



ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 9.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the City of *Norwich* to *North Walsham*, in the County of *Norfolk*. [23d March 1813.]

WHEREAS an Act was passed in the Thirty-seventh Year of the Reign of His present Majesty, intituled *An Act for amending, widening, and keeping in Repair, the Road from Magdalen Gate in the City of Norwich, to the King's Arms Inn, in North Walsham, in the County of Norfolk*: And whereas the Trustees acting in the Execution of the said Act have borrowed several considerable Sums of Money upon the Credit of the Tolls thereby authorized to be collected; which Money so borrowed still remains due, and cannot be repaid, nor the said Road effectually amended and kept in Repair, unless the Term of the said Act be continued, and the Powers thereof altered, amended, and enlarged, and the present 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 recited Act, and all and every the Powers, Provisions, Directions, Penalties, Forfeitures, Matters, and Things therein contained, (except such of them as are hereby varied, altered, Act con-
tinued.

[*Loc. & Per.*] Ff

altered, or repealed, and as relate to Exemptions from Stamp Duties,) shall be in as full Force and Effect, and shall have Continuance for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; and that this Act, and the additional Term hereby granted, shall be subject and liable to the Payment of all the said several and respective Sums of Money now due and owing on the Credit or on Account of the said recited Act, and also of such other Sum or Sums of Money as may be borrowed for the Purposes of the said recited Act and this Act, and of all Interest now due and to grow due for the same respectively.

Meetings of Trustees.

II. And be it further enacted, That so much of the said recited Act as relates to the Places of Meetings of the Trustees shall be and is hereby repealed; and that the surviving Trustees appointed by and under the Authority of the said recited Act, as well as those hereafter to be appointed, shall and may hold their Meetings at some convenient House or Place in any of the Parishes in which the said Road is situate, or in the Guildhall, or any House or Place in the said City of *Norwich*; and may from Time to Time adjourn any of such Meetings to the same or any other Place within some or one of the said Parishes, or the said City; and that all Meetings to be held under or in pursuance of this Act or of the said recited Act, (of the Holdings of which Notice is directed to be given in the public Newspapers,) shall be deemed to be well and sufficiently advertised for the Purposes thereof if the same be inserted in one of the *Norwich* Newspapers once only before each Meeting; any Thing in the said recited Act contained to the contrary thereof notwithstanding.

Trustees may contract for Repair of the Roads, &c.

III. And be it further enacted, That the said Trustees, or any Five or more of them, may and they are hereby empowered to contract with any Person or Persons for repairing, widening, altering, or keeping in Repair the said Road, or any Part thereof, or for doing any other Work authorized to be done by the said recited Act or this Act, in such Manner and for such Sum or Sums of Money as the said Trustees, or any Five or more of them, shall from Time to Time think fit.

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

IV. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done or omitted to be done by virtue or in pursuance of the Directions of the said recited Act or this Act, in the Name or Names of their Treasurer or Treasurers 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 the Name of their Treasurer or Treasurers, shall abate or be discontinued by the Death or Removal of any such Treasurer or Treasurers, nor by the Act of any such Treasurer or Treasurers, without the Consent of the said Trustees, or any Five or more of them; but the Treasurer or Treasurers for the Time being shall be deemed Plaintiff or Defendant, as the Case may be, in every such Action: Provided always, that every such Treasurer or Treasurers in whose Name or Names any such Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this or the said recited Act, shall be fully reimbursed and paid; and it shall be lawful for him or them to retain out of the

the Money then in the Hands of such Treasurer or Treasurers, or out of the first Money to come to his or their Hands, by virtue of this or the said recited Act, after such Action or Suit shall be concluded or discontinued, all such Payments, Costs, Charges, Damages, and Expences, as by the Event of or in consequence of any such Action or Proceeding he, they, or any of them, shall pay, bear, expend, or be put unto or become chargeable with, by reason of his or their being so made Plaintiff or Defendant as aforesaid, in Preference to all other Payments whatsoever.

V. And whereas the Tolls by the said recited Act authorized to be Tolls. taken upon the said Road have been found insufficient for the Purposes thereof, and for paying the Interest of the Money borrowed on the Credit of the said Tolls; be it therefore further enacted, That the several Tolls now payable by virtue of the said recited Act shall cease, determine, and be no longer payable; and that instead thereof, the following Tolls shall be demanded and taken; (that is to say,)

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

For every Coach, Berlin, Landau, Sociable, Barouche, Chariot, Phaeton, Gig, Chaise, Curricule, Caravan, or Common Stage Cart, Hearse, Taxed or Luggage Cart, Chair, or other such Carriage, and every Carriage on Springs, drawn by Six or more Horses or other Beasts, the Sum of Two Shillings and Sixpence; and drawn by Four or Three Horses or other Beasts, the Sum of One Shilling and Sixpence; and drawn by Two Horses or other Beasts, the Sum of Nine-pence; and drawn by One Horse or other Beast, the Sum of Four-pence Halfpenny:

For every Waggon, Wain, Dray, Cart, or such like Carriage, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches or upwards from Side to Side, drawn by Eight or Seven Horses or other Beasts, Nine-pence; and drawn by Six or Five Horses or other Beasts, Seven-pence; and drawn by Four, Three, or Two Horses or other Beasts, Five-pence:

For every Waggon, Wain, Dray, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth or Gauge than Nine Inches from Side to Side, drawn by Four Horses or other Beasts, One Shilling; and drawn by Three Horses or other Beasts, Nine-pence; and drawn by Two Horses or other Beasts, Sixpence; and drawn by One Horse or other Beast, Three-pence:

For every Waggon, Wain, Dray, Cart, Drug Gill, or other Carriage, having the Fellies of the Wheels of less Breadth or Gauge than Six Inches from Side to Side, laden with Millstones, or a Block or Blocks of Stone, or with Timber, and drawn by Four or Three Horses or other Beasts, the Sum of One Shilling:

For every Score of Oxen or Neat Cattle, the Sum of One Shilling; and so in Proportion for a less Number:

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Sixpence; and so in Proportion for a less Number:

Side Gates.

And that there shall also be demanded and taken at any of the Turnpikes or Side Gates which now are, or hereafter shall be erected on or near the Sides of the said Road, or upon or across any Lanes or Ways leading into the said Road, before any Horse or other Beast, Cattle or Carriage of any Kind shall be permitted to pass through the same, Half the several and respective Tolls hereby authorized to be demanded and taken at the Turnpikes erected, or to be erected upon or across the said Road by virtue of the said recited Act and this Act, or either of them.

Exemptions.

VI. And be it further enacted, That, from and after the passing of this Act, all and every the Exemptions from the Payment of Toll granted and allowed by the said recited Act shall be and the same are hereby repealed; and that, during the Continuance of this Act, no Toll shall be demanded or taken for any Horse, Beast, Cattle, or Carriage 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 on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing the said Road, or any of the Roads in the Townships or Parishes in which any Part of such Road lies; or in carrying or conveying, or in going for or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Hay, Straw, Fodder, Corn, Corn in the Straw, Turnips, Wood, or other Articles or Things being the Growth or Produce of any Lands or Grounds the Property or in the Occupation of the Owner or Owners thereof, the same not being sold or disposed of, or going to be sold or disposed of, but passing to be laid up or placed in any of the Houses, Outhouses, Barns, Stables, Lofts or Yards, or upon the Lands or Grounds of such Owner or Owners thereof, or for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going to fetch any Plough, Harrow, or other Implements of Husbandry; or any Mould, Dung, Compost, Sand, Marl, Clay, or other Manure used in Husbandry for manuring or improving Lands, or for any other Article or Thing whatsoever employed in Husbandry; or for any Horses, Cattle, Sheep, or Beasts going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or for any Horse or other Beast or Carriage conveying any of the Inhabitants of the said Townships or Parishes who shall be going to or returning from his or their proper Parochial Church, Chapel, or other Place of Religious Worship, tolerated by Law, on a *Sunday*, or any other Day on which Divine Service is ordered by Authority to be celebrated; or attending the Funeral of any Person that shall die or be buried in any of the said Townships or Parishes; or any Clergyman or licensed Minister going to or returning from visiting the Sick, or upon other his Parochial or Ministerial Duty, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle, or Carriage of whatever 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 back from conveying the same; or for any Horse, Cattle, or Beast attending any Soldiers upon their March
or

or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Cart, Carriage or Beast, employed in conveying Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle, Beast or Carriage, carrying or conveying any Person or Persons going to vote or returning from voting at any Election of a Member or Members to serve in Parliament for the County of *Norfolk*, or the City of *Norwich*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence 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 this Act.

VII. 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, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act, contained to the contrary notwithstanding.

Exempting
Carriages
with Military
Stores from
Penalty for
Overweight.

VIII. And be it further enacted, That in case any Dispute, Suit, Litigation, Information, or Prosecution shall arise, touching or in anywise relating to the said Tolls, no Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be deemed to be incompetent to give Evidence in any such Dispute, Suit, Litigation, Information, or Prosecution, by reason of his, her, or their being appointed to collect the said Tolls.

Collectors
competent
Witnesses.

Enabling
Trustees to
take Posses-
sion of Toll
Houses, &c.

IX. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to farm to any Person or Persons, in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms or Conditions in which the same shall be so demised or let, either by taking greater or less Tolls, or in any other Way or Manner; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear by the Space of Ten Days, next after any One of the Days on which the same ought to be paid, pursuant to the Lease or Agreement for demising or letting thereof; and in case the Toll House or Toll Houses shall be in Possession of any such Lessee or Lessees, Farmer or Farmers, or Collector or Collectors, who shall be discharged or removed from his, her, or their Office of Collector or Collectors, or shall happen to die, then and in any of those Cases the said Trustees, or their Treasurer or Clerk, or any other Person authorized by Writing under their Hands, or the Hands of any Five or more of them, shall and lawfully may and they are hereby authorized to enter upon and take Possession of any such Toll House or Toll Houses, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, or any Collector or Collectors, or other Officer or Officers having Possession of the said Toll House or Toll Houses, Gates and Premises, from the Possession thereof, and from the Collection of the Tolls; and that thereupon it shall be lawful for the said Trustees (if they think fit) to vacate and determine the Contract (if any) for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be from that Time utterly void, to all Intents and Purposes, (save as to the Covenants or Agreements for Payment up to that Time of the Rent or Rents thereby reserved, or other Covenants or Agreements on the Part of the Lessee or Lessees, or of his, her, or their Surety or Sureties, which shall have been broken,) as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees in every such Case to demise or let to farm the said Tolls again to any Person or Persons, or cause them to be collected, as if no former Demise, Contract, or Agreement had been made relative thereto; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Trustees may
lessen the
Tolls, and
advance them
again.

X. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, from Time to Time assembled at any Meeting or Meetings held for that Purpose, and they are hereby empowered, by and with the Consent of the Person or Persons who is, are, or shall be, for the Time being, entitled to Five-sixth Parts of the Money owing, or which shall be owing upon the Credit of the Tolls granted by the said recited Act or this Act, to lessen all or any of the Tolls by this Act granted, or to be paid by any Person or Persons, at all or any of the Turnpikes or Toll Gates erected or to be erected by virtue of the said recited Act or this Act, and for such Time and Times as they the said Trustees, or any Nine or more of them, shall think proper; and from Time to Time afterwards (with or without such Consent as aforesaid) to advance all or any of the Tolls so lessened or reduced to any Sum or Sums of Money, not exceeding the respective Rates herein-before mentioned;

mentioned; and also from Time to Time to direct the Tolls hereby granted, or so reduced as aforesaid, to be collected in such Parts or Proportions at the said Turnpikes or Toll Gates as they shall think proper; and that such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be collected, levied, and applied in such and the same Manner as the Tolls hereby granted are directed to be collected, levied, and applied; but that no Meeting shall be held for the Purpose of lessening, reducing, or advancing all or any of the said Tolls, unless Twenty-one Days previous Notice at least shall have been given thereof in Writing, to be affixed upon all the Turnpikes or Toll Gates which shall be then erected upon the said Road, and also inserted Once in one of the *Norwich Newspapers*.

XI. And whereas it was by the said recited Act enacted, that the said Trustees should cause that Part of the said Road leading through the Park of *John Berney Petre* Esquire, in the Parish of *Westwick*, (being about Two Miles in Length, and which had been then made at the sole Expence of the said *John Berney Petre*) to be kept in good Repair, and a convenient and substantial Swing Gate to be erected at each Entrance into the said Park, in consequence whereof one of such Swing Gates was erected at the late Entrance into the said Park from the Town of *North Walsham*, near the Turnpike or Toll House, situated between the Twelfth and Thirteenth Mile Stones in the said Parish of *North Walsham*, and the other of the said Swing Gates at the present Entrance into the said Park from the Common Pasture of the Parish of *Sloley*: And whereas since the erecting the said Swing Gates, the Park of the said *John Berney Petre* hath been extended and now extends from the said first-mentioned Swing Gate up to the said Turnpike or Toll House, whereby the Toll Gate thereat is become one of the Entrances into the said Park, instead of the said first-mentioned Swing Gate, in consequence whereof the said first-mentioned Swing Gate hath been removed and taken away by the said *John Berney Petre*; be it therefore enacted, That so much of the said recited Act as relates to the Swing Gate lately standing upon the said Road, between the Twelfth and Thirteenth Mile Stones, shall be and the same is hereby repealed, and that the said *John Berney Petre*, his Heirs and Assigns, shall and do during the Continuance of this Act, at his and their own Expence, provide a Person to reside in the Cottage adjacent to the Swing Gate now standing at the aforesaid Entrance into his said Park from *Sloley Common*, for the Purpose of opening the same at all Times when necessary, for the Accommodation of Travellers and Carriages passing along the said Turnpike Road; any Thing in the said recited Act to the contrary notwithstanding.

Respecting
the Swing
Gates at the
Entrances
into Mr.
Petre's Park.

XII. And whereas by certain Articles of Agreement of Three Parts, bearing Date the Thirty-first Day of *May* in the Year of our Lord One thousand seven hundred and ninety-seven, and made between *John Micklethwait* of *Beefton Saint Andrew*, in the County of *Norfolk*, Esquire, of the First Part; *John Berney Petre* Esquire, *John Wells* Esquire, *Thomas Blake* the younger Esquire, *John Wells* Clerk, and *Joseph Hill* Yeoman, Five of the Trustees nominated under the said recited Act, of the Second Part; and *Roger Kerrison* Esquire, Treasurer of the said Trustees, of the Third Part; after various Recitals therein contained, and amongst them

Respecting
Agreement
with John
Mickle-
thwait, Esq.

that the Turnpike Gate and Toll House situated at the Crossways near the Four Mile Stone had been placed in that Situation at the express Instance and Request of the said *John Micklethwait*, the said *John Micklethwait* did thereby, for himself, his Heirs, Executors, and Administrators, promise and agree to pay unto the said *Roger Kerrison*, or other the Treasurer or Treasurers of the said Road for the Time being, the annual Sum of Fourteen Pounds therein mentioned, in Manner and Form therein expressed, for and during the Continuance of the said recited Act, subject to a Proviso, that if the said Turnpike Gate should at any Time during the Continuance of the said Act be removed to and erected at the Place where the same was first ordered, or to any other Place on the said Road nearer to the said City of *Norwich* than the said Place was where the same was so first ordered to be erected, that then the said recited Agreement should be utterly void and of no Effect, and the said annual Payment should thenceforth cease and determine, as by Reference to the same Articles of Agreement will appear: And whereas the said Turnpike Gate and Toll House so erected at the Crossways near the Four Mile Stone, at the Instance of the said *John Micklethwait*, is still standing, and used according to the Purport of the said Agreement: And whereas it would be materially injurious to the Persons entitled to the Money advanced upon the Credit of the said Tolls if the said recited Agreement should be rendered void by the Operation of this Act, before the Term therein under the said recited Act would have expired in case this Act had not been made and passed; be it therefore, and it is hereby further enacted, That nothing in this Act contained shall affect or make void the said recited Articles of Agreement, or the Term therein; but that the same shall remain as good, valid, and effectual, to all Intents and Purposes, as if this Act had not been made.

Application
of Purchase
Monies when
exceeding
200l.

XIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act and this Act, or either of them, for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee or Trustee, for or on Behalf of any Infant, Lunatic, Feme Covert, or Cestuique Trust, or to any other Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any other Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or 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

or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; and where such Money shall not be so applied, 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 or settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 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 or 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.

XIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases such Money 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, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

If less than 200l., and amounting to 20l.

XV. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been

Application where the Money is less than 20l.

[*Loc. & Per.*]

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entitled

entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act and 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,
&c.

XVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Act and this Act, or either of them, 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 and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying 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.

Where any
Question
shall arise
touching
the Title, the
Person in
Possession to
be deemed
the Owner.

XVII. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased in pursuance of the said recited Act and this Act, or either of them, or to any Bank Annuities to be purchased with such Monies, 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

to such Lands, Tenements, 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 such 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.

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

The Court may order Expences to be paid by Trustees.

XIX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing the said Roads, shall still remain liable thereto, in like Manner as heretofore; and it shall be lawful for Two or more Justices of the Peace for the said County, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Treasurer, Clerk or Surveyor, or by their Order, yearly to adjudge and determine what Part or Proportion of the 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 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 Trustees, or their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justice from Time to Time 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 Fourteen 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, 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, as are or may be directed by any Law or Statute in Force or Effect for the Repairs of the public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such

Regulations as to the Performance of Statute Work.

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 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, or 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 or Treasurers, at such Time or Times as they 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 Act or this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor 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 and liable to by any Law or Statute in Force or Effect for the Repairs 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 Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge the said 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 or Treasurers of the said Trustees, and applied towards the amending of the said Road; and if any Surveyor or Surveyors of the Highways for any of the 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.

Trustees may
compound
for Statute
Work.

XX. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Statute Work to be by them done on the said Road, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any of the Parishes, Townships, or Places in which the said Road is situate, for a certain Sum of Money, by the Year or otherwise, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of the Whole or of any Part of the Statute Work to be by all or any of the said Inhabitants;
or

or Occupiers done on the said Road; which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of such Parish, Township, or Place, or by the Person or Persons for compounding, to the said Trustees, or their Treasurer or Treasurers, in Advance, on or before the Twenty-ninth Day of *September* in each and every Year; or otherwise the Inhabitants and Occupiers of such Parish, Township, or Place, shall not be permitted to compound for that Year.

XXI. And be it further enacted, That all Penalties and Forfeitures by this or the said recited Act imposed (the Manner of levying and recovering whereof is not otherwise particularly directed) shall, upon Proof of the Offences respectively, before any Justice of the Peace for the County or Place where the Offences shall be committed, or the Offenders shall be or reside, either upon the Confession of the Party or Parties respectively, or by the Oath of any credible Witness, (which Oath such Justice is hereby empowered to administer,) be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice; and the Overplus, after such Penalties and Forfeitures are recovered, and the Charges of levying and recovering the same shall have been deducted, shall be returned on Demand to the Owners of such Goods and Chattels; and all such Penalties and Forfeitures (where not otherwise directed to be applied by this or the said recited Act) shall from Time to Time be paid to the Treasurer or Treasurers of the said Trustees, and applied for the Purposes of this and the said recited Act; and in case sufficient Distress cannot be found, or any such Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for any such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender or Offenders to be committed to the House of Correction or Common Gaol for any Time not exceeding Three Calendar Months, unless such Penalty or Forfeiture, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

XXII. And, for the more easy and speedy Conviction of the Offenders against this and the said recited Act, be it further enacted, That all and every the Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this or the said recited Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (*videlicet*)

‘ **B**E it remembered, That on the _____ Day of _____
 ‘ in the Year of our Lord One thousand eight hundred and _____
 ‘ _____ is convicted before me, one of His Majesty’s Justices of
 ‘ the Peace for the County of *Norfolk* [*specifying the Offence, and the Time*
 ‘ *and Place when and where the same was committed, as the Case shall be*].
 ‘ Given under my Hand and Seal the Day and Year above written.’

XXIII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid out of the Money already collected or received, or to be collected or received by virtue of the said recited Act and this Act, or

[*Loc. & Per.*]

I i — K k

either

Recovery
of Penalties.

Conviction
of Offenders.

Form of
Conviction.

For paying
Expences of
this Act.

either of them, upon the said Road, in preference to all other Payments whatsoever.

Public Act.

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

Continuance
of the Act.

XXV. And be it further enacted, That the Term granted by the said recited Act shall, on the Day next after the passing of this Act, cease and determine; and that the said recited Act (subject to the Alterations, Variations, and Additions herein contained) and this Act, shall from thenceforth commence, continue, and be 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.

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