ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 43.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the *Eaton Bridge* Turnpike Road at *Cockham Hill*, in the Parish of *Westerham*, in the County of *Kent*, to the Turnpike Road from *Croydon* to *Godstone*, in the County of *Surrey*. [15th *April* 1813.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act for the repairing, widening and keeping in Repair, the Road leading from the* Eaton Bridge *Turnpike Road at* Cockham Hill, *in the Parish of* Westerham, *in the County of* Kent, *through the Village of* Limpsfield *to the Village of* Titsey, *over* Botley Hill, Worms Heath *and* Willingham Common, *to the Turnpike Road leading from* Croydon *to* Godstone, *in the County of* Surrey: And whereas another Act was passed in the Thirty-second Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of an Act, passed in the Tenth Year of the Reign of His present Majesty, for repairing, widening and keeping in Repair, the Road leading from the* Eaton Bridge *Turnpike Road at* Cockham Hill, *in the Parish of* Westerham, *in the County of* Kent, *through the Village of* Limpsfield *to the Village of* Titsey; *over* Botley Hill, Worms Heath *and* Wallingham Common, *to the Turnpike Road*

10 G. 3. c. 62.

32 G. 3. c. 151.

Road leading from Croydon *to* Godſtone, *in the County of* Surrey: And whereas the Truſtees appointed in or by virtue of the ſaid Acts, have proceeded to put the ſame in Execution; for which Purpoſe they have borrowed conſiderable Sums of Money on the Credit of the Tolls thereby granted, which ſtill remain due, and cannot be repaid, nor can the ſaid Road be properly amended, improved and kept in Repair, unleſs the Term of the ſaid Acts be continued, and ſome of the Powers and Proviſions of the ſaid Acts be altered and enlarged, and the Tolls increaſed: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Acts paſſed in the Tenth and Thirty-ſecond Years of His preſent Majeſty, and all and every the Authorities, Powers, Privileges, Proviſions, Penalties and Clauſes therein contained, (except ſuch as relate to Exemption from Stamp Duties, and ſuch as are hereby varied, altered or repealed) ſhall be and continue in full force, and be executed for and during the Term hereinafter mentioned, as fully and effectually to all Intents and Purpoſes as if the ſame were herein particularly repeated and re-enacted, but ſubject nevertheleſs to the Amendments, Variations, Alterations and Additions herein contained, and which ſhall commence and take Effect upon the paſſing of this Act; and the additional Term hereby granted ſhall be ſubject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the ſaid former Acts, or which may hereafter be borrowed or become due and owing on the Credit of the ſaid Acts and this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Acts further continued.

Truſtees.

II. And be it further enacted, That *Thomas Henry Biſcoe*, *George Clayton*, *William Leveſon Gower*, *William Louttit*, *Thomas Rudſdell Clement*, *Samuel Strong* the younger, Eſquires; *Edmund Turner Beynon*, *Richard Board*, *John Courtnay*, *Robert Mayne*, *William Moreton Moreton*, *Thomas Linwood Strong*, *Thomas Thorp* and *John Waters*, Clerks; ſhall from and immediately after the paſſing of this Act, be added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Acts for putting the ſame and this Act in Execution; and the Truſtees hereby appointed and their Succeſſors, being qualified according to the Directions of the ſaid recited Acts, are hereby empowered to put the ſaid recited Acts and this Act in Execution, as fully and effectually, to all Intents and Purpoſes, as if they had been named in and appointed by the ſaid recited Acts.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Five or more of them, at a Meeting to be held for that Purpoſe (of which Meeting, and of the Purpoſe thereof, ſuch Notice ſhall be given as is directed by the ſaid recited Acts, reſpecting the Appointment of future Truſtees on Vacancies) to elect, nominate and appoint any Number of fit and proper Perſons, not exceeding Ten, to be Truſtees for the Purpoſes of the ſaid recited Acts and this Act, in addition to the Truſtees hereby nominated and appointed.

Truſtees may ſue and be ſued in the

IV. And be it further enacted, That the ſaid Truſtees may ſue or be ſued for or concerning any Thing to be done by virtue or in purſuance of the

the ſaid recited Acts and this Act, either in the Name of the Truſtees who may be Parties to any Deed or Inſtrument in Writing upon which any Action ſhall or may be brought, or in the Name of their Clerk or Treaſurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees in their Names, or in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death, Incapacity or Removal of any Truſtee or Truſtees, or Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees or any Seven or more of them, but that the Clerk or Treaſurer for the Time being to the ſaid Truſtees, in caſe ſuch Action ſhall be brought by or againſt, or defended in the Name of ſuch Clerk or Treaſurer, ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be) in every ſuch Action or Suit: Provided always, that ſuch Truſtees or Clerk or Treaſurer, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted or defended, in purſuance of the ſaid recited Acts or this Act, ſhall be fully reimburſed and paid out of the Monies ariſing by virtue of the ſaid recited Acts and this Act, all the Coſts, Charges, Damages and Expences which by the Event or in conſequence of any ſuch Action or Proceeding he ſhall bear, pay, expend, or be put unto or become chargeable with by reaſon of their or his being made Plaintiff or Defendant as aforeſaid.

Name of their Clerk or Treaſurer.

V. And be it further enacted, That inſtead of the Tolls authorized and directed in and by the ſaid recited Acts to be demanded and taken for any Horſe, Cattle, Beaſt or Carriage, the following Tolls ſhall and may from and after the paſſing of this Act be demanded and taken at each of the Turnpikes, Bars or Gates, erected or to be erected upon the ſaid Road (that is to ſay):

Alteration of the Tolls.

For every Horſe, Mare, Gelding, Mule or other Beaſt, drawing in any Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Hearſe or Chair, the Sum of Sixpence:

For every Horſe or other Beaſt, drawing in any Waggon, Wain, Wheel Car, Cart, Tumbrel, Carriage or Sledge, the Sum of Four-pence Halfpenny:

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

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

For every Drove of Calves, Swine, Sheep or Lambs, the Sum of Sevenpence Halfpenny *per* Score; and ſo in proportion for any greater or leſs Number:

Which ſaid ſeveral and reſpective Tolls are hereby veſted in the ſaid Truſtees; and the ſaid Tolls and every Part thereof, ſhall and may be demanded, collected, recovered, applied and diſpoſed of, in ſuch Manner, and for ſuch Uſes, Intents and Purpoſes, as are directed by the ſaid recited Acts, with reſpect to the Tolls thereby authorized to be taken, but ſubject nevertheleſs to the Proviſions and Directions of this Act.

Tolls veſted in Truſtees.

VI. And

Double Toll on Sundays.

VI. And be it further enacted, That on each and every *Sunday* (to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on *Sunday* Night) it ſhall be lawful for the ſaid Truſtees, or any Perſon or Perſons by them appointed, to demand and take for and in reſpect of each and every Horſe, Beaſt or other Cattle, paſſing through ſuch Gate or Turnpike, Double the Toll or Sum which may be demanded and taken for the ſame reſpectively on any other Day by virtue of this Act, before ſuch Horſe, Beaſt, or other Cattle ſhall be permitted to paſs through any ſuch Gate or Turnpike.

Truſtees may leſſen the Tolls.

VII. And be it further enacted, That the ſaid Truſtees, or any Seven or more of them, are hereby authorized and empowered from Time to Time, if they ſhall think proper, to leſſen or reduce all or any of the ſaid Tolls, and to raiſe the ſame again ſo as not to exceed the reſpective Sums by this Act granted, and that ſuch Tolls, ſo leſſened or reduced, ſhall be collected and recovered in the ſame Manner as the Tolls hereinbefore granted are directed to be collected and recovered; provided nevertheleſs, that no ſuch Reduction as aforeſaid ſhall be made, unleſs the Perſon or Perſons who ſhall be entitled to Five-ſixth Parts at the leaſt of the Money which ſhall then be due on the Credit of the ſaid Tolls, ſhall conſent thereto, and that no Reduction ſhall be made in any of the ſaid Tolls, unleſs Notice of the Intention to make ſuch Reduction, and of the Meeting ſo to be holden for that Purpoſe, be given by Writing to be affixed upon all the Turnpike Gates which ſhall be then ſtanding upon the ſaid Road, and in the Newſpaper called the *County Chronicle*, or ſome other Newſpaper publiſhed or circulated in the ſaid Counties, at leaſt Fourteen Days before ſuch Meeting.

General Exemption from Toll.

VIII. And be it further enacted, That none of the Tolls hereby authorized to be taken, ſhall be demanded, taken or received at any of the Turnpikes, Bars or Gates erected or to be erected or continued upon the ſaid Road, 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 his, her or their Parochial Church, Chapel or other uſual Place of Religious Worſhip 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

Perſon or Perſons who ſhall die and be buried in any Pariſh, Hamlet or Place, through which any Part of the ſaid Road lies; nor for any Horſes, Beaſts, Cattle or Carriages, uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the Counties of *Kent* and *Surrey*; or for carrying or conveying Vagrants ſent by legal 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 Dung, Mould, Manure or Compoſt, except Chalk, Lime, Aſhes and Soot, to be uſed only for manuring the Land, or going or returning empty in that Employment; 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, unleſs the Carriage bearing any ſuch Plough, Harrow, or other Implement of Huſbandry, be alſo laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horſe, Beaſt or Cattle, paſſing to or repaſſing from Water or Paſture, not beyond the Diſtance of Two Miles, and for either of thoſe Purpoſes going or paſſing only from one Pariſh into the next adjoining Pariſh, and not travelling more than Two Miles along the ſaid Road; nor for any Horſe, Beaſt or other Cattle, when going to or returning from being ſhoed or farried, not beyond the ſaid Diſtance of Two Miles; nor for any Horſe, Beaſt or Cattle, uſed or employed for the Purpoſe only of carrying or conveying Materials for the 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 Road under this Truſt; nor for any Horſe, Beaſt, Cattle or Carriage, which ſhall croſs the ſaid Road only, or ſhall not paſs more than One hundred Yards thereon; 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, and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

Owners or Drivers of Waggons conveying Military Stores, not ſubject to Penalties for Overweight.

IX. 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 the said recited Acts or this Act contained, to the contrary notwithstanding.

Application of Compensation Money, if amounting to 200l.

X. 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 Acts and 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, as in the said Acts mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Acts and this Act, pursuant to the Method prescribed by the Act of the Twelfth Year of His late Majesty King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order, made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements or Hereditaments, or affecting any other Lands, Tenements or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Messuages, Lands, Tenements and 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 the 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 Lands, Tenements and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than 200l. and exceeding 20l.

XI. 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,

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 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 with the Privity and in the Name 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 hereinbefore directed; or otherwiſe the ſame ſhall be paid at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the 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 hereinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Application where not more than 20*l.*

XII. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as laſt before-mentioned, ſhall not exceed 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 this Act, in ſuch Manner as the ſaid Truſtees or any Five or more of them ſhall think fit; or in caſe of Infancy or Lunacy, then to his, 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.

XIII. 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 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 Truſtees, or any Five or more of them, 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 be lawful for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money, ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands or Hereditaments [deſcribing them], ſubject to the Order, Control and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſame Court

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.

In case of disputed Titles.

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

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

XV. 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 or Hereditaments to be purchased under the Authority of the said recited Acts or of 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 thereof, 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 or of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees 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.

Statute Work.

XVI. And be it further enacted, That so much of the said recited Acts as relate to the Performance of Statute Labour on the said Road, 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 Road, 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 Counties of *Kent* and *Surrey*, within their reſpective Juriſdictions, and they are hereby required and empowered (upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or by their Order) yearly to adjudge and determine what Part or Proportion of Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes, Hamlets or Places in which the ſaid Road lies, 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 Truſtees or to their Treaſurer or Treaſurers, and in order thereto, it ſhall be lawful for ſuch Juſtices from Time to Time, within their reſpective Juriſdictions, to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh, Hamlet or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Five 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 or may appoint and order ſuch and ſo many of the Perſons as 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 Road, 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 Road as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof, as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in default of Payment thereof the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid (after Notice in Writing given to or left for him, her or them, at his, her or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor of the ſaid Truſtees) ſhall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force or effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid 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 Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and if any Surveyor of the Highways for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly 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 Forty Shillings.

For paying the Expences of the Act.

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

Public Act.

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

Commencement and Continuance of this Act.

XIX. And be it further enacted, That the ſaid recited Acts (ſubject to the Alterations, Additions and Amendments in this Act contained) and this Act, ſhall continue and be in force, and be executed for and during the Reſidue now to come of the Term granted by the ſaid recited Acts, and from the Expiration thereof for and during the further 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. 1813.