

Eighteenth Year of the Reign of His present Majesty, for amending and keeping in Repair the Roads leading from a Place called Frier Bacon's Study to Chilton Pond, and from the Top of Hinkley Hill to Foxcombe Hill Gate, in the Road leading to Farrington, in the County of Berks, so far as the same relate to the Oxford District of the said Roads therein mentioned: And whereas by the said recited Act of the Eighteenth Year of the Reign of His present Majesty, the said Roads were divided into Two Districts, and it was thereby declared, that the Road leading from *Frier Bacon's Study* in or near the City of *Oxford*, to the Mayor's Stone at the End of the Vineyard, in the Borough of *Abingdon*, in the said County of *Berks*, should be one of the said Districts of Road, and should be called "The *Oxford District*:" And whereas the said Road called The *Oxford District* cannot be properly amended and kept in Repair unless the Term of the said Acts be extended, and some of the Powers and Provisions thereof be altered, amended, and enlarged, with respect to the said Road called The *Oxford District*: 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 Clauses, Powers, Authorities, Trusts, Provisions, Directions, Rules, Tolls, Exemptions, Penalties, Forfeitures, Payments, Remedies, Articles, Matters, and Things whatsoever therein contained and now in force, so far as the same relate to the said Road called The *Oxford District* (except such Parts thereof as are repealed, varied, or altered) shall be, continue, and remain in full Force and Effect, and the same are hereby further continued, and together with the present Act shall be executed for and during the Term hereinafter mentioned, in as full and ample a Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Provisions, Alterations, and Amendments in this Act contained; and that this Act and the additional Term hereby granted, shall be subject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the said recited Acts or either of them, on account of the said Road called The *Oxford District*, or hereafter to be borrowed on the Credit of the said recited Acts and this Act, and of all Interest due or to grow due for the same, with respect to the said Road called The *Oxford District*.

Acts continued.

Appointment of new Trustees.

II. And be it further enacted, That the Vice Chancellor of the University of *Oxford* for the Time being, and his Assessor or Deputy for the Time being, the Heads of Colleges and Halls in the University of *Oxford* for the Time being, the Members in Parliament for the University, County, and City of *Oxford* for the Time being, the acting Justices of the Peace for the said Counties of *Oxford* and *Berks* for the Time being, the Proctors of the said University for the Time being, the several Professors of Divinity, Physic, Law, Hebrew, Astronomy, and Philosophy for the Time being in the said University, the Margaret Professor for the Time being in the said University, and the several other Professors in the said University for the Time being, the Public Orator and Registrar of the said University for the Time being, the *Bodley* and *Radcliffe* Librarians in the said University for the Time being, and the Bursars of the several Colleges and Halls in the said University for the Time being, the Mayor, Recorder, Aldermen, Assistants, Bailiffs, Town Clerk, and Solicitor of the

the City of *Oxford* for the Time being, the Mayor, Recorder, Bailiffs, Chamberlains, Burgeses and Town Clerk, respectively of the Borough of *Abingdon* for the Time being, the Master and Governors of the Hospital of Christ in *Abingdon* for the Time being, the Members in Parliament for the County of *Berks* and Borough of *Abingdon* for the Time being, Sir *William Elias Taunton* Knight, *John Grosvenor*, *William Hall*, *Martin Wall* Doctor of Medicine, *Thomas Richard Walker*, *John Ireland*, *Edward Micklem*, *Edward Latimer*, *Henry William Finnes Hawkins*, *Thomas Busb*, the Reverend *John Ratcliffe*, the Reverend *Frederick Barnes* Doctor of Divinity, *William Slatter*, the Reverend *William Slatter*, *Thomas Fletcher*, *William Tomkins*, *John Evetts*, *John Francis Spendlowe*, *Thomas Henry Taunton*, *Joshua Cooke*, *Joseph Parker*, *Daniel Taunton*, *Ferdinand Cox*, *George Wood*, *Thomas Sutton Wood*, *Thomas Jones*, and *George Hitchings*, shall and are hereby joined with and added to the Trustees appointed in or by virtue of the said recited Acts, or either of them, for the said Road called The *Oxford* District, to be Trustees for carrying this Act, and the said recited Acts, so far as respects the said Road called The *Oxford* District into Execution; and the said Trustees herein nominated, being respectively qualified according to the Provisions of the said recited Acts, and their Successors respectively, to be elected, and being respectively qualified according to the Provisions of the said recited Acts, shall in all respects whatsoever have the like Powers and Authorities to act in the Execution of the said recited Acts, so far as the same relate to the said Road called The *Oxford* District, and of this Act, as if they had been appointed Trustees in or by virtue of the said recited Acts or either of them.

III. And be it further enacted, That it shall be lawful for the Trustees hereby appointed for carrying this Act and the said recited Acts, with respect to the said Road called The *Oxford* District into Execution, 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 carrying this Act and the said recited Acts, with respect to the said Road called The *Oxford* District into Execution, 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 this Act and the said recited Acts, as if they had been herein-named and appointed.

Power to
appoint
additional
Trustees.

IV. And be it further enacted, That all Acts, Matters and Things hereby or by the said recited Acts, directed to be done and executed by the said Trustees, may be done and executed by the Majority of such Trustees present at their respective Meetings, (the whole Number present not being less than Five) and all Acts, Matters, and Things so done by such Majority, shall be as valid and effectual as if the same had been done by all the Trustees for executing the said Acts and this Act; and that at all such Meetings the said Trustees shall pay and defray their own Charges and Expences.

Quorum of
Trustees.

Trustees to
pay their own
Expences.

V. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been, or who by virtue of the said recited Acts or any of them, or of this Act, may

Offices of
Clerk and
Treasurer not
to be held by

the same
Person.

may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act and the said recited Acts, or to continue or appoint the Person who has been or may be appointed their Treasurer, by virtue of the said recited Acts or any of them, or of this Act, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said recited Acts or this Act, or any of them; or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer, shall act as Clerk in the Execution of the said recited Acts or this Act, or any of them, every Person so offending 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 at *Westminster*, 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 Imparance, shall be allowed.

Books to be
kept of
Accounts of
Receipts and
Disburse-
ments, which
shall be open
to the Inspec-
tion of the
Trustees and
Creditors.

VI. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time and at all Times during the Continuance of this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being; in which Book or Books such Clerk 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 Road called *The Oxford District*, and of the several Articles, Matters, and Things, for which such Sums of Money shall have been disbursed, laid out and paid; which Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, and any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any Thing for the same; and in case the said Clerk shall refuse to permit the said Trustees, or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied, recovered, and applied in Manner hereinafter directed.

Penalty for
Refusal of
Inspection.

Repeal of
part of Act
requiring
Accounts to
be verified
on Oath.

VII. And be it further enacted, That so much of the said recited Act of the Twenty-ninth Year of the Reign of King *George* the Second, as enacts that all Officers and Persons accounting as therein mentioned, shall verify their Accounts upon Oath before the said Trustees, if thereunto required; and also so much thereof as empowers any Two of the Trustees to administer such Oath, and also so much thereof as enacts, that if any such Officer or Person shall refuse to verify their Accounts in Manner aforesaid, he shall be subject to the Punishment therein mentioned, shall be and the same is hereby repealed.

Tickets to
be printed.

VIII. And be it further enacted, That upon Payment of any of the Tolls by the said recited Acts authorized to be taken on the said Road called *The Oxford District*, 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, which Notes or Tickets shall be provided by the said Trustees, and there shall be printed and specified thereon,
the

the Name of the Gate at which the Toll is received, and of the Gate or Gates (if any) which such Ticket shall free.

IX. Provided always, and be it further enacted, That this Act shall not extend or be construed to extend to charge with Toll any Horses or Carriages belonging to His Majesty or any of the Royal Family, or any Horses or Carriages attending His Majesty or any of the Royal Family.

Exempting
the Royal
Family from
Toll.

X. And be it further enacted, That no Toll shall be demanded or taken for any Horses, Cattle, or Carriages of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Post Master General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning therefrom; nor for the Horses belonging to any Officers or Soldiers, or Militia, or Local Militiamen on their March or on Duty; nor for any Horses, Cattle, or Carriages employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, the Arms or Baggage of any such Officers or Soldiers, or any sick, wounded, or disabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, 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 returning empty from having been so employed; nor for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry respectively, and rode by them, nor for any Carriage conveying Volunteer Infantry, in going to or returning from the Place appointed for and on the Days of Exercise, Inspection, or Review (provided that such Persons 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 Exemption); nor from any Rector, Vicar, or Curate going to or returning from his own Parish Church, or other Place of Divine Worship, or on other his Parochial or Ministerial Duty, or visiting his sick Parishioners; nor from any Person or Persons going to or returning from his, her, or their proper Parochial Church or Chapel; or from any Person or Persons going to or returning from his, her, or their usual Place of Religious Worship tolerated by Law on *Sundays*, or on any other Day on which Divine Worship is or shall be ordered by Authority to be celebrated; or going to or returning from the Funeral of any Person who shall die and be buried in any of the Parishes, Hamlets, Townships, or Places in which the said Road called *The Oxford District* lies; nor for any Horses, Beasts, Cattle, or Carriages, used or employed for the Purpose only of carrying or conveying Persons to or from any Election of any Knight or Knights of the Shire to serve in Parliament for the said County of *Oxford*, or University or City of *Oxford* during the Time of such Election, or on the Days before or Days after such Elections shall begin or be concluded; or of carrying or conveying Vagrants sent by legal Passes; or of carrying or conveying Hay or Straw, or Corn in the Straw only, not sold or disposed of, or going to be sold or disposed of, but passing to be laid up in the Houses, Barns, Outhouses or Yards, or on the Lands of the Owners thereof; nor for any Horse, Beast, Cattle or Carriage employed in carrying or conveying, or going to carry or convey,

General
Exemptions
from Toll.

[Local.]

25 B

or

Penalty on fraudulently taking Benefit of Exemptions.

or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Plough, Harrow, or other Implement of Husbandry, or any Mould, Dung, Compost or Manure employed in Husbandry for manuring or improving Land, unless the Carriage bearing such Plough, Harrow, or other Implement of Husbandry, be also laden with some other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horse, Beast, or Cattle going to or returning from ploughing or harrowing, or to or from Water or Pasture, or going to be or returning from being shod or farried; or for any Horse, Beast, or Cattle, or for any Waggon, Wain, Cart, or other Carriage, used or employed for the Purpose only of carrying or conveying, or going empty to fetch, carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Gravel, Furze, Heath, Sand, Stones or other Materials, for making and repairing the said Road called The *Oxford* District, or any other Highway or public Road, within any Parish, Hamlet, Township or Place, in which any Part of the said Road called The *Oxford* District lies; or for building or rebuilding, enlarging or repairing any present or future Bridge or Bridges on the said Road; and if any Person shall, by any fraudulent or collusive means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, and applied in Manner herein-after directed; and in all Cases the Proof of Exemption shall be upon the Person claiming the same.

Carriages for His Majesty's Service not to pay for Overweight.

XI. Provided always, and be it further enacted, That no Person owning or driving, or causing to be driven, any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage, or the Horse or Horses, or other Cattle drawing the same, while so employed, be stopped or detained by reason of any Weight in or upon any such Waggon, Wain, Cart, or other Carriage, or of its 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, for drawing the same; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

Limiting the Number of Tolls payable for passing and repassing through all the Gates on the Road.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to demand or take more than one full Toll in the whole for or in respect of the same Coach, Berlin, Chariot, Landau, Calash, Chaise, Chair, Hearse, Litter, Waggon, Wain, Cart, or other Carriage, Horse, Mule, or Ass, Drove of Oxen or other Neat Cattle, Calves, Sheep, Lambs, or Swine, for passing and repassing on the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night), through all or any of the Turnpike Gates, which are or shall be erected on the said Road, called The *Oxford* District, or on the Sides thereof; nor more than once in one Day (to be computed

Computed as aforesaid), for passing or repassing with the same Horse, Mare, Gelding, or other Cattle, through all or any of the Turnpikes erected or to be erected on the said District, or on the Sides thereof, such Person or Persons producing a Ticket that the said Toll hath been paid on such District, which Ticket the Collector or Collectors or Keeper or Keepers of the Gate or Gates on the said District, is and are hereby required to give *gratis* on the Receipt of such Toll.

XIII. And be it further enacted, That in case any Dispute or Disputes shall happen respecting the demanding or taking or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by some Justice of the Peace for the said County of *Berks*, 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 every such Justice is hereby authorized and empowered to administer), and shall determine the Amount of the Toll due, and other Matters in Dispute between the Parties, and also assess the Charges of such Distress, Keeping, and Sale, and also of the Attendance of any Person or Persons for that Purpose on such Justice, and may also award such Costs to be paid by either Party to the other, as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, (which Warrant every such Justice is hereby empowered to issue); and the Overplus (if any) after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained.

Disputes concerning Tolls to be settled by a Justice.

XIV. And be it further enacted, That in case all or any of the Tolls arising by virtue of the said recited Acts, and of this present Act, upon the said Road called *The Oxford District*, shall be demised or let to farm to any Person or Persons, in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof shall neglect or refuse to perform the Terms 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 by the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for demising or letting thereof; or in case such Lease or Agreement shall in any other Manner become void; then and in either of such Cases, it shall be lawful for any Justice of the Peace for the County where the Cause of Complaint shall arise, upon Application made to him by the said Trustees, or their Clerk or Treasurer, or any other Person authorized by Writing under the Hands of any Five or more of them, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of any Toll House or Toll Houses, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, or other Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and from the Possession thereof, and from the Collection of such Tolls, and to give to the said

For taking Possession of Toll Houses when Lessees of Tolls neglect to fulfil their Contract.

said Trustees, or other Person or Persons acting by or under their Authority, Possession thereof; and that thereupon it shall be lawful for the said Trustees (if they shall think fit) to vacate and determine the Contract or Agreement for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes, save as to the Obligations, Covenants, or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements on the Lessee's Part, as if such Demise or Agreement had never been made; and in that Case, or in case the Lease or Agreement shall otherwise become void, it shall and may be lawful for the said Trustees, in every such Case, to demise or let to farm the said Tolls again, to any Person or Persons, or cause them to be collected in such and the same Manner as if no former Demise, Contract, or Agreement had been made relative thereto.

For preventing Toll Collectors from misbehaving, &c.

XV. And be it further enacted, That all and every Toll Collector or Collectors, being Lessee or Lessees of the Tolls on the said Road called the *Oxford* District, or appointed or to be appointed, either under the said recited Acts or this Act, or by the said Trustees or by any such Lessee or Lessees, to collect the Tolls or Duties payable at any Turnpike or Toll Gate on the said Road called The *Oxford* District, shall and he is hereby required, on each and every Day previous to his entering on Duty for the Collection of the said Tolls, 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, 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 refuse to permit or suffer, or shall in anywise 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 printed Note or Ticket, denoting the Payment of such Tolls, and having named and specified thereon the Gate or Gates freed by such Payment, or shall unnecessarily detain, or upon the legal Toll being paid or tendered, shall wilfully obstruct, hinder, or prevent any Passenger, Horse, Beast, Carriage, or Cattle from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to 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, levied, and applied in Manner herein-after directed: Provided also, that if any Person or Persons shall at any Time assault, obstruct, hinder, or molest any Collector, who shall or may be employed by virtue of or in the Execution of this Act, in the Performance of his Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, and applied in the same Manner as such last-mentioned Penalty.

Penalty on obstructing Collectors.

XVI. And

XVI. And be it further enacted, That no Gate of any Park, Paddock, Field or Inclosure whatsoever; shall be made to open into or towards any Part of the said Road called The *Oxford* District, or be suffered to continue so to open, except the Hanging Post thereof shall be Thirty Feet at least from the Centre of any such Part of the said Road; and the Occupier or Occupiers of every Park, Paddock, Field or Inclosure having any Gate opening outwards, contrary to the Meaning of this Act, shall within Fourteen Days after Notice to him, her, or them given; either personally or in Writing, from the Surveyor of the said Road, cause such Gate to be hung so that the same shall not open outward, or swing towards the said Road, whenever the same shall be practicable, but in every case in such a Manner as that no Part of the Gate when open shall project over any Part of the said Road, or any Foot Path belonging thereto; and in default thereof, the Surveyor of the said Road is hereby authorized to cause the Gate to be hung according to the Intention of this Act; and the Person or Persons guilty of such Neglect or Default, shall upon Complaint made to any Justice or Justices of the Peace acting in and for the County where the Cause of Complaint shall arise, and upon Conviction upon the Oath of One credible Witness, pay to such Surveyor such Sum as the said Justice or Justices shall direct, to defray the Expence of making the Alteration and hanging such Gate, and shall also forfeit and pay a further Sum not exceeding Forty Shillings, for his, her, or their Neglect therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made; and such Penalty shall be recovered, levied, and applied in Manner herein-after directed.

XVII. And be it further enacted, That if any Person or Persons shall drive any Horse or other Cattle, or any Cart or other Carriage, or hale, draw, carry, pass, or wheel any Hurry, Truck, or Wheelbarrow, on any Footway or Causeway adjoining to the said Road called The *Oxford* District; or shall do or cause to be done any Damage to the Footway or Causeway adjoining to the said Road; or shall throw down, deface, or injure, or do or cause to be done any Damage to the Stone Walls or Copping of the Stone Walls, or to the Hedges, Fences, Breast Walls, Posts, Rails, or Paling, set up or to be set up along the Side of or upon such Footway or Causeway; or shall in or upon any Part of the same Road, or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Lamb or other Cattle; or cause or permit any Blood to run from any Slaughter House, House, Building, Butcher's Shop or Shambles, into the said Road; or shall hang up or expose to view, or wash or dress the Hide of any Beast, Calf, Lamb, or other Cattle; or burn, dress, or sweep any Piece or Pieces of Cork; or hoop, fire, cleanse, wash, or scald any Cask or Casks, in any Part or Parts of the said Road, or in any exposed Situations near thereto; or shall hew, saw or cut, or cause to be hewn, sawn or cut, any Stone, Wood, or Timber; or shall shoe, farry, or bleed any Horse, Mule, or Ass, except in the Case of Accidents; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage used for the carrying of Goods and Merchandize, shall ride on the Shafts or on any other Part of such Waggon, Cart, Dray, Sledge or other Carriage, or on any of the Horses drawing the same, upon any Part of the said Road; or if any Person having blocked any Carriage in going up a Hill or rising Ground, shall leave on the said Road the Stone or other Thing used in so blocking such

[Local.]

25 C

Carriage;

For preventing Nuisances.

Carriage; or if any Person shall hale or draw, or cause to be haled or drawn upon any Part of the said Road, any Tree or Piece of Timber, or any Stone, otherwise than wholly upon wheeled Carriages, or shall suffer any Part of any Tree or Piece of Timber or Stone, which shall be carried upon wheeled Carriages, to drag on any Part of the said Road, to the Prejudice thereof respectively; or if any Person driving any Pigs or Swine upon the said Road, shall suffer the same to root up and damage the same, or any Part thereof, or the Fences, Hedges, Banks, or Copses on either Side thereof; or if any Person shall turn or suffer any Horse to graze or remain loose on the said Road, or any Part thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, upon the said Road, and meeting another Coach, Chaise, Waggon, Cart or other Carriage, shall not keep his Carriage on the left or near Side of the Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Road, or the Coach, Chaise, Waggon, Cart or other such Carriage under his Care; or if any Person shall make or assist to make any Fire or Fires, commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent or Firework whatsoever, or play at Football on any Part or Parts of the said Road; or if any Person shall leave any Waggon, Wain, Cart, or other such like Carriage, in, upon, or on the Side of any Part of the said Road, longer than may be necessary for loading or unloading the same, either with or without any Horse or Beast of Draught harnessed or yoked thereto; or in case the same shall not during such Time, be standing as near the Side of the said Road as may be; or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Ashes, Filth, Rubbish, or other Matter or Thing whatsoever, on any Part of the said Road, or on the Side or Sides thereof, or upon the Footpaths or Causeways adjoining to such Road, to the Prejudice, Annoyance, or Interruption of Persons travelling and passing thereon; every Person so offending shall, for each and every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, and applied in Manner hereinafter directed; and it shall be lawful for any one of the said Trustees, or for any Collector or Lessee of the Tolls, or Surveyor, employed under this Act, to detain or cause to be detained any transient and unknown Person or Persons who shall commit any such Offence, and forthwith to convey him, her, or them before any Justice or Justices of the Peace for the County wherein such Offence shall be committed, without any other Warrant or Authority than this Act for so doing.

Trustees not to divert Road more than 100 Yards.

XVIII. And be it further enacted, That the said Trustees, in diverting, altering, or improving any Part of the said Road, called The *Oxford District*, shall not deviate more than One Hundred Yards of Three Feet each from the present Line thereof, 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.

Repealing Powers of former Acts, respecting the getting Materials.

XIX. And be it further enacted, That so much of the said recited Act of the Twenty-ninth Year of the Reign of King *George the Second*, as empowers the Surveyor or Surveyors of the said Road, and such Person or Persons as he or they shall appoint, to search for, dig, gather, take, and carry away any Gravel, Furze, Heath, Sand, Stones, or other Materials

in and out of any River or Brook, or out of any Waste or Common, of or in any Parish, Town, Village, or Hamlet, in or near which any Part of the said Roads do lie, without paying any Thing for such Materials; and also so much of the said Act as empowers the Surveyor or Surveyors, or other Person or Persons as aforesaid, by Order of the said Trustees, to search for, dig, gather, take, and carry away such Materials, in and out of the several Grounds of any Person or Persons, and also so much of the said Act as relates to settling the Amount of the Sum to be paid for Damages in getting such Materials, shall be and is hereby repealed, so far as relates to the said Road called The Oxford District.

XX. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Road called The Oxford District, and all such Persons as he or they shall appoint, to search for, dig, gather, get, and take away, any Gravel, Furze, Heath, Sand, Stones, or other Materials, for making, amending, altering, improving, or repairing the said Road, 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 Road shall lie or be situate, or in any adjoining Parish, Hamlet, Township, or Place, 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 County or Place in which such Lands, Tenements, or Hereditaments shall lie or be situate (as the Case may be) to be made upon the Application of the said Trustees, 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 Road 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 Damage 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 Road 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 such County or Place as aforesaid (as the Case may be) shall and may adjudge and determine to be reasonable; which Judgment or Order of such Justice or Justices shall be final and conclusive on all Parties: Provided also, that no such Gravel 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.

For getting
Materials to
repair the
Road.

XXI. And

Notice to be
given before
Materials
taken.

XXI. 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 Acts or this Act, to dig, gather, get, take, or carry away any Materials for repairing the said Road called The *Oxford* District, out of or from any inclosed Land or Ground, until Notice in Writing, signed by the Surveyor, shall have been given to the Owner or Occupier 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 Owner or Occupier, to appear before any Justice or Justices of the Peace acting in and for the County or Place in which such Lands, Tenements, or Hereditaments shall lie or be situate, to show Cause why such Materials shall not be had from such Land or Ground; and in case such Owner or Occupier or his Agent shall attend, pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justice or Justices shall, if he or they think proper, authorize such Surveyor, or other Person or 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 he, they, or any of them is and are hereby empowered to administer) make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes, as if such Owner or Occupier or his Agent had attended.

Statute
Labour.

Justices to
determine
Differences
touching
Statute
Work.

XXII. 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 Road called The *Oxford* District, or any Part thereof, shall still remain liable thereto, in like Manner as heretofore; and it shall and may be lawful for any Two or more Justices of the Peace for the County or Place in which the said Road or any Part thereof lies, 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 Road by the Inhabitants of the respective Parishes, Townships, or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township, 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, Township, or Place to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish, Township, 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 or effect for the Repair of the public Highways; and out of such Lists such

Justices

Justices shall or may allot, appoint, and order such and so many of the Persons who shall appear to be subject or liable to do Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road, as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, by their Order, 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 Surveyor or Surveyors of the several Parishes, Townships, or Places, to be by him or them paid to the said Trustees, or their Treasurer, at such Time or Times as the said Justices shall direct; and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as other Penalties and Forfeitures are by the said recited Act of the Twenty-ninth Year of the Reign of King *George* the Second, directed to be recovered, levied, apportioned, and applied; 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 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 Road, 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 Road; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, 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, or shall refuse or neglect to collect or pay over such Composition, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, and applied in Manner herein-after directed.

XXIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Lands Tenements, or Hereditaments, to be purchased, taken, or used by virtue of the Powers of the said recited Acts or of this Act, for the Purposes of the said Road called *The Oxford* District, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator,

Application
of Compensation
if
amounting
to 200l.

[Local.]

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tor,

tor, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments, are limited in strict or other Settlement, or to any Person under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing this Act and the said recited Acts, 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 Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said High 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, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so to be purchased, in case such Purchase or Settlement was made.

Where less than 200l. and exceeding 20l.

XXIV. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be 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 amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the

Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees for executing this Act and the said recited Acts (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 therefrom, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

XXV. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, or the said recited Acts, in such Manner as the said Trustees shall think fit; or in case of Lunacy or Infancy, 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 under
201.

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 this Act or the said recited Acts, for the Purposes aforesaid, 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 in case the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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, Controul, 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim 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 Sum or Sums of Money into the Bank as aforesaid.

In case of not
making out
Titles, or if
Persons can-
not be found,
Purchase
Money to be
paid into the
Bank, subject
to the Order
of the Court
of Chancery
on Petition.

XXVII. Pro-

In case of
disputed
Titles.

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 Privity of the Accountant General of the High Court of Chancery, in pursuance of the said recited Acts or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts or this Act for the Purposes aforesaid, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or 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, Tenements, 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 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 the said recited Acts or this Act, for the Purposes aforesaid, the Purchase Money for the same shall be required to be paid into the said High Court of Chancery, and be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts or this Act, or so much of such Expences as to the said Court shall seem reasonable, to be paid by the said Trustees, out of the Monies to be received by virtue of the said recited Acts or this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Recovery and
Application
of Penalties.

XXIX. And be it further enacted, That all Penalties or Forfeitures by virtue of the said Acts or this Act imposed, (the Manner of levying and recovering whereof is not otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Justice of the Peace for the County, City, or Place where the Offence shall be committed (which Warrant such Justice is hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath) and the Overplus (if any) of the Money arising by such Distress and Sale, shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures when recovered (if not herein directed to be otherwise applied) shall be paid to the Treasurer to the said Trustees, to be applied towards the Purposes

poses of this Act; and in case sufficient Distress shall not be found, or such Penalties or Forfeitures shall not be paid forthwith, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction of the County, City, or Place where the Offence shall be committed, there to remain without Bail or Mainprize, for any Time not exceeding Three Calender Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof shall be sooner fully paid and satisfied.

XXX. And whereas by the said recited Act of the Eighteenth Year of the Reign of His present Majesty, after reciting, that by an Act made in the Eighteenth Year of the Reign of Queen Elizabeth, intituled *An Act for the repairing and amending of the Bridges and Highways near unto the City of Oxford*; and by another Act made in the Thirty-fifth Year of the Reign of Her said Majesty, intituled *An Act for the reviving, continuance, explanation, and perfecting of divers Statutes*; and by another Act made in the Third Year of the Reign of King Charles the First, intituled *An Act for continuance and repeal of divers Statutes*; and by another Act made in the Sixteenth Year of the Reign of King Charles the First, intituled *An Act for the further Relief of His Majesty's Army, and the Northern Parts of the Kingdom*, it was provided and enacted, that every Person having any Yard Land or more in his Possession, lying within Five Miles of the University and City of Oxford, or the Franchises of the same, should for every Yard Land perform such Personal Duty as in the said Acts is mentioned, or in lieu thereof should make certain annual Payments specified in the said Acts, unto the Vice Chancellor and Mayor of the same University and City for the Time being, or their Deputy or Deputies, towards the amending of the Bridges and Highways lying and being within One Mile of the said City of Oxford; and further reciting, that the Causeway, called *Hincksey Causeway* leading from *Friar Bacon's Study* towards *Abingdon* aforesaid, was Part of the Roads directed to be repaired by the said Act, and was one of the said Mileways; and the several Sums of Money following had usually been collected and received annually from the following Parishes and Townships in the County of *Berks*, by virtue of the before mentioned Statutes, towards repairing the said Causeway called *Hincksey Causeway*, (that is to say) from the Parish or Township of *Sunningwell*, Three Pounds Twelve Shillings; from *Sandford*, One Pound Nine Shillings; from *Chilswell*, Ten Shillings; from *Wooten*, Two Pounds Twelve Shillings; from *Norcott*, One Pound Seven Shillings; from *Kennington*, One Pound Fourteen Shillings; from *South Hincksey*, Two Pounds Five Shillings; from *Besselsleigh*, One Pound Ten Shillings; from *Radley*, Two Pounds Eighteen Shillings; and from *Grandpond*, One Pound; and that it would be convenient to put the Collection and Expenditure of the said Sums under the Direction and Management of the Trustees, for the Care of the Roads within the said Oxford District; it was enacted, that from and after the Twenty-fifth Day of *March* One thousand seven hundred and seventy-eight, the Clerk for the Time being to the said Trustees for the Care of the said Roads within The *Oxford* District should be and is thereby authorized and empowered to collect and receive the said respective Sums of the Surveyor or Surveyors of the Highways for the Time being, of each respective Parish and Township aforesaid, as the same should become due; and in case of Default of Payment by any of the said Sur-

Recital of
18 & 35
Queen Elizabeth;
and
3 & 16 of
Charles I.

[Local.]

25 E

veyors

veyors of the Highways, for the Space of Four Days after the same should be due and Demand thereof made in Writing under the Hand of the Clerk to the said Trustees, it should be lawful for the said Clerk, by virtue of the said recited Act, and without any other Warrant or Authority whatsoever for so doing, to levy the same by Distress and Sale of the Goods of such Surveyor or Surveyors of the Highways as should so make Default, returning the Overplus (if any) after deducting the Charges of such Distress and Sale; and that it should be lawful for the said Surveyor or Surveyors who should have paid such Sums, or on whom such Distress should be so made, to reimburse him and themselves such Money so paid or levied, by collecting the same of the Persons whose Estates had been usually charged therewith, or by such other Means as according to the Laws then in being Surveyors of the Highways were to be reimbursed the Money by them expended in bringing Materials for amending the Highways: And whereas for some Years last past no Surveyor or Surveyors of the Highways have been appointed for Two of the said Parishes or Townships, and the said Sums of Money payable therefrom have not been paid, and are now in Arrear and unpaid, that is to say, from the said Township or Liberty called *Grandpond*, for Nine Years, the Sum of Nine Pounds; and from the said Parish or Township of *Kennington*, for Two Years, the Sum of Three Pounds Eight Shillings: For Remedy whereof, it is hereby enacted, That in case Failure shall hereafter be made in the Appointment of a Surveyor or Surveyors for any or either of the said Parishes or Townships herein-before mentioned, then it shall and may be lawful to and for the Clerk for the Time being to the said Trustees for the Care of the said Roads, within the said *Oxford* District, to demand, collect, and receive the said respective Sums which shall become due from such respective Parishes or Townships, where no Surveyor or Surveyors shall be appointed, from any one of the Farmers or Occupiers of Land within the same Parishes or Townships respectively, as the same Sums shall respectively become due, in the same Manner as he could or might have done of the said Surveyor or Surveyors under and by virtue of the said recited Act of the Twenty-ninth Year of His said late Majesty; and in case Default shall be made in the Payment of any or either of the said Sum or Sums, by the Space of Four Days after the same shall be due, and Demand thereof made in Writing under the Hand of the Clerk of the same Trustees, it shall be lawful for any One of the Justices of the Peace of the County in which such Default shall arise, upon Proof made before him on Oath (which Oath such Justice is hereby empowered to administer) that any such Sums are due and unpaid, to issue his Warrant for levying by Distress and Sale of the Goods of such Farmer or Occupier of whom the said Demand shall be made, the said respective Sum or Sums of Money, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Sale; and such respective Farmers or Occupiers from whom the same shall be so received shall and may have the same Powers and Remedies for reimbursing him and themselves the same Sum or Sums so paid or levied, as are given to the said Surveyor or Surveyors of the said Highways as aforesaid in and by the same recited Act.

For recovery
of certain
Arrears, and
preventing
Accumula-
tion in future.

Recovery of
Arrears from
Grandpond
and *Kenning-*
ton.

XXXI. And for the Recovery of the said several Sums now due, owing, and in arrear from the said several Parishes and Townships of *Grandpond* and *Kennington*, it is hereby enacted, That it shall and may be lawful to and

for the Clerk to the said Trustees for the Time being of the said Roads, within the said *Oxford* District, or any Person by his Order or Direction, to demand of and from the several Persons from whom the same, or any Part or Parts thereof, now are or have been due or owing, for or in respect of any Estate or Estates by them respectively held, and which have been respectively charged therewith, the Payment of the said Sum or Sums of Money from them respectively due and owing; and in case of Default of Payment by any of the said Persons for the Space of Four Days after the same shall be so demanded in Writing under the Hand of the said Clerk to the said Trustees, it shall be lawful for any Two or more such Justices as aforesaid to hear and determine the same, who shall and may, on Proof being made before them on Oath (which Oath they are hereby authorized to administer) of such Default being made, issue their Warrant for levying the same by Distress and Sale of the Goods and Chattels of the said several Persons respectively, from whom the same are or have been due or owing as aforesaid, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Sale.

XXXII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring and obtaining this Act, together with lawful Interest from the Time of advancing the same, until the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, and they are hereby required, to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of any Monies in their Hands, and the First Monies that shall be collected, borrowed, or received by virtue of the said recited Acts and this Act, in preference to all other Payments and Disbursements whatsoever.

Expences of Act how paid.

XXXIII. 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.

Act made Public.

XXXIV. And be it further enacted, That the Term granted by the said recited Acts shall on the passing of this Act cease and determine; and the said Acts (subject to the Alterations, Variations, and Additions hereinbefore contained) and this Act, shall from thenceforth commence, continue and be in force, and be executed, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commencement and Continuance of the Act.

