ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 27.

An Act for continuing and amending Five Acts passed for repairing several Roads leading from the Towns of *Hertford* and *Ware*, and other Places, in the County of *Hertford*. [1st *April* 1813.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the First, intituled *An Act for repairing the Roads therein mentioned from the Parish of* Enfield, *in the County of* Middlesex, *to the Town of* Hertford, *and to the Great Bridge in* Ware, *in the County of* Hertford: And whereas another Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for making more effectual an Act passed in the Eleventh Year of the Reign of His late Majesty King* George *the First, for repairing the Roads therein mentioned from the Parish of* Enfield, *in the County of* Middlesex, *to the Town of* Hertford, *and to the Great Bridge in* Ware, *in the County of* Hertford, *and for amending the Road from the said Great Bridge to the South End of the Great Bridge at* Wade's Mill, *and from the great Road at* Chesthunt *to the West End of Small* Lea Bridge, *in the said County of* Hertford: And whereas another Act was passed in the Twenty-sixth Year of the Reign of King *George* the Second, intituled *An Act for continuing and giving further Powers to the Trustees for putting in Execution Two Acts of Parliament for repairing the Roads from the Parish of* Enfield, *in the County of* Middlesex, *to the Town of* Hertford, *and other Roads in the said Acts mentioned:* And whereas another Act was passed in the Twelfth Year of the Reign of His present

11 G. 1. c. 11.

6 G. 2. c. 15.

26 G. 2. c. 56.

12 G. 3. c. 84. Majeſty, intituled *An Act to continue and render more effectual ſeveral Acts for repairing the Roads from the Pariſh of* Enfield *in the County of* Middleſex, *to the Town of* Hertford, *and other Roads in the ſaid Acts mentioned, and alſo for repairing the Road from the End of the Town of* Hertford *to* Amwell End *near* Ware, *in the ſaid County of* Hertford: And whereas another Act was alſo paſſed in the Thirty-ninth Year of the Reign of His
39 G. 3. c. 19. preſent Majeſty, intituled *An Act for continuing for Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament, the Term and altering and enlarging the Powers of ſeveral Acts paſſed in the Eleventh Year of the Reign of King* George *the Firſt, the Sixth and Twenty-ſixth Years of His late Majeſty, and in the Twelfth Year of the Reign of His preſent Majeſty, for repairing the Roads from the Pariſh of* Enfield *in the County of* Middleſex, *to the Town of* Hertford, *and from the End of the Town of* Hertford *to* Amwell End *near* Ware *in the County of* Hertford, *and other Roads in the ſaid Acts mentioned:* And whereas in purſuance of the Proviſions contained in 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 effectually improved and maintained, and kept in good and ſufficient Repair, unleſs the ſaid Acts be continued for a further Term, and the Tolls thereby granted, altered, and increaſed; and it is alſo expedient that divers of the Powers and Proviſions contained in the ſaid recited Acts, or ſome of them, ſhould be altered, amended, or repealed; and that other Powers and Proviſions ſhould be enacted 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 recited Acts of the Eleventh Year of the Reign of His ſaid late Majeſty *George* the Firſt, and of the Sixth and Twenty-ſixth Years of the Reign of His ſaid late Majeſty *George* the Second, and of the Twelfth and Thirty-ninth Years of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, Proviſions, Matters and Things therein contained and now in force (except ſo far as the ſame are hereby altered, varied, or repealed), and alſo the Tolls, Powers, Authorities, Clauſes, and Proviſions in this Act contained, ſhall be and continue in full Force and Effect for amending, widening, improving, maintaining, and keeping in repair the Roads leading from the Pariſh of *Enfield* in the County of *Middleſex* to the Town of *Hertford*, and to the Great Bridge in *Ware*, in the County of *Hertford*; and from the ſaid Great Bridge in *Ware* to the South End of the Great Bridge at *Wade's Mill*, in the Pariſh of *Thundridge*, and from *Waltham Croſs*, in the Pariſh of *Cheſhunt*, to the Weſt End of Small *Lea Bridge*, in the ſaid Pariſh of *Cheſhunt*; and alſo from the Town of *Hertford* aforeſaid to *Amwell End*, near *Ware* aforeſaid, during the Term herein-after mentioned; which ſaid Term hereby granted ſhall be, and is hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing on the Credit and Security of the ſaid Acts, or any of them, and of ſuch Sums of Money as ſhall be borrowed in purſuance of this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Former Acts continued for a further Term.

II. And

Truſtees may call ſpecial Meetings upon Emergencies.

II. And be it further enacted, That it ſhall be lawful for any Seven or more of the Truſtees, authorized to put in Execution the ſaid recited Acts and this Act, from Time to Time, upon any emergent or particular Occaſion, to call a Meeting of the Truſtees, to be held at the Houſe or Place where the preceding Meeting of the Truſtees was held, ſuch Truſtees ſo deſiring or calling ſuch Meeting cauſing Seven Days Notice at the leaſt to be given by the Clerk to the ſaid Truſtees in Writing, to be affixed upon all the Turnpikes then erected upon the ſaid Roads; and the Acts of the ſaid Truſtees, or the major Part of them, ſuch major Part not being leſs than Seven at ſuch Meetings, ſhall be as effectual as if the ſame were done at a Meeting held by Adjournment.

Allowance to Treaſurer.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees out of the Money to be collected or received by virtue of this Act, to allow to their Treaſurer ſuch Salary or Allowance as they ſhall think reaſonable for his Trouble and Expences in the Execution of this Act.

Actions by or againſt Truſtees to be brought and defended in Name of the Treaſurer.

IV. And be it further enacted, That all Actions or Suits, to be commenced or proſecuted by or againſt the ſaid Truſtees, touching the Execution of the ſaid recited Acts, and this Act, or any of them, may be brought or defended in the Name of or againſt the Treaſurer to the ſaid Truſtees; and that no ſuch Action or Suit ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer from his Office, or by any Act of ſuch Treaſurer, to be done without the Conſent of Five or more of the ſaid Truſtees, but that the Treaſurer to the ſaid Truſtees for the Time being, ſhall be always conſidered as the Plaintiff or Defendant in ſuch Action or Suit (as the Caſe ſhall be); but no ſuch Treaſurer, his Executors or Adminiſtrators, or his or their Lands, Tenements, Goods, or Chattels, ſhall be liable to the Coſts of any ſuch Action or Suit; and that the ſaid Truſtees, or any Five or more of them, ſhall and may from Time to Time commence, proſecute, and maintain any Action, Suit, Bill, Information, or Indictment, for any Matter or Thing done or omitted, contrary to the ſaid recited Acts, and this Act, or any of them; and alſo ſhall and may defend any Action, Suit, Bill, Information, or Indictment to be brought, commenced, or proſecuted againſt the ſaid Truſtees, or any of them, or their Treaſurer, Surveyor, or other Perſon or Perſons appointed by or acting under them, for any Thing done under the ſaid recited Acts, and this Act, or any of them, in executing the Orders of the ſaid Truſtees, and ſhall and may pay the Coſts and Charges of every ſuch Action, Suit, Proſecution, and Defence, out of the Money to be received by virtue of the ſaid recited Acts, and this Act, or any of them.

Relief to the Inhabitants of Cheſhunt from Toll.

V. And whereas there are Three Turnpike Gates erected upon the Roads directed to be repaired by the ſaid recited Acts, and this Act, one whereof is called the *South Gate*, and is within the Pariſh of *Cheſhunt* aforeſaid, near the Pariſh of *Enfield* aforeſaid, one other is called the *Waltham Lane Gate*, and is within the ſaid Pariſh of *Cheſhunt*, near the Pariſh of *Waltham Holy Croſs*, in the County of *Eſſex*, and the other of the ſaid Gates is called the *North Gate*, and is within the ſaid Pariſh of *Cheſhunt*, by reaſon whereof the Inhabitants of the ſaid Pariſh of *Cheſhunt* are liable to a much greater Proportion of Toll than the Inhabitants of the other Pariſhes through which the ſaid Roads do paſs; and in order to give

ſuch Inhabitants of the ſaid Pariſh of *Cheſhunt* ſome Relief from ſuch Exceſs of Toll, be it further enacted, That ſo long as the ſaid Gates ſhall continue in the ſame Places or Situations they now are, or in caſe of their or either of their Removal to any other Part of the ſaid Pariſh of *Cheſhunt*, or into the Pariſh of *Wormley*, in the ſaid County of *Hertford*, the Horſes, Waggons, Carts, Cattle, and Carriages belonging to any of the Occupiers of Lands or Tenements, being in or Inhabitants of the ſaid Pariſh of *Cheſhunt*, ſhall, at all Times, paſs through the ſaid North Turnpike Gate Toll free; and if any Perſon ſhall claim ſuch Exemption from Toll, not being entitled thereto, ſuch Perſon ſhall forfeit any Sum not exceeding Ten Pounds to the ſaid Truſtees, to be recovered as any Penalties or Forfeitures are authorized to be recovered by the ſaid recited Acts.

Exempting Inhabitants of Waltham Holy Croſs from Payment of Toll at Waltham Lane Gate.

VI. And be it further enacted, That ſo long as the *Waltham Lane* Toll Gate ſhall continue, the Horſes, Waggons, Carts, Cattle and Carriages belonging to any of the Occupiers of Lands or Tenements being in or Inhabitants of the ſaid Pariſh of *Waltham Holy Croſs*, ſhall at all Times paſs through the ſaid Turnpike Gate in *Waltham Lane*, Toll free.

Exemption from Toll at Waltham Lane Gate not to extend beyond the Pariſh of Cheſhunt.

VII. And be it further enacted, That ſuch laſt-mentioned Exemption from the Payment of Tolls at the *Waltham Lane* Gate, ſhall not extend in any Caſe to exempt ſuch Occupiers or Inhabitants from the Payment of Tolls in the Event of their paſſing through either or any of the other Gates, or going beyond the Limits of the ſaid Pariſh of *Cheſhunt*; but in ſuch Caſe they ſhall become liable to the Payment of all and every Toll or Tolls impoſed by this Act, as though the above Exemption had not been given to them, any Thing herein contained to the contrary notwithſtanding; and if any Perſon ſhall claim or take the Benefit of ſuch laſt-mentioned Exemption not being entitled thereto, ſuch Perſon ſhall forfeit any Sum not exceeding Ten Pounds to the ſaid Truſtees, to be recovered and applied as other Penalties or Forfeitures are authorized to be recovered by the ſaid recited Acts.

New Tolls taken in lieu of the former.

VIII. And be it further enacted, That from and after the Commencement of this Act, the ſeveral Tolls and Duties granted and made payable by the ſaid recited Acts, or any of them, ſhall ceaſe and determine; and that from thenceforth, in lieu thereof, there ſhall be demanded and taken at each and every Toll Gate to be continued or erected by virtue of this Act the ſeveral Tolls and Duties herein-after mentioned, that is to ſay:

Tolls.

For every Coach, Berlin, Landau, Chariot, Chaiſe, Chair, or Calaſh, drawn by Six Horſes or other Beaſts of Draught, the Sum of Three Shillings; and drawn by Four Horſes or other Beaſts, the Sum of Two Shillings; and drawn by Three Horſes or other Beaſts, the Sum of One Shilling and Sixpence; and drawn by Two Horſes or other Beaſts, the Sum of One Shilling:

For every Chaiſe, Chair or Calaſh, drawn by One Horſe or other Beaſt, the Sum of Sixpence;

For every Carriage called a *Taxed Cart*, drawn by Two Horſes, the Sum of One Shilling; and drawn by One Horſe, the Sum of Sixpence;

For

For every Horſe, or other Beaſt, drawing any Waggon, Wain, Cart, or Dray, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, the Sum of Three-pence:

For every Horſe, or other Beaſt, drawing any Waggon, Wain, Cart, or Dray, having the Sole or Bottom of the Fellies of the Wheels thereof of leſs Breadth than Six Inches, the Sum of Four-pence:

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

And Double the ſaid reſpective Tolls ſhall be demanded and taken on every *Sunday*:

For every Drove of Oxen, or neat Cattle, the Sum of Ten-pence *per* Score, and ſo in Proportion for any leſs Number:

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

Which ſaid Tolls and Duties in and by this Act granted and made payable as aforeſaid, ſhall be, and are hereby veſted in the Truſtees for the Time being for carrying the ſaid recited Acts and this Act into Execution, and ſhall be received and taken at each and every of the Toll Gates or Turnpikes erected, or to be erected, upon the ſaid Roads, in purſuance of the ſaid Acts and this Act, or any of them, ſave and except as is herein otherwiſe provided, and ſhall be paid, levied, leaſed, mortgaged, applied, diſpoſed of, and aſſigned, for ſuch Uſes and Purpoſes, and in ſuch Manner, and with and under 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, applied, diſpoſed of, and aſſigned, except as by this Act is otherwiſe particularly directed.

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

IX. Provided always, and be it further enacted, That no more than One Toll 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.

Regulations as to Broad Wheels.

X. Provided always, and be it further enacted, That all Waggons, Wains, Carts, or Carriages, moving upon Rollers of the Breadth of Sixteen Inches on each Side thereof, and that all Waggons having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Nine Inches, and rolling a Surface of Sixteen Inches on each Side thereof, ſhall not have any Benefit of Exemption from Toll by virtue of any Act or Acts of Parliament now in force, unleſs every Part of the Tiers of ſuch Wheels roll upon a flat Surface, and unleſs the interior Diameter of ſuch Wheels ſhall not deviate more than One Inch from the exterior Diameter thereof.

Exemptions from Tolls.

XI. And be it further enacted, That all and every Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Acts, or any of them, ſhall ceaſe and be no longer allowed, and that in lieu thereof, beſides the other Exemptions herein provided, the ſeveral Exemptions from Tolls herein-after mentioned ſhall be allowed; that is to ſay, that no Toll ſhall be demanded or taken for any Horſe or Carriage paſſing throughany of the Turnpikes or Toll Gates erected, or

to be erected, upon the ſaid Roads or on the Sides thereof, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be uſed on or about the ſaid Roads; or for repairing any Highways in the Pariſhes, Townſhips, Diſtricts, or Places which are liable to perform Statute Duty upon the ſaid Roads, or returning empty, when ſo employed, or carrying or conveying Hay, Corn in the Straw, or other Produce of Lands not ſold or diſpoſed of, nor any Ploughs, Harrows, or other Implements of Huſbandry to be uſed in the Cultivation of Lands, or any Lime or Manure to be uſed or laid upon Lands, 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 parochial or miniſterial Duty, or by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts, or Places, who ſhall paſs through 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 or Perſons who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts, or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle going to or returning from Work in cultivating the Lands within the ſame or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats, 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, Peats, Turf, or Heather for Fuel, or returning empty having been ſo employed; nor for any Horſes or Carriages of whatſoever Deſcription employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding the ſame, or in returning back from conveying the ſame; or for the Horſes of Soldiers on the March, or on Duty, or Carriages, or Horſes, or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; or 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 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, or 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 a Repreſentative or Repreſentatives to ſerve in Parliament for the County or Borough of *Hertford*, 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, 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.

Carriages employed in His Majesty's Service not to be subject to Regulations for Overweight.

XII. And be it further enacted, That no Person owning or driving any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any 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.

Surveyors may get Materials.

XIII. And be it further enacted, That it shall be lawful for the Surveyor and Surveyors of the said Trustees, and such Person and Persons as he and they shall for that Purpose appoint, to search for and to dig, gather, take, and carry away Gravel, Sand, Stones, Chalk, or other Materials out of any Waste or Common in any Parish, Town, Village, or Hamlet, in or near which any of the said Roads may be in want of Repairs, and for want of sufficient Gravel, Sand, Stones, Chalk, or other Materials, then, to search for and to dig, gather, take, and carry away the same out of the Waste or Common of any adjoining Parish, Town, Village, or Hamlet, without paying any Thing for the same; and where there is not sufficient of such Materials in any Commons or Waste Grounds near adjoining, it shall and may be lawful for them, by Order of the Trustees, or any Five or more of them, under their Hands in Writing, to search for and to dig, gather, and take away such Materials as may be necessary in the several Grounds of any Person or Persons in any Parish, Townships, or Place in which any Part of the said Roads shall lie or be situate, or any adjoining Parish, Townships, or Place, (not being a Yard or Garden, or an Orchard, Park or Paddock, being the Inclosure in which the Mansion House stands, planted Walk or Avenue to any House, or an inclosed Ground planted and set apart as a Nursery, which it shall not be lawful to enter for those Purposes without the Consent in Writing of the Owner and Occupier thereof, except for making Drains, covering or enlarging any Common Sewer running into or through the same), paying such Rate for such Materials to the Owner or Occupier of the Ground from whence the same shall be dug, gathered, and carried away, and for any Damage done thereby, as the Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between the Owner or Occupier and the said Trustees touching the Materials and Damage aforesaid, or either of them, the Justices of the Peace at the next General Quarter Session to be holden for the County of *Hertford* shall and may adjudge, assess, and finally determine the same.

Materials not to be taken from inclosed Grounds without an

XIV. 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, to dig, gather, take, and carry away any such Materials as aforesaid in or from any inclosed or private Grounds or Quarries until after Ten Days

Order from Two Juſtices.

Days previous Notice in Writing, ſigned by the ſaid Surveyor or ſome other Officer of the ſaid Truſtees, ſhall have been given to the 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, 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.

For preſerving Foot Paths.

XV. And whereas Perſons on Horſeback and with Carriages are frequently found travelling upon the Foot Paths on the Sides of the ſaid Roads to the great Injury of ſuch Foot Paths and Annoyance of Foot Paſſengers; be it therefore further enacted, That if any Perſon or Perſons ſhall ride on Horſeback or drive any Carriage upon ſuch Foot Paths, each and every Perſon ſo offending ſhall forfeit and pay a Sum not exceeding Ten Shillings for each and every ſuch Offence, to be recovered and applied as any Penalties are authorized or directed to be recovered and applied by the ſaid recited Acts or any of them.

Application of Compenſation when amounting to 200l.

XVI. And be it further enacted, That if any Money ſhall be agreed or aſſeſſed to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed for the ſaid Roads by virtue of the ſaid recited Acts, and this Act, or any of them, which ſhall belong to any Body Politic, Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, Truſtees, Femes Covert, or other incapacitated Perſon or Perſons, ſuch Money ſhall, if the ſame 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 this Act, to the Intent that ſuch Money ſhall be paid 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 the Diſcharge of any Debt or Debts, or ſuch 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 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, Intents, and Purpoſes, and in the ſame Manner as the Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or

ſuch

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 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 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 ſame 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 where the Compenſation is leſs than 200l. and exceeds 20l.

XVII. Provided always, and be it further enacted, That if any Money ſo agreed or aſſeſſed to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Body Politic, or to any Perſon or Perſons under any 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 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 Two or more of the ſaid Truſtees for executing 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 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 when leſs than 20l.

XVIII. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or aſſeſſed to be paid as 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 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 or Lunacy, then to his 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.

XIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded or aſſeſſed for any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of 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 or aſſeſſed as aforeſaid cannot be found, or if the Perſon or Perſons ſo 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 Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, (deſcribing them) ſubject to the Order, Control, and Diſpoſition of the ſaid 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 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 Intereſts 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.

Perſons in Poſſeſſion to be deemed entitled.

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

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

XXI. 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 this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court of Chancery, and to be applied in

in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes, from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Labour.

XXII. And be it further enacted, That ſo much of the ſaid recited Acts as relate to the Performance of Statute Labour on the ſaid Roads ſhall be, and the ſame is hereby repealed; and 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 be lawful for any Two or more Juſtices of the Peace, within their reſpective Juriſdictions, and they are hereby required, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, 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 and Occupiers of Lands, Tenements, Woods, Tithes, or Hereditaments within 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 or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, to bring in Liſts, before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons (within Seven 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 or Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute in Force for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear ſubject and liable to do 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 on 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 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 Juſtices or any One or more of them ſhall direct; and in Default of Payment thereof, the ſame ſhall and may

be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts, or any of them, authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor or Clerk 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 and liable to by any Law or Statute in Force for the Repair of the public Highways; and if any Perſon who ſhall come or be ſent 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 diſmiſs the Perſons 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 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 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 Ten Pounds; the ſaid ſeveral Forfeitures and Penalties laſt aforeſaid to be recovered as any Forfeiture or Penalty impoſed by the ſaid recited Acts, or any of them, is thereby authorized to be recovered.

For paying the Expences of this Act.

XXIII. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act, ſhall be paid out of any Money already collected or received, or out of the Firſt Monies hereafter to be collected or received by virtue of the ſaid recited Acts and this Act.

Public Act.

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

Commencement and Duration of this Act.

XXV. And be it further enacted, That this Act ſhall commence upon the Third *Monday* next after the paſſing thereof, and ſhall continue in force 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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