



ANNO QUINQUAGESIMO QUINTO

GEORGI II. REGIS.

Cap. xc.

An Act for continuing and amending an Act of His present Majesty, for repairing several Roads leading from *Shenfield* to *Harwich* and *Rochford*, and other Places in the County of *Essex*, and for extending the said Act to the Road from *Great Hallingbury* to *Hockerill*, in the County of *Hertford*.

[22d June 1815.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for repairing the Roads leading from the Western Part of the Parish of Shenfield to Harwich and Rochford, and from Chelmsford to Ballingdon Bridge, and from Margaretting to Malden, and from Colchester to Dedham Bridge, and from Lexden to the East End of the Town of Haverill, and from High Garrett to Bulmer Tie, and from Marks Tey to Braintree, and from Little Waltham to the End of the Parish of Great Hallingbury, and from Malden to Braintree, in the County of Essex*, whereby several Tolls, Powers and Authorities were granted for repairing the said Roads, which were divided into Two Districts, called the First District and the Second District: And whereas, in pursuance of the said recited Act and the several Acts therein repealed, or some of them, divers Sums of Money have been

33G.3.c.145.

[Local.]

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borrowed,

borrowed, and are now due, on the Credit and Security of the Tolls thereby severally granted within the said respective Districts; which Sums cannot be repaid, nor can the said Roads be maintained and kept in good and sufficient Repair, unless the said Act be continued for a further Term, and the Tolls altered and increased; and it is expedient that some of the Powers and Provisions contained in the said recited Act should be repealed, altered, and amended, and that other Powers and Provisions should be enacted for the better effectuating the Purposes aforesaid: And whereas it is expedient that the Provisions of the said recited Act and this Act should be extended to the Road leading from the End of the Parish of *Great Hallingbury* aforesaid to the *Crown Inn* in *Hockerill*, in the Parish of *Bishop Stortford*, in the County of *Hertford*, being about Two Miles in length: 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 of the Thirty-third Year of the Reign of His said present Majesty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauses, Provisions, Matters and Things therein contained, and now in force (except so far as the same are altered, varied, or repealed), and also the Tolls, Powers, Authorities, Clauses and Provisions in this Act contained, shall be and continue in full Force and Effect, for and during the Term herein-after mentioned, for repairing, widening, improving, maintaining and keeping in Repair the Roads herein-before mentioned, which are herein-after more particularly described; (that is to say), the Roads leading from the Western Part of the Parish of *Shenfield* to the South-east Corner of the Churchyard of the Parish of *Ardleigh*, and from the Town of *Colchester* to *Dedham Bridge*, and from the Town of *Chelmsford* to *Ballingdon Bridge*, and from *Margaretting* to *Malden*, over *Gallywood Common*, and from the Forty-nine Milestone in *Lexden*, through *Halstead*, to the Road in *Headingham Sible*, and from the Guide Post near the West End of the Turnpike Road in *Headingham Sible*, to the East End of the Town of *Haverill*, and from the Road through *Halstead*, to the Guide Post on the Turnpike Road in *Gosfield*, and from *High Garrett* in the Parish of *Bocking*, through the Town of *Halstead*, to the Turnpike Road on *Bulmer Tie*, and from the Guide Post in *Marks Tey* to the Turnpike Road in *Braintree*, and from the Turning near the Thirty-second Milestone, leading to *Great Waltham*, through the Parishes of *Little Waltham*, *Great Waltham*, *Barnston*, *Great Dunmow*, *Great Canfield*, *Little Canfield*, *Takely*, *King's Hatfield*, *Stanstead*, *Mountfitchet*, and *Birchanger*, to the End of the Parish of *Great Hallingbury*, and from thence to the *Crown Inn* in *Hockerill*, and from *Malden* to the Church at *Braintree*, through *Heybridge*, *Langford Wickham*, *Witham*, *Faulkbourne*, *White* and *Black Notley*, and from the House known by the Sign of *The Eagle and Child*, in the Parish of *Shenfield*, by *Billericay*, to the Town of *Rayleigh*, and from thence to the Town of *Rochford*, and from the Town of *Rayleigh* to the Town of *Leigh*, in the Hundreds of *Rochford* and *Barstable*, in the Counties of *Essex* and *Hertford*; which said Roads are hereby declared to be the Roads comprized in the said First District; and also the Road leading from the South-east Corner of the Churchyard of the Parish of *Ardleigh*, to the Entrance of the Town of *Harwich*,

Recited Act continued.

Roads comprized in the First District.

Road comprized in the Second District.

Harwich, on the Right of the Lighthouse Gateway; which is hereby declared to be the Road comprized in the said Second District.

II. And whereas a Map or Plan describing the Line of the Highway or public Carriage Road herein-before mentioned, leading from the Termination of the present Turnpike Road, at the End of the Parish of *Great Haltingbury*, to the *Crown Inn* in *Hockerill* aforesaid, and the Lands contiguous to which the same is carried, together with a Book or Schedule of Reference containing Lists of the Owners and Occupiers of such Lands, has been severally deposited with the respective Clerks of the Peace for the said Counties of *Essex* and *Hertford*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the respective Clerks of the Peace for the Time being of the said Counties of *Essex* and *Hertford*, to the End that all Persons may at any reasonable Times have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom, paying to the respective Clerks of the Peace One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and the said Road shall not by virtue of this Act deviate more than One Hundred Yards from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Map of the new Road referred to.

III. And be it further enacted, That this Act and all the Tolls, Powers and Authorities hereby granted, so far as the same extend or relate to the Roads comprized in the said First District, shall, during the Term hereby granted be, and the same are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit and Security of the Tolls heretofore granted within the said First District, and of such Sums of Money as shall be borrowed in pursuance of this Act, on the Credit or Security of the Tolls hereby granted within the said First District, and of all Interest due and to grow due for the same respectively; and that this Act, and all the Tolls, Powers and Authorities hereby granted, so far as the same extend or relate to the Roads comprized in the said Second District, shall during the Term hereby granted be and the same are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit and Security of the Tolls heretofore granted within the said Second District, and of such Sums of Money as shall be borrowed in pursuance of this Act, on the Credit and Security of the Tolls hereby granted within the said Second District, and of all Interest due and to grow due for the same respectively.

Debts contracted under the former Act, secured by this Act.

IV. And be it further enacted, That *Peter Asplin*, *Charles Asplin*, *Charles Abdy* Clerk, *Sir John Barrington* Baronet, *Thomas William Bramston*, *John Bawtree* the younger, *John Brett*, *John Badeley* the younger, *John Bygrave*, *William Bugg*, *Benjamin Baker*, *Francis Bannester*, *Samuel Benton*, *Thomas Bell*, *Collin Bullen* Clerk, *Lodwick Peter Burchell*, *Thomas Theophilus Hill Cock*, *Colonel Edward Codd*, *William Codd*, *Robert Downes*, *John Dunkin*, *James Digby*, *Frederick Doveton* Clerk,

Additional Trustees appointed of the First District.

Clerk, Richard Eaton, George Fowkes, Nathaniel Forster Clerk, George Affer Gepp, Clayton Glynn Clerk, Osgood Hanbury the younger, John Strutt Hance, Thomas Havers, Charles Ibbetson, John Kemp, Jeremiah Kersteman the younger, Thomas Kersteman, Joseph Knapping, John Knapping, Thomas Reyes, Jeremiah Kersteman Lodwick, Lewis Asburst Majendie, Robert Mosebury, James Mabbs the younger, George Matthew, Charles Matthew Clerk, George Parry Marriott Clerk, John Morgan, John Nottidge Clerk, James Hardy Nunn, Colonel Owen, Charles George Parker, David Pryor, John Payne, Christopher Parsons, John Parsons, Golden Prentice, Thomas Penrose Clerk, James Phillips, Sir William Rowley Baronet, Charles Gray Round, John Royce, John James Strutt, John Sewell the younger, William Silverfides, George Storkings, Robert Scratton, John Scratton, Daniel Scratton, Edmund Squire Clerk, John Tyson Tyrell, Charles Tower Clerk, Wellesley Long Pole Wellesley, John Wright of Hatfield, William Warner Clerk, John Wescomb, and William Wescombe, together with such other Persons not exceeding Ten, as the said Trustees or any Seven or more of them shall appoint, in the Manner directed or authorized by the said recited Act, shall be and they are hereby appointed Trustees for carrying this Act and the said recited Act into Execution, so far as they severally extend or relate to the Roads comprized in the said First District; and they are hereby added to and joined with the present Trustees of and for the same District, and (being qualified according to the Directions of this Act) they are hereby empowered to act in the Execution of the said recited Act and this Act, in all Matters relating to the said First District, as fully and effectually to all Intents and Purposes, as the Trustees appointed by or in pursuance of the said recited Act, of and for the same District.

Additional Trustees appointed of the Second District.

V. And be it further enacted, That Daniel Alston, Henry Coates, Samuel George, Nathaniel Garland, John Hull, Thomas King, Francis Norman, Harcourt Runnacles, Anthony Runnacles the younger, John Sansum, George Simpson, and William Webb, together with such other Persons, not exceeding Ten, as the said Trustees, or any Seven or more of them, shall in the Manner directed or authorized by the said recited Act appoint, shall be and they are hereby appointed Trustees for carrying this Act and the said recited Act into Execution, so far as they severally extend or relate to the Road comprized in the said Second District, and they are hereby added to and joined with the present Trustees of and for the same District, and (being qualified according to the Directions of this Act) they are hereby empowered to act in the Execution of the said recited Act and this Act, in all Matters relating to the said Second District, as fully and effectually to all Intents and Purposes, as the Trustees appointed by or in pursuance of the said recited Act of and for the said Second District.

Qualification of new Trustees.

VI. Provided always, and be it further enacted, That no Person appointed, or to be elected and appointed a Trustee by virtue of this Act, shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be in his own Right, or in Right of his Wife, seised or possessed of and in the actual Possession or Receipt of the Rents and Profits of Messuages, Lands, Tenements, Tythes, or Hereditaments, of the yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent

parent of a Person so seised or possessed of Messuages, Lands, Tenements, Tythes, or Hereditaments, of the yearly Value of Two hundred Pounds above Reprizes, or shall be possessed of a clear Personal Estate of the Amount or Value of Three thousand Pounds; and if any Person so appointed, or to be elected and appointed a Trustee, not being qualified as aforesaid, shall presume to act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty upon Proof given of his having acted as a Trustee in the Execution of the said recited Act or this Act: Provided nevertheless, that all Acts and Proceedings by any such Person, as a Trustee in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

VII. Provided also, and be it further enacted, That every Trustee appointed, or to be elected and appointed by virtue of this Act, before he shall act as such, shall take and subscribe an Oath before any One or more of the Trustees (who are hereby empowered to administer the same) in the Form following; that is to say,

‘ I *A. B.* do swear, That I am in my own Right [*or, in Right of my*
 ‘ Wife] truly and *bonâ fide* seised or possessed of, and in the actual
 ‘ Possession or Receipt of the Rents and Profits of Messuages, Lands,
 ‘ Tenements, Tythes, or Hereditaments, of the yearly Value of One
 ‘ hundred Pounds above Reprizes: [*And in the Case of an Heir Ap-*
 ‘ *parent*] I *A. B.* do swear, that I am Heir Apparent of *C. D.* who, to the
 ‘ best of my Knowledge and Belief, is truly and *bonâ fide* seised or possessed
 ‘ of, and in the actual Possession or Receipt of the Rents and Profits of
 ‘ Messuages, Lands, Tenements, Tythes, or Hereditaments, of the yearly
 ‘ Value of Two hundred Pounds above Reprizes: [*And in the Case of*
 ‘ *Personal Estate*] I *A. B.* do swear, that I am truly and *bonâ fide* possessed
 ‘ of a clear Personal Estate of the Amount or Value of Three thousand
 ‘ Pounds; and that I will truly and faithfully act in the Execution of the
 ‘ Powers and Trusts reposed in me, by an Act passed in the Fifty-fifth Year
 ‘ of the Reign of His Majesty King *George* the Third, intituled [*here*
 ‘ *set forth the Title of this Act*].’

Trustees
Oath.

VIII. Provided also, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, during the Time he shall hold any Place of Profit under this Act, or in any Matter in which he shall be personally interested; and that such Trustees as are Justices of the Peace, shall not be incompetent to act as Justices of the Peace in the Execution of this Act, by reason of their being such Trustees; and that no Person possessed of or entitled to any Mortgage, or other Security upon any of the Tolls granted by this Act, shall, on such account only, be disqualified from acting as a Trustee.

Trustees
holding
Places of
Profit not to
act.

[*Local.*]

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IX. Pro-

Meetings on
Emergencies.

IX. Provided always, and be it further enacted, That if after any Adjournment of the said Trustees, it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, or in case no Adjournment shall have been regularly made, then and in either of the said Cases the Clerk to the said Trustees, upon an Order in Writing signed by Three or more of the said Trustees (which it shall be lawful for them to make, although not assembled at any Meeting held pursuant to the Directions of the said recited Act or this Act) mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof, and of the Time, Place, and Purpose of such Meeting (such Time being not less than Four Days next after such Notice), and such earlier Meeting shall and may be held accordingly.

Regulations
as to Notices.

X. Provided always, and be it further enacted, That so much of the said recited Act as requires, that any Notice or Notices by the said Trustees or any of their Officers, should be affixed upon all the Toll Gates or Turnpikes upon the Roads, shall be and the same is hereby repealed and made void; and that in stead thereof such Notices as relate to the said First District, shall be affixed upon Six of the principal Toll Gates or Turnpikes in or upon the Roads comprized in the said First District; and such Notices as relate to the said Second District, shall be affixed upon Two of the Toll Gates or Turnpikes in or upon the said Roads comprized in that District.

Orders to be
entered and
signed by
Chairman.

XI. And be it further enacted, That all Orders and Proceedings of the Trustees or any of them, in pursuance or in Execution of this Act, shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered, shall be signed by the Chairman of the Trustees for the Time being, and such Orders shall be deemed and taken to be original Orders, and such Book or Books shall and may be produced and read in Evidence in all Courts, and before all Judges, Justices, and others; any Thing in the said recited Act contained to the contrary notwithstanding.

Collectors
may be Wit-
nesses.

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

Regulations
as to Toll
Collectors.

XIII. And be it further enacted, That every Toll Collector, being a Lessee of the said Tolls, or being appointed either by the said Trustees, or by any Lessee or Lessees to collect the Tolls payable at any Turnpike Gate to be continued or erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or in some other conspicuous Part of the Toll House or Toll Gate, immediately on his beginning to collect such Toll, or coming on Duty; each of the Letters of such Name or Names to be at least One Inch in Length, and of a Breadth in Proportion, and painted in
Black

Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall collect such Toll, or be upon such Duty; and if any Collector of the Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in any Ways hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid or tendered the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket to denote the Payment of the Tolls when demanded, or shall unnecessarily detain any Passenger or Passengers, or shall make use of any scurrilous or abusive Language to any Traveller or Passenger; then and in every such Case, every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge.

XIV. And be it further enacted, That if upon or after any Letting or Agreement for Letting the said Tolls or any Part thereof, or any Weighing Machine or Machines to be erected on the said Roads, any Default shall be made in the Payment of the Rent agreed to be paid for the same or any Part thereof, on the Days and Times appointed for the Payment thereof, then and in such Case the said Trustees, or any Seven or more of them, shall and may and are hereby empowered at any Meeting to be held after Seven Days previous Notice of the holding of such Meeting shall be given to the Lessee or Lessees of the said Tolls or Weighing Machine or Machines, to declare any Lease of the said Tolls or Weighing Machine or Machines, or any Contract or Agreement for letting the same void, and the same shall be thereupon void to all Intents and Purposes from the Time of such Declaration; but in such Case the said Lessee or Lessees, or his or their Surety or Sureties, shall nevertheless be liable for all Rent and Arrears of Rent then due and owing, upon or by virtue of any such Lease, Contract, or Agreement, and for all Costs, Charges, Damages and Expences which the said Trustees or their Treasurer for the Time being shall or may pay, sustain, or be put unto, by reason of the Non-performance of any Covenant or Agreement, Covenants or Agreements to be contained in any such Lease, Contract, or Agreement, on the Part of such Lessee or Lessees.

Power to declare Leases of Tolls and Weighing Machines void in case of Non-payment of Rent.

XV. And be it further enacted, That if the Lessee or Lessees of any of the Tolls hereby granted, or of any Weighing Machine or Machines to be erected on the said Roads, or any Person or Persons claiming under him or them, shall at or at any Time after the Expiration of the Term for which such Tolls or Weighing Machine or Machines shall be leased, or for the Space of Four Days after the Demise of such Tolls or Weighing Machine or Machines shall be declared void as aforesaid, refuse to deliver up the Possession of the Toll House or Toll Houses, Buildings and Premises which shall have been demised to him or them, with the Tolls so leased, or the Possession of any such Weighing Machine or Machines, with the Buildings and Appurtenances thereto belonging, it shall be lawful for any

For expelling Lessees of Tolls at Expiration of Leases, or on the said Leases being declared void.

any Justice of the Peace for the County, Liberty, or Place where such Toll House or Toll Houses, Weighing Machine or Machines, Buildings and Premises shall be situate respectively, by Warrant under his Hand and Seal, to order the Constable or other Peace Officer of the Parish or Place where such Toll House or Toll Houses, Weighing Machine or Machines, Buildings and Premises shall be so situate, or any other Person or Persons to whom such Warrant shall be specially directed, with proper Assistants, to enter such Toll House or Toll Houses, Buildings and Premises respectively in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of such Toll House or Toll Houses, Buildings and Premises, and to put any Person or Persons whom the said Trustees, or any Seven or more of them shall appoint, in Possession of the said Toll House or Toll Houses, Weighing Machine or Machines, Buildings and Premises, so that the Tolls payable thereat may from thenceforth be received and taken for the Use of the said Trustees, to be applied as by this Act is directed.

Trustees may sue and be sued in the Name of their Clerk.

Clerk to be reimbursed his Expences.

XVI. And be it further enacted, That the respective Trustees of the said Districts may sue and be sued, for or concerning any Thing to be done by virtue or in pursuance of this Act, in the Name of their Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, by virtue of this Act, in the Name of their Clerk, shall abate or be discontinued by the Death or Removal of any such Clerk, or by the Act of such Clerk, without the Consent of Seven or more of the Trustees; but that the Clerk for the Time being to the Trustees, shall be deemed to be Plaintiff or Defendant (as the Case may be) in every such Action: Provided always, that every such Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding, he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

Former Tolls repealed.

XVII. And be it further enacted, That from and after the Expiration of One Month after the Commencement of this Act, the several Tolls and Duties granted by the said recited Act, within the said respective Districts, shall cease and be no longer payable, and that instead thereof the several Tolls herein-after particularly mentioned, shall (subject to the Exemptions and Restrictions herein-after particularly mentioned) be demanded and taken at each and every of the Toll Gates or Toll Bars, which shall be continued or erected within the said respective Districts, by virtue of the said recited Act and this Act, before any Horse, Cattle or Carriage upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

Tolls.

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, or Hearse, drawn by Six Horses or other Cattle, the Sum of Two Shillings and Sixpence:

For every Stage Coach, licensed to carry Six or more Inside Passengers, drawn by Four Horses or other Cattle, the Sum of Two Shillings:

For every other Stage Coach, drawn by Four Horses or other Cattle, the Sum of One Shilling and Sixpence :

For every Coach, Berlin, Landau, Chariot, Calash, Chaise or Hearse, drawn by Four Horses, or other Cattle, the Sum of One Shilling; and drawn by Two Horses, or other Cattle, the Sum of Nine-pence :

For every Chaise or Chair, drawn by One Horse, or other Beast of Draught, the Sum of Sixpence :

For every Taxed Cart, drawn by One Horse, or other Beast of Draught, the Sum of Sixpence :

For every Waggon, or other such Four-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Twelve Inches or upwards, and drawn by Eight Horses, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Seven Horses, or other Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Six Horses, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Five Horses, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Four or any less Number of Horses, or other Beasts of Draught, the Sum of One Shilling.

For every Waggon, or other such Four-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and drawn by Eight Horses, or other Beasts of Draught, the Sum of Three Shillings; and drawn by Seven Horses, or other Beasts of Draught, the Sum of Two Shillings and Three-pence; and drawn by Six Horses, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Five Horses, or other Beasts of Draught, the Sum of One Shilling and Three-pence; and drawn by Four or any less Number of Horses, or other Beasts of Draught, the Sum of One Shilling :

For every Waggon, or other such Four-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and drawn by Six Horses, or other Beasts of Draught, the Sum of Two Shillings; and drawn by Five Horses, or other Beasts of Draught, the Sum of One Shilling and Nine-pence; and drawn by Four Horses, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three or any less Number of Horses, or other Beasts of Draught, the Sum of One Shilling :

For every Waggon, or other such Four-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, and drawn by Four Horses, or other Beasts of Draught, the Sum of One Shilling and Sixpence; and drawn by Three or any less Number of Horses, or other Beasts of Draught, the Sum of One Shilling :

For every Dray, Cart, or other such Two-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and drawn by Five or Four Horses, or other Beasts of Draught, the Sum of One Shilling; and drawn by Three or any less Number of Horses, or other Beasts of Draught, the Sum of Nine-pence :

For every Dray, Cart, or other such Two-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and drawn by Three Horses, or other Beasts of

[*Local.*]

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Draught,

Draught, the Sum of One Shilling; and drawn by Two Horses, or other Beasts of Draught, the Sum of Nine-pence:

For every other Dray, Cart, or other such Two-wheeled Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, drawn by Three Horses, or Beasts of Draught, the Sum of One Shilling.

For every Dray, Cart, or other such Two-wheeled Carriage, drawn by Two Horses, or other Beasts of Draught, the Sum of Nine-pence; and drawn by One Horse, or other Beast of Draught, the Sum of Sixpence:

Tolls on
Carriages
conveying
Timber.

For every Carriage used for the Purpose of conveying Timber, drawn by Eight or more Horses, or other Cattle, if the Sole or Bottom of the Fellies of the Wheels thereof shall be of the Breadth of Six Inches or upwards, the Sum of Three Shillings; and if under that Breadth, the Sum of Six Shillings:

For every Carriage used for the Purpose of conveying Timber, drawn by Seven Horses, or other Cattle, if the Sole or Bottom of the Fellies of the Wheels thereof shall be of the Breadth of Six Inches or upwards, the Sum of Two Shillings and Sixpence; and if under that Breadth, the Sum of Five Shillings:

For every Carriage used for the Purpose of conveying Timber, drawn by Six Horses, or other Cattle, if the Fellies of the Wheels thereof shall be of the Breadth of Six Inches or upwards, the Sum of Two Shillings; and if of a less Breadth, the Sum of Four Shillings:

For every Carriage used for the Purpose of conveying Timber, drawn by Five Horses, or other Cattle, the Sole or Bottom of the Fellies of the Wheels thereof shall be of the Breadth of Six Inches or upwards, the Sum of One Shilling and Nine-pence; and if under that Breadth, the Sum of Three Shillings and Sixpence:

For every Carriage used for the Purpose of conveying Timber, drawn by Four Horses, or other Cattle, the Sum of One Shilling and Sixpence:

For every Carriage used for the Purpose of conveying Timber, drawn by Three Horses, or other Cattle, the Sum of One Shilling:

For every Carriage used for the Purpose of conveying Timber, drawn by Two Horses, or other Beasts, the Sum of Nine-pence:

For every Carriage used for the Purpose of conveying Timber, drawn by One Horse, or other Beast, the Sum of Sixpence:

For every Four-wheeled Carriage (without Horses) which shall be in any Manner fastened, tied or fixed to another Carriage of any Description, the Sum of Nine-pence; and for every Two-wheeled Carriage which shall be so fastened, tied or fixed, the Sum of Sixpence:

Additional
Tolls on
Carriages
with Wheels
rolling an
uneven Sur-
face.

For every Waggon, Wain, Dray, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, which shall roll an uneven Surface, either in consequence of one Strake of the Tire projecting beyond the others, or shall be uneven from any other Cause, or which shall have the interior Diameter of the Wheels vary from the exterior Diameter thereof, in a Proportion of more than One-sixth Part of the Width of the Sole or Bottom of the Fellies, a further additional Toll or Sum, equal to One-fourth Part of the original Toll; and also of any additional Toll in respect of Overweight by this Act severally charged upon or made payable for any such Waggon, Wain, Dray, Cart, or other such Carriage, and the Horses or other Beasts drawing the same respectively:

For

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

For every Ass laden, the Sum of One Halfpenny.

For every Ass drawing, the Sum of Two-pence :

For every Two Asses drawing, the Sum of Three-pence :

For every Three Asses drawing, the Sum of Four-pence :

For every Four Asses drawing, the Sum of Sixpence :

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

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

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, to allow of any greater Weights than those allowed by Law, being carried or conveyed upon the said Roads without the Payment of any additional Toll for Overweight, provided such greater Weights do not in any Case exceed the several Weights herein-after specified, to the several Carriages herein-after described, together with the Loading thereof respectively ; (that is to say), to every Waggon or Four-wheeled Carriage, having the Fellies of the Wheels of the Breadth of Twelve Inches or upwards, the Weight of Eight Tons ; to every Waggon or Four-wheeled Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches, the Weight of Seven Tons Ten hundred Weight ; for every Waggon or Four-wheeled Carriage, having the Fellies of the Wheels of the Breadth of Six Inches, the Weight of Five Tons Ten hundred Weight ; for every Four-wheeled Carriage, having the Fellies of the Wheels of less Breadth than Six Inches, when loaden with Corn, Flour, or Meal, the Weight of Four Tons Ten hundred Weight ; and when not so loaden, the Weight of Four Tons ; for every Dray, Cart, or other Two-wheeled Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches, the Weight of Four Tons ; for every Dray, Cart, or other Two-wheeled Carriage, having the Fellies of the Wheels of the Breadth of Six Inches, the Weight of Three Tons ; for every Dray, Cart, or other Two-wheeled Carriage, having the Fellies of the Wheels of less Breadth than Six Inches, the Weight of Two Tons ; and the Owners and Drivers of all Waggons, Carts, and other Carriages, which together with the Loading thereof, shall weigh over and above the Weights allowed to each of them respectively, shall be subject and liable to pay the additional Tolls or Sums of Money herein-after mentioned, instead of those now charged by Law ; (that is to say), for such Overweight, if the same shall not exceed Four hundred Weight, the Sum of Three-pence for each Hundred Weight ; and if such Overweight exceed Four hundred Weight, and shall not exceed Eight hundred Weight, the Sum of Four-pence for each Hundred Weight ; and if such Overweight exceed Eight hundred Weight, and shall not exceed Twelve hundred Weight, the Sum of Sixpence for each Hundred Weight ; and if such Overweight exceed Twelve hundred Weight, and shall not exceed Sixteen hundred Weight, the Sum of One Shilling for each Hundred Weight ; and if such Overweight shall exceed Sixteen hundred Weight, the Sum of Twenty Shillings for each Hundred Weight ; which said additional Tolls hereby granted shall be payable and recoverable in such Manner as is provided or authorized by any Act or Acts of Parliament now in force for regulating Turnpike Roads in that Part of *Great Britain* called *England*.

Regulations
as to Weights,
and Tolls to
be taken for
Overweights.

Carriages with Wheels of a certain Description chargeable with less Tolls or Penalties for Overweight, if Trustees think fit.

XIX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby authorized, if they shall think fit, to exempt from the Payment of One-fourth Part of the Tolls, and of the additional Tolls for Overweight, every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, and being cylindrical, (that is to say), of the same Diameter on the Inside next the Carriage and on the Outside, so that when rolling on a flat Surface the whole Breadth thereof shall bear equally on such flat Surface, and that the opposite Ends of the Axletrees of such Carriages shall not form an Angle with each other, but shall be in the Continuance of one straight Line, so that in each Pair of Wheels belonging to such Carriages the lower Parts which shall rest on the Ground shall be at the same Distance from each other as the upper Parts of such Pair of Wheels.

New Tolls to be subject to the same Regulations as the former Tolls.

XX. And be it further enacted, That the several Tolls and Duties, and all additional Tolls or Duties for Overweight, by this Act granted and made payable as aforesaid within the said Districts, shall be and the same are hereby vested in the Trustees for the Time being of the respective Districts within which the same shall arise, and shall be received and taken at each and every of the Toll Gates or Toll Bars to be continued or erected upon the Roads in the said respective Districts, in pursuance of the said recited Act and this Act, or either of them, and shall be paid, levied, leased, mortgaged, reduced, altered, applied, disposed of and assigned in such Manner, and with, under and subject to such Limitations and Restrictions, not only in regard to the Tolls to be paid in one Day, but in all other Respects as the Tolls and Duties granted by the said recited Act within the said Districts, are thereby directed or authorized to be received, paid, levied, leased, mortgaged, reduced, altered, applied, disposed of and assigned, except as by this Act is otherwise particularly directed.

Disputes about Tolls to be settled by a Justice.

XXI. Provided always, and be it further enacted, That if any Dispute or Difference shall happen about the Quantity of the Tolls due, or the Charges of any Distress, it shall be lawful for the Collector or Person distraining to retain the same, or the Money arising from the Sale thereof, as the Case may happen, until the Quantity of the Tolls due, and Charges of seizing, distraining, keeping and selling the same (as the Case shall happen) shall be ascertained by some Justice of the Peace for the County where such Dispute or Difference shall arise, who is hereby authorized to examine the Matter on Oath of the Parties, or any Witness or Witnesses, and to determine the Quantity of the Tolls due; and such Justice may award such Costs and Charges, or such Portion thereof, to either Party or Parties, as he shall think reasonable; and in case of Non-payment thereof on Demand, such Costs and Charges may by virtue of a Warrant under the Hand and Seal of such Justice, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same.

Tolls limited.

XXII. Provided always, and be it further enacted, That no more than One Toll shall be demanded or taken from any Person or Persons passing and

and repassing the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, with or driving the same Horses, Cattle, Sheep, Beasts, Coach, Chaise, Waggon, Cart, or other Carriage, in respect of which Toll had previously been paid, through all or any of the Toll Gates or Turnpikes which shall be continued or erected by virtue of this Act, in, upon, or on the Sides of any Part or Parts of the said Roads, within the Distance of Six Miles; and that all and every Person and Persons having paid such Toll, and producing a Note or Ticket denoting the Payment thereof (which Note or Ticket the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of such Toll, and such Ticket shall name and specify therein the Gate or Gates thereby freed from Toll) shall pass and repass during the same Day, with or driving the same Horses, Cattle, Sheep, Beasts, or Carriages Toll-free, through the same Toll Gate or Turnpike, or any other of the Toll Gates or Turnpikes continued or erected by virtue of this Act, within the Limit or Distance of Six Miles therefrom.

XXIII. And be it further enacted, That all and every Exemption or Exemptions from the several Tolls and Duties granted and made payable by the said recited Act shall cease and be no longer allowed; and that in lieu thereof the several Exemptions from Tolls herein-after mentioned shall be allowed; that is to say, that no Toll shall be demanded or taken for any Horse or Carriage passing through any of the Toll Gates or Toll Bars which shall be continued or erected upon the said Roads or on the Sides thereof, by virtue of this Act, either going or returning, and laden or unladen, when solely employed in carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be used on or about the said Roads or any of them, or any Part thereof, or any Highways in the Parishes, Townships, Districts, or Places which are liable to perform Statute Duty thereupon; or Hay, Corn in the Straw, or other Produce of Lands not sold or disposed of, but going to be laid up in the Houses, Out Houses, Barns, or Yards of the Owners thereof; or any Ploughs, Harrows, or other Implements of Husbandry, to be used in the Cultivation of Lands, or any Mould, Dung, Compost, Rubbish, Lime, Chalk, or Manure to be used or laid upon Lands, Gardens, or Grounds; nor for any Horses, Mares, Geldings, Mules, Asses, or Cattle going to or returning from Work in cultivating any Lands; nor for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs, Goats or Hogs going to or returning from Pasture on the Commons, or other Grazing Grounds or Watering Places, or Blacksmiths Shops, to be shod or having been shod; nor for any Horse or other Beast of Draught or Carriage employed in carrying or conveying any Furze, Peats, Turf, or Heather for Fuel, either going or returning, and laden or unladen, when so employed; nor shall any Toll be paid by any Rector, Vicar, Curate, or licensed Preacher, going to officiate, or returning from officiating at any Church, Chapel, or other Place of Religious Worship, or when visiting his sick Parishioners, or upon any other his Parochial or Ministerial Duty, or by any other Person or Persons residing in the said Parishes, Townships, Districts, or Places, who shall pass through any of the said Toll Gates or Toll Bars to or from Church, Chapel, or other Place of Religious Worship, or who shall attend the Funeral of any Person who shall die and be buried in any of the said Parishes, Townships, Districts, or Places; nor for any Horses

[Local.]

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or

Exemptions
from Toll.

or Carriages 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 the same, or in going for or returning from conveying the same; or for the Horses of Soldiers on the March or on Duty, or Carriages or Horses or other Beasts employed in carrying the Arms or Baggage of such Soldiers, either when conveying or going empty for, or returning empty after having conveyed the same; 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 Carriage, Horse, or other Beast, employed in the Conveyance of Vagrants travelling with legal Passes, or travelling with Vagrants sent by legal Passes, when conveying or going empty for or returning empty after having conveyed the same respectively; nor for any Horse or Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Essex* or *Hertford*, on the Day or Days of any such Election, or on the Day before or Day after any such Election shall begin and be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, or shall make use of any Fraud whatsoever, whereby the Payment of the said Tolls or any Part thereof shall be evaded, every such Person, for every such Offence, shall forfeit and pay any Sum not exceeding Five Pounds.

Trustees may compound for Tolls.

XXIV. And be it further enacted, That it shall be lawful for the Trustees of the said Districts, or any Seven or more of them, from Time to Time, as they shall see convenient and think proper, to compound and agree for any Term not exceeding One Year at one Time, with all or any of the Inhabitants of the several Parishes, Townships, Hamlets or Places, in which the said Roads lie, for the passing of his, her, or their Horses, Cattle, or Carriages, through all or any of the Toll Gates or Turnpikes on the said Roads, or on the Sides thereof; which Composition Money shall be paid in advance, and in Default thereof the Composition shall be void.

Carriages with Narrow Wheels may be drawn by Horses in Pairs.

XXV. Provided always, and be it further enacted, That it shall be lawful for all Waggons, Wains and Carts, to pass upon the said Roads, drawn by Horses abreast or in pairs, although the Fellies of the Wheels of any such Waggon, Wain, or Cart, shall be of a less Breadth or Gauge than Six Inches; any Law or Statute to the contrary notwithstanding.

Carriages employed in His Majesty's Service not

XXVI. And be it further enacted, That no Person owning or driving any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat,

ariat, or other Public Stores, of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject or liable to any Penalty or Forfeiture for Overweight; nor shall any 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.

to be subject
to Regula-
tions for
Overweight.

XXVII. And be it further enacted, That so much of the said recited Act of the Thirty-third Year of His present Majesty, as enacts, that if any Person owning, renting, or occupying any Lands, Tenements, or Hereditaments, near or adjoining to the respective Roads comprized in the said Act, should go or pass with any Horse, Cattle, or Carriage, through or over any such Lands, Tenements, or Hereditaments, or through any Gate, Passage, Inclosure, Place, or Way, in order or with Intent to avoid the Payment of any of the Tolls thereby granted, or should knowingly or willingly permit or suffer any other Person to go or pass with any Cattle or Carriage, through or over any such Lands, Tenements, or Hereditaments, in order or with Intent that the Payment of the said Tolls, or any Part thereof, should be avoided; or if any Person should go or pass with any Cattle or Carriage through or over any such Lands, Tenements, or Hereditaments, or through any Gate, Passage, Inclosure, Place, or Way, in order or with Intent to avoid the Payment of the said Tolls, or any Part thereof; or if any Person should give to or receive from any Person, other than the Collector of the said Tolls, any Note or Ticket, by the said recited Act directed to be given by the Collectors of the said Tolls, or should forge, counterfeit, or alter any such Note or Ticket, or make use of any such forged, counterfeited, or altered Note or Ticket, knowing the same to have been forged, counterfeited, or altered, whereby the Payment of the said Tolls or any Part thereof should be avoided; or if any Person should forcibly pass through any of the Turnpikes, to be continued or erected as therein-before mentioned, with any Carriage or Cattle without Payment of the Tolls due for the same, or should take off or cause to be taken off any Horse or other Cattle from any Carriage, or should leave or cause to be left upon or near any Part of the said Roads any Carriage or Cattle, or any Goods or Passengers, or should claim and take the Benefit of any of the Exemptions from Toll granted by the said recited Act, not being entitled to the same; or if the Owner or Hirer of any Carriage or Cattle, or other Person, being the Driver or Rider thereof, having travelled on the said Roads, or any Part thereof, should drive or turn out of the same into any other Road, in order or with Intent to avoid paying any of the said Tolls, and should afterwards return into or on the said Roads, or any Part thereof, with such Cattle or Carriages, or should do any other Act whatsoever, in order or with Intent to avoid the Payment of the said Tolls, or any Part thereof, every Person offending in any of the Cases aforesaid should for every such Offence forfeit any Sum not exceeding Forty Shillings, of which said Penalty one Moiety should go to the Informer; shall be and the same is hereby repealed and made void.

Provision in
the former
Act to pre-
vent evading
the Tolls re-
pealed.

XXVIII. And

Penalty on
evading the
Tolls.

XXVIII. And be it further enacted, That if any Person or Persons whomsoever, owning, renting, or occupying any Lands or Grounds near to the said Roads, or any Part thereof, shall knowingly or wilfully permit or suffer any Person or Persons to pass through any Ground, Gate, Passage, or private Way, with any Horse, Beast, Cattle, or Carriage, on or in respect of which a Toll is by this Act imposed, in order to evade the Payment of the said Toll; or if any Person or Persons owning, going in, or driving any such Carriages, or owning, riding, or driving any such Horse, Beast, or Cattle, shall therewith pass through any such Ground, Gate, Passage, or private Way, in order to evade the Payment of said Toll, or any Part thereof; or if any Person or Persons shall unload, or cause to be unloaded, any Goods or other Thing, or shall take off or cause to be taken off, any Horse or Beast of Draught from any Carriage, either before or after the same shall have passed through any of the Toll Gates to be continued or erected by virtue of this Act, or having passed through any of the said Toll Gates, shall afterwards add or put any Horse or Beast to any Carriage, for the Purpose of drawing the same upon any Part of the said Roads, in order to avoid or evade the Payment of any of the Tolls hereby imposed, or shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person or Persons, (except the Person or Persons appointed to receive the Tolls hereby made payable), any Note or Ticket in order to avoid or evade the Payment of the said Tolls or any Part thereof, or if any Person or Persons liable to the Payment of any of the said Tolls, shall forcibly pass or attempt to pass, any of the said Toll Gates or Turnpikes without Payment thereof at such Gate or Gates, each and every Person and Persons offending in any Manner as aforesaid, and being thereof convicted, shall respectively for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that nothing herein contained shall extend to subject to any Penalty any Person for passing through any Lands or Grounds of which he or she shall be the Owner or Occupier, notwithstanding the Tolls may be thereby evaded, nor any of the Family or Servants of any such Owner or Occupier.

Penalty on
Collectors
compounding
for Over-
weight.

XXIX. And be it further enacted, That if any Lessee or Lessees of the Tolls payable at any Turnpike Gate or Gates erected or to be erected on the said Roads, or any Collector or Collectors, or Person or Persons appointed to the Care of any Weighing Machine or Machines erected or to be erected in or upon the said Roads, shall make or enter into any Bargain, Contract, Composition, or other Agreement, verbal or written, wherein or whereby any specific Sum or Sums of Money, in gross or otherwise, is or are to be paid by any Person or Persons for the Carriage of Overweight in respect of any Waggon, Wain, Cart, or other Carriage liable to be weighed at such Machine or Machines, each and every such Lessee or Lessees, and Collector or Collectors, and Person or Persons appointed to the Care of any such Weighing Machine or Machines, so bargaining, contracting, compounding, or otherwise agreeing as aforesaid, shall for every such Bargain, Contract, Composition, or Agreement, forfeit and pay any Sum not exceeding Five Pounds.

Penalty on
Collector suf-
fering Car-
riages to pass

XXX. And be it further enacted, That for the better preventing Frauds and Collusions respecting Carriages carrying Overweights, if any Lessee or Lessees of the Tolls, payable at any of the Toll Gates to be continued
or

or erected by virtue of this Act, or any Collector or Collectors of the Tolls, or any Person or Persons appointed or to be appointed to the Care of any Weighing Machine or Machines, erected or to be erected in or upon the said Roads, shall suffer or permit any Waggon, Wain, Cart, or other Carriage liable to be weighed at any such Machine or Machines, to pass through the Toll Gate or Gates to be continued or erected on the said Roads without weighing the same, or shall permit or suffer any such Waggon, Wain, Cart, or other Carriage, to proceed on the said Roads or any Part thereof, without having first paid the Toll payable for such Waggon, Wain, Cart, or other Carriage, and for all such Overweight or Overweights, as such Waggon, Wain, Cart, or other Carriage respectively, shall or may happen to have therein or thereon; each and every such Person shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XXXI. And be it further enacted, That so much of the said recited Act of the Thirty-third Year of His present Majesty, as enacts, that it shall and may be lawful to and for the Surveyor and Surveyors of the said Roads, and such Person or Persons as he or they shall appoint, to dig, gather, take and carry away any Gravel, Furze, Heath, Bushes, Sand, Stones, or any other Materials proper for amending and repairing the said Highways or Roads, out of any convenient Part of any Common or Waste Ground, within any Parish, Village, or Hamlet, in or near which any foundrous or ruinous Places of the said Highways or Roads do lie, and for want of sufficient Gravel, Furze, Heath, Sand, Stones, or other Materials, there to dig, gather, take and carry away the same out of any Waste or Common, in any neighbouring Parish, Village, or Hamlet, without paying any Thing for the same; and where there is not sufficient of such Materials in any Common or Waste Ground near adjoining, it shall and may be lawful for them to dig and gather the same in the several Grounds of any Person or Persons (not being a House, Garden, Orchard, Park, Yard, Meadow, Planted Walk or Walks, or Avenue to a House, where any such Materials are or may be found, and from Time to Time to carry away such and so much thereof as the said Surveyor or Surveyors, in his and their respective Places, shall adjudge necessary for repairing and amending the said Highways or Roads, paying such a Rate for such Materials, and for Damages done in such Grounds by digging and carrying away the same, to the Owner or Occupier of the Grounds where and from whence the same shall be digged, gathered, and carried away, as the respective Trustees appointed or to be appointed to put the said recited Act in Execution, or any Seven or more of them, shall adjudge reasonable; and in case of any Difference concerning the same, between such Owner or Occupier and the said respective Trustees, touching the Damage aforesaid, the Justices of the Peace at the next General Quarter Sessions, to be holden in the County where such Materials shall be digged, and from whence the same shall be gathered or carried away, shall and may adjudge, assess, and finally determine the same; shall be and the same is hereby repealed and made void.

Provision in the former Act for getting Materials for repairing the Roads, repealed.

XXXII. And be it further enacted, That so much of the said recited Act of the Thirty-third Year of His present Majesty, as enacts, that it shall not be lawful for any Surveyor, or any other Person or Persons under the

[Local.]

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Authority

Provision in the former Act directing Notice to be given to the

Occupiers of
Lands before
Materials are
taken, re-
pealed.

Authority of the said recited Act, to dig, gather, take and carry away Materials for making or repairing the said respective Roads, in or from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his usual Place of Residence, to appear before the said Trustees, or any Seven or more of them, or Two Justices of the Peace acting for the said County of *Essex*, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Occupier shall attend pursuant to such Notice, the said Trustees, or any Seven or more of them, or such Justices shall, if they think proper, authorize such Surveyor or other Persons, to dig, gather, take and carry away such Materials at such Time or Times as to such Trustees, or any Seven or more of them, or to such Justices shall seem proper; and if such Occupier shall neglect or refuse to appear by himself or his Agents, the said Trustees, or any Seven or more of them, or such Justices, shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier or his Agent had attended; shall be and the same is hereby repealed and made void.

Powers to get
Materials for
the Roads.

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

But not from
private
Grounds
without Con-
sent of the
Owners or
Order from
Justices.

XXXIV. Provided always nevertheless, and be it further enacted, That it shall not be lawful for any Person or Persons, under Authority of the said recited Act or this Act, to dig, gather, take and carry away any Materials for repairing and amending the said Roads, in or from any inclosed or private Grounds or Quarries, without the Consent of the Owners of such

such Grounds or Quarries, until after Ten Days previous Notice in Writing, signed by the Surveyor or some Surveyor or 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.

XXXV. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the said Roads by virtue of the said recited Acts and this Act, or any of them, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other 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 the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Intents and Purposes, and in the same Manner as the 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 Meantime 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 Meantime and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid,

Application
of Compensation when
amounting to
200l.

aforesaid, the Dividends and Annual Produce of the same Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

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

XXXVI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken or used for the Purposes aforesaid, and belonging to any Body Politic, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the 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 Seven or more of 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 be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20l.

XXXVII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, for the Purposes of the said recited Act or this Act, in such Manner as the said Trustees, or any Seven 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.

XXXVIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or assessed for any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Act and this Act, 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 any Seven or more of them; or in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded or assessed as aforesaid cannot be found, or if the Person or Persons so 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 Seven or more of them, to order the Sum or Sums of Money so awarded

or assessed as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereto, 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.

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

Persons in Possession to be deemed well entitled.

XL. 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 under the Authority 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 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 Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to

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

[Local.]

24 H

be

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.

Regulation
as to Per-
formance of
Statute Duty.

XLI. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute Labour on the said Roads, shall be and the same is hereby repealed; and that all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto, in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required, upon Application made to them by the respective Trustees of the said Districts, or any Seven 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 said Roads by the Inhabitants and Occupiers of Lands, Tenements, Woods, Tythes and Hereditaments within the respective Parishes or Places in which the said Roads lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish 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 respective Trustees of the said Districts, 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 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 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 do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable; and the same shall be done on such Days, and at such Times (not being Seed-time, Hay-time, or Harvest) and on such Parts of the said Roads, as the said Trustees, or any Seven or more of them, 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 respective Trustees of the said Districts or their Treasurer, at such Time or Times as the said Justices, or any Two or more of them shall direct; and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid,

after

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 respective Trustees of the said Districts, shall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts to be provided by him, her or them, be subject and liable to such Pains, Penalties and Forfeitures, as such Person or Persons may be subject and liable to by any Law or Statute in force for the Repair of the Public Highways; and if any Person who shall come or be sent to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Persons who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the respective Trustees of the said Districts, and applied towards amending the said Roads; and in case the Surveyor or Surveyors 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 or wilfully give in false or imperfect Lists, every such Surveyor so offending, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; the said several Forfeitures and Penalties last aforesaid, to be recovered as any Forfeiture or Penalty imposed by the said recited Act is thereby authorized to be recovered.

XLII. And be it further enacted, That if the Driver or any other Person or Persons, having the Care of any Cart, Car, Dray, Wain or Waggon, shall by Negligence or wilful Misbehaviour, cause any Hurt, Damage, or Injury to any Person or Persons, or to any Coach, Cart, or other Carriage travelling on the said Roads, or shall quit the said Roads and go on the other Side of the Hedge or Fence inclosing the said Roads, or wilfully be at such a Distance from such Cart, Car, Dray, Wain, or Waggon, or in such a Situation whilst the same shall be passing on the said Roads, that he or they cannot have the Direction, Care and Management of the Horses drawing the same, or shall by Negligence or wilful Misbehaviour prevent, hinder or interrupt the free Passage of any other Carriage whatever, or of any of His Majesty's Subjects; or if the Driver of any empty or unloaded Cart, Car, Dray, Wain or Waggon, shall refuse or neglect to turn aside and make Way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage; or if any Person shall drive or act as the Driver of any such Coach, Chaise, Post-chaise, or other Carriage let to hire, or any Waggon, Wain, or Cart, not having the Name or Names of the Owner or Owners thereof painted thereon, as by Law required, or shall cover over and conceal such Name or Names from being seen and read, or shall refuse to discover the real and true Christian and Surname, and Place or Places of Abode, of the Owner or Owners of such Carts or other Carriages; every Person or Persons so offending in any of the Cases aforesaid, and being lawfully convicted of any such Offence, shall forfeit and pay any Sum of Money not exceeding Three Pounds, in case such Driver be not the Owner of such Cart or other Carriage; and in case the Offender or Offenders be the Owner or Owners of such Cart or other Carriage, then

For preventing Accidents by Carts.

then any Sum not exceeding Five Pounds; and it shall be lawful for any Person or Persons who shall see any of the said Offences, to apprehend the Offender or Offenders by Authority of this Act, with or without any other Warrant or Authority than this Act, and immediately to convey and deliver over any such Offender or Offenders to a Constable or other Peace Officer, in order to his or their being conveyed before some Justice of the Peace, to be dealt with according to Law; and if any such Offender shall refuse to discover his Name and Place of Abode, it shall be lawful for the Justice before whom he shall be taken, or any such Complaint shall be made, to commit such Offender to the Common Gaol or House of Correction for the County or District where the Offence shall be committed, there to remain for any Time not exceeding Three Calendar Months, or otherwise to proceed against him for such Penalty as aforesaid, in such Manner as such Justice shall think proper for the Recovery thereof; and the Owner or Owners of every such Cart, Car, Dray, Wain, Waggon, or other Carriage, shall be answerable for any Penalty or Penalties incurred by the Driver or Drivers thereof.

Penalty on
Persons
leaving Wag-
gons, &c. on
the Roads.

XLIII. And be it further enacted, That if any Owner or Driver of any Waggon, Wain, Cart, Coach or other Carriage, laden or unladen, shall set, place, or leave the same (except on Account of some Accident having happened thereto, and then only until such Time as the same can be conveniently removed or repaired) in any Part of the said Roads; or if any Person or Persons shall leave or put any Rubbish, Dung, Compost, Clay, or Grain, or shall suffer any Oxen, Cows, Sheep, Lambs, Hogs, or other Cattle, to lie or loiter in the said Roads or any Parts thereof, or shall set, place, or leave any Timber or Trees, or other Matter or Thing thereon, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Annoyances
to be re-
moved.

XLIV. And be it further enacted, That it shall not be lawful for any Person or Persons to make, cause or occasion any Encroachment, Obstruction, Annoyance, or Nuisance, in or upon the said Roads, or any Part thereof, by any Waggon, Carts, or Carriages, Timber, Trees, Wood, Tubs, or other Things for watering Horses or Cattle; or by Sawpits,hovels, Dung, Ashes, Soil or Compost, Straw, Clay, Rubbish, Filth or otherwise; or by Water or Filth to be thrown from any House or Houses into or upon the said Roads, or any Street through which the same passes; or by exposing Packages of Goods or Wares beyond a reasonable Time for unloading or warehousing the same; or by neglecting or omitting to cut or remove any Trees, Spires, Pollards or Bollings, which shall be standing, growing, or being in or upon the Sides of the said Roads, and overshadowing or otherwise prejudicing the same; and if any Person or Persons who shall cause or ought by Law to remove any such Encroachment, Obstruction, Annoyance or Nuisance, or to cut or remove any such Trees, Spires, Pollards or Bollings as aforesaid, shall neglect or refuse to remove or cut the same respectively, upon reasonable Notice given to him, her, or them, or left at his, her, or their usual Place of Abode, under the Hand of any Two or more of the said respective Trustees, or of any Surveyor to be appointed by the said Trustees, every Person offending in Manner as aforesaid, shall for every such Offence forfeit any Sum not exceeding Five Pounds, over and besides all other Charges in respect thereof.

XLV. And

XI.V. And be it further enacted, That all the Gates to be hereafter made and placed in any Field or Ground adjoining the said Roads, shall be made and hung to open and swing inwards towards such Fields or Ground, and not towards the said Roads; and that it shall be lawful for the said Trustees, or any Seven or more of them, to order all such Gates as are now erected or may hereafter be erected, and open and swing outwards towards the said Road, to be altered and made to open and swing inwards, as the said Trustees shall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed, so as to open and swing outwards towards the said Road, shall after Fourteen Days Notice from the Surveyor of the said Roads, requiring him, her or them to alter any such Gate or Gates, and to make the same to open and swing inwards, refuse or neglect to make such Alterations, every such Occupier or Occupiers shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Gates not to swing into the Roads.

XLVI. And be it further enacted, That if any Person or Persons shall draw or cause to be drawn upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage, to drag or trail upon any Part of the said Roads to the Prejudice thereof, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on drawing Timber on the Roads, except on Wheel Carriages.

XLVII. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, Surveyors, or other Officers) who shall commit any Offence or Offences against this Act, and take him, her or them before any Justice or Justices of the Peace, for the County or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended; and such Justice and Justices shall, and is and are hereby required to proceed and act with respect to such Offender or Offenders, according to the Provisions of this Act.

For securing transient Offenders.

XLVIII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, may cause the Conviction to be drawn up in the Form or in the Words to the Effect following, *mutatis mutandis*, as the Case shall happen to be:

Form of Conviction.

BE it remembered, That on [Time of Conviction] at [Place of Conviction] A. B. [Name of Offender] of [addition of Offender] was duly convicted before me [or us, Name and Style of convicting Justice or Justices] for that the said A. B. [Name of Offender] on [Time of committing Offence] at [Place of committing Offence] did [here state the Offence against the Act] according to the Fact, contrary to the Form of the Statute made in the Fifty-fifth Year of the Reign of His present Majesty King George the Third, intituled [here set forth the Title of this Act] and I [or, we] do therefore declare and adjudge that the said A. B. [Local.] 24 I [Name

[*Name of Offender*] has forfeited for the said Offence the Sum of [*Fine*]
 or shall be committed to [*Place of Imprisonment*] for the Space of [*Time*
of Imprisonment.] Given under my Hand and Seal, or our Hands and
 Seals, the Day and Year first above written.

For paying
 the Expences
 of the Act.

XLIX. And be it further enacted, That all the Charges and Expences of preparing and passing this Act shall be paid out of any Money already collected or received, or out of the first Monies hereafter to be collected or received within the said respective Districts, by virtue of the said recited Act and this Act, in the Proportions following, (that is to say), Three-fourth Parts thereof shall be paid by the Trustees of the said First District, and the remaining Fourth Part thereof shall be paid by the Trustees of the said Second District.

Public Act.

L. 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 the Act.

LI. And be it further enacted, That this Act shall commence upon the Day it shall receive the Royal Assent, and shall continue in force 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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