

Yesterdays Journey

Surveyor of the Highways 1832

On the 1st October 1832 John CLAYTON and James WILSON of the township of Pilsley, parish of North Wingfield were appointed as Surveyors of the Highways for that Township. As such an official document was produced showing their appointment.

Many of you will have had ancestors who served in this capacity, many Surveyor of the Highways accounts survive. However their specific duties as outlined in a "job description" of the day makes compelling reading. What Clayton and Wilson felt as they read this is anyone's guess, but it must have seemed an awesome task. For those whose ancestors were not touched by the Office of Highway Surveyor the document gives an interesting insight into the times of 1832.

After the appointment notice signed by MILNES and MAYNARD two Justices of the Peace there follows the duties.

GENERAL VIEWS

"You are at such times and seasons as you judge proper to view all the common highways, trunks, tunnels, plats, hedges, ditches, banks, causeways, bridges, and pavements, within your district, and give notice either personally or in writing, of all nuisances, encroachments, and obstructions, to the persons committing or permitting the same, specifying the particulars, and if such nuisances, &c., shall not be removed, and the ditches, &c. effectually made, scoured, cleansed, and opened, and if such trunks, tunnels, plats, or bridges, made and laid, and such hedges properly cut and pruned, within twenty days after such notice, you are to remove such nuisances, &c., and open and cleanse such ditches and watercourses and make or mend such trunks, tunnels, &c., and cut and prune such hedges for the improvement of the highways to the best of your skill and judgment; and the person so neglecting to make or open and cleanse such ditches, &c., or prune such hedges, during the time aforesaid after notice given shall forfeit One Penny per foot for every foot in length so neglected; and demand you are to be reimbursed the expences in any of the works aforesaid, over and above the said forfeiture, and if not paid upon demand you are to apply to any Justice, and who, upon making oath of the facts before him, will take order for the reimbursing you all your expences and reasonable charges therein".

TIMES OF CUTTING

But no person can be compelled, nor are you permitted, to cut or prune any hedge at any other time than between the last day of September and the last day of March, nor to fell any timber trees growing in hedges at any time, except where the highways shall be ordered to be enlarged, or to cut down or grub up any oak trees growing within such highways, or in such hedges, except in the months of April May and June, or any ash elm, or other trees, except in December, January, February or March.

ANNOYANCES BY BUSHES, TREES &C,

You are to take care, that no tree, bush, or shrub, be permitted to stand or grow in highways, within the distance of fifteen feet from the centre thereof (except for ornament or shelter to the house, building, or court-yard of the owner) or hereafter to be planted within the distance aforesaid; and if you find any such, you are to give notice to the owners of the

land where the same grows, to cut down, grub up, and carry away the same; who, on neglect thereof for ten days after such notice, forfeit 10s., for every neglect. Also, that the possessors of the land adjoining to every highway, do cut, prune, and plash their hedges, and cut down, or prune and lop the trees growing in or near such hedge or other fences, (except trees planted for ornament or shelter as aforesaid) in such manner that the highways shall not be prejudiced by the shade thereof, and the sun and wind not excluded to the damage thereof; and if the possessors do not cut, prune or lop the same, in ten days after notice given by you to them for that purpose, you are then to make complaint to some Justice, and follow his order and directions therein. And, also that the occupiers of such lands adjoining to the highways, and all persons occupying lands or grounds adjoining to or lying near such highways through which the water hath used to pass from the said highway, do as often as occasion be, make, scour, and keep their ditches, drains, and water courses open, of sufficient breadth and depth for the keeping all highways dry, and conveying water from the same, and make and lay sufficient trunks, tunnels, plats, or bridges, where any cart, horse, or footway, lead out of the said highway into the lands adjoining thereto, and to every person making default therein, after ten days notice given by you to him or her, forfeit 10s

STONE, &C. LEFT

You are also, to take care that no person lay in any highway any stone, timber, straw, or other matter, nor in making scouring, or cleansing such ditches or water-courses, permit the soil, &c, dug there out to remain in such highway, so as to prejudice the same, for the space of five days after notice given by you; every person offending therein to forfeit 10s.

MANURE

Also, that no stone, or timber, or hay, straw, &c (for making manure or otherwise, nor authorised by this act) be laid in any highway, within fifteen feet from the centre thereof; and if the same shall be so laid, and shall not be removed within five days after notice given by you, or any other person aggrieved, you, or any other person by order from some Justice of the Peace, may clear the highways thereof, and take the same to your or their own use.

CARRIAGES LEFT

You are to take care that no person do wilfully set or leave any waggon, cart, or other carriage, plough, or instrument of husbandry, in any of the said highways (except during such reasonable time only as such waggon, or carriage shall be loading or unloading, and standing as near the side of such highway as conveniently may be) so as to interrupt the free passage; for which the forfeiture is 10s.

NEW DITCHES

When the usual ditches, gutters, or water-courses, or those by this act directed, shall not be sufficient to carry off the water annoying the highways, you are, by order of one or more Justice or Justices, to make new ditches or drains in and through the lands adjoining, or through other lands, if it shall be necessary for the more effectually carrying off such water and keep the same cleansed and opened; and your and your workmen may go upon the said lands for that purpose, you making proper trunks, tunnels, &c. bridges or arches, over such ditches, &c. where necessary for the use of the grounds through which the same shall be made, and keeping the same in repair, and also making satisfaction to the owner or occupier of such lands (not being waste or common) for the damage he shall sustain thereby, to be settled and paid as the damages for getting materials in several or inclosed grounds, are herein after directed.

CART WAYS

You are to make and maintain every public cartway leading to any market town twenty feet wide at the least, and every public horseway or driftway eight feet wide at the least, if the ground between the fences enclosing the same will admit thereof.

ENLARGING OR TURNING HIGHWAYS

There are various powers given you by this act for enlarging or turning of highways between the fences thereof, and for diverting or stopping up any other highway with the consent of the owner; and for purchasing new ground, and selling the ground or soil of the old highway when the same shall be found necessary; but as you are only to exercise those powers in cases where the Justices shall upon their view think them proper; and under their direction and authority. You are in such cases to do nothing therein but by their order in writing, and are therefore to apply to them on all such occasions, as you are to do in all special matters not expressly and directly required of you.

PRIVATE REPAIRS

You are also from time to time to give information upon oath before two or more Justices of all bridges, causeways, or pavements, out of repair, which ought to be repaired by private persons, and the Justices will limit a time for repairing the same, of which you shall give notice to the occupiers or persons liable to such repairs, and if such repairs shall not be effectually made within the time limited, you are to apply to the said Justices, that they may present the same at the next General Quarter-Sessions.

SURVEYORS TO MAKE INFORMATION TO JUSTICES OF THE PEACE

And you may make information on your oath to any Justice of the Peace, of any highway, causeway, or bridge, not well and sufficiently repaired or amended, and of all other offences done contrary to this act, to the end, that such Justices may make presentment thereof at the General Quarter Sessions.

WHICH ROADS TO AMEND FIRST

You are to amend such Roads (not being turnpike roads) first, and in such manner as the Justices at any Special Sessions shall in writing, order their hands and seals, order and appoint.

DIRECTION POSTS

You are, when directed by the precept of the Justices at Special Sessions, to erect stones or direction-posts where several highways meet, with an inscription in large legible letters painted on side, of the names of the next considerable places they lead to, and to the entrances of such parts of highways as are subject to deep or dangerous floods, graduated stones or posts, denoting the depth of water, and such direction post or stones as they shall judge necessary for guiding travellers through the floods, under penalty of 20s. if neglected for the space of three months after such order.

MATERIALS TO BE TAKEN FROM THE WASTES.

You may take and carry away so much of the rubbish or refuse stone of any quarry within your district (except such as shall have been gotten by the Surveyor of any turnpike road) as you judge necessary for your roads without licence, but not dig or get stones in the quarry without leave of the owner, and you may also search for and get materials in any common or waste ground, river or brook, within your district, or elsewhere, and in any other, if sufficient cannot be had within the parish, &c. where they are to be used, (and there is sufficient for the of other roads there) so you do not interrupt the course of such river or brook, or damage any building, highway, or ford, or get the same within one hundred feet above or below any bridge, dam, or wear.

But if you, or any other, dig materials contrary to the direction of this act, whereby any damage or danger happen to any bridge, mill, dam, building, highway, ford, or mines, you or they forfeit from 20s to £5. at the discretion of the Court or Justice, on complaining thereof.

STONES

Also you may gather stones, lying upon lands within your district, for such service, and may carry away such of the said materials as you think fit necessary for the amendment of the said highways, without making any satisfaction for the same, but satisfaction shall be made

for all damages done to the grounds of any person by carrying away the same, in manner after directed for getting and carrying materials in inclosed grounds; but no stones to be gathered without the consent of the occupier, or a licence from a Justice after summoning and hearing the parties; nor may you take any stones thrown up by the sea and covering land, being private property, commonly called beach.

FROM INCLOSURES

If sufficient materials cannot be had from common or waste lands, rivers or brooks, within your parish, you may search for and get them in any several or inclosed grounds within your district, or by licence from two Justices or Sessions within any other Parish, &c. adjoining, not being a garden, yard, avenue to a house, lawn, park, paddock, or inclosed plantation, (and if sufficient thereof are left for the use of that parish making such satisfaction for the damage as shall be agreed upon between you and the person interested in the premises, with the approbation of two or more substantial inhabitants of that parish; and if you cannot agree, then such satisfaction to be settled by one or more Justices of the County, &c. where such ground shall lie; and where burnt clay may be used for want of other materials, you may dig clay in any of the said places, and burn it on the waste or common ground; but if wanted by the owner of the ground, or by the parish, then you are to apply for an order of two Justices before you take it.

But no such stones, gravel, or materials, dug in such other parish, &c. shall be removed from the place where dug between the first Day of April, and the First Day of November, or in the time of hard frost in winter.

RATES TO REIMBURSE FOR MATERIALS, &C.

If money is wanting by you for defraying or reimbursing your expences in the service required of you in getting materials, erecting guide posts, &c. you are to apply to the Justices at their Special Sessions, who are empowered, on examination of your account upon oath, to reimburse you by a rate not exceeding 6d. in the pound.

PITS &C. TO BE FENCED &C. FILLED UP. OLD PITS TO BE TAKEN CARE OF WITHIN 20 DAYS AFTER APPOINTMENT TO OFFICE.

And if, by searching for or getting materials for repairing the highways, you make, or cause to be made, any pit or hole in any lands or grounds, rivers or brooks, you are forthwith to cause the same to be sufficiently fenced off, and such fence supported and repaired during such time as the same shall continue open; and within three days after the same shall be opened, where no materials shall be found, you are to cause the same to be forthwith filled, levelled, and covered with the turf or clod that was dug out of the same; and where such materials shall be found within fourteen days after having dug up sufficient materials, you are to cause such pit or hole to be filled up, sloped down or fenced off, and so continued.

And within twenty days after your appointment to this office, you are to cause all such pits and holes as shall be then open and not likely to be further useful, to be filled up or sloped down in manner aforesaid; and if it is likely to be further useful, you are to secure the same by posts and rails, or other fences, to prevent accidents to persons or cattle; and in case of your neglect in either of the said cases you forfeit ten shillings; and further, in case of such neglect for six days after receiving notice from any Justice of the Peace or owner of the ground, &c. you forfeit any sum not exceeding Ten Pounds or less than 40s.

STATUTE WORK. THREE HORSES, &C. A TEAM. TO WORK SIX DAYS. WHICH EXCUSES FROM £50 A YEAR. KEEPING TEAM AND OCCUPYING A SECOND £50 IN SAME PARISH. OR £50 IN ANOTHER PARISH.

And you together with the inhabitants and occupiers of lands, &c within your parish, are at proper seasons to repair the highways, and are chargeable thereunto as followeth, that is to say, "Every person keeping a waggon, cart, wain, plough, or tumbrel, and three or more horses or beasts of draught used to draw the same, shall be deemed to keep a team, draught or plough, and be liable to perform Statute Duty with the same in the parish,

township, or place where he resides, and shall six days in every year (if so many days be found necessary) to be computed from Michaelmas to Michaelmas, send on every day and at every place to be appointed by you, the Surveyor for amending the highways in such your parish, township, or place, one wain, cart, or carriage furnished after the custom of the country, with oxen, horses, or other cattle, and all other necessaries fit to carry things for that purpose, and also two able men with such wain, cart or carriage; which duty so performed shall excuse every such person from his duty in such parish, township, or place, in respect of all lands, tenements, woods, tithes, or hereditaments, not exceeding the annual value of Fifty Pounds, which he shall occupy therein. And every person keeping such team, draught, or plough, and occupying in the same parish, township, or place, lands, tenements, woods, tithes or hereditaments, of the yearly value of Fifty Pounds, over and above the said yearly value of Fifty Pounds in respect whereof such team duty shall be performed, and every person occupying lands, tenements, woods, tithes, or hereditaments, of the yearly value of Fifty Pounds, in any other parish, or place, besides that wherein he resides; and every person not keeping a team, draught, or plough, but occupying lands, tenements, woods, tithes, or hereditaments, of the yearly value of Fifty Pounds, in any parish, township, or place, shall in like manner respectively and for the same number of days, find and send one wain, cart, or carriage, furnished with not less than three horses, or four oxen, and one horse or two oxen and two able men to each wain, cart, or carriage; and in like manner for every fifty pounds per annum respectively, which every person shall occupy in any such parish, township, or place respectively; such wains, carts, or carriages, to be employed by you the Surveyor in the repairing and amending the highways within the parish, township, or place where such lands, tenements, woods, tithes, or hereditaments, shall respectively lie". Provided that no person keeping such team, draft, or plough, and performing duty with the same where he resides, and not occupying lands &c, within the same of the yearly value of Thirty Pounds, shall be obliged to send more than one labourer therewith.

OR NOT KEEPING A TEAM BUT HOLDING £50 IN ANY PARISH, &C RESPECTIVELY ARE TO SEND ONE WAIN AS BEFORE AND SO FOR EVERY £50 A YEAR IN ANY PARISH &C

Every person who shall not keep a team, &c . but shall occupy land, &c under £50. per annum in the parish he resides in, or any other Parish, or keeping such team, and occupying land &c. under £50 per annum in any other parish than that wherein he resides, he shall contribute and pay to you in lieu of such duty the sums following, viz. for every 20s. of the annual value of such lands, 1d for every day's Statute Duty, and 1d. for every 20s. that each progressive and intermediate annual value of 20s. of the lands which he shall so occupy, shall fall short of the further increase of £50. in every parish, &c. where such lands, &c. shall lie for every day's Statute Duty; which said sums are to be considered as compositions, and those which arise within your district, are to be paid to you for the use of the highways therein, at the time the compositions under the act are to be paid or within ten days after, or in default thereof, such money shall be levied by distress of the goods of the person refusing to pay the same.

CONTRIBUTIONS FOR PERSONS OCCUPYING UNDER £50 PER ANNUM.

PERSONS KEEPING CARRIAGES THOUGH NOT OCCUPYING TO THE AMOUNT OF £50 LIABLE TO COMPOSITION

And every person who shall not keep a team, &c. but shall keep one or more cart or carts, and one or two draught horses or beasts to draw upon the highways, shall be obliged to perform his Statute Duty for the like number of days with such carts, horses, and one labourer to attend to each cart, or to pay for the lands, &c. which he shall occupy, according to the rates aforesaid, at your option.

Every person who shall keep a coach, post chaise, chair, or other wheeled carriage, and not

keep a team, draught or plough, nor occupy £50 per annum in the parish, township, or place where he resides, shall pay to the Surveyor, in respect of every day's Statute Duty, for every horse which he shall use in drawing such carriage, such sum as the Justices shall, at the time and in the manner by this act directed, fix as the composition for one day's work of a horse; or shall, at your option, pay in lieu of every days Statute Duty, for every 20s. of the annual value of lands, tenements, woods, tithes and hereditaments, which he or she shall respectively occupy, a sum equal to one fiftieth part of the sum fixed by the Justices, at the time and in the manner by this act directed, as the composition for one day's labour of a cart, wain, or carriage, furnished with three horses and two able men, omitting any fractional part of the said sum which does not amount to one farthing; and the said sum or sums shall be paid in the same manner, and within the same period, and subject to the same regulations and provisions, as are now by law established for enforcing the payment of composition in lieu of Statute Duty.

ENFORCING PERFORMANCE OF STATUTE DUTY; AND FOR LEVYING FORFEITURES, AND ARREARS.

All persons who shall refuse or neglect to perform any part of their Statute Duty in kind, on being regularly summoned by the Surveyor for that purpose, shall forfeit and pay a sum equal to twice the amount of the composition for such Statute Duty as they shall have so neglected or refused to perform, according to the rates fixed by the Justices under the provisions of this act; and the said person shall also be liable to perform the said Statute Duty which they have neglected or refused to perform, either in the same or in the following year; the payment of such forfeitures, and the arrears of such Statute Duty, to be enforced and applied to the benefit of the highway or turnpike road, as the case may be, to which the original neglected duty was due or owing, by you the Surveyor for the time being, and under the same regulations and in the same manner as other forfeitures may be levied, and Statute duty may in other cases be enforced by any of the provisions of any of the said herein - forced recited acts.

PART, MAKES HIM LIABLE TO SEND A TEAM

If you shall not think such team needful on any of the said days, you may order the persons liable to teams to send three able men for every team spared, or pay 4s 6d. in lieu thereof, and all such labourers are to bring with them all tools and instruments proper for the purposes aforesaid; and all persons and carriages are diligently to perform their work appointed 8 hours in each day; and if any of these persons sent with such carts, &c. shall refuse to work, or not work according to the requisitions of the act, you may discharge such team, cart or labourer, and recover from the owner of such team the forfeiture such person would have incurred in case no such team had been sent.

STATUTE DUTY FOR PERSONS KEEPING CARTS OR COACHES OR OCCUPYING £4. PER ANNUM. POWER TO EXCUSE TEAM FOR MEN &c.

Where to horses will be sufficient for one cart, or where a stand cart with one horse shall be necessary, you may call upon any person liable to send a team, &c. who keeps a cart or three or more horses, to send such cart or horse as you shall direct; and you shall allow every such stand cart and horse as half a team, and every cart and two horses as two thirds of a team; and if a waggon shall be found necessary for any particular business, you may require the duty, or any part of it to be performed with such waggon by any person who keeps one in your district, who shall send the same on pain of forfeiting such sum as the duty required shall bear in proportion to the forfeitures, for not performing duty with a team, &c. and if you can make it appear to the Justices of Petty Sessions, that there is a difficulty in procuring carriage, or labourers, without paying extravagant high prices, they are empowered to cause duty to be done in kind, in manner stated in the said act.

STAND CART A PART OF A TEAM

You are to give or leave at the place of abode of every person so chargeable, four days

notice at least of the day, hour and place required for his duty; and every person making default in sending such wain, cart, or carriage, with such men, agreeable to such notice, shall forfeit 10s. for each default, and for not sending a cart with one horse and a man, 3s. and for not sending such cart with two horses and one man, 5s. and for not sending such labourer, or not performing such labour, or paying such composition 1s. 6d.

POOR

And any poor or indigent person, on application to two Justices, may, in case such Justices think them objects of relief, be discharged from the payment of all rates, assessments, or composition whatsoever, imposed by the said act.

NOTICE TO WORK WITHOUT PARTIALITY

You are fairly and equally to require such duty without partiality; and if it shall not be necessary to call forth the whole duty in any year, you are to abate in an equal proportion amongst all persons liable to the same; and you are to proceed with all convenient speed after default made for the recovery of the forfeitures.

COMPENSATION FOR STATUTE WORK

But you are to take notice, that any person liable to send teams, &c. may compound for the same, if he thinks fit, by paying to you at the following rates; all persons who are liable, under any of the provisions of any of the herein-before recited acts, to contribute to the repair of the highways by a payment of money in lieu of Statute Duty, shall contribute thereto in lieu of every day's Statute Duty, for every 20s. of the actual annual value at the time of making the said assessment of the lands, tenements, woods, tithes, and hereditaments which such persons shall respectively occupy in the parish, township, or place where they reside, or in any other parish, township, or place, a sum equal to one fiftieth part of the sum fixed by the Justices, at the time and in the manner by this act directed, as the compositions for ones day's labour of a cart, wain or carriage, furnished with three horses and two able men, omitting any fractional part of the said sum which does not amount to one farthing: and all persons occupying more than £50. per annum in the parish, township, or place wherein they reside, or in any other parish, township, or place, and less than £100. per annum shall contribute to the repairs of the highways in lieu of every days Statute Duty, for every 20s. of the actual annual value at the time of making the said assessment of the lands, tenements, woods, tithes, and hereditaments, which such persons shall respectively occupy over and above the said sum of £50. per annum, and under £100. a sum equal to one fiftieth part of the sum fixed by the said Justices, at the time and in the manner by this act directed, as the composition for ones day's labour of a cart, wain, or carriage, furnished with three horses and two able men, omitting any fractional part of the said sum which does not amount to one farthing; and son on progressively for every 20s. of the actual annual value of the lands, tenements, woods, tithes, and hereditaments which they shall respectively occupy over and beyond every additional £50., per annum; and the said sums or sums shall be paid in the same manner, and within the same period, and subject to the same regulations and provisions, as are now by law established for enforcing the payment of composition in lieu of Statute Duty.

WHEN THE JUSTICES AE TO DIRECT THE PERFORMANCE OF THE STATUTE DUTY.

If it should appear to the Justices at their Special Sessions in the week after Michaelmas Sessions, that there will be difficulty in procuring necessary carriages, or a sufficient number of labourers, without paying extravagant prices, they will upon your application, direct what team duty shall be performed in kind, by persons liable to teams, or labourers to perform duty in kind, in whole or in part; and in that case are, at a public vestry, to put the names of all persons liable to send teams into one box or hat, and the names of all persons liable to perform labour in another, and some inhabitant present shall draw out such number from each as shall be equal to the proportion ordered by the Justices; and the persons drawn shall perform such duty in kind for that year; but the names drawn in the preceding year

shall not be put into the box or hat in a succeeding year, and such order of the Justices shall continue till the next Special Sessions after Michaelmas for the next year.

JUSTICES TO MITIGATE

But in case any person shall keep a team, &c. and not occupy lands to £30. per annum in the parish where he resides, but shall partly maintain beasts of draught from lands which he occupies in any adjacent parish, the Justices may mitigate the duty or composition required from such person as they think reasonable.

NOTICE IN THE CHURCH FOR COMPOUNDING

You are to give ten days notice in the church or chapel, and if no church at the most public place, two succeeding Sundays in November, of the time and place, when and where the persons inclined to compound for their duty may signify to you their intention to compound, who on paying of the same, then or within one calendar month after, shall be discharged duty in kind, and composition to be permitted, unless paid within the time aforesaid.

NEW INHABITANTS

And where the occupation shall be changed after the time appointed for the composition, the new inhabitant shall be allowed to compound, so as he pay the composition money within fourteen days after coming to reside there; and every occupant intending to quit possession within six calendar months from the time fixed for making such composition, may compound for half the duty, and the succeeding tenant may, in that case perform the duty in kind for the other half of the year; and if you shall receive from any persons a composition for more duty than shall be required from the other inhabitant for the same year, you shall repay the same, and make the duty equal.

WHEN STATUTE DUTY MAY BE SUSPENDED.

The inhabitants in vestry may appoint three months in the year in which no Statute Duty shall be performed; one month in the spring, to be called the seed month; on other month in the summer to for the hay harvest; and one other month in the summer for the corn harvest; provided they give you notice of the time so by them appointed within three days after such meeting, and fourteen days at least before the beginning of each such months.

COMPOSITIONS FOR TURNPIKE

Where any turnpike road run through your district, and any person liable by act of parliament to do Statute Duty thereon, may have compounded for the same, you are to pay the treasurer of such turnpike a part of the composition money, in proportion to the number of day's duty which such persons were liable to do on such turnpike road, to be laid out in such part of the turnpike road as lies within your parish; and if you refuse payment, such part of the composition received by you within twenty days after receipt thereof, upon demand by them made, the same may be levied upon your goods and chattels.

RATES BY JUSTICES WHERE STATUTE WORK NOT SUFFICIENT

If your highways cannot be sufficiently repaired by the statute work, forfeitures, and compositions, then you are to apply to the Justices at their General Quarter or Special Sessions for the highways, who on proof thereof on oath, and that the monies received have been faithfully expended, and that notice hath been given by you of such your intended application at your church or chapel, on two Sundays preceding such Sessions; or in townships or places where there are no church or chapels, to have been stuck up in writing in two or more conspicuous places within the same within the same, one week at least previous to such Sessions; or if the place is extra parochial, to some inhabitant, a week at least before such Sessions; may make one or more assessments to be employed in such repairs, and accounted for according to the orders of such Justices so as such assessment, with the other assessment for reimbursing the Surveyor shall not in any one year exceed together 1s 9d. in the pound.

BOOK TO BE KEPT

You are diligently to collect all the rates, forfeitures and compositions, and keep a book in

which you shall fairly enter an account of all money come to your hands, and to whom, and on what occasion, you have disposed of the same; as also a list of all such monies as shall remain due from any person for compositions or forfeitures; and also an account of all tools, materials, and things provided at the parish expence, and produce such books and the assessment made within that year, at a public vestry, to be held for that purpose within fifteen days before the said Special Sessions next after Michaelmas for the inspection of the inhabitants; and afterwards take the same to some Justice of the peace; at such time as shall be agreed upon at such parish meeting, and there verify the account, or any part of it if required, upon oath; and such Justices may allow such accounts, if he finds it just, or postpone it till the Special Sessions, where it may be settled and allowed if the parts objected to are explained and cleared up by evidence, or else the Justices may disallow the same; after which the said books and assessments shall be transmitted to the Churchwardens or Overseers. And you are also to deliver a duplicate of such books and account, and all money remaining in your hands, and all the said materials, &c. to the succeeding Surveyor; or if you are continued Surveyor, you are to keep them, and account for them in the next account; And the new surveyor is to collect all money remaining due; and for making default in any of the said matters, you are to forfeit from 40s. to £5, or if you fail in accounting for the money in your hands, you shall forfeit double the value; and in case of your death, your executors are liable to make out the account, and pay the balance, &c. under the like penalty.

SURVEYOR UNDER A PENALTY IF INTERESTED IN CONTRACTS

If a sufficient quantity of materials, &c. cannot be provided, and carried by the labourers and teams required, you may contract for the getting and carrying thereof in the presence of the assistant, if any appointed, at a meeting to be held for that purpose, after ten days notice in writing fixed at the church door, specifying the work to be done, and the time and place for letting thereof; but if you shall have any part or share, directly or indirectly, in such or any other contract for work or materials, on account of the highways, roads, bridges, or works under your care, or shall directly or indirectly let to hire any team, or sell or dispose of any timber, &c. to be used about the said roads, bridges, or works (unless a license in writing be first obtained from some Justice within the limit for that purpose) you forfeit for every offence £10, and will be for ever after incapable of being employed as a surveyor with a salary.

PENALTY ON NEGLECT NOT PARTICULARLY PROVIDED AGAINST

If you neglect any of the duties required for which no penalty is imposed, you forfeit for every offence not exceeding £5 nor less than 10s. at the Justices discretion.

DAMAGING POSTS

You are, where necessary, to secure horse causeways, and foot causeways, by post blocks or great stones fixed in the ground, or by banks or dirt cast up, from being broken and spoiled by carriages; and all persons who shall remove or damage the said posts, &c. and drive upon the such banks, or against the sides of them, or damage or throw down stones, bricks, or wood fixed on parapets of bridges, or pull down, obliterate, or deface mile stones, posts graduated or direction posts, forfeit from 10s. to £5 for every offence, at the discretion of the Justices, and for non-payment be committed to hard labour for not less than seven days and not exceeding one month.

LIMITATIONS OF HORSES

No waggon shall be drawn on roads not being turnpike roads, having 9-inch wheels, with more than eight horses, nor carts with more than five. No waggon with 6-inch wheels, and rolling 9 inches shall be drawn with more than seven: and no waggon rolling only 6 inches, shall go with more than six; and no such cart with more than four; and no waggon with wheels of less breadth than 6 inches at bottom, shall draw with more than five, nor cart with more than three, on forfeiture of £5 on the owner, and 10s. the driver, for every horse

above number allowed, except carriages rolling 16 inches.

NAMES ON CARTS

All owners of waggons and carts, and also of coaches, post chaises, or other carriages let to hire, shall have their true Christian and Surnames, and places of abode, painted, and continued to be painted, in large legible characters, on some conspicuous part of the waggon or cart, on the pannels of the doors of the coaches, &c. and the owners of every common and stage waggon, or cart employed as travelling from town to town shall besides the Christian and Surnames, and places of abode, have painted in the same manner the words "Common Stage" Waggon (or) Cart," as the case may be, on pain of forfeiting not more than £5 nor less than 20s.

DRIVERS RIDING

Every driver of a cart, dray, or waggon, who shall ride thereon in any street or highway, without some person on foot or on horseback to guide the same, or some person holding the reins of the horses drawing the same, and the driver of any carriage whatsoever, who shall by negligence or wilful misbehaviour, damage any person or carriage in such highway, or shall quit the highway and go on the other side of the fence that incloses the road, or wilfully be at such distance as not to have the direction of the horses, or carriage, refuse or neglect to turn aside for any coach, chariot, post-chaise, or loaded carriage, every such driver, if not owner, forfeits a sum not exceeding 10s., and if he be the owner not exceeding 20s. or be committed not exceeding one month, at the discretion of the Justices; And you or any person seeing the offence, may apprehend such driver without a warrant, and deliver him to a peace officer, to be conveyed before a Justice of the Peace.

ENCROACHMENTS

Any person that shall encroach, by making any hedge, ditch, or fence, on any highway not turnpike road, within fifteen feet from the middle of the centre thereof, or that shall plough, harrow, or break up the soil of any land, or in ploughing or harrowing the adjacent lands, shall turn his plough in or upon any land within fifteen feet from the centre of the highway, where the breadth of such highway is marked or described with certainty, and doth not exceed in breadth thirty feet, shall forfeit for every offence 40s. to such person who shall make information thereof; and you may cause such hedge, ditch or fence, to be taken down or felled at the owners expence, and the expences thereof may be levied by distress and sale of the offender's goods and chattels, in such manner as distresses and sales for forfeitures are to be levied under this act

LEVYING ASSESSMENTS

Any person refusing to pay the sums assessed upon him in pursuance of the act, within ten days after demanded, you, or any person authorized by warrant of a Justice of the Peace having jurisdiction therein, may levy the same by distress and sale of the goods and chattels of the person so refusing or neglecting, rendering the overplus to the owner, after deducting the necessary charge of making such distress and sale; and in default of such distress, any Justices may commit the person so refusing to gaol, until the sum assessed, and the charges of the distress be paid.

PENALTY ON RESISTANCE

And every person who shall resist any persons employed in the due execution of this act, or who shall rescue any cattle or goods distrained, and every Constable, Headborough, or Tithingman, refusing or neglecting to execute the Justice's warrant, shall, on conviction before one Justice, forfeit from 40s, to £10, at conviction, or secured to be paid, then the person to be committed for any time not exceeding three months, unless the said forfeiture shall be sooner paid.

And you are on the 22nd day of September, in the next year, (or if that should be a Sunday, then on the 23rd) to meet the Churchwardens, Overseers, and Housekeepers, in vestry, to make a list of persons proper to be appointed surveyors.

The following Notice must be given at the Church by the Surveyor, on applying for an Assessment, and produced before the Magistrates at their Special Sessions:-
NOTICE IS HEREBY GIVEN, that Application will be made to the Justices of the Peace acting for the Hundred of Scarsdale, in the County of Derby, at their Special Sessions, to be held at Chesterfield, in the said Hundred, on the Day of 18 for an equal Assessment to be made not exceeding in the pound, upon all and every the Occupiers of Lands, Tenements, Woods, Tithes, and Hereditaments, within the of for the use and benefit of the Highways, within the said

Dated this Day of 18

A.B SURVEYOR

N.B. If the Assessment to be applied for does not exceed Nine- pence in the Pound, the Notice to be given one Sunday only, but if more than Nine-pence on two Sundays.