



ANNO QUINQUAGESIMO SEXTO

GEORGI II. REGIS.

Cap. xlix.

An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from *Darlastone Bridge* to the most Northern Part of *Talk-on-the-Hill* in *Butt Lane*, in the County of *Stafford*, and also the Road branching out of the said first-mentioned Road to *Shelton Wharf*, in the said County.

[31st May 1816.]

WHEREAS an Act was passed in the Nineteenth Year of the Reign of His present Majesty, intituled *An Act for reducing* 19 G. 3.
into One Act of Parliament the several Laws now in force for repairing the Road leading from the Town or Village of Tittenfor to the most Northern Part of Talk-on-the-Hill in Butt Lane, in the County of Stafford; and for repairing the Road from Darlastone Bridge over Tittenfor Heath through the Town or Village of Tittenfor aforesaid: And whereas another Act was passed in the Thirty-first Year of the Reign of His present Majesty, intituled *An Act to enlarge the Term and Powers of an Act passed in the Nineteenth Year of the Reign of His present Majesty,* 31 G. 3.
intituled 'An Act for reducing into One Act of Parliament the several Laws now in force for repairing the Road leading from the Town or Village of Tittenfor to the most Northern Part of Talk-on-the-Hill in Butt Lane, in the County of Stafford; and for repairing the Road from Darlastone Bridge over Tittenfor Heath through the Town or Village of Tittenfor aforesaid;' and for making and keeping in Repair a Road branching out of

[Local.]

Recited Acts
further con-
tinued

Term en-
larged.

of the said Turnpike Road near the House known by the Sign of the Black Lion, to or nearly to Shelton Wharf, all in the Parish of Stoke upon Trent in the said County of Stafford: And whereas the Trustees appointed by or under the Authority of the said several recited Acts have proceeded to put the same into Execution, and have borrowed several large Sums of Money on the Credit of the Tolls granted by the said Acts, which Sums of Money remain still due and owing; and the said Roads cannot be effectually maintained and improved, nor can the said Monies be repaid, unless the said Tolls shall be increased, and the Term granted by the said Acts be extended, and the Powers and Provisions of the said Acts be altered, amended, 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, and all and every the Authorities, Powers, Enactments, Provisions, and Clauses therein contained (except such of them as relate to Exemptions from Stamp Duties, and except such as have been heretofore or as are by this Act varied, altered, or repealed) shall be and continue in full Force, and be executed, for and during the Term herein-after mentioned, in as full and ample a Manner, and as effectually to all Intents and Purposes, as if the said Authorities, Powers, Enactments, Provisions, and Clauses were herein repeated and re-enacted; subject nevertheless to the several Alterations, Provisions, and Clauses in this Act made and contained; and this Act, and the additional Term and Tolls hereby granted, shall and they are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit or on account of the said recited Acts, or either of them, and of all Monies which shall or may be hereafter borrowed or become due upon the Credit of the said recited Acts and this Act respectively, or any of them, and of all Interest due and to grow due for the same respectively.

Trustees.

II. And be it further enacted, That the Right Honourable Lord Francis Leveson Gower, Sir Roger Gresley, Sir John Chetwode, Sir John Fenton Boughay, and Sir Edmund Antrobus, Baronets; the Reverend John Chapel Woodhouse Doctor in Divinity, Isaac Aston, Thomas Aston, Isaac Aston the younger, Clement William Adams, William Arrowsmith, William Adams the younger, Thomas Ashley, John Astbury, John Birch Basnett Clerk, Henry Stephens Belcombe Doctor of Medicine, Ralph Bourne, Charles Bourne, William Bent the younger, Rowland Bent, William Baker, Ralph Brown, Robert Brown the younger, David Bostock, William Bennett, John Bill of Penkhull, Thomas Bamford, George Booth, Thomas Phillips Birks, John James Blunt, Robert Bull, John Bateman, John Chetwode, William Clowes, Thomas Gorton Coombe, John Clewes, James Clewes, Ralph Clewes, Charles Chester, William Clewlow the younger, Charles Daintry, William Eardley, Benjamin Eardley, Thomas Eaton, George Wood Eaton, John Thomas Fenton, John Tilstone Ford, Richard Sutton Ford, Samuel Glover, William Glover, John Goodwin, Thomas Goodwin the younger, Thomas Griffin the younger, Henry Guest, John Gardner, James Gardner, Richard Clarke Hill, Robert Hamilton, William Stevenson Hyatt, Thomas Unett Hyatt, William Harding, Charles Stephen Hassells, Robert Hall, William Hill, James Holland, William Holland, John Hadderton, Samuel Henshall, Richard Hatton, Benjamin Harding, Swynfen Jervis the younger, Terrick Jones,

Jones, John Kirkham, Edward John Littleton, Charles Bourne Lawton, John Lawton Clerk, James Leech, Thomas Leech, James Macdonald, Rowland Mainwairing the younger, Thomas Mills, John Morris, Thomas Webb Minton, Herbert Minton, Thomas Mayer, Thomas Mayer the younger, Samuel Mare, Thomas Hawe Parker, James Poole, Daniel Poole, George Plant, Samuel Peake, Thomas Plant, John Eldershaw Phillips, Thomas Peak, Thomas Peak the younger, Joseph Peak, John Peak, William Jervis Ricketts, George Ridgway, John Ridgway, William Rivers, Lewis Sneyd Clerk, Richard Speakman, James Smith, John Gabriel Smith, William Shelley, Sampson Shelley, Brice Storr, Thomas Swinnerton, William Swift, John Shaw, Samuel Shaw, Jacob Stanley, Thomas Stanier, Jonathan Smith, Robert Smith, John Wickes Tomlinson, John Turner the younger, John Taylor, Joseph Tilstone, Josiah Timmis, John Timmis, Charles Wickstead, John Whalley Clerk, John Whalley the younger, Josiah Wedgwood the younger, Robert Williamson, Peter Walthall the younger, Thomas Walthall, John Wilson, Alexander Wilson, Thomas Ward, James Warner, George Wood, Thomas Wedgwood, and William Wingfield Yates, shall be and they are hereby added to and joined with the Trustees appointed by or under the Authority of the said recited Acts, or either of them, for putting the said recited Acts and this Act into Execution; and the Trustees herein nominated being respectively qualified according to the Directions of the said first recited Act, and also their Successors, to be elected in such Manner as in the said first recited Act is mentioned, and being respectively qualified as aforesaid, are hereby empowered to act in the Execution of the said recited Acts and of this Act, as fully and effectually, to all Intents and Purposes, as if they respectively had been nominated as Trustees by or under the Authority of the said recited Acts, or either of them.

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

Power to
appoint
additional
Trustees.

IV. And be it further enacted, That all Acts and Proceedings whatsoever in the Execution of the said recited Acts and this Act shall and may be done and executed by any Five or more of the said Trustees for the Time being; and all Orders and Determinations of the Majority of such Five or more Trustees at any Meeting shall be as valid and effectual as if the whole of such Five or more Trustees at any Meeting had concurred in such Order or Determination.

Five Trustees
may act.

V. And be it further enacted, That if after any Adjournment of the said Trustees it shall at any Time be thought necessary that a Meeting should be held on an earlier Day than that appointed by such Adjournment, then and in such Case the Clerk to the said Trustees, upon an Application in Writing from any Five or more of the said Trustees (although not assembled at a Meeting) mentioning the Time, Place, and Purport of such intended

Special
Meetings
may be con-
vened on
Emergen-
cies.

intended Meeting, shall forthwith give Notice in Writing, to be affixed upon all the Turnpikes then standing upon the said Roads, of the Time and Place, which shall be mentioned in the Application of the said Trustees (such Time not being less than Ten Days after such Notice), and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such Meeting so to be held shall be as valid and effectual as they would have been in case the same had been held in pursuance of Adjournment.

Books to be
kept of Pro-
ceedings of
Trustees, &c.

VI. And be it further enacted, That the said Trustees shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk or Treasurer for the Time being, in which Book or Books all Orders and Proceedings of the Trustees shall be regularly entered, and such Orders and Proceedings so entered shall be signed by the Trustees making the same; and in which Book or Books such Clerk or the Treasurer shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Roads, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection, (without Fee or Reward,) of the said Trustees, or any Creditor or Creditors on the Tolls granted or authorized to be taken by the said recited Acts or this Act; and the said Trustees and Creditors shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk or Treasurer, or the Person or Persons who shall have the Care and Custody of the said Book or Books, shall refuse to permit the said Trustees or such Creditors to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk or Treasurer, or Person or Persons, shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in the same Manner as any other Penalty may be levied and recovered by virtue of the said recited Acts or this Act; and the said Book and Books, and also any Book or Books kept for registering Mortgages and Assignments, or Transcripts thereof, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Trustees may
sue in the
Name of
their Clerk
or Treasurer.

VII. And be it further enacted, That the said Trustees, or any Five or more of them, may commence any Action, or sue for or concerning any Property vested in them, or any Matter or Thing to be done or arise by virtue or in pursuance of the said recited Acts and this Act, or for the enforcing any Penalty, Claim, or Demand under the same, or any Obligation or Agreement heretofore or which may be hereafter entered into with the said Trustees in the Name of their Clerk or Treasurer for the Time being; and in all Indictments, Informations, and Prosecutions of or concerning any Property or Thing belonging to the said Trustees, the same may be stated to be the Property of the Trustees for the Time being for executing the said recited Acts and this Act, without naming them, or to be the Property of their said Clerk or Treasurer; and that no Action, Suit, or Proceeding to be brought, instituted, or commenced by the Direction of the said Trustees by virtue of this Act, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death, Resignation, or Removal of any such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees; but that the Clerk
or

or Treasurer for the Time being to the said Trustees shall be deemed to be Plaintiff in every such Action, Suit, and Proceeding: Provided always, that every such Clerk and Treasurer in whose Name any Action, Suit, or other Proceeding shall be commenced in pursuance of this Act, shall be fully reimbursed and paid, out of the Monies to arise by virtue of the said recited Acts and this Act, all such Costs, Charges, Damages, and Expenses, as by the Event or in consequence of any such Action, Suit, or Proceeding, he shall pay, bear, expend or be put unto, or become chargeable with, by reason of his being made Plaintiff as aforesaid.

VIII. And be it further enacted, That the several Tolls and Duties granted and made payable by the said recited Acts, or either of them, shall, from and after the Tenth Day of *July* One thousand eight hundred and sixteen, cease, determine, and be no longer payable; and that, instead thereof, the several Tolls following shall and may be demanded, taken, and received at each and every Toll Gate, or Turnpike, or Side-bar, already erected or hereafter to be erected under the Authority of the said recited Acts, or either of them, or of this Act, in, upon, across, or on the Side of the said several Roads, or any Part thereof, before any Cattle or Carriage shall be permitted to pass through the same respectively, subject nevertheless to the Provisions hereinafter contained; (that is to say),

For every Horse, drawing any Stage Coach or Diligence, wherein more than Two Horses shall draw, on every *Sunday* the Sum of Nine-pence, and on every other Day the Sum of Sixpence:

For every Horse, Ass, Mule, or other Beast of Draught, drawing any Coach, Landau, Barouche, Chariot, Chaise, Landaulet, Phaeton, Hearse, Curricule, Chair, Gig, Caravan, Taxed Cart, or other Carriage of like Description, by whatsoever Name called or known, (except Stage Coaches or Diligences drawn by more than Two Horses), on every *Sunday* the Sum of Sixpence and One Halfpenny, and on every other Day the Sum of Four-pence and One Halfpenny.

For every Horse, Ass, Ox, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Timber-Carriage, Tumbrel, or other Carriage of like Description, by whatsoever Name called or known, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, with the entire Sole of such Fellies of a flat Surface, or not deviating more than One Quarter of an Inch from a flat Surface, on every *Sunday* the Sum of Sixpence and One Halfpenny, and on every other Day the Sum of Four-pence and One Halfpenny:

For every Waggon, Wain, Cart, Timber-Carriage, Tumbrel, or other Carriage of like Description, by whatsoever Name called or known, having the Fellies of the Wheels of less Breadth than Six Inches, or having a Deviation of more than One Quarter of an Inch on the entire Sole of the Fellies from a flat Surface, and drawn by One Horse, Ass, Ox, Mule, or other Beast of Draught only, on every *Sunday* the Sum of Nine-pence, and on every other Day the Sum of Sixpence:

For every Horse, Ass, Ox, Mule, or other Beast of Draught, drawing any Waggon, Wain, Cart, Timber-Carriage, Tumbrel, or other Carriage of like Description, by whatsoever Name called or known, having the Fellies of the Wheels of less Breadth than Six Inches, or having a Deviation of more than One Quarter of an Inch on the entire Sole of the Fellies from a flat Surface, and being drawn by more than One Horse, Ass, Ox, Mule,

[*Local.*]

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or

or other Beast of Draught, on every *Sunday* the Sum of Ten-pence and One Halfpenny, and on every other Day the Sum of Seven-pence:

For every Horse, Ass, or Mule, laden or unladen, and not drawing, on every *Sunday* the Sum of Two-pence, and on every other Day the Sum of One Penny and One Halfpenny:

For every Drove of Oxen, Cows, Neat Cattle, or Swine, on every *Sunday* the Sum of One Shilling and Eight-pence *per* Score, and on every other Day the Sum of One Shilling and Three-pence *per* Score; and so in Proportion for any greater or less Number:

For every Drove of Calves, Sheep, or Lambs, on every *Sunday* the Sum of Ten-pence *per* Score, and on every other Day the Sum of Seven-pence and One Halfpenny *per* Score; and so in Proportion for any greater or less Number.

Tolls recovered in Manner directed by said recited Acts.

Which said respective Tolls and Sums of Money hereby granted as aforesaid shall be and the same are hereby vested in the said Trustees for executing the said recited Acts and this Act, and shall and may be collected, levied, recovered, varied, altered, compounded for, leased, assigned, paid, and applied respectively, in like Manner as the Tolls granted by the said recited Acts, or either of them, are thereby directed to be collected, levied, recovered, varied, altered, compounded for, leased, assigned, paid, and applied respectively.

No Toll for crossing the Road.

IX. Provided always, and be it further enacted, That no Toll shall be taken in respect of any Horse, Cattle, Beast, or Carriage, which shall only cross the said Roads, unless they respectively shall pass One hundred Yards upon the same.

Tolls to be paid only Once a Day.

X. Provided also, and be it further enacted, That no Person shall be liable to pay more than One full Toll for passing at any Time or Times with the same Horses, Cattle, or Carriages, in the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the succeeding Night, through any one and the same Turnpike or Toll Gate erected or to be erected by virtue of this Act or either of the said former Acts; but all and every such Person or Persons, after having paid such full Toll or Tolls as aforesaid, shall, upon producing a Note or Ticket, or Notes or Tickets, denoting such Payment or Payments, afterwards pass through the same Turnpike or Toll Gate with such Horses, Cattle, Beasts, or Carriages Toll-free during such Day, to be computed as aforesaid; which Notes or Tickets the Collectors of the Tolls are hereby required to give *gratis* on Receipt of the Tolls.

Tolls not to be paid at more than Two Gates.

XI. Provided further, and be it enacted, That no Person or Persons shall be liable to pay Toll at more than One Gate, for passing or re-passing at any Time or Times in any one Day, to be computed as aforesaid, with the same Horses, Cattle, or Carriages, through all or any of the Turnpikes already erected or to be erected by virtue of the said recited Acts or this Act, upon such Parts of the said Roads as lie Southward of the Town of *Newcastle-under-Lyme*; and that no Person or Persons shall be liable to pay Toll at more than One Gate, for passing or re-passing at any Time or Times in any one Day, to be computed as aforesaid, with the same Horses, Cattle, or Carriages, through all or any of the Turnpikes already erected or to be erected by virtue of the said recited Acts or this Act,

upon such Parts of the said Roads as lie Northward of the Town of Newcastle-under-Lyme.

XII. And be it further enacted, That upon Payment of any of the Tolls to be collected by virtue of the said recited Acts or this Act, the Collector or Receiver shall and he is hereby required to deliver *gratis* to the Person paying such Toll a Note or Ticket denoting such Payment, and which Notes or Tickets shall be provided by the said Trustees; and there shall be printed and specified thereon the Names of the several and respective Gates which such Tickets shall free, or which ought under the Provisions of the said recited Acts or this Act to be passed free for One Payment of Toll. Tickets to be printed, &c.

XIII. And be it further enacted, That all and every Toll Collector, being Lessee of the said Tolls, or appointed either by the said Trustees, or by any such Lessee or Lessees, to collect the Tolls payable at any Turnpike or Toll Gate erected by virtue of the said recited Acts, or 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 on some other conspicuous Part of the Toll House or Toll Gate, immediately upon his coming on Duty, each of the Letters of such Name or Names, to be at least Two Inches in Length, and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand or take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of the said recited Acts or this Act, or of the Orders and Resolutions of the Trustees made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in any ways hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall in Answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or any Passenger or Passengers; then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered and applied as other Penalties are by the said recited Act or this Act directed to be recovered and applied. Penalty on Collectors for misbehaving.

XIV. And be it further enacted, That in case any Dispute shall happen about the Amount of Toll due, or the Charges of keeping any Distress, it shall be lawful for the Collector, or Person distraining, to retain the same, Disputes concerning Tolls to be settled by a Justice.

or the Money arising by the Sale thereof (as the Case may happen) until the Amount of such Toll, and the Charges of making such Distress, and of keeping and selling the same, shall be ascertained by some Justice of the Peace of the said County, who, upon Application to him made for that Purpose, shall examine the Matter upon Oath of the Parties, or other Witness or Witnesses (which Oath such Justice is hereby empowered to administer), and determine the Dispute respecting such Tolls, and the Amount of the Tolls due; and shall also assess the Charges of such Distress, Keeping, and Sale, and shall award such Costs to either Party as to the said Justice shall appear just and reasonable; and such Sums as shall be so determined or assessed to be paid to the Collector or other Person distraining shall be paid to the said Collector or other Person, before he shall be obliged to return the Distress, or the Overplus after the Sale thereof, or of any Part thereof; and the Costs which shall be so awarded to any other Person or Party shall, in case of Nonpayment within Four Days after the same shall be so awarded, be levied by Distress and Sale of the Goods and Chattels of the Person or Persons liable to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered to grant), and the Overplus (if any) after Payment of such Costs shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattels.

Medical
Practitioners
exempted
from Sunday
Toll.

XV. Provided also, and be it enacted, That no further or greater Tolls shall be demanded or taken from any Medical Practitioner in his Way to or returning from visiting any sick Person on a *Sunday*, than might have been demanded and taken from such Medical Practitioner under the Authority of this Act in case he had been travelling on any other Day.

Former Ex-
emptions
from Tolls
repealed;

XVI. And be it further enacted, That so much of the said recited Acts as relates to any Exemption from Toll shall be and the same is hereby repealed.

and other
Exemptions
granted.

XVII. And be it further enacted, 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, having been employed only in carrying or conveying on the same Day, any Stones, Gravel, Cinders, Shards, or other Materials for repairing the said Roads, or any of the Roads in the Parishes in which any Part of the said Roads lie, or any Rubbish, Soil, Compost, Dung, Marl, or other Manure whatsoever, for the manuring or improving of Land, (excepting Lime), or Hay, Straw, or Corn in the Straw only, not sold or disposed of, or conveying to be sold, but passing to be laid up or placed in the Out-houses or on the Lands of the Owners; or for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying, any Ploughs, Harrows, or Implements of Husbandry; or for any Horses or Cattle going to or returning from Pasture or Watering Places; or going to be or returning from being shod or farried, (except such Horses or Cattle shall pass for the Space of One Mile along the said Roads); or from any Person going to or returning from his or her proper Parochial Church, Chapel,

Chapel, or other public Place of Religious Worship tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from his Parochial or Ministerial Duty, or going to or returning from visiting any sick Person; or for any Horses, Cattle, or Carriages, of whatever 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 back from conveying the same; or for any Horses, Cattle, or Beasts carrying or attending Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horses or Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Cart, Carriage, or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle, or Beast carrying or conveying any Person or Persons going to vote or returning from voting at any Election of a Member or Members to serve in Parliament for the County of *Stafford*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; 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 that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemptions as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence the Sum of Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of the said recited Acts and this Act.

XVIII. 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 carrying any Ordnance, Barrack, Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any such Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Overweight therein, or of being drawn by any extra Number of Horses or Oxen, but that any Number of Horses or Oxen may be lawfully used in the drawing of such Waggon, Wain, Cart, or other Carriage so employed; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the said recited Acts contained to the contrary notwithstanding.

Carriages conveying Military Stores, &c. may pass without Penalty for Overweight, &c.

[Local.]

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XIX. And

Power to
Trustees to
vacate Leases
of Tolls in
certain Cases.

XIX. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates erected or to be erected on the said Roads shall at any Time or Times, during the Continuance of this Act, be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions, on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear for the Space of Ten Days next after any of the Days on which the same ought to be paid, pursuant to the Demise or Agreement for letting the same; then and in either of the said Cases, the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or any other Person authorized by Writing under the Hands of any Five or more of the said Trustees, shall have Power and they and he respectively are and is hereby authorized to enter into and upon the Possession of the Toll House and Toll Houses, with the Toll Gates, Buildings, and Appurtenances thereunto belonging, so let as aforesaid, and to remove and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the Tolls there payable; and thereupon it shall be lawful for the said Trustees, by an Order in Writing under the Hands of them, or any Five or more of them, (if they shall think fit) to vacate and determine the Demise, Contract, or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent or Rents which shall then be in Arrear), as if such Demise, Contract, or Agreement had never been made; and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, in the same Manner as if no prior Demise, Contract, or Agreement had been made or entered into relative to the same.

Repealing
Clause in
Act 19 G. 3.
respecting
getting
Gravel, &c.

XX. And be it further enacted, That so much of the said recited Act of the Nineteenth Year of the Reign of His present Majesty, as enacts, that the Surveyors of the Roads, and other Persons employed by such Surveyors, or by the Trustees, are empowered to cut, dig, gather, take, and carry away any Furze, Heath, Stones, Gravel, Sand, or other Materials proper for the repairing Roads, out of or from any Waste Grounds, Stone Quarries, or Commons, Rivers or Brooks, in any Parish, Town, or Place in which any Part of the Roads do lie, or in any neighbouring Parish, Town, or Place, without paying any Thing for the same, and to dig and make Pits, get, gather, take and carry away any such Materials as aforesaid, in, upon, or out of and from the Stone Quarries and Lands of any Person or Persons, paying or tendering Payment of such Rates for such Materials, and for such Damage done to such private Lands over which any Materials gotten in any Waste Ground, Common, River, or Brook, or private Ground, shall be conveyed, as the Trustees, or any Five or more of them, shall adjudge reasonable, shall be and the same is hereby repealed.

For getting
Materials to
repair the
Roads

XXI. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads, and all such Person or Persons as

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He or they shall appoint, to search for, dig, gather, get, and take away any Stones, Gravel, Chalk, Furze, Heath, Sand or other Materials, for making, amending, altering, improving, or repairing the said Roads out of any Waste or Common, or out of any common River or Brook, in any Parish, Hamlet, Township or Place in which any Part of the said Roads shall lie or be situate, or in any adjoining Parish, Hamlet, Township or Place within the said County, without paying any Thing for the same; they the said Surveyor or Surveyors, or other Person or Persons, filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks, where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to Passengers or Cattle; and if a sufficient Quantity of such Materials cannot be had or found in or upon any such Waste or Common, or in any such common River or Brook, then and in such Case the Surveyor or Surveyors, or other Persons as aforesaid, may, by Order of any Justice or Justices of the Peace for the said County, to be made upon the Application of the said Trustees, or any Five or more of them, search for, dig, gather, get and take away any such Materials, in and out of the Lands, Fields or Grounds of any Person or Persons, in any Parish, Hamlet, Township or Place, in which any Part of the said Roads shall lie or be situate, where the same may be had or found, such Lands, Fields, or Grounds not being a Garden, Orchard, Yard, Park, Paddock, Walk or Walks, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees, making or tendering such Satisfaction for the Value of such Materials, and also for the Damages done to the Owners and Occupiers of any such Lands, Fields, or Grounds, where and from whence the same shall be dug, gathered, and carried away, or over which the same or any other Materials for amending, altering, improving, or repairing the said Roads shall be carried, as shall be agreed upon between them and such Owner or Occupier; or in case of their not agreeing, then as any one or more Justice or Justices of the Peace acting in and for the said County shall and may adjudge and determine to be reasonable; which Judgement or Order of such Justice or Justices therein, shall be final and conclusive to all Parties: Provided also, that no such Stone or other Materials as aforesaid shall be gotten, dug for, or taken away, within the Distance of One hundred Yards of any Bridge, Mill, Mill Weir or Dam, on any Account or Pretence whatsoever.

XXII. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor, or any Person or Persons acting under the Authority of the said recited Act or this Act, to dig, gather, get, take, or carry away any Materials for repairing such Roads out of or from any inclosed Land or Ground, until Notice in Writing, signed by the Surveyor, shall have been given to the Owners or Occupiers of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owners or Occupiers, to appear before any Justice or Justices of the Peace acting in and for the said County, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause

Notice to be
given before
Materials
taken.

Cause to the contrary, such Justice or Justices shall, if he or they think proper, authorize such Surveyor or other Persons to dig, gather, get, take, and carry away such Materials, at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or Agent, such Justice or Justices may, upon Proof on Oath of the Service of such Notice, and which Oath they or any one of them are and is hereby empowered to administer, make such Order therein as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Owner or Occupier or his Agent had attended.

Application
of Compen-
sation Money
belonging to
Corpora-
tions, &c.
where ex-
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200l.

XXIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, Buildings, or other Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Act of the Nineteenth Year of the Reign of His present Majesty is particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said recited Acts and this Act, to the Intent that such Money shall be 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, Grounds, Buildings, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Grounds, Buildings, or Hereditaments, or affecting other Lands, Grounds, or Hereditaments standing settled to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Grounds, Buildings or other 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, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said 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, Grounds,

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

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

Where less than 200l. but above 20l.

XXV. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as before mentioned shall not exceed the Sum of 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, Grounds, Buildings, or other Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts and this Act, in such Manner as the said respective Trustees or any Five or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Where not exceeding 20l.

XXVI. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts or this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered; then and in every such Case it shall and may be lawful for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the

In case of Refusal, &c. to accept Purchase Monies, the same to be paid into the Bank.

[Local.]

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Name

Name and with the Privy of the Accountant General of the High 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, Control, and Disposition of the said High 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.

In Cases of doubtful Title, the Claim of the Party in Possession to be preferred.

XXVII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands or Hereditaments, or any Estate, Right, or Interest in any Lands or Hereditaments to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands 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 and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said High 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 or Hereditaments, or to some Estate or Interest therein.

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

XXVIII. Provided also, and be it further enacted, That when by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands or Hereditaments to be purchased under the Authority of the said recited Acts or this Act, the Purchase Money for the same shall in pursuance of this Act or the said recited Acts be required to be paid into the said Court, and to be applied in the Purchase of other Lands or Hereditaments to be settled to the like Uses, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary

necessary Costs and Charges of obtaining such Order, to be paid by such Trustees, or any Five or more of them, out of the Monies to be received by virtue of the said recited Acts and this Act, which Trustees shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XXIX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the said County, and they are hereby empowered and required, (upon Application made to them for that Purpose by the said Trustees, or by their 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 of 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, shall be by him or them paid to the said Trustees, or to their Treasurer; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish 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 of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in Force and Effect for the Repair of the public Highways; and out of such Lists such Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear to be 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 Hay-time or Harvest), and on such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Persons who by such Lists shall appear to be subject or liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct; and in default of Payment thereof, the same shall or may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof in like Manner as any Penalty is by the said recited Acts or this Act authorized to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose,
signed

signed by the Surveyor or Surveyors 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 and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force and Effect for the Repair of the public Highways; and if any Person who shall come to work as a Labourer, or who 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 turn off the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said 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 Five Pounds.

Trustees may
compound
for Statute
Work.

XXX. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the said Roads 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 Roads lie, for a certain Sum of Money, by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Roads; which 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 or Treasurers of the said Trustees, in Advance, on or before the Tenth Day of *October* in each and every Year, or otherwise the Inhabitants or Occupiers of such Parish or Place shall not be permitted to compound for that Year.

For prevent-
ing Annoy-
ances on the
Roads.

XXXI. And be it further enacted, That if any Person or Persons shall leave any Waggon, Wain, Cart, or other Carriage in, upon, or on the Side of the said Roads, either with or without any Horse or Beast of Draught harnessed or yoked thereto, except only during such reasonable Time as the same shall be loading or unloading, (and then standing as near the Side of such Road as may be), or shall lay any Timber, Bricks, Stone, Hay, Straw, Dung, Soil, or Rubbish, to the Prejudice or Annoyance of any Person or Persons travelling along the said Roads; or if any Person shall ride upon any Footway adjoining to the said Roads, or shall drive any Horse or other Cattle, or any Swine, or any Cart, Hand-cart, Wheelbarrow, or other Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person driving any Coach, Chaise, Waggon,

Waggon, Cart, or other Carriage upon the said Roads, and meeting any other Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the Left Side of the said Roads; or if any Person overtaking and driving past any Coach, Chaise, Waggon, Cart, or Carriage, shall pass otherwise than on the Right Side of such Coach, Chaise, Waggon, Cart, or Carriage; or if any Person driving any Coach, Chaise, Waggon, Cart, or Carriage, after being warned to take the Left Side of the Road, in order to permit the passing of any other Coach, Chaise, Waggon, Cart, or Carriage, shall wilfully refuse so to do; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her upon the said Roads, or the Coach, Chaise, Waggon, Cart, or Carriage under his or her Care; every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; such Penalties respectively to be recovered and applied in the same Manner as the Penalties and Forfeitures are by the said first-recited Act directed to be recovered and applied.

XXXII. And be it further enacted, That no Gate of any Park, Paddock, Field, Garden, Yard, or Enclosure whatsoever, shall be made to open towards the said Roads, or shall be suffered to continue so to open, unless the Hanging-posts thereof shall be Thirty Feet at the least from the Centre of the Road; and the Occupier or Occupiers of every Park, Paddock, Field, Garden, Yard, or Enclosure, the Gate whereof shall open contrary to the Directions of this Act, shall, within Fourteen Days after Notice from the Surveyor or Surveyors of the said Roads, cause such Gate to be again set up in such a Manner as that no Part of the Gate when open shall project over any Part of the said Roads, or over any Foot-path along the Side of the same; and in default thereof the Surveyor or Surveyors aforesaid is and are hereby authorized to cause such Gate to be taken down, and afterwards fixed up in the Manner hereinbefore directed; and the Person or Persons guilty of such Default shall, upon Complaint made to any Justice of the Peace, and on Conviction thereof, upon the Oath of one credible Witness, pay to such Surveyor or Surveyors such Sum as the said Justice shall direct, in order to defray the Expence of making the said Alteration, and shall also forfeit and pay a further Sum, not exceeding Forty Shillings, for his or their Default therein.

Gates not to open against the Roads.

XXXIII. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall, together with Interest for the same from the Time of advancing such Charges and Expences until the Reimbursement thereof, be paid and defrayed out of the first Monies to be collected or raised by virtue of the said recited Acts or this Act, in preference to any other Payment whatsoever.

Charges of the Act how to be paid.

XXXIV. 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.

Public Act.

XXXV. And be it further enacted, That the Term granted and continued by the said several recited Acts shall, on the passing of this Act, cease and determine; and that this Act and the said recited Acts (except so

Term of the Act.

[*Local.*]

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much

much thereof as has been heretofore or as is by this Act altered, amended, or repealed) shall from thenceforth commence, continue, and be in force, and be executed, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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