



ANNO QUINQUAGESIMO QUARTO

GEORGI III. REGIS.

Cap. 126.

An Act for continuing and amending an Act of His present Majesty for repairing the Road from *Old Stratford*, in the County of *Northampton*, to *Dunchurch*, in the County of *Warwick*.

[17th June 1814.]

WHEREAS an Act was passed in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act for repairing the Highways from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick*: And whereas another Act was passed in the Eleventh Year of the Reign of King *George* the First, intituled *An Act for enlarging the Term granted by an Act passed in the Sixth Year of the Reign of Her late Majesty Queen Anne, intituled 'An Act for repairing the Highways from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick;'* and for making the same more effectual: And whereas another Act was passed in the Tenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for making more effectual Two Acts of Parliament, one of the Sixth Year of the Reign of Her late Majesty Queen Anne, and the other of the Eleventh Year of the Reign of His late Majesty King George, for repairing the Highways from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick*: And whereas another Act was passed in the Thirteenth Year of the Reign of His said Majesty King *George* the Second, intituled *An Act for making more effectual Three several Acts of Parliament, one of the Sixth Year of the Reign of Her late Majesty Queen Anne, and another of the Eleventh Year of the Reign of His late Majesty King George, for repairing the Highways from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick*; and the Third made in the Tenth Year of His present Majesty's Reign, for making more effectual the said Two former Acts: And whereas another Act was passed in the Thirty-first Year of the Reign of His said late Majesty King *George* the Second, intituled *An Act for making more effectual Four several Acts*

6 Anne, c. 15.

11 G. 1. c. 25.

10 G. 2. c. 11.

13 G. 2. c. 5.

31 G. 2. c. 57.

of Parliament, made in the Sixth Year of the Reign of Her late Majesty Queen Anne, the Eleventh Year of the Reign of His late Majesty King George the First, and in the Tenth and Thirteenth Years of the Reign of His present Majesty respectively, for repairing the Highways from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick: And whereas another Act was passed in the Fifteenth Year of the Reign of His present Majesty, intituled *An Act to enlarge the Term of several Acts passed in the Sixth Year of the Reign of Queen Anne, the Eleventh Year of the Reign of King George the First, and the Tenth, Thirteenth, and Thirty-first Years of the Reign of His late Majesty King George the Second, for repairing the Highways from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick; and for more effectually amending the said Highways; whereby it was (among other Things) enacted, that all the Clauses, Provisions, Tolls, Powers, and Matters contained in the said Acts of the Sixth Year of Queen Anne, the Eleventh Year of the Reign of King George the First, and the Tenth, Thirteenth, and Thirty-first Years of the Reign of King George the Second, should be repealed, and that instead thereof the Clauses, Provisions, Tolls, Powers, and Matters contained in the Act now in recital, should take Effect and be executed for repairing the said Road from Old Stratford to Dunchurch aforesaid for the Term therein mentioned: And whereas another Act was passed in the Thirty-sixth Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term of an Act made in the Fifteenth Year of His present Majesty, for repairing the Road from Old Stratford, in the County of Northampton, to Dunchurch, in the County of Warwick: And whereas the Trustees appointed to put the said recited Acts into Execution have in pursuance thereof borrowed several Sums of Money upon the Credit and Security of the Tolls thereby respectively granted, Part of which Sums still remain due, and the existing Tolls are insufficient for Payment of the accruing Interest thereon, and for the Maintenance and Repair of the said Road; and the said Principal Money so due and owing cannot be repaid, nor can the said Road be amended and kept in Repair unless the said Two last recited Acts be continued for a further Term, and the existing Tolls increased; and it is also expedient that some of the Powers, Clauses, and Provisions thereby enacted, and now in force should be altered, explained, and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts of the Fifteenth and Thirty-sixth Years of the Reign of His present Majesty, and all the Clauses, Powers, Provisions, Matters, and Things therein contained and now in force (except such of them, or such Parts thereof as are varied, altered, or repealed, or are repugnant to any of the Clauses or Provisions contained in this Act) shall be and continue in full Force and Effect for and during the Term herein-after limited, 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 the Tolls and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said Two last recited Acts or either of them, and of all Sums of Money which shall be borrowed upon the Credit of this Act, and of all Interest due and to grow due thereon respectively.**

15G.3.c.73.

36G.3.c.141.

Former Acts continued.

II. And

II. And be it further enacted, That the Right Honourable *John Charles Spencer* commonly called Lord Viscount *Althorp*, *Robert Andrew*, *John Adams*, *Thomas Adams*, *Christopher D'Oyley Aplin* Clerk, *Joseph Adams*, *Francis Atterbury*, *John Jackson Blencowe*, *Thomas Blencowe* Clerk, *Henry Blencowe*, *James Gramer Blencowe*, *Thomas Ross Bromfield*, *William Bromfield*, *Robert Willis Blencowe*, *John Bright* Clerk, *John Brafield*, *William Burt*, *Richard Clarke*, *Charles Crawley*, *John Cooke*, *Thomas Cooke*, *George Carpenter*, the Bailiff, Recorder, Deputy Recorder, and Burgesses of the Borough of *Daventry* for the Time being, *Gabriel Doveton*, *William Drayson*, *Thomas Drayson*, *Edward Dodd*, *Sir George Denys* Baronet, *Peter Denys*, *John Elliott*, *William Edwards*, *Samuel Freeman*, *William Flack*, *William Flack* the younger, *Thomas Flack*, *Thomas Fawcett* Clerk, *Mark Folwell*, *William Faulkner*, *Fermer*, *Joseph Goodman*, *William Grant*, *Richard Howes*, *Thomas Howe*, *Thomas Hill*, *James Hill*, *William Howes*, *Jenkin Jenkins*, *John Judkins*, *John Lamb* D.D. *Samuel Lea*, *Sir James Langham* Baronet, *Richard Linnell*, *Isaac Lovell*, *Joseph Lem*, *Robert Marriott*, *Frederick Morrice*, *Isaac Manning*, *Charles Newman*, *James Newman Newman*, *Thomas Perkins*, *Henry Portington* Clerk, *John Pirkins*, *Richard Pack*, *Samuel Pinckard*, *John Pinckard*, *William Rose Rose*, *John Helden Rose* Clerk, *Charles Rose* Clerk, *Henry Rose* Clerk, *John Roper*, *William Roper*, *Henry Roper*, *Thomas Smith* Clerk, *Henry Smith* Clerk, *William Sawbridge*, *John Sikes* *Sawbridge*, *Joseph Smith*, *Henry Spencer*, *Thomas Sheppard*, *Charles Tibbetts*, *James Tibbetts*, *Richard Tawney*, *Thomas Turland*, *Sir Charles Wheeler* Baronet, *Trevor Wheeler*, *Charles Wake*, *John Wakefield*, *John Wakefield* the younger, *Joseph Wakefield*, *Richard Wakefield*, *John Wait*, *John Winckles*, together with such other Persons, not exceeding the Number of Ten, as the Trustees appointed by or in pursuance of the said Two last recited Acts, or either of them, shall appoint (being qualified according to the Directions of the said recited Act of the Fifteenth Year of His present Majesty) shall be and they are hereby appointed Trustees for putting the said Two last recited Acts and this Act into Execution, in Conjunction with the surviving and remaining Trustees appointed by or in pursuance of the said Two last recited Acts, or either of them, and they are hereby invested with the like Powers and Authorities as are vested in such surviving and remaining Trustees.

New Trustees appointed.

III. And be it further enacted, That it shall be lawful for any Five or more of the said Trustees, and they are hereby authorized and empowered to put into Execution all and every or any of the Powers, Authorities, Clauses, and Provisions of this Act and the said Two last recited Acts, any Thing therein contained to the contrary notwithstanding.

Five Trustees may act.

IV. And whereas the Time appointed by the said recited Act of the Fifteenth Year of the Reign of His present Majesty for holding the General Annual Meeting of the said Trustees has been found inconvenient, be it therefore enacted, That the said Trustees, or any Five or more of them, shall hold One Annual Meeting at some convenient Place alternately in the Town of *Daventry*, and in the Town of *Towcester*, upon the Third *Thursday* in the Month of *May* in every Year, which shall be called the General Annual Meeting of the said Trustees.

General Annual Meeting of Trustees.

V. And be it further enacted, That from and immediately after the Commencement of this Act all the Tolls and Duties by the said Two last recited

Former Tolls repealed, and recited.

new Tolls
granted in
lieu thereof.

recited Acts, or either of them, authorized to be demanded or taken, shall be, and the same are hereby repealed, and that instead thereof the Trustees authorized to carry the said Two last recited Acts and this Act into Execution, shall and may from and immediately after the passing of this Act cause to be demanded and taken at each and every of the Toll Gates erected or to be erected upon or on the Sides of the said Road, before any Cattle, Carriage, or other Thing, upon which any Toll is hereby imposed shall be permitted to pass through the same, the several Tolls and Duties following ; (that is to say),

For every Coach, Sociable, Berlin, Landau, Chariot, Barouch, Chaise Marine, Calash, Curricule, Chair, Gig, Whiskey, Caravan, Hearse, Litter, or other such like Carriage drawn by more than Four Horses or other Beasts of Draught, the Sum of Two Shillings ; and drawn by Four Horses or other Beasts of Draught, the Sum of One Shilling and Sixpence ; and drawn by Two Horses or other Beasts of Draught, the Sum of One Shilling ; and drawn by One Horse or other Beast of Daught, the Sum of Sixpence :

For every Horse, Mare, Gelding, Mule, Afs, Ox or Bullock, drawing any Waggon, Wain, Drag, Cart or other such like Carriage, the Sum of Four-pence :

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

For every Timber Carriage or Drag, so constructed as that the Distance between the Axle-trees shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber or Stone, the Sum of One Shilling and Sixpence, over and above the Toll or Duty herein-before made payable for such Carriage, and the Horses or Beasts of Draught drawing the same :

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

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

Double Tolls
on Sunday.

And for every Horse, Beast or Cattle, Chaise, Cart, Waggon, or other Carriage or Thing upon which any Toll is herein-before imposed, that shall pass through any of the Toll Gates or Turnpikes continued or erected by virtue of this Act, on every *Sunday*, to be computed from Twelve of the Clock on *Saturday* Night to Twelve of the Clock on the next succeeding Night, Double the Tolls or Sums of Money herein-before mentioned and made payable in respect thereof at any other Time.

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

VI. Provided

VI. Provided always, and be it further enacted, That no more than Four Tolls shall be demanded or taken from any Person or Persons for passing and repassing on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, with the same Horse, Beast, Cattle, or Carriage, through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act; and that no more than One such Toll shall be taken upon any Part of the said Road within the Distance of Three Miles.

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

VII. And be it further enacted, That in all Cases where the Tolls arising and to be collected at any of the said Toll Gates already set up and erected on the said Road shall have been let to farm previous to the passing of this Act, the Farmers or Renters of such Tolls respectively shall account and pay to the said Trustees the several increased Tolls allowed to be collected by virtue of this Act, in Addition to the Rents for which the said Tolls are now let; or otherwise it shall be lawful for the said Trustees to compound with such Farmers or Renters of the Tolls as aforesaid for a gross Sum, as in their Discretion they shall think fit and reasonable in Satisfaction for such increased Tolls.

The present Lessees to account for Increase of Tolls.

VIII. 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 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.

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

IX. And be it further enacted, That all Exemptions from Toll comprized in the said Two last recited Acts, or either of them, shall from henceforth cease and be void, and that in lieu thereof the several Exemptions from Toll herein-after mentioned shall be allowed; (that is to say), that no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing the said Road, or for repairing any of the Highways, or Public or Private Roads in any of the Parishes, Townships, or Places, in which any Part of such Road lies, or for the Purpose of repairing any Houses or other Buildings, or to be laid or used in any of the Yards, Gardens, or Homesteads, in any of the Parishes or Places in which such Stones, Bricks, Timber, Wood, Gravel, or other Materials shall be dug, made, felled, cut, bought, or procured, or Hay, Clover, Turnips, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses, Barns, Yards, or Premises of the Owners thereof, in any of the Parishes, Townships, or Places in which the same did grow; or for any Horse, Cattle, Beast, or Carriage employed only in carrying or

Exemption from Tolls.

conveying, or going unladen or empty to carry or convey, or returning unladen or empty from carrying or conveying, and having been solely employed in carrying or conveying any Ploughs, Harrows, or other Implements employed in Husbandry; or any Lime, Mould, Dung, Compost, or Manure for manuring or improving Lands, or any other Thing to be used or employed upon or for cultivating or manuring Lands; or for any Horses, Beasts, or Cattle, going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried, or from any Person going to or returning from his or her Parochial Church or Chapel, or other usual Place of Religious Worship, on a *Sunday*, or upon any other Day on which Divine Service is or shall be ordered by Authority to be celebrated, or when attending the Funeral of any Person that shall die and be buried in any of the said Parishes, Hamlets, or Places, or from any Clergyman going to or returning from his Parochial or Ministerial Duty, or visiting any sick Person, or from any Physician, Surgeon, or Apothecary, going to attend, or returning Home after having attended any sick Person; or for any Horse, Cattle, or Carriage of whatsoever Description, 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 from conveying the same; or for any Horses belonging to any Officers or Soldiers upon their March or on Duty, or for any Horse, Cattle, or Carriage employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or for any Horse, Beast, Cattle, or Cart employed in the Conveyance of Vagrants sent by legal Passes to their Place or Places of Settlement, or returning therefrom; or for any Horse, Beast, Cattle, or Carriage carrying or conveying any Person or Persons going to or returning from any Election of a Representative or Representatives in Parliament for the Counties of *Warwick* and *Northampton*, or any City or Borough within such Counties respectively on the Day or Days of such Election, or on the Day before or on the Day after such Election, shall begin or be concluded; and if any Person or Persons shall in any fraudulent or collusive Manner claim and 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 Ten Pounds, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

No Toll to be taken for Cattle passing from one Part of a Parish in which a Toll

X. And whereas it may happen that One or more of the Turnpike Gates already erected or which hereafter shall or may be erected under the Authority of the said recited Acts or this Act, may be so situated as to subject Persons residing in the Parishes, Hamlets, Townships, or Places in which

which such Turnpike Gate or Gates may be placed to the Payment of Toll in respect of his, her, or their Horses, Cattle, or Carriages, which shall be merely passing from one Part of the Parish, Hamlet, Township, or Place in which such Turnpike Gate or Gates may be situated to another Part of the same Parish, Hamlet, Township or Place; be it therefore enacted, That no Person who shall be actually resident in any Parish, Hamlet, Township, or Place, in which such Turnpike Gate or Gates may be placed, shall be subject or liable to the Payment of any Toll in respect of his, her, or their Horses, Cattle, or Carriages, which shall be passing only from one Part of the Parish, Hamlet, Township, or Place, in which such Toll Gate or Gates are or may be placed, and in which such Person shall reside, to another Part of the same Parish, Hamlet, Township or Place: Provided always, that such last-mentioned Exemption shall not extend or be construed to extend to any Person or Persons, Horses, Cattle and Carriages, which shall be travelling or passing from and out of and beyond the Limits of the Parish, Hamlet, Township, or Place in which such Turnpike Gate or Gates may be situated, any Thing herein contained to the contrary notwithstanding.

Gate may be situated to another Part of the same Parish.

XI. 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 Two last recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, Infants, Lunatics, or Person or Persons under any Disability or Incapacity whatsoever; such Sum 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 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 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 other Lands, Tenements, or Hereditaments standing settled to the same or 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 such 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 paid for the

Application of Compensation Money when amounting to or exceeding 200l.

Purposes

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, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where less than 200l. and exceeding 20l.

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

Where less than 20l.

XIII. Provided also, and be it further enacted, That when such Money so agreed or awarded to be paid as next 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 Two last recited Acts and this Act, in such Manner as the said Trustees 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.

XIV. 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 Two last recited Acts or this Act for the Purposes of the said Road, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Trustees; or in case the Person or Persons to whom any 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 to order the Sum and Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the

the Accountant General of the Court of Chancery, and 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 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.

XV. 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 Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of the Lands, Tenements, or Hereditaments at the Time of such Purchase; and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shown 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 unto 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.

Respecting
disputed
Titles.

XVI. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of any Person or Persons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of the said Two last recited Acts, or of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in 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 or the said Two last recited Acts, 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, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Court of
Chancery to
direct the
Payment of
Expences.

[*Loc. & Per.*]

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XVII. Pro-

Materials not
to be taken
from inclosed
Grounds,
without Con-
sent of the
Owners, &c.

XVII. Provided always nevertheless, and be it further enacted, That it shall not be lawful for any Person or Persons, under the Authority of the said recited Act and this Act, or any of them, to dig, gather, take, and carry away any Materials for repairing and amending the said Road in or from any inclosed or private Grounds or Quarries without the Consent of the Owners and Occupiers of such Grounds or Quarries, until after Ten Days previous Notice in Writing, signed by the said Surveyor or some other Officer of the said Trustees, shall have been given to the respective Owners or Occupiers of the Lands or Grounds from which such Materials are intended to be taken, or left at the usual Place of Residence of such Owners or Occupiers respectively, requiring them to appear before Two or more Justices of the Peace acting for the County or District wherein the said Lands are situate, at a certain Time and Place to be specified in such Notice, to shew Cause why such Materials should not be taken away; and such Justices, after hearing the Parties concerned, shall, if they think proper, authorize such Surveyor or other Officer to dig, gather, take, and carry away any such Materials at such Time or Times, and in such Manner as to such Justices shall seem proper; or if such respective Owners or Occupiers shall not by themselves, or their respective Agents, attend pursuant to such Notice, such Justices may make such Order therein as they shall think fit, in the same Manner as if such respective Owners or Occupiers had attended pursuant to such Notice.

Trustees to
make Foot
Paths by the
Side of Road.

XVIII. And be it further enacted, That the said Trustees shall, as soon as they conveniently can, and when and as soon as the Funds applicable to the Repair of the said Road will permit, cause convenient Foot Paths of a Breadth not exceeding Six Feet to be made by the Side of the said Road, all which Foot Paths shall at all Times thereafter be repaired and kept in Repair in such and the same Manner as the other Parts of the said Road are hereby directed to be repaired; and if any Person or Persons shall ride, lead, or drive, any Horses, Mares, or Geldings, Mules, Asses, Sheep, Swine, or Neat Cattle, or shall drive any Carriage upon any of such Foot Paths, or cause any Damage to be done thereto, or wilfully break down, destroy, or carry away any Stones, Posts, or Rails, to be set up for the Protection thereof; all and every Persons so offending shall forfeit and pay any Sum not exceeding Ten Shillings for each and every such Offence, to be recovered and applied as any Penalties or Forfeitures are authorized and directed to be recovered and applied by the said recited Acts or this Act.

Statute
Work.

XIX. And be it further enacted, That so much of the said Two last recited Acts, or either of them, that relates 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 same 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 within their respective Jurisdictions, and they are hereby required, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, Clerk, or Surveyor, by their Order yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the same Road by the Inhabitants of and Occupiers of Lands within the respective Parishes, Townships, Hamlets or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor

Surveyor or Surveyors of the Highways of every such Parish, Township, 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 thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish, Township, Hamlet, or Place, 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, Township, 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 or Names shall be made in such Manner, and under such Regulations and Restrictions as are or may be directed by any Law or Statute in force for the Repairs of the Public Highways, and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear subject and liable to 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 on 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 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 Two last recited Acts, or either of them, authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose by any Surveyor or Clerk to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject to by any Law or Statute in force for the Repair of the Public Highways; and if any Person who shall come or be sent to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject 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 in case the Surveyor or Surveyors of the Highways of any of the said Parishes, Township, 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, all which said last-mentioned Penalties and Forfeitures shall be recovered as any Forfeiture or Penalty imposed by the said Two last recited Acts, or either of them, is thereby authorized to be recovered.

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 to compound and agree by the Year or otherwise 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 or Places in which the said Road is situate, for a certain Sum of Money by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Road; which said Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer to the said Trustees, in advance on or before the Twenty-second Day of *November* in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

For securing
transient
Offenders.

XXI. And forasmuch as Offences may be committed against this Act, or the said recited Acts, by Persons unknown to the Collectors, Surveyors, and other Officers appointed under the same respectively; be it further enacted, That it shall be lawful for the said Collectors, Surveyors, and other Officers respectively, and for such Persons as they shall call to their Assistance, to seize and detain all 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 for the County, Division, or Place, wherein the Offence shall be committed.

Expences of
Act.

XXII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act; together with lawful Interest for any Money which shall be advanced for defraying such Expences, shall be paid out of any Money now remaining in the Hands of the Treasurer to the said Trustees, or out of the first Money to arise by virtue of this Act.

Public Act.

XXIII. 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.

Commence-
ment and
Continuance
of Act.

XXIV. And be it further enacted, That this Act shall commence upon the Day of the passing of this Act, and shall thenceforth continue in force for the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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