ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. liv.

An Act for continuing and amending an Act of His present Majesty, for repairing the Roads from *Uttoxeter* to *Stoke* near *Stone*, and from *Millwich* to *Sandon*, in the County of *Stafford*.

[12th *May* 1815.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty King *George* the Third, intituled *An Act for amending, widening, altering and keeping in Repair the Road leading from* Uttoxeter *to the westwardly Part of* Hardiwick Heath, *and for setting out and making a new Road from thence to* Stoke *near* Stone; *and for amending, widening, altering and keeping in Repair the Road leading from the Village of* Millwich *to* Sandon, *in the County of* Stafford: 33 G. 3. c. 131.
And whereas considerable Sums of Money have been borrowed and secured upon the Credit of the Tolls authorized by the said recited Act to be taken upon the said Roads, and the existing Mortgages for the same now amount in the whole to the Sum of Six thousand seven hundred and eighty Pounds, which Sum, with Interest from the Twenty-ninth Day of *September* One thousand eight hundred and seven, still remains due thereupon, and the same cannot be paid, nor can the said Roads be effectually amended, improved, and kept in Repair, unless the said recited Act be continued for a further Term; and it is also expedient that the Tolls thereby granted, and several of the Powers and Provisions therein contained, should be repealed, enlarged or altered: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with

with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Powers and Authorities, Privileges, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters and Things, therein contained (except such of them as are hereby varied, altered, or repealed) shall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and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 Alterations and Amendments herein contained; and that this Act, and the additional Term hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said recited Act, or the Tolls thereby granted, as also to the Payment of all Sums of Money which shall hereafter be borrowed, or for which Securities shall be made by the Trustees for the Purposes of the said recited Act and this Act, and of the Interest due and to grow due for the same respectively.

Act further continued.

New Trustees.

II. And be it further enacted, That *Edward Astbury*, *Thomas Arnold*, *William Allport*, *Thomas Birch*, *Edmund John Birch*, *John Birkin*, *Sampson Bakewell*, *William Bowers*, *James Blair*, *Robert Bradbury*, *James Beech*, *John Dawson*, *John Dunn*, *James Durose*, *John Done*, *James Dawson*, *Thomas Dawson*, *William Dixon* the younger, *Charles Daintry*, *William Dent*, *Bryan Ellsmoor*, *Thomas Finnemore*, *Edward Finnemore*, *John Freakley*, *Richard Fenton*, *John Fox*, *Joseph Fox*, *James Gaunt*, *Jesse Gerrard*, *John Goodwin*, *George Healey*, *Enoch Hand*, *Bryan Hodgson*, *William Harriman*, *John Jenkinson* of Stoke, *John Joule*, *Thomas Kinnersly*, *Evan Lewis* Clerk, *John Moore*, *John Nicklin*, *Henry Nickisson*, *Thomas Osborne*, *William Perkin*, *William Perkin* the younger, *Thomas Phillips*, the Honourable *Dudley Ryder*, *William Robinson*, *Thomas Robinson*, *Henry Robinson*, *Edward Richardson*, *Thomas Sneyd*, *Thomas Sims*, *Thomas Shemilt*, *David Shemilt*, *William Smith*, *George Stubbs*, *Thomas Salt*, *William Shaw*, *Charles Smith*, *Joseph Smith* Clerk, *Samuel Shelley*, *Luke Turner*, *James Turner*, *William Turner*, *John Tharme*, *Daniel Timmis*, *George Vernon* the younger, *William Vernon*, *Bryan Ward*, *John Wright* of Sandon, *George Wood*, *William Willcock*, *William Webb*, *Joseph Webb*, *Ralph Wright*, *John Wright*, and *Walter Yates*, and their Successors, together with such other Persons, not exceeding the Number of Ten, as shall be appointed Trustees in the Manner prescribed by the said recited Act, at the First or any other Meeting to be held after the passing of this Act, being qualified according to the Directions of the said recited Act, shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Act, and shall have the like Powers for putting the same Act and this Act into Execution, as the Trustees appointed in or by virtue of the said recited Act.

New Tolls to be taken in lieu of the former.

III. And be it further enacted, That from and immediately after the passing of this Act the several Tolls and Duties granted and made payable by the said recited Act shall cease and determine; and that 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, before any Horse or other Beast, Cattle or Carriage upon which any Toll is hereby imposed, shall be permitted to pass through the same, the several Tolls and Duties hereinafter mentioned; (that is to say,)

For

For every Horſe, Mare, Gelding or Mule, drawing in any Coach, Chariot, Landau, Poſt Chaiſe, Curricle, Gig, or other ſuch Carriage, the Sum of Sixpence : Tolls.

For every Horſe, Mare and Gelding, Mule or other Beaſt, (except an Aſs), drawing in any Waggon, Wain, Cart or other ſuch Carriage, the Sum of Four-pence :

For every Horſe, Mare, Gelding, Mule, or other Beaſt, (except an Aſs) laden or unladen, and not drawing, the Sum of One Penny Half-peny :

For every Aſs, when drawing any Carriage, the Sum of Two-pence, and when not drawing any ſuch Carriage, the Sum of One Penny :

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

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

And on every *Sunday*, (to be computed from Twelve of the Clock in the preceding *Saturday* Night to Twelve of the Clock in the next ſucceeding Night), Double the Tolls which ſhall for the Time being be authorized to be collected on any other Day under or by virtue of this Act :

Which ſaid Tolls and Duties in and by this Act granted and made payable as aforeſaid, ſhall be and are hereby veſted in the ſaid Truſtees for the Time being, for carrying the ſaid recited Act 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 recited Act and this Act or either of them ; and ſhall be paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of and aſſigned in ſuch Manner, and with and under ſuch Limitations and Reſtrictions as the Tolls and Duties granted by the ſaid recited Act are thereby authorized and directed to be received, paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of and aſſigned, except as by this Act is otherwiſe particularly directed. Subject to the Proviſions of the Regulations of the former Act.

IV. Provided, and be it further enacted, That only Half the Tolls herein-before granted and made payable for every Horſe or other Beaſt drawing any Waggon, Wain, Cart, or other ſuch Carriage, ſhall be demanded or taken for any Horſe, Mare, Gelding, Mule, or other Beaſt employed in drawing or conveying Lime or Lime Stones to be uſed for manuring Lands, or in going empty or returning empty when ſo employed. Only Half Toll to be taken for the Carriage of Lime for Manure.

V. 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 the ſame Day with the ſame Horſes, Cattle, Beaſts, or Carriages, through all the Toll Gates or Turnpikes to be erected upon or on the Sides of the ſaid Roads, nor more than One full Toll for paſſing through all the Gates which now are or may be erected on or near the ſaid Roads within the ſaid Pariſh of *Millwich*. Limiting the Number of Tolls.

VI. And be it further enacted, That every Toll Collector being a Leſſee of the ſaid Tolls, or being appointed either by the ſaid Truſtees, or by any Leſſee or Leſſees, to collect the Tolls payable at any Turnpike Gate to be continued or erected by virtue of this Act, ſhall and he is hereby required to Regulation as to Toll Collectors.

place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or in ſome other conſpicuous Part of the Toll Houſe or Toll Gate immediately on his beginning to collect ſuch Toll, or coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length, and of a Breadth in Proportion, and painted in Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall collect ſuch Toll or be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in any ways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Tolls when demanded, or ſhall unneceſſarily detain any Paſſengers or Paſſenger, or ſhall make uſe of any ſcurrilous or abuſive Language to any Traveller or Paſſenger, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge.

Tickets to ſpecify the particular Gates to be freed thereby.

VII. And be it further enacted, That the ſeveral Collectors of the Tolls granted by this Act ſhall on Receipt of ſuch Tolls as aforeſaid deliver to the Perſon or Perſons paying the ſame a Ticket or Tickets denoting ſuch Payment, and ſpecifying and naming therein the Gate or Gates to be thereby freed or exempted from Toll.

Exemption of particular Places repealed.

VIII. Provided always, and be it further enacted, That ſo much of the ſaid recited Act of the Thirty-third Year of His preſent Majeſty, as enacts it ſhould be lawful for the Inhabitants of the Pariſh of *Bramſhall*, and of the Townſhips of *Little Bramſhall* and *Loxley* within the Pariſh of *Uttoxeter*, and every of them, with any of the Horſes or other Beaſts or Cattle in the ſame Act mentioned, to paſs to or from the ſaid Pariſh of *Bramſhall*, or the ſaid Townſhips of *Little Bramſhall* or *Loxley*, through any Turnpike to be erected on the ſaid Road between *Bramſhall* and *Uttoxeter*, for the Payment of Half a Toll only; and that it ſhould be lawful for the Inhabitants of the Pariſh of *Millwich*, and every of them, with any Horſes or other Beaſts or Cattle as aforeſaid, to paſs through any Turnpike which might be erected in the Village of *Coton* in the Pariſh of *Millwich*; and from any Part of the ſaid Pariſh of *Millwich* to the *Wolſeley Bridge* Turnpike Road at *Sandon*, for the Payment of Half a Toll only; and that it ſhould be lawful for the Inhabitants of the Pariſh of *Sandon*, and every of them, with any Horſes or other Beaſts or Cattle as aforeſaid, to paſs through any Turnpike which might be erected on ſuch Part of the ſaid Branch of Road leading from *Millwich* to the *Wolſeley Bridge* Turnpike Road at *Sandon* as lies within the ſaid Pariſh of *Sandon*, for the Payment of Half a Toll only; and that no more than Half Toll ſhould be demanded or taken for the Paſſage of any Horſes or other Beaſts or Cattle through any Turnpike or Toll Gate which might be erected in the ſaid Village of *Coton*, employed only in carrying or conveying Coals to any Place whatſoever, or in carrying or conveying Flint ground or unground, or Corn Grain,

Flour

Flour or Meal ſold or diſpoſed of to and from *Coton* Mills, nor more than Half Toll for the Paſſage of any Horſe or other Beaſt employed in carrying or conveying Corn, Grain, Flour or Meal ſold or diſpoſed of to or from the ſaid *Coton* Mills, ſhall be and the ſame is hereby repealed and made void.

Exemtions from Tolls.

IX. And be it further enacted, That all and every other Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Act ſhall ceaſe, and that in lieu thereof the ſeveral Exemptions from Tolls herein-after mentioned ſhall be allowed (that is to ſay), that no Toll ſhall be demanded or taken from any Horſe or Carriage paſſing through any of the Turnpikes or Toll Gates erected or to be erected upon or on the Sides of the ſaid Roads, carrying or conveying Stone, Bricks, Timber, Wood, Heath, Gravel or other Materials to be uſed in 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, or any Ploughs, Harrows or other Implements of Huſbandry to be uſed in the Cultivation of Lands, or any Dung, Compoſt, or other Manure (except Lime or Lime-ſtone) to be uſed or laid upon Lands, or returning empty when ſo employed; nor 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, Peats, Turf or Heath for Fuel, or returning empty having been 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 any 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 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 on returning 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 any 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 that 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 ſent by 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 of *Stafford*, 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; andif 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 ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Five Pounds.

Carriages employed on His Majeſty's Service, not to be ſubject to Regulation for Overweight.

X. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, or Commiſſariat, or other 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 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 or the ſaid recited Act contained to the contrary notwithſtanding.

For removing Annoyances.

XI. And be it further enacted, That if any Perſon ſhall lay any Timber, Wood, or Buſhes, or any Stones, Bricks, Hay, Straw, Lime, Dung, Manure, Earth, Soil, Rubbiſh or other Annoyance whatſoever, upon any Part of the ſaid Roads, or on the Side or Sides thereof, to the Prejudice thereof, or Annoyance of any Perſon or Perſons travelling thereon, it ſhall be lawful for the Surveyor or Surveyors, and ſuch Perſons as he or they ſhall appoint, to remove and diſpoſe of the ſame for the Benefit of the ſaid Roads; and every Perſon ſo offending ſhall forfeit and pay a Sum not exceeding Forty Shillings, to be recovered in ſuch Manner as the Penalties impoſed by the ſaid recited Act are to be recovered, and with the ſame Power of Commitment to the Gaol or Houſe of Correction as is thereby given in caſe of Non-payment of the ſaid Penalties, One Moiety of which ſhall be paid to the Informer or Informers, and the other Moiety thereof ſhall be paid to the Treaſurer to the ſaid Truſtees.

Proviſion in the former Act to prevent evading Tolls repealed.

XII. And be it further enacted, That ſo much of the ſaid recited Act of the Thirty-third Year of His preſent Majeſty, as enacts that if any Perſon ſhould forcibly or wilfully go or paſs with any Horſe or other Beaſt or Cattle, through any ſuch Turnpike to be erected by virtue of the ſaid Act, without paying the Toll for the ſame, or ſhould aſſault, interrupt, or obſtruct any Collector of the ſaid Tolls in the Execution of his ſaid Office, or ſhould with any Horſe, or other Beaſt or Cattle on which Toll was thereby made payable, go or paſs through any Gate, Land, private Paſſage

or

or other Place adjoining or lying near to any Turnpike to be erected by virtue of the ſame Act, (the ſame not being a Common Road); or if the Owner or Occupier of any Gate, Land, private Paſſage or Place, which ſhould adjoin or lie near to any ſuch Turnpike, ſhould knowingly or willingly permit or ſuffer any Perſon or Perſons with any ſuch Horſe or other Beaſt or Cattle, to go or paſs through the ſame whereby the Payment of any of the ſaid Tolls ſhould be avoided; or if any Perſon ſhould give to or receive from any other Perſon (except the Collectors of the ſaid Tolls) any Note or Ticket directed to be given by the Collectors of the Tolls, or ſhould forge or counterfeit, or knowingly make uſe of any forged or counterfeited Note or Ticket, whereby the Payment of any of the ſaid Tolls ſhould be avoided, or ſhould take off or cauſe to be taken off any Horſe or other Cattle or Beaſt from any Carriage, or ſhould leave or cauſe to be left upon or near to any Part of the ſaid Roads any Carriage, Horſe, Cattle, or Beaſt, with an Intent to avoid the Payment of any of the ſaid Tolls, or any Part thereof, or with ſuch Intent ſhould unload any Goods from any Horſe, Cattle, Beaſt or Carriage, or ſecrete any Goods chargeable with any ſuch Toll, every Perſon ſo offending in each of the Caſes aforeſaid ſhould for every ſuch Offence forfeit and pay the Sum of Forty Shillings, whereof One Moiety ſhould go to the Informer, ſhall be and the ſame is hereby repealed and made void.

To prevent the Tolls being evaded.

XIII. And be it further enacted, That if any Perſon or Perſons whomſoever, owning, renting, or occupying any Lands or Grounds near to the ſaid Roads, or any Part thereof, ſhall knowingly or wilfully permit or ſuffer any Perſon or Perſons, not being Part of his, her, or their Family, or in his, her, or their Service or Employ, to paſs through any Ground, Gate, Paſſage or private Way, with any Horſe, Beaſt, Cattle or Carriage on or in reſpect of which a Toll is by this Act impoſed, in order to evade the Payment of the ſaid Toll, or if any Perſon or Perſons owning, going in, or driving any ſuch Carriage, or owning, riding, or driving any ſuch Horſe, Beaſt, or Cattle, ſhall therewith paſs through any ſuch Ground, Gate, Paſſage, or private Way, in order to evade the Payment of the ſaid Toll, or any Part thereof, or if any Perſon or Perſons ſhall unload or cauſe to be unloaded any Goods or other Thing, or ſhall take off or cauſe to be taken off any Horſe or Beaſt of Draught from any Carriage, either before or after the ſame ſhall have paſſed through any of the Toll Gates to be continued or erected by virtue of this Act, or having paſſed through any of the Toll Gates ſhall afterwards add or put any Horſe or Beaſt to any Carriage for the Purpoſe of drawing the ſame upon any Part of the ſaid Roads, in order to avoid or evade the Payment of any of the Tolls hereby impoſed, or ſhall forge, counterfeit or alter, or ſhall deliver to or receive from any other Perſon or Perſons (except the Perſon or Perſons appointed to receive the Tolls hereby made payable) any Note or Ticket in order to avoid and evade the Payment of the ſaid Tolls, or any Part thereof, or if any Perſon or Perſons liable to the Payment of any of the ſaid Tolls ſhall forcibly paſs or attempt to paſs any of the ſaid Toll Gates or Turnpikes without Payment thereof at ſuch Gate or Gates, each and every Perſon and Perſons offending in any Manner aforeſaid, and being thereof convicted, ſhall reſpectively for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

XIV. And

Application of Compenſation if amounting to 200l.

XIV. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken or uſed by virtue of the Powers of the ſaid recited Act or this Act for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Truſtees for executing the ſaid recited Act and this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſaid Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith to the ſame or the like Uſes, Intents or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance 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 upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements and Hereditaments to be purchaſed by virtue of the ſaid recited Act and this Act, in caſe ſuch Purchaſe or Settlement were made.

Application where the Money is leſs than 200l. and exceeds 20l.

XV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, 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, to 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 any Five or more of the ſaid Truſtees for executing the ſaid recited Act and this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe may be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid High Court of Chancery.

Application where the Money is leſs than 20*l.*

XVI. Provided alſo, and be it further enacted, That where ſuch Sum ſo agreed or awarded to be paid, as laſt-before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Act 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, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Perſons in Poſſeſſion preſumptively entitled.

XVII. And be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the ſaid High Court of Chancery, in purſuance of the ſaid recited Act or this Act, for the Purchaſe of Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Act and this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid 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.

In caſe of not making out Titles, &c.

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

Truſtees; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments, [deſcribing them] ſubject to the Order, Controul, or 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 ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall 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.

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

XIX. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid High Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, and Hereditaments, to be ſettled to the like Uſes in purſuance of the ſaid recited Act or this Act, it ſhall be lawful for the ſaid High Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Act or this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, or any Five or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

For repealing a Proviſion as to Payment of Coſts.

XX. And be it further enacted, That ſo much and ſuch Part of the ſaid recited Act as provides that in Caſes where any Perſon or Perſons ſhall by Reaſon of Abſence have been prevented from treating with the ſaid Truſtees for the Sale or Exchange of his, her, or their Right, Intereſt, or Property in any Lands or Hereditaments, or for any Loſs or Damage to be by him, her, or them ſuſtained by widening, diverting, turning, ſhortening, varying or altering the Courſe or Path of any Part or Parts of the ſaid Roads through ſuch Lands or Hereditaments, One Half of the Coſts and Expences of ſummoning and returning the Jury who ſhall be impannelled to inquire into and aſcertain the Damage and Recompence in ſuch Caſes to be made, and the Witneſſes who ſhall be called before ſuch Jury, and of all other Expences attending the hearing and determining of the Difference ſhall be deducted out of the Purchaſe Money, and the other

other Half ſhall be borne and paid by the Treaſurer to the ſaid Truſtees, ſhall be and the ſame is hereby repealed; and from and after the paſſing of this Act, in all Caſes where any Perſon or Perſons ſhall by reaſon of Abſence have been prevented from treating, the whole of ſuch Coſts and Expences ſhall be borne and paid by the Treaſurer to the ſaid Truſtees.

Power to get Materials repealed.

XXI. And be it further enacted, That ſo much of the ſaid recited Act of the Thirty-third Year of His preſent Majeſty as enacts, that the Surveyor or Surveyors to be appointed by virtue of the ſame Act that ſuch Perſon or Perſons to be employed by him or them for that Purpoſe might, was or were thereby authorized and empowered from Time to Time to cut, dig, gather, take, and carry away any Stones, Gravel, Sand, or other Materials proper for repairing the ſaid Roads in, upon, out of or from any Waſte or Common, River or Brook, without paying for the ſame, ſuch Surveyors or other Perſon or Perſons filling up or fencing off the Pits from which ſuch Materials ſhould be taken, or ſloping or levelling the Ground on the Sides thereof, ſo that the ſame might not be dangerous to Paſſengers or Cattle; and alſo that the ſaid Surveyor or Surveyors, or other Perſon or Perſons as aforeſaid, might by Order of the ſaid Truſtees, or any Five or more of them, ſearch for, cut, dig, take, and carry away all ſuch Materials as aforeſaid, in, upon, out of, from and over the Lands of any Perſon or Perſons, ſuch Lands not being a Yard, Garden, Orchard, Park, Lawn, planted Walk or Avenue to any Houſe, or an incloſed Ground planted and ſet apart as a Nurſery for the Growth of Trees, the ſaid Truſtees paying or cauſing to be paid, or tendering Payment for the Damage done, to the Owners or Occupiers reſpectively of the Lands from whence or over which ſuch Materials ſhould be dug, got, or carried away, ſuch Equivalent in Money as the ſaid Truſtees, or any Five or more of them ſhould adjudge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſon or Perſons appointed and employed as aforeſaid, and ſuch Owners or Occupiers, or any of them, concerning the Damages, the Juſtices of the Peace at their next General Quarter Seſſions to be holden for the ſaid County of *Stafford*, on Ten Days Notice thereof being given in Writing by ſuch Surveyor or Surveyors to ſuch Owner or Occupier, Owners or Occupiers, or by him or them to ſuch Surveyor or Surveyors, or to be left at their reſpective Places of Abode with ſome or one of their reſpective Families, ſhould hear, ſettle, and determine the Matter of ſuch Damages, and the Judgment or Order of the ſaid Juſtices therein ſhould be final and concluſive to all Parties; provided that it ſhould not be lawful for any Perſon under the Authority of the ſame Act to dig, gather, take, or carry away any Materials for any of the Purpoſes aforeſaid from any incloſed Lands until Notice in Writing under the Hands of Five or more of the ſaid Truſtees ſhould have been given to the Occupier of ſuch Lands, or left for him at his uſual Place of Reſidence, to appear before the ſaid Truſtees, or any Two Juſtices of the Peace for the ſaid County, at ſuch Time and Place as ſhould be mentioned in ſuch Notice, to ſhew Cauſe why ſuch Materials ſhould not be had from ſuch Lands; and in caſe ſuch Occupier ſhould attend purſuant to ſuch Notice, the ſaid Truſtees or Juſtices ſhould if they ſhould think fit, after having heard the Matter, authorize any ſuch Perſon as aforeſaid, to dig, gather, take, and carry away ſuch Materials at ſuch Time or Times as the ſaid Truſtees or Juſtices ſhould think proper; and if ſuch Occupier ſhould neglect or refuſe to appear by himſelf or his Agent, the ſaid Truſtees or Juſtices ſhould and might make ſuch Order

therein

therein as they ſhould think fit, in like Manner, and the ſame ſhould be as effectual as if ſuch Occupier or his Agent had attended, ſhall be and the ſame is hereby repealed and made void.

Surveyor to get Materials for the Roads;

XXII. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Roads for the Time being appointed by the ſaid Truſtees, and ſuch other Perſon or Perſons as ſhall be employed by ſuch Surveyor or Surveyors, to gather, take, and carry away any Stones, Gravel, Sand, or other Materials proper for the repairing of the ſaid Roads, out of and from any Commons or Waſte Grounds, common Rivers and Brooks in any Pariſh, Townſhip, or Place in or through which the ſaid Roads lie or paſs, or any adjoining Pariſh, without paying any Thing for the ſame, ſuch Surveyor or other Perſon or Perſons levelling the Ground from whence ſuch Materials ſhall be taken, or ſufficiently fencing off ſuch Pits, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and in caſe no ſuch Materials can conveniently be had in ſuch Commons or Waſte Grounds, common Rivers or Brooks, within convenient Diſtances, then to dig, gather, take, and carry away any ſuch Materials as aforeſaid, in, upon, out of, or from and over any other Lands or Grounds in any Pariſh, Townſhip, or Place in or through which the ſaid Roads lie or paſs, or any adjoining Pariſh, not being a Garden, Orchard, Yard, Paddock, or a Plantation or a Nurſery for Trees, making ſuch Compenſation and Satisfaction for ſuch Materials and for the Damage done to the Owners or Occupiers of the Lands and Grounds from whence the ſame ſhall be dug, gathered, taken, and carried away, or over which the ſame or any other Materials gotten in any Waſte Grounds, Commons, Rivers, or Brooks, or private Grounds, ſhall be conveyed, as any Two Juſtices of the Peace within their reſpective Juriſdictions ſhall, in caſe of any Difference between ſuch Owners or Occupiers and the ſaid Truſtees, judge reaſonable.

but not from private Grounds without Conſent or Order from Juſtices.

XXIII. Provided always nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Perſon or Perſons under Authority of the ſaid recited Act or this Act, 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 of ſuch Grounds or Quarries, until after Ten Days previous Notice in Writing, ſigned by the 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.

XXIV. And

Regulations as to Performance of Statute Duty.

XXIV. And be it further enacted, That ſo much of the ſaid recited Act as relates to the Performance of Statute Duty or 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; 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 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, Townſhips, 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, Townſhip, or Place in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees or to their Treaſurer or Treaſurers; and in order thereunto it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, within Fourteen Days after the ſerving of ſuch Summons, of the Names of the ſeveral Perſons who within ſuch Pariſh, Townſhip, or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as is, are or may be directed by any Law or Statute in force for the Repairs of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall or 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 the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices or any Two 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 Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor 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 Perſon who ſhall be found idle or negligent as aforeſaid; and in that caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid 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, Townſhips 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 is by the ſaid recited Act authorized to be recovered.

For ſecuring tranſient Offenders.

XXV. And whereas Offences may be committed againſt the ſaid recited Act or this Act, by Perſons unknown to the Truſtees, Collectors, Suveyors or other Officers appointed to put the ſame in Execution; be it therefore enacted, That it ſhall and may be lawful for the ſaid Truſtees, Collectors, Surveyors, or other Officers reſpectively, and ſuch other Perſon or Perſons as they, any or either of them ſhall call to his or their Aſſiſtance, without any Warrant or other Authority than this Act, to ſeize and detain ſuch unknown Perſon or Perſons who ſhall commit any ſuch Offence or Offences, and take him, her, or them before any Juſtice of the Peace of the County where ſuch Offence or Offences ſhall be committed.

Expences of this Act.

XXVI. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, with lawful Intereſt upon any Sum or Sums of Money which ſhall be borrowed or advanced for the Payment thereof, ſhall be paid out of the Money already collected or received, or to be collected or received by virtue of the ſaid recited Act and this Act, upon the ſaid Roads, in preference to all other Payments whatſoever.

Public Act.

XXVII. 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 Continuance of the Act.

XXVIII. And be it further enacted, That this Act ſhall commence and take Effect upon the Day the ſame ſhall receive the Royal Aſſent, and ſhall continue in force from thenceforth 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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