Berlin, Landau, Chariot, Chaiſe, Calaſh, Chair, Hearſe, Litter, or other ſuch Carriage, drawn by Six Horſes or other Beaſts, the Sum of Two Shillings and Three-pence; and drawn by 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 for every Chaiſe, Chair, or other ſuch Carriage, drawn by One Horſe or other Beaſt only, the Sum of Four-pence Halfpenny:

For every Caravan, Waggon, Cart, Dray, or other ſuch Carriage, drawn by Six or more Horſes, or other Beaſts, the Sum of Two Shillings and Three-pence; and drawn by Four Horſes or other Beaſts, the Sum of One Shilling and Sixpence; and drawn by Three Horſes or other Beaſts, the Sum of One Shilling and One Penny Halfpenny; and drawn by Two Horſes or other Beaſts, the Sum of Nine-pence; and for every Cart or other ſuch Carriage, drawn by One Horſe or other Beaſt, the Sum of Four-pence Halfpenny:

For every Horſe, Mule or Aſs, or other Beaſt of Burden, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen, Cows or 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, Hogs, Sheep or Lambs, the Sum of Four-pence *per* Score, and ſo in Proportion for any greater or leſs Number.

Which ſaid Tolls and Duties by this Act granted and made payable, ſhall be and are hereby veſted in the Truſtees for the Time being for carrying this Act and the ſaid recited Acts into Execution, and ſubject to the Reſtrictions herein-after contained, ſhall be received and taken at each and every of the Toll Gates or Toll Bars already erected on the ſaid Roads, or to be continued or erected upon the ſaid Roads by virtue of this Act or the ſaid recited Acts, in addition to all ſuch Tolls as by any Act or Acts of Parliament for regulating the Turnpike Roads in that Part of the United Kingdom called *England*, are or ſhall be payable for Carriages in reſpect of Overweights, or having the Wheels of a certain Breadth or Conſtruction, and ſhall be paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of and aſſigned in ſuch Manner, and with, under, and ſubject to ſuch Limitations and Reſtrictions as the Tolls and Duties granted by the ſaid recited Acts or any of them are thereby authorized and directed to be received, paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed and aſſigned.

Tickets to be printed, &c.

VII. And be it further enacted, That upon Payment of any of the Tolls granted or made payable by or by virtue of the ſaid recited Acts, or either of them, or this Act, 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 which Notes or Tickets ſhall be provided by the ſaid Truſtees; and there ſhall be printed and ſpecified thereon the Names of the ſeveral or reſpective Gates which ſuch Tickets ſhall free, or which ought under the Proviſions of the ſaid recited Acts or this Act, to be paſſed free for one Payment of Toll.

Diſputes concerning Tolls to be ſettled by a Juſtice.

VIII. And be it further enacted, That in caſe any Diſpute ſhall happen reſpecting the demanding or taking, or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping any Diſtreſs, ſuch Diſputes ſhall be heard and determined by ſome Juſtice of the Peace for the County or Place in which the Cauſe of Diſpute ſhall ariſe, who, upon Application to him made for that Purpoſe, ſhall examine the Matter upon Oath of the Parties, or other Witneſs or Witneſſes (which Oath every ſuch Juſtice is hereby authorized and empowered to adminiſter) and ſhall determine the Amount of the Tolls due, and other Matters in Diſpute between the Parties, and may alſo award ſuch Coſts to be paid by either Party to the other as to ſuch Juſtice ſhall ſeem right and proper; all which Coſts, in caſe the ſame ſhall not be forthwith paid, ſhall and may be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo directed to pay the ſame, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) after Payment of ſuch Coſts, and the Coſts of ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained.

Only Two Tolls to be taken for paſſing through all the Toll Gates.

IX. Provided always, and be it further enacted, That no more than Two Tolls ſhall be demanded or taken from any Perſon or Perſons for paſſing and repaſſing on the ſame Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next ſucceeding Night, with the ſame Horſe, Beaſt, Cattle or Carriage, through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, and that no more than One ſuch Toll ſhall be taken upon any Part of the ſaid Roads within the Diſtance of Ten Miles: Provided alſo, that Stage Coaches (not carrying Mails or Expreſſes under the Authority of His Majeſty's Poſtmaſter General), ſhall be liable to the Payment of Toll for every Time of paſſing and re-paſſing through the ſaid Toll Gates or Turnpikes; but ſuch Coaches ſhall nevertheleſs be entitled to paſs through all the ſaid Toll Gates or Turnpikes once, on the Payment of Two Tolls as before limited.

No Toll to be taken for Cattle paſſing from one Part of a Pariſh in which a Toll Gate may be ſituated, to another Part of the ſame Pariſh.

X. Provided always, and be it further enacted, That no Perſon reſident in any Pariſh, Hamlet, Townſhip or Place, in which any Turnpike Gate or Gates is or are or may be placed or erected by virtue of the ſaid recited Acts or this Act, ſhall be ſubject or liable to the Payment of any Toll in reſpect of his, her or their Horſes, Cattle or Carriages which ſhall be paſſing only from one Part of the Pariſh, Hamlet, Townſhip or Place in which ſuch Toll Gate or Gates is or are or may be placed, and in which ſuch Perſon ſhall reſide to another Part of the ſame Pariſh, Hamlet, Townſhip or Place; but ſuch laſt mentioned Exemption ſhall not extend or be conſtrued to extend to any Perſon or Perſons, Horſes, Cattle and Carriages, which ſhall be travelling or paſſing from and out of and beyond the Limits of the Pariſh, Hamlet, Townſhip or Place in which ſuch Turnpike Gate or Gates may be ſituated; any Thing herein contained to the contrary notwithſtanding.

No Toll to be taken for paſſing from certain Places to Wilton.

XI. Provided alſo, and be it further enacted, That no Toll ſhall be demanded or taken of any Inhabitant of the Town or Pariſh of *Wilton*, at any Toll Gate or Turnpike which ſhall be continued or erected by virtue of this Act, at the Toll Gate or Bar in the Hamlet of *Bulbridge*, for or in reſpect of their Horſes, Beaſts, Cattle or Carriages of any Deſcription, nor for or in reſpect of the Horſes, Beaſts, Cattle or Carriages, of any other Perſon or Perſons, who ſhall only paſs through the ſaid Toll Gate or Turnpike to, or be returning from, the ſaid Town or Pariſh; provided that ſuch Inhabitant or other Perſon or Perſons ſhall not travel or paſs upon any other Part of the Roads compriſed in this Act on the ſame Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the ſucceeding Night.

Truſtees empowered to divert the Line of a Part of the Roads.

XII. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken at the Turnpike Gate erected near the Priory at *Wilton*, for or in reſpect of any Cattle or Carriage laden only with, or going empty or unladen for, or returning empty or unladen, after having been laden only with Wood from *Groveley Wood*, otherwiſe *Groveley Foreſt*, for the Uſe of the Inhabitants of the Town or Pariſh of *Wilton*, or any or either of them; provided ſuch Cattle and Carriages paſs through a Lane or Road called *Back Ditchampton Lane*, and branching out of the ſaid Turnpike Road near the ſaid Priory, and leading towards the Pariſh of *Wiſhford*, and to *Groveley* aforeſaid, notwithſtanding ſuch Carriages,

or

or any of them, ſhall not have the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, as directed by an Act paſſed in the Thirteenth Year of the Reign of His preſent Majeſty, intituled *An Act to explain, amend and reduce into one Act of Parliament the General Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; any Thing in the ſaid Act contained, or in any former Act or Acts contained to the contrary in anywiſe notwithſtanding.

Exemptions from Tolls.

XIII. And be it further enacted, That all Exemptions from Tolls compriſed in the ſaid recited Acts or any of them ſhall ceaſe and be void; and in lieu thereof, the ſeveral Exemptions from Tolls herein-after mentioned ſhall be allowed; (that is to ſay), no Toll ſhall be demanded or taken for any Horſe or Carriage paſſing through any of the Turnpikes or Toll Gates which ſhall be continued or erected by virtue of this Act, upon or on the Sides of the ſaid Roads, when going or returning and ſolely employed in carrying or conveying Stones, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel or other Materials, to be uſed in or about the Repairs of the ſaid Roads or any of them, or any Highways in the Pariſhes, Townſhips, Diſtricts or Places which are liable to perform Statute Duty upon the ſaid Roads or any of them; or any Hay, Corn in the Straw, or other Produce of Lands not ſold or diſpoſed of, but going to be laid up in the Houſes, Out-houſes, Barns or Yards of the Owners thereof; or any Ploughs, Harrows, or other Implements of Huſbandry, to be uſed in the Cultivation of Lands, or any Lime, Dung, Compoſt, or other Manure to be uſed or laid upon Lands or Grounds; nor ſhall any Toll be demanded or taken for any Horſes, Mares, Geldings, Mules, Aſſes or Cattle, going to or returning from Work in cultivating the Lands within the ſame Pariſhes, Townſhips, Diſtricts or Places, or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs or Hogs, going to or returning from Paſture on the Commons or other Grazing Grounds, or Watering-places, or Blackſmiths Shops to be ſhod, or having been ſhod; nor for any Horſe or other Beaſt of Draught or Carriage employed in carrying or conveying any Furze, Heath, Turf or Heather for Fuel, nor in going or returning empty when ſo employed; nor ſhall any Toll be paid by any Rector, Vicar or Curate, going to officiate or returning from officiating at any Church, Chapel, or other Place of Religious Worſhip, or when viſiting his ſick Pariſhioners, or upon any other his Parochial or Miniſterial Duty; nor by any Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts or Places, who ſhall paſs through any of the ſaid Turnpikes or Toll Gates, to or from Church, Chapel, or other Place of Religious Worſhip, or who ſhall attend the Funeral of any Perſon who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts or Places; nor for any Horſes or Carriages of whatſoever Deſcription, 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 the ſame, or in going for or returning from conveying the ſame; nor for the Horſes of Soldiers on the March or on Duty; nor for Carriages, Horſes or other Beaſts, employed in carrying the Arms or Baggage of ſuch Soldiers; nor for any Horſe, Mare or Gelding furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the

Days

Days 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 for such Corps respectively, at the Time of claiming such Exemption; 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 Public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces; nor for any Carriage, Horse or other Beast employed in the Conveyance of Vagrants travelling with legal Passes, or travelling with Vagrants sent by legal Passes; nor for any Horse or Carriage going to or returning from any Election of any Representative or Representatives to serve in Parliament for the County of *Wilts*, or for the City of *New Sarum*, or for the Boroughs of *Wilton*, *Devizes*, *Hindon*, and *Heytesbury*, or either of them, in the said County of *Wilts*, on the Day or Days of any such Election, or on the Day before or Day after any such Election shall begin and be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, or of any other Exemption from any of the Tolls hereby granted, not being entitled thereto, or shall make use of any Fraud whatsoever, whereby the Payment of the said Tolls or any Part thereof shall be evaded, every such Person for every such Offence, shall forfeit and pay a 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 Act; and in all Cases the Proof of Exemption shall be upon the Person claiming the same.

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

XIV. 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 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 contained to the contrary notwithstanding.

For preventing Toll Collectors from taking undue Tolls, or misbehaving.

XV. 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 Two Inches 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

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 anyways 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 the said recited Acts or this Act directed to be recovered and applied.

Repealing Part of former Act respecting Evasion of Toll.

XVI. And be it further enacted, That so much of the said recited Act of the First Year of the Reign of His present Majesty, as enacts, that if any Person or Persons, owning or occupying any Land near to any of the said Turnpikes, shall permit or suffer any Person or Persons to pass through any Gate, Passage, Field, Inclosure or Private Way with any Coach, Waggon or other Carriage, Horse or other Cattle; or if any Person or Persons shall pass through any such Gate, Passage, Field, Inclosure or Private Way, with any Cattle or Carriage as aforesaid, whereby the Payment of any of the said Tolls or any Part thereof shall be avoided; or if any Person or Persons shall take off or cause to be taken off any Horse or other Cattle from any such Carriage, with an Intent to avoid paying any of the said Tolls or any Part thereof; or shall leave or cause to be left upon or near to any of the said Roads any Cattle or Carriage as aforesaid, with such Intent as aforesaid, every Person so offending in any of the Cases aforesaid, shall for every such Offence forfeit the Sum of Twenty Shillings, shall be and the same is hereby repealed.

Penalty on permitting or using Private Passage.

XVII. Provided always, and be it further enacted, That if any Person or Persons, owning or occupying any Land near to any of the said Turnpikes, shall permit or suffer any Person or Persons to pass through any Gate, Passage, Field, Inclosure or Private Way, with any Coach, Waggon or other Carriage, Horse or other Cattle; or if any Person or Persons shall pass through any such Gate, Passage, Field, Inclosure or Private Way, with any Cattle or Carriage as aforesaid, for the Purpose of avoiding Payment of the said Tolls; or if any Person or Persons shall take off or cause to be taken off any Horse or other Cattle from any such Carriage, for the Purpose of evading Payment of any of the said Tolls or any Part thereof; or shall leave or cause to be left upon or near to any of the said Roads any Cattle or Carriage as aforesaid, with such Intent as aforesaid, every Person

so offending in any of the Cases aforesaid, shall for every such Offence forfeit the Sum of Forty Shillings.

Trustees empowered to divert the Line of a Part of the Roads;

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, when and as soon as they shall think it fit and expedient, at any Meeting to be holden in pursuance of this Act, Fourteen Days Notice of the Time, Place, and Purpose of such Meeting being first inserted in some Newspaper published or generally circulated in the said County of *Wilts*, to order and direct such Deviation and new Road as herein-before mentioned to be set out, made and completed; and from and after the making of any such Order, a convenient Carriage Road from the said Pound in the said Parish of *Dinton*, or near thereto, through the said Parish of *Dinton* and the Parishes of *Teffont Evias* and *Teffont Magna* aforesaid, to join the said Road leading to *Willoughby Hedge*, at or near *Spark's Bridge* aforesaid, shall accordingly be set out, made and completed by the said Trustees, or any Five or more of them, or by their Order, in the Course and Direction specified in the Map or Plan hereinafter particularly mentioned or referred to; and for effecting those Purposes, all and every the Powers, Authorities, Directions and Provisions in the said recited Acts contained, with respect to the widening, turning or altering the Course or Direction of any of the Roads comprised in the said recited Acts or any of them, and purchasing Lands for those Purposes, and making Satisfaction for Damages occasioned thereby, shall be in full Force and Effect, and shall be duly enforced, practised, applied and put in Execution for opening and making the said new Road and maintaining and repairing the same; and the said recited Acts and this Act, and all and every the Powers, Authorities, Directions, Clauses and Provisions therein respectively contained, shall extend to the said new Road, as fully and effectually to all Intents and Purposes as if the same had been Part of the Roads comprised in and directed to be made and repaired by the said recited Acts or any of them; and after such new Road shall be made and opened for the Use of the Public, the said Trustees shall be and they are hereby declared to be discharged from the Repairs of that Part of the said Roads herein-before described as leading from *Fisherton Bridge* aforesaid to the Turnpike Road at *Willoughby Hedge* aforesaid, beginning at or near the Pound in the Parish of *Dinton*, and leading to a Bridge called *Spark's Bridge*, in the Parish of *Teffont Magna*.

and discharged from Repairs of the old Road.

Trustees restrained from deviating beyond a certain Distance from the Lines prescribed in the Map or Plan.

XIX. And whereas a Map or Plan describing the Line of the said new Road, and the Lands, Hereditaments and Premises through or over which the same is intended to be made or carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands and Premises, has been deposited at the Office of the Clerk of the Peace for the said County; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may, at any seasonable Time or Times have liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One Hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and that the said Trustees in making the said new Roads described in the said Map or Plan, or any of them, shall not deviate more than

than One Hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate or Collegiate, through whose Lands or Premises such Deviation or Deviations shall be made.

Trustees may make Roads though Names are omitted in the Book of Reference.

XX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Roads, or any of them, into, through, across, or over the several Lands, Hereditaments or Premises of any Person or Persons who is or are or may be Owner or Owners of Land or Premises, over which the same are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mistated in the said Book of Reference; in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees restrained from pulling down Buildings, and from entering Plantations, &c. without the Consent of the Owner.

XXI. Provided also, and be it further enacted, That the Powers and Authorities hereby given shall not extend or be construed to extend, to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building; or to take in or make use of any Orchard, Garden, Yard, Paddock, Park, planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except such as are situate on the Line described in the said Map or Plan.

Application of Compensation if amounting to 200l.

XXII. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements or Hereditaments, to be purchased, taken or used by virtue of the Powers of the said recited Acts or of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Tenant or Tenants for Life or for Years, Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or other Trustee for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, 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 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 or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or other Incumbrances 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, as the said High Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same

shall

shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited and settled, to, for and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken or used as aforesaid, stood, settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, or capable of taking Effect; and in the Meantime and until such Purchase shall be made, the said Money shall, by Order of the said High 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 Meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest 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 so to be purchased, in case such Purchase or Settlement was made.

Where less than 200l. and above 20l.

XXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, to be 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 or amount to 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, Idiotcy, Lunacy or other Incapacity, to be signified in Writing under their respective Hands, 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, 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 for executing the said recited Acts and this Act, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends and Produce arising thereon and therefrom, may be applied in any Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Where under 20l.

XXIV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken or used for the Purposes of the said recited Acts or this Act, in such Manner as the said Trustees or

any Five or more of them ſhall think fit; or in caſe of Infancy, Idiotcy, Lunacy or other Incapacity, then ſuch Money ſhall be paid to his, her or their Guardian or Guardians, Committee or Committees, Truſtee or Truſtees, to and for the Uſe and Benefit of ſuch Perſon or Perſons reſpectively entitled thereto.

In caſe of not making out a good Title, or Perſons cannot be found, the Purchaſe Money to be paid into the Bank, ſubject to the Order of the Court of Chancery on Petition.

XXV. 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, taken or uſed, under or by virtue of the Powers of the ſaid recited Acts or this Act, for the Purpoſes aforeſaid, 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 Accountant General of the High Court of Chancery, to be placed to his Account there, 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 Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying therein 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 of *England* as aforeſaid.

In caſe of diſputed Titles.

XXVI. 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 High Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, Title or Intereſt in any Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of the ſaid recited Acts or this Act, for the Purpoſes aforeſaid, 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

tisfaction 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.

Court may order reaſonable Expences to be paid by the Truſtees.

XXVII. 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, taken or uſed, under the Authority of the ſaid recited Acts or this Act, for the Purpoſes aforeſaid, the Purchaſe Money for the ſame ſhall be required to be paid into the High Court of Chancery, and be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful 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 to the ſaid Court ſhall ſeem 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 recited Acts or this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes, as the ſaid Court ſhall direct.

Materials not to be taken from incloſed Grounds without Conſent of the Owners, or an Order of Two Juſtices.

XXVIII. Provided always, nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Perſon or Perſons under the Authority of this Act, or of the ſaid recited Acts, or any of them, to dig, gather, take and carry away, any Materials for repairing and amending the ſaid Roads, in or from any incloſed or private Grounds or Quarries, without the Conſent of the Owners and Occupiers of ſuch Grounds or Quarries, until after Ten Days previous Notice in Writing, ſigned by the ſaid Surveyor or ſome Officer of the ſaid Truſtees, ſhall have been given to the ſaid reſpective Owners or Occupiers of the Lands or Grounds from which ſuch Materials are intended to be taken, or left at the uſual Place of Reſidence of ſuch Owners or Occupiers reſpectively, requiring them to appear before Two or more Juſtices of the Peace, acting for the County or Diſtrict wherein the ſaid Lands are ſituate, at a certain Time and Place to be ſpecified in ſuch Notice, to ſhew Cauſe why ſuch Materials ſhould not be taken away; and ſuch Juſtices, after hearing the Parties concerned, and no ſufficient Cauſe having been ſhewn to the contrary, ſhall, if they think proper, authorize ſuch Surveyor or other Officer to dig, gather, take and carry away any ſuch Materials, at ſuch Time or Times and in ſuch Manner as to ſuch Juſtices ſhall ſeem proper; or if ſuch reſpective Owners or Occupiers ſhall not by themſelves or their reſpective Agents attend purſuant to ſuch Notice, ſuch Juſtices may make ſuch Order therein as they ſhall think fit, in the ſame Manner as if ſuch reſpective Owners or Occupiers had attended purſuant to ſuch Notice.

Statute Labour.

XXIX. And be it further enacted, That ſo much of the ſaid recited Acts or any of them, as relates to the Performance of Statute Labour on any of the Roads compriſed in this Act, or any Part thereof, ſhall be and the ſame is hereby repealed; and that all Perſons who by Law are or ſhall be liable to do or perform Statute Work or Duty, or are or ſhall be chargeable

able towards repairing and amending the Roads by the ſaid recited Acts or this Act directed to be made, widened, repaired and maintained, or any Part thereof, ſhall ſtill be and remain liable thereto in like Manner as heretofore; and that it ſhall be lawful for any Two or more Juſtices of the Peace within their reſpective Juriſdictions, and they are hereby empowered and required (upon Application made to them for that Purpoſe by the ſaid Truſtees, or any Two or more of them, or by their Clerk or Surveyor by their Order) yearly to adjudge, apportion and determine what Part or Proportion and how much of the Statute Work or Duty ſhall every Year be done and performed upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes, Townſhips, Hamlets, Diſtricts, Diviſions or Places in which the ſaid Roads do lie, and alſo what Proportion and how much of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, Hamlet, Diſtrict, Diviſion or Place, in lieu of or as a Compoſition for ſuch Statute Work or Duty, ſhall be by him, her or them paid to the ſaid Truſtees or to their Treaſurer; and in order thereunto, it ſhall be lawful for ſuch Juſtices reſpectively from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Townſhip, Hamlet, Diſtrict, Diviſion or Place, to bring in Liſts unto and before ſuch Juſtices, at ſome Place and Time to be expreſſed in ſuch Summons (within Seven Days after the ſerving of ſuch Summons) containing the Names of the ſeveral Perſons who, within ſuch Pariſh, Townſhip, Hamlet, Diſtrict, Diviſion or Place, are by Law ſubject and liable to do and perform Statute Work or Duty for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work or Duty, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and ſpecifying 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 limited, directed, and appointed by any Law or Statute in force and effect for the Repair of the Public Highways; and out of ſuch Liſts the ſaid Juſtices reſpectively ſhall or may allot, appoint, order and direct ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to Statute Work or Duty as aforeſaid, to do and perform ſuch Number of Days Statute Work or Duty in every Year upon the ſaid Roads, as the ſaid Juſtices ſhall reſpectively think reaſonable and proper; and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Seed-time, Hay-time, or Harveſt) and on ſuch Part or Parts of the ſaid Roads, as the ſaid Truſtees or their Surveyor or Surveyors for the Time being, ſhall from Time to Time order, direct and appoint; and the ſaid Juſtices reſpectively may alſo order, apportion, direct and appoint the Perſons who by ſuch Liſts ſhall appear to be ſubject or liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work or Duty as aforeſaid, to pay ſuch Proportion thereof as the Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Truſtees ſhall direct, and in default of Payment thereof, the ſame ſhall or may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts or this Act authorized to be recovered; and each and every Perſon who ſhall neglect or refuſe to do and perform 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

Juſtices to determine Differences touching Statute Work.

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, Horſe or Beaſt, 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 the Perſon ſo coming to work, or ſending ſuch Labourer as aforeſaid, ſhall be ſubject and liable to the reſpective Forfeitures and Penalties aforeſaid, as if he had neglected or refuſed to come or ſend a Labourer, or furniſh ſuch Team or Draught, Horſe or Beaſt, to work on any Part of the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes, Townſhips, Hamlets, Diſtricts, Diviſions or Places in which the ſaid Roads lie, 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 Ten Pounds; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads.

For paying the Expences of this Act.

XXX. And be it further enacted, That the Coſts, Charges and Expences incurred and paid, or to be incurred and paid in and about or incident to and attending the obtaining and paſſing of this Act, and all Money advanced, or which ſhall be advanced by any Perſon or Perſons from Time to Time for that Purpoſe, together with lawful Intereſt, ſhall in the firſt Place, and in preference to all other Payments whatſoever, be paid and diſcharged out of any Money already raiſed or received by virtue of the ſaid recited Acts, or either of them, or out of any Monies which ſhall be received or raiſed by virtue of the ſaid recited Acts or this Act, or which ſhall be borrowed upon the Credit of the Tolls, or upon the Credit of the ſaid recited Acts and this Act.

Public Act.

XXXI. 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.

Former Term repealed, and a new one granted.

XXXII. And be it further enacted, That the Term granted and continued by the ſaid recited Acts, ſhall, on the paſſing of this Act, ceaſe, end, and determine; and that this Act and the ſaid recited Acts (except ſo much thereof as is by this Act varied, altered, amended or repealed), ſhall from thenceforth commence, continue, and be in force and effect, 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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