ANNO QUINQUAGESIMO QUINTO

# GEORGII III. REGIS.

## *Cap.* XCV.

An Act to continue the Term and amend and enlarge the Powers of Two Acts passed for repairing the Road from *Reading* to *Speenhamland* and *Puntfield*, in the County of *Berks*; and other Roads in the said County. [28th *June* 1815.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His present Majesty, intituled *An Act to continue and render more effectual several Acts for repairing the Highways between* The Bear Inn *in* Reading *and* Puntfield, *in the County of* Berks, *and other Roads in the said Acts mentioned; and for repairing several other Roads in this Act mentioned:* And whereas another Act was passed in the Thirty-fourth Year of the Reign of His said Majesty, intituled *An Act for enlarging the Term and Powers of an Act of the Eleventh Year of His present Majesty, for repairing the Road between* The Bear Inn *in* Reading *and* Puntfield, *in the County of* Berks, *and several other Roads in the said County:* And whereas several Sums of Money have been borrowed, and are now due and owing upon the Credit of the Tolls authorized to be collected upon the said Roads; which Money cannot be repaid, and the Roads kept in sufficient Repair, unless the Term and Powers of the said recited Acts be further enlarged, and the Tolls thereby granted, be altered and increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in

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in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and all the Powers, Proviſions, Matters, and Things therein contained, ſhall be and continue in full Force, and ſhall be executed until the Second *Monday* next after the paſſing of this Act, and from thenceforth, as well the ſaid recited Acts (except ſuch Parts thereof as are hereby varied, altered or repealed,) as alſo this Act, ſhall be put in force and be executed, for and during the further Term herein-after mentioned, as fully and effectually to all Intents and Purpoſes as if the Powers, Proviſions, Matters, and Things in the ſaid recited Acts contained were repeated and re-enacted in the Body of this Act; which ſaid additional Term, and the Tolls, Powers, and Clauſes hereby granted, ſhall be and they are hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing on the Credit or on account of the ſaid recited Acts, and that may become due and owing on the Credit of the ſaid recited Acts and of this Act, together with the Intereſt thereof reſpectively.

Term further continued.

II. And be it further enacted, That *Thomas Adey*, the Reverend *John Buſhnell*, *James Ebenezer Bicheno*, *Edward Brice Bunny*, *William Brinton*, *James Goddard Doran*, *John Grigg*, *William Keep*, the Reverend *Maxwell*, *William Mount* the younger, the Reverend *Samuel Slocock*, *Charles Slocock*, *Thomas Smith*, and *Richard Webb*, ſhall (ſubject to the Terms of Qualification preſcribed by the ſaid recited Acts) be and they are hereby added to and joined with the preſent Truſtees for the Care of the ſaid Roads.

Additional Truſtees.

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

Power to appoint additional Truſtees.

IV. Provided always, and be it further enacted, That all Acts and Proceedings which ſhall have been done and performed by any ſuch additional or other Truſtee, touching the Execution of the ſaid recited Acts and this Act, previous to his being convicted of having acted in the Execution thereof, without having conformed to the Directions therein and herein contained in that Behalf, or without having or poſſeſſing the Qualification preſcribed by the ſaid recited Acts, ſhall, notwithſtanding ſuch want of Conformity or Qualification, be valid and effectual.

All Acts done by Truſtees previous to Conviction to be valid.

V. And be it further enacted, That if after any Adjournment or Meeting of the Truſtees, and before the Day to which the ſame Truſtees may have adjourned, or a Public or General Meeting is by the ſaid recited Acts directed to be holden, it ſhall be thought neceſſary that they ſhould meet

Meetings on Emergencies.

meet at an earlier Time than the Day appointed by such Adjournment, or of such General Meeting, that then and in such Case the Clerk or Clerks for the Time being to the Trustees, upon an Order in Writing signed by Three or more of them, (although not assembled at a Meeting), mentioning the Time, Place, and Purpose of such earlier Meeting, shall forthwith give Notice thereof in Writing, (if on that Part of the *Reading* District of the said Roads which lies between the late *Bear Inn* in *Reading*, and a Place commonly called *The Seven Mile Stone*, and to *Aldermaston Bridge*), by affixing the same on the Turnpike Gate at *Reading* aforesaid; and (if on that Part of the *Speenhamland* District of the said Roads which lies between the said Place called *The Seven Mile Stone*, and the West End of the House in *Speenhamland* aforesaid, formerly in the Occupation of *Edward Sheppard*), at the Turnpike Gate between the Place called *The Seven Mile Stone* and *Speenhamland* aforesaid, at least Three Days before such Meeting shall be holden, and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such Meetings shall be as valid and effectual as they would have been in case such Trustees had met in pursuance of any Adjournment, or at any General or Public Meeting.

No Order to be revoked unless at a General Meeting.

VI. Provided always, and be it further enacted, That no Order made by any Five or more of the Trustees shall be revoked or altered, except at a General or Public Meeting, nor unless Nine of the Trustees at the least shall be then present, and Seven or more of them, shall concur therein.

Mortgagees not deemed disqualified from acting as Trustees.

VII. Provided also, and be it further enacted, That no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls granted by this Act, or any Person receiving Interest out of such Tolls for Money lent upon the Credit of the same, shall on that account be deemed unqualified, or be prevented from acting as a Trustee in the Execution of the said recited Acts and this Act; and that all such Trustees as are Justices of the Peace for the said County of *Berks* may act as Justices of the Peace in the Execution of the said recited Acts and this Act, notwithstanding their being such Trustees, save and except only in Cases where they may happen to be personally interested.

Proceedings to be entered in a Book.

VIII. And be it further enacted, That all Orders and Proceedings of the Trustees shall be entered in a Book or Books to be kept by their respective Clerk or Clerks for that Purpose; and such Orders and Proceedings so entered shall be signed by the respective Trustees making the same, or the major Part of them, or by their Chairman; which said Book or Books, and also the Books for registering the Mortgages and Assignments of the Tolls by this Act authorized and intended to be granted, signed by any Five or more of the said respective Trustees, shall be deemed Originals; and the same, or true Copies thereof, and all Entries in any such Book or Books, shall be read and admitted as Evidence in all Cases of Appeal, and in all Suits and Actions, in any Court whatsoever, touching any Thing done or to be done in pursuance of this Act.

Tolls.

IX. And be it further enacted, That the Tolls or Duties granted by the said recited Acts shall, from and after the Second *Monday* next after the passing of this Act, be and the same are hereby repealed; and from thenceforth

thenceforth for and during the further Term hereafter mentioned, inſtead of ſuch Tolls or Duties, the following Sums of Money ſhall be demanded, collected, and paid at each and every of the Toll Gates and Toll Houſes already erected, or hereafter to be erected upon the ſaid Roads, or on the Sides thereof, by virtue of the ſaid recited Acts or of this Act, before any Horſes, Cattle or Carriage, ſhall be permitted to paſs through ſuch Toll Gates, or any of them; (that is to ſay),

For every Horſe, Mare, Gelding, Mule or Aſs, drawing any Coach, Chariot, Landau, Landaulet, Phaeton, Marine, Berlin, Barouche, Chaiſe, Calaſh, Curricle, Hearſe, Gig, Taxed Cart or Chair, the Sum of Three-pence:

For every Horſe or Beaſt of Draught, drawing any Waggon, Wain, Drug, Cart, or other ſuch like Carriage with Fellies or Rollers not of a flat Surface, and of the Breadth or Gauge of Sixteen Inches at the leaſt, or with Axletrees of different Lengths, rolling Sixteen Inches at the leaſt on each Side, the Sum of Two-pence:

For every Horſe or Beaſt of Draught, drawing any Waggon, Wain, Drug, Cart, or other ſuch like Carriage with Fellies or Rollers of a flat Surface, and of the Breadth or Gauge of Sixteen Inches at the leaſt, or with Axletrees of different Lengths, rolling Sixteen Inches at the leaſt on each Side, the Sum of One Penny Halfpenny:

For every Horſe or Beaſt of Draught, drawing any Waggon, Wain, Drug, Cart, or other ſuch like Carriage with Four Wheels, having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches and leſs than Sixteen Inches, the Sum of Three-pence:

For every Horſe or Beaſt of Draught, drawing any Waggon, Wain, or other ſuch like Carriage with Four Wheels, having the Fellies of the Wheels thereof of leſs Breadth or Gauge than Six Inches, the Sum of Four-pence Halfpenny:

For every Horſe or Beaſt of Draught, drawing any Cart or other ſuch like Carriage with Two Wheels, the Sum of Four-pence:

For every empty Carriage with Four Wheels, faſtened to or behind any Waggon, Wain, Drug, Cart, or other Carriage, the Sum of Four-pence; and for every empty Carriage with Two Wheels, ſo faſtened, the Sum of Two-pence; and if loaded, Double ſuch Sums:

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

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

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

Double Tolls on Sundays.

And on every *Sunday* during the Continuance of this Act, Double the ſaid reſpective Sums of Money.

All which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of or as a Toll, and may be leſſened and raiſed again, leaſed or demiſed, or compounded for, by the ſaid Truſtees, in ſuch and the like Manner as the Tolls or Duties granted by the ſaid recited Acts are thereby authorized or allowed to be leſſened and raiſed again, leaſed or demiſed, or compounded for, but no further or otherwiſe, and ſhall be paid to ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of

of them, ſhall from Time to Time appoint to collect the ſame; and the Money ſo to be raiſed ſhall be and is hereby veſted in the ſaid Truſtees, and ſhall be applied in ſuch and the like Manner as the Tolls and Duties hereby repealed were by the ſaid recited Acts directed to be applied; and if any Perſon or Perſons ſubject to the Payment of any of the ſaid Tolls ſhall, after Demand thereof made, neglect or refuſe to pay the ſame, it ſhall be lawful for the Perſon or Perſons appointed to collect the ſaid Tolls to ſeize and diſtrain any Horſe or Horſes, or other Cattle or Beaſt upon which ſuch Toll is by this Act impoſed, or any of the Goods or Chattels of ſuch Perſon or Perſons ſo neglecting or refuſing; and if ſuch Tolls, and the reaſonable Charges of ſuch ſeizing and diſtraining ſhall not be paid within the Space of Five Days, the Perſon or Perſons ſo ſeizing and diſtraining ſhall and may ſell the Horſes, Cattle, Beaſts or Goods ſo ſeized and diſtrained, returning the Overplus (if any) upon Demand to the Owner thereof, after ſuch Tolls and all reaſonable Charges ſhall be deducted.

Number of Tolls limited.

X. Provided always, and be it further enacted, That the ſaid Tolls ſhall not be demanded or taken at more than Two Toll Gates in any One Day from any Perſon or Perſons for the ſame Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep or Pigs, between *The Bear Inn* in *Reading* and a Houſe formerly in the Occupation of *Edward Sheppard* in *Speenham-land;* and at more than One Toll Gate between the South End of *Boſtock Lane* and *Pangborne;* and at more than One Toll Gate between the Place where the late *Little King's Arms* and *The Robin Hood* formerly ſtood, and the North End of *Long Lane.*

Powers of recited Acts relating to Tolls continued.

XI. And be it further enacted, That all the Powers, Proviſions, Matters and Things in the ſaid recited Acts contained, which relate to or concern the Tolls and Duties thereby granted, (except ſuch Parts thereof as are hereby varied, altered or repealed,) ſhall, from and after the Second *Monday* next after the paſſing of this Act for and during the further Term herein-after mentioned, be deemed and conſidered as relating to the Tolls or Duties by this Act granted, and ſhall be put in force and be executed accordingly, as fully and effectually to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act.

Regulation of Amount of Toll in certain Caſes.

XII. Provided always, and be it further enacted, That in caſe any Horſe or Horſes, being either rode or led, ſhall on any Day paſs through any Toll Gate already or hereafter to be erected by virtue of the ſaid recited Acts or of this Act, and the Owner or Owners, or Perſon or Perſons having the Care and Cuſtody of ſuch Horſe or Horſes, ſhall pay the Toll or Tolls payable in reſpect thereof, and ſuch Horſe or Horſes ſhall afterwards, during the ſame Day, paſs or go through the ſame Toll Gate, attached to any Coach, Chariot, Landau, Landaulet, Phaeton, Marine, Berlin, Barouche, Chaiſe, Calaſh, Curricle, Hearſe, Gig, Taxed Cart or Chair, that then and in every ſuch Caſe the Owner or Owners, or Perſon or Perſons having the Care or Poſſeſſion of ſuch Carriage to which ſuch Horſe or Horſes ſhall be attached, ſhall pay only ſuch Proportion of the Toll and Duty for ſuch Horſe or Horſes, as, with the Sum or Sums which ſhall have been paid for ſuch Horſe or Horſes ſo having paſſed through ſuch Toll Gate, ſhall make up and amount to the Toll which would otherwiſe be paid and payable for ſuch Horſe or Horſes with ſuch Car-

riage; and alſo that no Toll or Duty ſhall be demanded and taken for the return of any Horſe or Horſes, having paſſed through any ſuch Toll Gate, attached to any ſuch Carriage, and in reſpect of which Carriage, and ſuch Horſe or Horſes being attached thereto, a Toll or Duty hath been before on the ſame Day demanded and paid, any Thing in this Act to the contrary notwithſtanding.

Tolls to be paid once a Day.

XIII. And be it further enacted, That no Perſon having occaſion to paſs through any ſuch Toll Gate where the Tolls are or ſhall be taken, and who ſhall return the ſame Day through the ſame Toll Gate before Twelve of the Clock in the Night of that Day, with the ſame Horſes, Mares, Geldings, Mules, Aſſes, or any Sort of Cattle, for which ſuch Tolls ſhall have been paid, ſhall be liable or compelled the ſame Day to pay the ſaid Tolls more than Once, except in Caſes herein-after mentioned, ſuch Perſon producing a Ticket denoting that ſuch Toll hath been paid on that Day; all which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of ſuch Toll; and each Ticket delivered upon receiving Toll for the Paſſage of any Horſes, Mares, Geldings, Mules, Aſſes, or any Sort of Cattle, ſhall name and ſpecify the ſeveral Gates through which any Perſon having once paid Toll ſhall be allowed to paſs, without again paying Toll on the ſame Day.

Tolls on Stage Coaches and Poſt Chaiſes.

XIV. Provided always, and be it further enacted, That the Tolls hereby granted ſhall be paid for and in reſpect of all Horſes, Mares, Geldings, or Mules drawing any Stage Coach, every Time they ſhall paſs through any Toll Gate already erected or hereafter to be erected by virtue of the ſaid recited Acts or of this Act; and for and in reſpect of all Poſt Horſes, Mares, Geldings, or Mules drawing any Poſt Chaiſe, or other Carriage, every Time they ſhall paſs through any ſuch Toll Gate, and a Ticket ſhall be produced denoting a freſh Hiring.

For preventing Toll Collectors from taking undue Tolls.

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 already erected or hereafter to be 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 ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately upon his coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground; and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of this Act, or of the Orders and Reſolutions of the Truſtees made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in any Ways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall in anſwer

to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon the legal Toll being paid or tendered, ſhall unneceſſarily detain or wilfully obſtruct, hinder, or prevent any Paſſenger or Paſſengers from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Truſtee, Treaſurer, Clerk, Surveyor, or other Officer, or any Paſſenger or Paſſengers, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum, not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

For ſettling Diſputes concerning Tolls.

XVI. And be it further enacted, That if any Diſpute ſhall happen about the Amount of the Tolls due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon ſo diſtraining to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof, (as the Caſe may happen), till the Amount of the Tolls due, and the Charges of the Diſtreſs and Sale, and of keeping the Diſtreſs, (as the Caſe may happen), be aſcertained by One or more Juſtice or Juſtices of the Peace for the County, Town, or Place in which the Cauſe of Diſpute ſhall ariſe, who, upon Application made to him or them for that Purpoſe, ſhall examine the Matter on the Oath of the Parties, or other Witneſs or Witneſſes, and ſhall determine the Amount of the Tolls due, and ſhall award ſuch Coſts and Charges to either Party, as to the ſaid Juſtice or Juſtices ſhall appear right and proper; all which Coſts and Charges ſhall and may be levied and recovered, in caſe of Non-payment thereof forthwith, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, rendering the Overplus (if any) on Demand, attending ſuch Coſts and Charges, and the Coſts and Charges of making ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

Toll Bar Keepers competent Witneſſes.

XVII. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall and are hereby declared not to be incompetent to give Evidence in any ſuch Diſpute, Suit or Litigation, by reaſon of his, her, or their being ſo appointed to collect the ſaid Tolls, or acting under the Authority of the ſaid Truſtees.

Collectors refuſing to deliver up Toll Houſes, Juſtices may grant Warrant, and Conſtable to enter and remove ſuch Collector.

XVIII. And be it further enacted, That if any Farmer or Renter whoſe Contract or Leaſe ſhall become null and void by virtue of the Powers in this Act contained, or if any Collector or Receiver of the ſaid Tolls who ſhall be diſcharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Repreſentative or Repreſentatives of any Collector or Receiver who ſhall die or be diſcharged, or any other Perſon ſhall refuſe to deliver up the Poſſeſſion of any Toll Gate or Toll Houſe, or any of the Appurtenances thereof, for the Space of Two Days after Demand thereof made, and Notice in Writing given for that Purpoſe by any Three or more of the ſaid Truſtees, (although not aſſembled at any Meeting), or by their Clerk or Treaſurer for

for the Time being, then and in any of the ſaid Caſes it ſhall be lawful for any Juſtice of the Peace for the County, Town, or Place wherein ſuch Houſe ſhall be ſituate, by Warrant under his Hand and Seal, to order any Conſtable or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Houſe and Appurtenances in the Day-time, and to remove the Perſon or Perſons who ſhall be found therein, or in Poſſeſſion of the ſaid Gate, together with his, her, or their Goods, out of and from the ſame, and to put the ſaid Truſtees, or any of them, or any new appointed Collector or Receiver, into the Poſſeſſion of ſuch Toll Houſe, Appurtenances, and Gate.

Leaſes of Tolls declared void.

XIX. And be it further enacted, That every Contract for or Leaſe of any of the Tolls granted by the ſaid recited Acts ſhall, immediately after the Second *Monday* next after the paſſing of this Act, be and the ſame is hereby made null and void, unleſs the Contractor, Leſſee, or Farmer of any ſuch Tolls ſhall agree with the ſaid Truſtees, or any Five or more of them, to pay ſuch advance of Rent as they ſhall think proper for the increaſe of Tolls hereby granted for and during the Remainder of the Term of ſuch Contract or Leaſe.

General Exemptions from Toll.

XX. And be it further enacted, That the Exemptions from Toll granted by the ſaid recited Acts ſhall be repealed, and that no Toll ſhall be demanded, taken, or received at any of the Turnpike Gates erected or to be erected, or continued upon the ſaid Roads, for any Horſes, Cattle 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 ſuch Mails or Expreſſes, or in returning therefrom; nor for the Horſes belonging to any Officers or Soldiers on their March or on Duty, nor for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers, nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes 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 Rector, Vicar or Curate, going to or returning from his own Pariſh Church, or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners; nor from any Perſon or Perſons going to or returning from Church, Chapel, or other uſual Place of Religious Worſhip within the Pariſh or Place where he, ſhe, or they may reſide, on *Sundays*, or on any other Day on which Divine Worſhip is or ſhall be ordered by Authority to be celebrated, or attending the Funeral of any Perſon or Perſons who ſhall die and be buried in any Pariſh, Hamlet or Place, in which any Part of the ſaid Roads lie; nor for any Horſes, Beaſts, Cattle or Carriages, uſed or employed for the Purpoſe of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Berks;* or of carrying or conveying poor Perſons or Vagrants ſent by legal Orders or Paſſes; or of carrying or conveying Hay, Straw, or Corn in the Straw for the Uſe of the Owners, and not for Sale, or purchaſed; or of carrying or conveying any Limeſtone, Lime, Dung, Mould, Manure or Compoſt, to be uſed only for manuring the Land, or going or returning empty in that Employment;

ployment; nor for any Horſes, Beaſts, or Cattle employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying, any Plough, Harrow, or other Implement of Huſbandry; nor for any Horſe, Beaſt, or Cattle paſſing to or repaſſing from Water or Paſture; nor for any Horſe, Beaſt, or other Cattle when going to or returning from being ſhoed or farried; nor for any Horſe, Beaſt, or Cattle, uſed or employed for the Purpoſe only of carrying or conveying Materials for making or repairing any Highway or Public Road within any ſuch Pariſh, Hamlet, or Place as aforeſaid, or for rebuilding, building or repairing any preſent or future Bridge or Bridges on the ſaid Roads; 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 any Place appointed for Exerciſe, Inſpection, or Review, provided that ſuch Perſon is in the Uniform of his Corps, and has his Arms, Furniture and Accoutrements, according to the Regulations appointed for ſuch Corps at the Time of claiming the Exemption; and if any Perſon ſhall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the ſame, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of the ſaid recited Acts and this Act.

Particular Exemptions.

XXI. And be it further enacted, That no Toll or Duty ſhall be demanded, taken, or received at any Toll Gate erected upon the ſaid Roads, or on the Sides thereof, for any Carriage laden with Peat Aſhes to be made uſe of for manuring Gardens or Lands within any Pariſh or Place through which the ſaid Roads lead; and that no Toll or Duty ſhall be taken at the *Caſtle Street* Turnpike Gate at *Reading* for the Paſſage of Horſes, Cattle, Carts, or Carriages belonging to the Owners, Occupiers, and Inhabitants of a certain Houſe called *Coley*, or the Farm near thereto, or to the Owners, Occupiers, and Inhabitants of any Houſe ſituate on either Side of the Road between the ſaid Turnpike Gate and the Fortieth Mileſtone from *London*, nor for the Paſſage of any Horſes, Cattle, Carts, or Carriages belonging to any of the Inhabitants of the Town of *Reading*, going to or returning from the ſaid Houſe called *Coley*, and the Farm adjoining thereto, or any Houſe ſituate as aforeſaid, and not elſewhere, any Thing in the ſaid recited Acts to the contrary thereof in anywiſe notwithſtanding.

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

XXII. 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 or liable to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, or the Horſe or Horſes drawing the ſame, 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 the ſaid recited Acts or this Act contained, to the contrary notwithſtanding.

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

XXIII. And be it further enacted, That the reſpective Truſtees appointed or hereafter to be appointed in or by virtue of the ſaid recited Acts or of this Act for the ſaid reſpective Diſtrict, may ſue or be ſued for or concerning any Matter or Thing to be done by virtue or in purſuance of the ſaid recited Acts and this Act, in the Name or Names of their reſpective Treaſurer or Treaſurers, Clerk or Clerks for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid reſpective Truſtees, or any of them, in the Name or Names of their reſpective Treaſurer or Treaſurers, Clerk or Clerks, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Treaſurers, Clerk or Clerks, nor by the Act of ſuch Treaſurer or Treaſurers, Clerk or Clerks, without the Conſent of the ſaid reſpective Truſtees, or any Seven or more of them, at a Meeting to be held in purſuance of the ſaid recited Acts or this Act; but that the Treaſurer or Treaſurers, Clerk or Clerks for the Time being to the ſaid reſpective Truſtees, ſhall be deemed to be Plaintiff or Plaintiffs, Defendant or Defendants, (as the Caſe may be), in every ſuch Action or Suit: Provided always, that every ſuch Treaſurer or Treaſurers, Clerk or Clerks, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of the ſaid recited Acts or this Act, ſhall be fully indemnified, reimburſed, and paid out of the Monies to ariſe by virtue of the ſaid former Acts and this Act, all ſuch Coſts, Damages, and Expences, as by the Event, or in conſequence of any ſuch Action or Proceedings, he or they ſhall pay, bear, expend, or be put unto or become chargeable with by reaſon of his or their being ſo made Plaintiff or Plaintiffs, Defendant or Defendants as aforeſaid.

Remedy in caſe of Neglect of Collector not diſcharging his Duty.

XXIV. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls by this Act granted ſhall neglect or be incapable of performing his Duty, or ſhall abſcond or abſent himſelf, any Three or more of the ſaid reſpective Truſtees, (though not aſſembled at a Meeting of the ſaid Truſtees appointed by virtue of this Act), may diſcharge ſuch Collector or Receiver ſo neglecting or being incapable of performing his Duty, or abſconding or abſenting himſelf; and in ſuch Caſe, and alſo in caſe any ſuch Collector or Receiver ſhall die, the ſaid reſpective Truſtees, or any Three or more of them, ſhall and may nominate and appoint a proper Perſon to be a Collector or Receiver of the ſaid Tolls, to continue until the next Meeting of the Truſtees, in the ſtead of ſuch Collector or Receiver as ſhall ſo die or be diſcharged; and ſuch Perſon ſo nominated and appointed ſhall have the like Power and Authority, and be anſwerable and accountable in the ſame Manner in all Reſpects, as the Perſon who ſhall ſo die or be diſcharged would have had or would have been ſubject to.

Old Mortgages may be called in, and new ones granted.

XXV. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, ſhall and may, if thereunto required, receive and cancel all or any of the Mortgages made by virtue of the ſaid recited Acts, and give and execute another Mortgage or Mortgages in lieu thereof reſpectively in like Manner, and tranſferable, as any Mortgage or Mortgages

is

is or are by the ſaid recited Acts directed or authorized to be made and transferred.

Penalty on Perſons taking away Materials.

XXVI. And be it further enacted, That if any Perſon whomſoever ſhall take away any Materials which ſhall have been dug, gotten, or gathered for the Repair or Uſe of the ſaid Roads, or ſhall raiſe or carry away any Materials out of, or otherwiſe interfere with or obſtruct the working of any Pit or Quarry which ſhall have been made or opened for the Purpoſe of getting Materials for repairing the ſaid Roads before the Surveyor or Surveyors, or his or their Workmen ſhall have diſcontinued working therein for the Space of Six Calendar Months, (except the Owner or Occupier of the Land in which ſuch Pit or Quarry ſhall be made, as to Materials that may be dug at his or her own Expence, for his or her own private Uſe only, and not for Sale), every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Notices to be given to Occupiers of Lands before Materials are taken.

XXVII. And be it further enacted, That no Surveyor, or any other Perſon or Perſons acting under the Authority of the ſaid recited Acts or this Act, ſhall firſt begin to dig, gather, or carry away any Materials for making or repairing the ſaid Roads, out of or from any incloſed Lands without the Conſent of the Owner or Occupier thereof expreſſed in Writing for that Purpoſe, or until Notice in Writing ſigned by the ſaid Surveyor, ſhall have been given to the Owner or his known Agent, or to the Occupier of the Land from which ſuch Materials are intended to be taken, or left at ſuch Owners or Occupiers uſual Place of Reſidence, to appear before any One Juſtice of the Peace acting for the County or Place wherein ſuch Land ſhall lie, to ſhew cauſe why ſuch Materials ſhall not be had therefrom; and in caſe ſuch Owner, Agent or Occupier, ſhall not attend, or ſhall attend purſuant to ſuch Notice but ſhall not ſhew ſufficient Cauſe to the contrary, then and in either of the ſaid Caſes ſuch Juſtice ſhall authorize ſuch Surveyor or other Perſon to dig, gather, take, and carry away ſuch Materials at ſuch Time or Times as to ſuch Juſtice ſhall ſeem proper, and ſhall and may make ſuch Order therein as he ſhall think fit; the ſaid Truſtees or their Surveyor making or tendering ſuch Satisfaction for the Materials, and for the Damage done to the Owners or Occupiers reſpectively of ſuch Lands or Grounds where or from whence the ſame ſhall be dug, gathered, gotten, taken, or carried away, or upon, over, or through which the ſame, or any other Materials ſo dug for repairing the ſaid Roads, and gathered as aforeſaid, ſhall be conveyed, as ſuch Juſtice ſhall adjudge reaſonable.

Power to contract for Repair of Roads.

XXVIII. And be it further enacted, That it ſhall and may be lawful for the ſaid reſpective Truſtees, or any Five or more of them, from Time to Time to contract and agree with any Perſon or Perſons for repairing the ſaid Roads, or any Part or Parts thereof, or for doing any other Work in purſuance or execution of the ſaid recited Acts and this Act, in ſuch Manner, and for ſuch Sum or Sums of Money annually, or otherwiſe, as the ſaid reſpective Truſtees, or any Five or more of them, ſhall think proper.

Penalty on Perſons riding or driving Cattle, &c.

XXIX. And be it further enacted, That if any Perſon or Perſons ſhall ride upon any Cauſeway or Cauſeways, or any other Way or Ways already made,

on the Cauſeways, and for depaſturing on Sides of Road.

made, or hereafter to be made for the Uſe of Foot Paſſengers upon, in, or along the Sides of any Part or Parts of the Roads mentioned in or made in purſuance of the ſaid recited Acts, or hereafter to be made under or by virtue of ſuch recited Acts and this Act; or ſhall lead or drive any Horſe or Horſes, Carriage or Carriages, Cattle, Sheep, or Swine upon any ſuch Cauſeway or Cauſeways, or other Way or Ways for the uſe of Foot Paſſengers; or ſhall cauſe any Injury or Damage to be done to the ſame, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings; and if any Horſe or Horſes, Cattle, Sheep, or Swine ſhall be found wandering or depaſturing upon or on the Sides of any Part of the ſaid Roads, the Owner or Owners of ſuch Horſe or Horſes, Cattle, Sheep, or Swine, ſhall reſpectively for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings to the reſpective Surveyor or Surveyors already appointed or hereafter to be appointed under or by virtue of the ſaid recited Acts or of this Act; and he and they is and are hereby authorized and required to cauſe all ſuch Horſe or Horſes, Cattle, Sheep, or Swine, as ſhall be found wandering or depaſturing upon or on the Sides of any Part of the ſaid Roads to be impounded, until ſuch Penalty or Penalties ſhall be paid to ſuch Surveyor or Surveyors, over and above the uſual Fee to the Proprietor or Keeper of the Pound where ſuch Horſe or Horſes, Cattle, Sheep, or Swine, ſhall be ſo impounded; and in caſe any Perſon or Perſons ſhall moleſt or diſturb the ſaid Surveyor or Surveyors, or any Perſon or Perſons employed by him or them in leading or driving ſuch Horſe or Horſes, Cattle, Sheep, or Swine, to Pound as aforeſaid, he or they ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees empowered to erect Mileſtones.

XXX. And be it further enacted, That it ſhall and may be lawful for the ſaid reſpective Truſtees, or any Five or more of them, and they are hereby required from Time to Time to cauſe the ſaid Roads to be meaſured, and Stones or Poſts to be placed in or near the ſame, with Inſcriptions thereon, denoting the Number of Miles and Diſtance of Places, as they ſhall think proper; and if any Perſon or Perſons ſhall wilfully pull up or damage any Direction Poſt or Mileſtone erected or fixed, or to be erected or fixed, in or near the Side of the ſaid Roads; or ſhall obliterate or deface any of the Letters, Figures, or Marks inſcribed thereon; or if any Perſon or Perſons ſhall hale or draw, or cauſe to be haled or drawn upon any Part of the ſaid Roads, any Tree or Piece of Timber, or any Stone, (otherwiſe than upon Wheeled Carriages), or ſhall ſuffer any Part of any Tree or Piece of Timber or Stone, which ſhall be carried upon Wheeled Carriages, to drag upon any Part of the ſaid Roads to the Prejudice thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage, ſhall not keep his Carriage on the left Side of the ſaid Roads, when meeting any other Carriage; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons, or the Coach, Chaiſe, Waggon, Cart, or other Carriage under his, her, or their Care, from paſſing him or her upon the ſaid Roads; or if any Perſon ſhall make or aſſiſt in making any Fire or Fires, commonly called *Bonfires*, or ſhall ſet fire to or let off, or throw any Squib, Rocket, Serpent or Firework, or other combuſtible Matter whatſoever, on any Part or Parts of the ſaid Roads, or any Cauſeway or Footway, or Path adjoining thereto; or if any Perſon ſhall leave any Coach, Chaiſe, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of the ſaid Roads,

either with or without any Horſe or Beaſt of Draught harneſſed or yoked together. longer than may be neceſſary for the loading or unloading thereof, and ſtanding as near to the Side of the ſaid Roads as conveniently may be, and except in Caſes of Accidents; or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Roads, or on any Waſte Ground adjoining the Side or Sides thereof, and being within the Diſtance of Thirty Feet from the Centre of the ſaid Roads, to the Prejudice of the ſaid Roads, or to the Annoyance of any Perſon or Perſons whomſoever, every ſuch Perſon or Perſons ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Direction as to Gates leading into Fields adjoining Roads.

XXXI. And be it further enacted, That all Gates to be hereafter made and placed in any Field, Ground, or Place adjoining any Part of the ſaid Roads, ſhall be made, hung, and ſet up ſo as to open inwards only to ſuch Field, Ground or Place, and not outwards towards the ſaid Roads, under a Penalty or Forfeiture not exceeding Forty Shillings, to be paid by the Owner or Occupier of ſuch Field, Ground or Place; and that it ſhall be lawful for the ſaid reſpective Truſtees, or any Five of them, in their reſpective Diſtricts, to cauſe all ſuch Gates as are now or hereafter may be erected, and ſo conſtructed ſo as to open outwards towards the ſaid Roads, to be altered and made ſo as to open inwards only.

Application of Compenſation when amounting to 200l.

XXXII. 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 by virtue of the ſaid recited Acts or this Act, 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 the ſaid recited Acts and 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 Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments, ſtanding ſettled 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 of Chancery upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments to be purchaſed by virtue of the ſaid recited Acts or this Act, in caſe ſuch Purchaſe or Settlement were made.

Application where Compenſation is leſs than 200l. and exceeds 20l.

XXXIII. 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 Lands, Tenements or Hereditaments ſo purchaſed, taken or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank 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 any Five or more of the ſaid reſpective 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 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 and Approbation of the ſaid Court of Chancery.

Application where the Money is leſs than 20l.

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

In caſe of not making out Titles, Purchaſe

XXXV. 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 the ſaid

said recited Acts or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said respective 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 awarded or assessed 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 for the said respective 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 said Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, 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.

Money to be paid into the Bank.

XXXVI. 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 the said recited Acts or this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements or Hereditaments, to be purchased in pursuance 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 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.

Persons in Possession presumptively entitled.

XXXVII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation,

Court may order reasonable Expences of Purchases

to be paid by the Truſtees.

poration, entitled to any Lands, Tenements or Hereditaments, to be purchaſed under the Authority of the ſaid recited Acts or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements or Hereditaments, to be ſettled to the like Uſes in purſuance of the ſaid recited Acts and 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 the ſaid recited Acts and 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 reſpective Truſtees (out of the Monies to be received by virtue of the ſaid recited Acts and this Act) who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Statute Work.

XXXVIII. And be it further enacted, That ſo much of the ſaid recited Acts as relates 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 for the County of *Berks*, and they are hereby required and empowered, upon Application made to them by the ſaid reſpective Truſtees, or any Five or more of them, or by their reſpective Treaſurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes, Hamlets, 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, Hamlet, 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 reſpective Truſtees, or to their reſpective 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 for every ſuch Pariſh, Hamlet, or Place within their reſpective Juriſdictions, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within Ten Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh, Hamlet, 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 are or may be directed by any Law or Statute in Force and Effect 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 to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days, and at ſuch Times, (not being Hay-time or Harveſt), and in ſuch Parts of the ſaid Roads, as the ſaid reſpective Truſtees, or their reſpective 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,

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 respective Trustees, or their respective Treasurer or Treasurers, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Acts authorized or directed to be recovered; and each and every Person who shall refuse or neglect to do 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, by any Surveyor of the said respective Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force and Effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or 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 respective Trustees, such Surveyor is hereby empowered to remove and discharge 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 respective Trustees, and applied towards amending the said Roads; and if any Surveyor of the Highways for any of the said Parishes, Hamlets or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and 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.

Power to detain unknown Persons guilty of Offences.

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

Penalty on obstructing the Execution of this Act.

**XL.** And be it further enacted, That if any Person or Persons shall assault, interrupt or hinder, or cause or procure to be assaulted, interrupted or hindered, any Collector of the Tolls employed in the Execution of the said recited Acts and this Act, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Recovery and Application of Penalties.

XLI. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed), with all Coſts and Charges attending the Conviction, ſhall be levied, recovered, and applied in ſuch Manner as other Penalties and Forfeitures are by the ſaid recited Acts, or either of them, directed to be levied, recovered, and applied; and that all Offenders againſt this Act ſhall be ſubject and liable to the ſame Puniſhment as other Offenders are by the ſaid recited Acts, or either of them, made ſubject and liable unto, in caſe of Failure of Diſtreſs or Non-payment of the Penalties or Forfeitures thereby impoſed.

Expences of the Act.

XLII. And be it further enacted, That one Moiety of the Charges and Expences of obtaining and paſſing this Act ſhall be paid out of the Tolls collected or to be collected upon ſuch Part of the ſaid Roads as lies between the Town of *Reading* and the Place called the *Seven Mile Stone*, upon the Road to *Newbury*, or any Money borrowed or to be borrowed on the Credit thereof; and the other Moiety thereof ſhall be paid out of the Tolls collected or to be collected upon ſuch Part of the ſaid Roads as lies between the ſaid *Seven Mile Stone* and the Houſe formerly in the Occupation of *Edward Sheppard*, in *Speenhamland* aforeſaid, or out of any Money borrowed or to be borrowed on the Credit thereof.

Public Act.

XLIII. 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 this Act.

XLIV. And be it further enacted, That the ſaid recited Acts ſhall be and continue in full Force, and ſhall be executed until the Second *Monday* next after the paſſing of this Act, and from thenceforth, as well the ſaid recited Acts (ſubject to the Alterations, Additions, and Amendments in this Act contained) as this Act, ſhall be put in force and be executed for and during the Term of Twenty-one Years and from thence to the End of the then next Seſſion of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's moſt Excellent Majeſty. 1815.