Anno tricesimo

Georgii II. Regis.

An Act for amending, widening, and keeping in Repair, the Roads from the East End of the Town of *Hertford*, in the County of *Hertford*, through *Watton*, to *Broadwater*; and from the Town of *Ware*, through *Watton*, to the North End of the Town of *Walkern*, in the said County.



WHEREAS the High Road from the East End of the Town of Hertford, in the County of Hertford, through the several Parishes of Saint John's, Hertford, All Saints, Hertford, Saint Andrew's, Hertford, Brantfield, Bengeo, and Stapleford; and on the West Side of Watton Wood Hall Park, to and through the Parishes of Watton, Aston, Datchworth, and Sheephall, to the Northern Turnpike Road, at a Place called Broadwater, in the Parish of Knebworth in the said County; and also the High Road from the Town of Ware, in the said County, through Preamble.

the several Parishes of Ware, Bengeo, and Sacomb; and on the North East Sides of Watton Wood Hall Park aforesaid, to and through the said Parish of Watton, to the North End of the Town of Walkern, in the said County, are in a ruinous Condition, narrow in many Places, and dangerous to Travellers; and the same cannot be effectually repaired and widened without the Aid of Parliament: 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 Knights of the Shire for the County of Hertford for the time being; the Members of Parliament for the Borough of Hertford, in the County of Hertford, for the time being; the Mayor, Recorder, and Aldermen of the said Borough of Hertford, for the time being; Henry Allington Clerk, Daniel Adams, Humphry Adams, John Adams, Joseph Adams, Philip Adams, John Archer, Samuel Atkinson, Gentlemen; Nathaniel Brassey, Thomas Brand, John Boteler, Philip Boteler, Thomas Bigge, Thomas Plumer Byde, Lewis Buckeridge, Fitzwilliams Barrington, Esquires; Edward Bourchier, John Barnwell, Clerks; Thomas Burr, Richard Blindell, Robert Berry, Thomas Burton, William Baldock, William Barber, John Barton, John Bassill, George Butteris, Gentlemen; the Honourable William Cowper, commonly called Lord Fordwich; the Honourable Spencer Cowper D. D. Dean of Durham; the Honourable and Reverend Robert Cholmondeley, Henry Carter, John Chesshyre, William Cowper, Esquires; Nicholas Cholwell, William Cumming, Clerks; John Canfield, Henry Cooper, John Crab, Dowel Chesley, John Chamberlain, John Cock, Jonas Cock, Benjamin Cherry, John Camp, Thomas Coulson, Gentlemen; Isaac Davies Clerk, Thomas Docwra, Richard Dickinson, John Dearer, Thomas Dimsdale, Joseph Dimsdale, Gentlemen; Peter Ellice Clerk, Joseph Ewesdin Gentleman, Ralph Freman D. D. Joseph Fairman, Thomas Fordham, Anthony Fage, Charles Fisher, John Fitzjohn of Baldock, John Field of Hitchin, John Field of Lilly, Thomas Fitzjohn of Baldock, George Fitzjohn of Baldock, John Flack, John Folbigg, William Fairman, Gentlemen; Charles Gore, John Gardiner, Esquires; Gibbord of Great Munden Clerk, Thomas Glinester, Joseph Gridley, Thomas Gripper of Ware, Thomas Green senior, Thomas Green junior, Thomas Green, Thomas Gripper of Hertford, Thomas Gripper junior,

Trustees Names.

junior, of Hertford, James Gatliffe, Gentlemen; William Hirst D. D. Robert Hadsley, Humphry Hall, William Hale, Richard Hale, Gravely Hurst, Robert Hinde, George Harrison, Giles Thornton Heysham, Mathew Hutton of Newnham, Esquires; Master Archdeacon Hammond, Haggard of Benington Clerk, George Hathaway, John Haynes, Daniel Haydon, John Hammond, Daniel Hickman, John Hall of Hertford, Jeremiah Hammond, Gentlemen; Benedict Ithell, Gilbert Jodrell, George Jennings, Richard Iles, Esquires; Humphry Ives, John Ives, John Izard, John Iles, Thomas Jeeves, Gentlemen; Hugh King, John King of Brager End, Esquires; George King, Josiah Knight, John Kirby, Gentlemen; Sir Mathew Lamb Baronet, John Legg, John Robinson Lytton, Richard Lloyd, Esquires; John Lawford, William Lister, Thomas Loakes, John Lucas of Hitchin, William Potton Love, Samuel Larken, Gentlemen; Thomas Morgan, Thomas Morgan junior, Adolphus Meetkerke, Esquires; John Pilkington Morgan Clerk, Edward Mitchell, William Miles, Turner Miles, John Midwinter, Edward Moore, Samuel Mann, John Malet, Thomas Marlborough, John Moulden, Benjamin Mayberry, Gentlemen; Henry Neale, John Nodes, Esquires; Francis Nedham Clerk, John Nutting, John North, Gentlemen; Thomas Orger Gentleman, William Plumer, William Plumer junior, Esquires; David Pole Esquire, Serjeant at Law; Newdigate Poyntz, William Pym of Radwell, Price, Esquires; Phelps, Ambrose Proctor, George Proctor, Edward Proctor, Joseph Marget Peirson, Edward Prentice, Board Packer, William Pryor, Crouch Priest, Gentlemen; Thomas Rolt, Arthur Radcliffe, Ralph Radcliffe, Edward Radcliffe, Richard Reynolds, Richard Reynolds junior, Esquires; John Rooke Clerk, Joshua Reynolds, Joseph Rutt, Joseph Rayment, Joseph Ransom of Hitchin, Isaac Rudd, John Runington of Hertford, Gentlemen; Sir Thomas Salusbury Knight, John Spooner, John Sabine, Esquires; Thomas Southernwood, Thelwall Salusbury, Edward Smith, Clerks; Thomas Scott, William Squire of Ware, George Sealy, Samuel Scott, John Scott, Thomas Sheppard of Chels, Thomas Sheppard of Hertingfordbury, Henry Stout, John Stout, John Smith, Timothy Squire, Francis Squire, William Squire of Hertford, Gentlemen; Thomas Thorne, Richard Tristram, William Thomas, Thomas Thurrogood, Gentlemen; William Webster D. D. William Wilson, Richard Wishaw, Israel Woolaston, Benjamin Wellington, Esquires; James Windus, Obidiah Hughes Worsley,

Scarth Wyatt, John Worsley, William Whittenbury, John Walter, William Windus, Lewis Weston, John Wright of Hertford, Gentlemen; Thomas Yate M. D. shall be, and they are hereby appointed Trustees, for surveying, ordering, amending, widening, and keeping in Repair, the said Roads; and for putting in Execution all other the Powers in and by this Act given and granted.

Qualification of Trustees.

And be it further enacted by the Authority aforesaid, That no Person shall be qualified or capable of acting as a Trustee in the Execution of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds above Reprizes; or shall be Heir Apparent of some Person having such Estate of the clear yearly Value of Two hundred Pounds, or possessed of, or intitled unto a Personal Estate alone of One thousand Pounds, or Real and Personal Estate together, to the Amount or Value of One thousand five hundred Pounds; and unless the Person, not being such Heir Apparent, claiming to have Forty Pounds a Year, or One thousand Pounds Personal Estate alone, or One thousand five hundred Pounds Real and Personal Estate together as aforesaid, shall take and subscribe the Oath following, before any Two or more of the said Trustees (who are hereby authorized and required to administer the same) before he takes upon himself to act in the Trusts and Authorities of this Act; which Oath shall be in the Words, or to the Effect following; that is to say,

Trustees to take the Oath following, before they act.

The Oath.

I *A. B.* do swear, That I truly and *bona fide* am in my own Right, or in the Right of my Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, above Reprizes, or possessed of, or intitled unto, Personal Estate alone, to the Amount of One thousand Pounds, or Real and Personal Estate together, to the Amount or Value of One thousand five hundred Pounds, after all my Debts are paid.

So help me God.

Penalty on Persons acting, if not duly qualified.

And if any Person hereby deemed unqualified or incapable to act, shall nevertheless presume to act contrary to the true Intent and Meaning of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Forty

Forty Pounds, to any Person or Persons who shall inform or 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, Bill, Suit, or Information; wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Time and Place of Trustees first Meeting.

And be it further enacted by the Authority aforesaid, That the Trustees hereby appointed, or any Nine or more of them, shall meet together at a House known by the Sign of the Bull, in Watton aforesaid, on Monday the Twenty third Day of May, One thousand seven hundred and fifty seven, and shall proceed to the Execution of this Act; and shall then adjourn themselves, and shall afterwards meet at the Place aforesaid, or at any other Place or Places near the said Roads, as the said Trustees, or any Five or more of them, shall think proper, as often as it shall be necessary for putting this Act in Execution: And if it shall happen that there shall not appear at any such Meeting a sufficient Number of Trustees to act, and to adjourn to any other Time; then and in such Case, the Clerk to the said Trustees, shall and may, by affixing, or causing to be affixed, publick Notice in Writing at or upon all the Turnpikes which shall be erected by virtue of this Act, at least Ten Days before such Meeting, appoint such Trustees to meet at the House or Place where the last Meeting of the said Trustees was appointed to be held, on that Day Month next after the Day on which such last Meeting was appointed to be held; and that the said Trustees at all their Meetings, shall defray their own Charges and Expences.

In Default of a sufficient Number to act,

Notice to be given of another Meeting.

Trustees to bear their own Expences.

Trustees not impowered to act, but at a Meeting held in pursuance of this Act.

Provided always, and be it further enacted by the Authority aforesaid, That no Trustee or Trustees named or appointed, or which shall be named or appointed in or by virtue of this Act, shall act, or be impowered to do any Act, in the Execution of the Powers hereby given to them, or either of them, except it be at a Meeting to be by them held in pursuance of this Act.

No Trustee to accept of any Place of Profit arising from the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person or Persons appointed or to be appointed a Trustee or Trustees in or by virtue of this Act, shall have or accept of any Place of Profit arising out of the Tolls and Monies by this Act made payable, such Person or Persons, from and after his and their accepting such Place or Places of Profit, and during the respective Time of his and their holding and enjoying the same, shall be incapable of acting as a Trustee or Trustees

stees in or under this Act, or in the Execution of the Authorities and Powers hereby to them given.

Trustees who are in Commission of the Peace, may act as Justices.

And be it further enacted by the Authority aforesaid, That such of the Trustees appointed or to be appointed in or by virtue of this Act, as shall be a Justice or Justices of the Peace, may, and is and are hereby authorized and impowered to act as a Justice or Justices of the Peace in the Execution of the Powers and Authorities hereby given to any Justice or Justices of the Peace, notwithstanding his or their being such Trustee or Trustees.

On Death, &c. of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That when and as often as any of the Trustees named or appointed by virtue of this Act, shall die, remove, or refuse to act, it shall and may be lawful for the surviving or remaining Trustees, or any Seven or more of them, by Writing or Writings under their Hands and Seals, to elect, nominate, and appoint, One or more fit Person or Persons to be a Trustee or Trustees, in the Room of such Trustee or Trustees so dying, removing, or refusing to act; and Notice of the Time and Place of the Meeting for the Election of such new Trustee or Trustees, shall be given by the Clerk or Clerks to the Trustees, by affixing the same in Writing at all the Turnpikes which shall be erected by virtue of this Act, at least Twenty Days before the Meeting for such Election; and all and every such Person and Persons as shall be so chosen and appointed, to be joined with such surviving or remaining Trustees, shall and may, and he and they is and are hereby authorized and impowered to act in the Execution of this Act, to all Intents and Purposes, in as full, large, and ample Manner, as the Trustees hereby appointed are authorized and impowered to act.

20 Days Notice to be given of the Meeting for such Election.

Trustees to erect Toll-gates and Toll-houses.

And be it further enacted by the Authority aforesaid, That the said Trustees, or such Person or Persons as they, or any Five or more of them, shall appoint, shall and may erect, or cause to be erected, Two Gates or Turnpikes in, upon, or across the said Roads, and also a Toll-house to each Gate or Turnpike, according to the Directions herein after-mentioned; that is to say, One at or near the Stone at Watton aforesaid, in, upon, or across the Road leading from thence to the North End of Walkern; and another in, upon, or across the Road leading from the Stone at Watton to Broadwater aforesaid; which Gates or Turnpikes shall remain, from the Time of erecting the same, for the Space of One Year only; at the Expiration of which Year the said Gates or Turnpikes shall be taken down, and disused during the

Continuance

Continuance of this Act; and that then the said Trustees shall and may erect, or cause to be erected, Gates and Turnpikes at the Places following, to remain there during the Continuance of this Act; that is to say, One in, upon, or across, the Road leading from the Town of Hertford to Watton aforesaid, in some Part of the Parish of Stapleford; another in, upon, or across, the Road leading from the said Town of Ware to Watton aforesaid, at or near the South East End of Watton Wood Hall Park, in or near the Parish of Sacomb; and another at or near the said South East End of Watton Wood Hall Park, upon the Road leading from thence to the said Town of Hertford, and shall demand and take, at each of the said Gates or Turnpikes, the following Tolls or Duties, before any Cattle or Carriage shall be permitted to pass through the same; that is to say, and take Tolls thereat.

For every Horse, Mare, Gelding, or other Beast, drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, or Hearse, a Sum not exceeding Three Pence. The Tolls.

For every Horse, Mare, Gelding, Mr, Ass, Mule, or other Beast, drawing any Waggon, Wain, Cart, Dray, or other Carriage, except as aforesaid, a Sum not exceeding Two Pence.

For every Horse, Mare, Gelding, Ass, or Mule, not drawing, a Sum not exceeding Three Halfpence.

For every Score of Oxen, or Neat Cattle, a Sum not exceeding Ten Pence; and so in Proportion for any greater or less Number.

And for every Score of Calves, Hogs, Sheep, or Lambs, a Sum not exceeding Five Pence; and so in Proportion for any greater or less Number.

Which said respective Sum or Sums of Money shall be demanded and taken in the Name of, or as a Toll or Duty; and the Money so to be raised and collected, shall be, and is hereby vested in the said Trustees; and the same, and every Part thereof, shall be paid, applied, disposed of, and assigned to and for the several Uses, Intents, and Purposes, and in such Manner, as is herein after mentioned: And it shall and may be lawful to and for the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall, under their Hands and Seals, from time to time, nominate and appoint, to demand and take the Tolls hereby granted and made payable; and to levy the same upon any Person or Persons who shall (after De- Tolls vested in the Trustees. Tolls may be levied by Distress and Sale.

mand thereof made) neglect or refuse to pay such Tolls as aforesaid, by Distress of any Horse or Horses, or other Cattle or Goods, or of any Carriage upon which such Tolls are by this Act imposed, or by Distress of any other of the Goods and Chattles of such Person or Persons who ought to pay the same; and to detain and keep the same, until such Tolls, with the reasonable Charges of detaining and keeping the same shall be paid; and it shall and may be lawful to and for such Person and Persons, after the Space of Five Days next after such Distress made and taken, to sell the Cattle, Carriage, or Goods, so distrained, returning the Overplus (if any shall be) upon Demand, to the Owner thereof, after such Tolls, and reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid.

Distress may be sold in 5 Days.

Trustees may erect Side-gates,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, and Toll-house or Toll-houses, on the Side or Sides of the said Roads, and upon, in, or across any Lane or Way leading out of the same (but not within Two Miles of the said Towns of Hertford or Ware, or either of them) and there to take and levy, or cause to be taken and levied, such Tolls as are by this Act made payable, at any Gate or Turnpike to be erected by virtue hereof; so as the same do not extend to a double Charge, upon any Person or Persons passing through any other of the Gates or Turnpikes erected by virtue of this Act.

and take Tolls thereat;

so as the same do not extend to a double Charge.

Turnpikes and Toll-houses vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the said several Gates or Turnpikes and Toll-houses erected by virtue of this Act, and the Rights and Properties to and of the same, and the Materials of which the same shall consist, shall be, and are hereby, vested in the said Trustees; and they, or any Five or more of them, are hereby authorized and impowered to bring, or cause any Action or Actions to be brought, in the Name of their Treasurer or Clerk, or to prefer and order and direct the preferring of Indictments against any Person or Persons, who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy, any Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, which shall by virtue of this Act be erected, hired, or used, upon, in, across, or on the Sides of the said Roads or Bye-ways, or any or either of them, or any Part thereof, or any of the Materials of which the same shall be made, built, or consist.

And

And be it further enacted by the Authority aforesaid, That out of the first Money arising by the Tolls or Duties by this Act granted, or out of such Money as shall be borrowed on the Credit thereof, the said Trustees, or any Five or more of them, shall in the first Place pay and discharge all the Expences and Costs of procuring and passing this Act, and shall apply the Remainder of the Money so raised in erecting Turnpikes, and Toll-houses, and repairing, widening, and amending the said Roads, and defraying the necessary Costs, Charges, and Expences, attending the same, and to no other Use or Purpose whatsoever. Application of the Tolls.

And be it further enacted by the Authority aforesaid, That a separate Account shall be kept by the Collectors and Treasurer to the said Trustees, of the Tolls collected at the Gate or Turnpike hereby directed to be erected in, upon, or across, the Road leading from the Stone at Watton to the North End of Walkern aforesaid. A separate Account to be kept of the Tolls.

And be it further enacted by the Authority aforesaid, That after the said Gates or Turnpikes shall be taken down, and others shall be erected in Manner herein before directed, One clear Moiety of the Sum of Money, which shall have arisen by the Tolls collected at the aforesaid Gate or Turnpike erected upon, in, or across, the Road leading from the Stone at Watton to the North End of Walkern, shall, out of the Tolls or Duties collected by virtue of this Act, be annually laid out and applied in repairing, widening, and keeping in Repair, the said Road only; and the rest and Residue of the Money collected by the Tolls or Duties granted by this Act shall be laid out and applied in Manner following; that is to say, The same shall be divided into Four equal Parts; One Fourth Part whereof shall be laid out and applied in repairing, widening, and keeping in Repair, the Road leading from the East End of the Town of Hertford, to the North West Corner of Watton Wood Hall Park; another Fourth Part thereof shall be laid out and applied in repairing, widening, and keeping in Repair, the Road leading from the said Town of Ware to the said North West Corner of Watton Wood Hall Park; another Fourth Part thereof shall be laid out and applied in repairing, widening, and keeping in Repair, the Road leading from the said North West Corner of Watton Wood Hall Park to the Northern Turnpike Road at Broadwater aforesaid; and the other Fourth Part thereof shall be laid out and applied in repairing, widening, and keeping in Repair, any Part or Parts of the said Three last-mentioned Roads, in such Manner as the said Trustees, Application of the Tolls to particular Roads.

or any Five or more of them, shall, from time to time, think fit; and when the said Trustees, or any Seven or more of them, shall adjudge that the said Three last-mentioned Roads shall be fully and sufficiently repaired and widened, it shall and may be lawful for the said Trustees, or any Five or more of them, from time to time, to apply such further Sum of Money, collected by the Tolls hereby granted, not exceeding the other Moiety of the Sum of Money which shall have arisen by the Tolls collected at the aforesaid Gate or Turnpike erected in, upon, or across, the said Road leading from the Stone at Watton to the North End of Walkern aforesaid, in repairing and widening the said Road, as they or any Five or more of them, shall think necessary and convenient.

If the Tolls shall be fraudulently raised on the Road from *Watton* to *Walkern*, the Money to be laid out in Repairs thereof, to be reduced proportionably.

And be it enacted, That in case it shall appear to the said Trustees, or any Thirteen or more of them, that any fraudulent Means shall have been used to raise the Tolls collected at the Gate or Turnpike erected in, upon, or across the Road leading from the Stone at Watton, to the North End of Walkern aforesaid, it shall and may be lawful for the said Trustees, or any Thirteen or more of them, to reduce the Sum of Money hereby directed to be laid out on the said Road, in Proportion to the Frauds committed; any thing herein contained to the contrary thereof notwithstanding.

Trustees, with Consent of the Creditors, may lessen the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Nine or more of them, with the Consent of the Mortgagee or Mortgagees, or other Creditors, to lessen or alter all or any or either of the Tolls or Duties by this Act granted, at any Time hereafter, and for such Time as they shall think proper; and such Tolls or Duties so lessened or altered shall be collected, recovered, and applied, in the same Manner as the Tolls or Duties hereby granted are directed to be collected, recovered, and applied: And, when the said Tolls shall be lessened, the Sum of Money herein before directed to be laid out in repairing and keeping in Repair the Road from Watton Stone to the North End of Walkern aforesaid, shall be lessened in Proportion as the said Tolls shall be lessened.

Tolls to be paid but once a Day.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall pay the respective Tolls by this Act granted and made payable, for the passing of any Carriage or Cattle through any Gate or Turnpike erected by virtue of this Act, the same Person, upon producing a Note or Ticket of the Day, denoting such Payment, shall be permitted to pass through the same or any other Gate or Turnpike erected by virtue of this Act,

Act, with the same Carriage or Cattle, Toll-free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night; which said Notes or Tickets the Collectors of the said Tolls are hereby required to give gratis.

Persons to pass from *Sacomb* to *Hertford* Toll free.

Provided always, and be it enacted, That no Toll or Duty shall be demanded or taken at the said Gate or Turnpike to be erected at the South East End of Watton Wood Hall Park, upon the Road leading from thence to the Town of Hertford, from any Person who shall pass through the said Gate or Turnpike with Carriages or Cattle from Hertford to Sacomb, or from Sacomb to Hertford aforesaid.

Trustees may compound with Travellers.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may and they are hereby impowered to compound by the Year, or otherwise, with all or any of the Inhabitants of the several Towns, Parishes, Hamlets, or Places, near or through which the Roads hereby directed to be repaired lead, for the passing of their Carriages or Cattle through all or any of the Turnpikes erected by virtue of this Act; which Composition-money shall be paid to the said Trustees, or any Five or more of them, or to their Appointment, and shall be recovered and applied in the same Manner as the Tolls or Duties by this Act granted are directed to be recovered and applied.

Persons and Things exempted from the Tolls.

And be it further enacted by the Authority aforesaid, That none of the Tolls by this Act granted and made payable, shall be demanded or taken at any of the Gates or Turnpikes erected by virtue hereof, for any Waggon, Wain, Cart, Dray, or other Carriage, or for any Horse, Mare, Gelding, Ox, Mule, Ass, or other Beast drawing or not drawing the same, which shall be used or employed in the Carriage of any Materials for repairing any Road or Highway, or in the Carriage of any Lime, Chalk, Dung, Mould, Soil, or Compost, of any Nature or Kind whatsoever, for manuring of any Garden, or other Land or Ground; or in the Carriage of any Hay, Straw, or Corn in the Straw, not sold or disposed of, but to be laid up in the Houses, Out-houses, Barns, Yards, or Backsides, of the Owners thereof; or for any Plough, Harrow, Dray, or other Implement of Husbandry; or for any other Thing whatsoever employed in Husbandry, or for manuring or stocking of Land, in the several Parishes in which the said Roads hereby intended to be repaired do lie; or for any Coaches or other Carriages, or Passengers on Horseback, going to, or returning from, any Election

of a Knight or Knights of the Shire to serve in Parliament for the County of Hertford; or from any Person or Persons passing or repassing to or from Church, or any other Place of Religious Worship, on Sundays; or for any Horse or other Cattle going to or returning from Pasture or Water; or for any Post-horse or Vehicle carrying the Mail or publick Packet; or for the Horses of any Officers or Soldiers on their March, or for Carts, Carriages, or Waggons, attending them; or for Horses, Carts, or Waggons, travelling with Vagrants sent by Passes.

Penalty on claiming the Exemptions of this Act, not being intitled thereto.

Provided nevertheless, That if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, such Person shall forfeit and pay the Sum of Twenty Shillings, to be recovered and applied in Manner herein after directed.

Penalty on Persons permitting, or going through, private Passage, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Dray, or other Carriage, go or pass through any Ground, Parcel of Land, or other Place, adjoining to, or lying near, any or either of the Gates or Turnpikes to be by virtue of this Act erected, the same not being a common Road; or if any Owner or Occupier of any Ground, Land, or Hereditaments, which shall adjoin or lie near to any or either of the said Gates or Turnpikes, shall knowingly or willingly permit or suffer any Person or Persons with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Dray, or other Carriage, to go or pass through the same Ground, Land, or Hereditaments; or if any Person or Persons shall give to, or receive of, any other Person or Persons, except the Person or Persons appointed to collect and receive the Tolls hereby made payable, any Note or Ticket of the Day, by this Act directed to be given by the Collectors or Receivers of the said Tolls; or if any Person or Persons shall, at any Time or Times, take off, or cause to be taken off, any Horse, Ass, Mule, or any other Sort of Cattle, from any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Dray, or Carriage, as aforesaid, whereby the Payment of any of the said Tolls shall be evaded; that then, and in either of the aforesaid Cases, every Person so offending, and being thereof convicted, upon the Oath of One or more Witness or Witnesses, before One or more Justice or Justices of the Peace of and for the County or

or giving or receiving of Tickets;

or taking off Horses, &c.

to avoid paying the Tolls.

Place

Place where the said Offence or Offences shall be committed (which said Oath such Justice or Justices is and are hereby impowered to administer) shall, for every such Offence, forfeit and pay the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer or Informers of such Offence or Offences respectively, upon whose Oath or Oaths the said Offender or Offenders shall be convicted, to and for his and their own Use and Uses; and the other Moiety thereof shall go and be applied towards the amending the said Roads.

And, for the more speedy repairing and widening the said Roads; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, from time to time, upon the Credit of the Tolls or Duties hereby made payable, to borrow and take up at Interest, any such Sum or Sums of Money, as they, or any Nine or more of them, shall think needful; and may, and they are hereby authorized and impowered, to mortgage or assign over the said Tolls or Duties, or any Part or Parts thereof, to any Person or Persons, for any Term or Number of Years, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof, as aforesaid; which said Sums of Money so to be borrowed (the Charges of procuring and passing this Act in the Manner aforesaid, being thereout first paid) shall be laid out and applied in and for the repairing and widening the said Roads leading from the East End of the Town of Hertford, to the North West Corner of Watton Wood Hall Park; and also the Road leading from Ware to the said North West Corner of Watton Wood Hall Park; and also the Road leading from the said North West Corner of Watton Wood Hall Park, to the Northern Turnpike Road at Broadwater aforesaid, in equal Proportions; and to and for no other Use or Purpose whatsoever.

Trustees may borrow Money on the Credit of the Tolls.

Application of the Money borrowed.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons to whom any such Mortgage or Mortgages, Assignment or Assignments, of the Tolls or Duties shall be made by the said Trustees, or any Nine or more of them, as a Security or Securities for any Sum or Sums of Money lent by him, her, or them, on the Credit of the said Tolls or Duties, and his, her, or their Assignee or Assignees, may, and are hereby impowered, from time to time, to transfer or assign over such Security or Securities, and all the Monies that shall be due thereon, to any other Person or Persons.

Assignments may be transferred, and the Manner of doing so.

Provided

10 Days Notice to be given for borrowing Money.

Provided always, and it is hereby declared, That no Money shall be borrowed on the Credit of this Act by the said Trustees after their First Meeting, unless Notice in Writing under the Hand of the Clerk to the said Trustees, be by Order of such Trustees, or any Five or more of them, fixed upon all the Turnpikes erected by virtue of this Act, at least Ten Days before the borrowing of such Money.

Trustees to appoint Officers;

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, may, and are hereby authorized and impowered, from time to time, to elect and appoint fit and proper Persons to be Collectors and Receivers of the Tolls by this Act made payable, and proper Persons to be Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the said Roads, and such other Officer or Officers as the said Trustees, or any Nine or more of them, shall think necessary or convenient; and such Collectors or Receivers, Clerks, Treasurers, Surveyors, and other Officers, or any or either of them, from time to time, to remove or displace, and to elect and appoint others in the Rooms and Places of such of them as shall be so removed, or shall die; Notice of the Time and Place of Meeting for that Purpose being fixed on the Turnpikes erected by virtue of this Act, at least Ten Days before such Election; and

and remove them and appoint others.

Trustees to allow Officers Salaries.

may, and are hereby authorized and impowered, out of the Monies which shall arise by the Tolls aforesaid, to allow and pay to the several Collectors or Receivers, Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and to such other Person or Persons as shall be assisting to them, or any or either of them, in or about the repairing or widening the said Roads, or any Part thereof, such Salaries, Rewards, and Allowances, for their Attendance, Care, and Service, in those Respects, as to the said Trustees, or any Nine or more of them, shall seem reasonable.

Officers to account on Oath to the Trustees.

And be it further enacted by the Authority aforesaid, That all and every the Collectors or Receivers of the said Tolls, and all and every the Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and all and every other Person and Persons, who shall have or receive any of the Monies which shall be raised, collected, or received, by virtue of this Act, shall, from time to time, and as often as he or they shall be thereunto required by the said Trustees, or any Five or more of them, produce, render, and give up to them the said Trustees, or any Five or more of them, full, true, and fair Accounts, in Writing, of all

the Monies which shall have been by them respectively collected, or received by virtue of this Act; and how, to whom, and for what, such Monies, and every Part thereof, hath or shall have been paid, applied, or disposed of, together with the proper Receipts and Vouchers for such Payments; and shall, and are hereby respectively required to pay all such Monies as, upon the Balance of such Accounts, shall appear to be in their respective Hands, to the said Trustees, or any Five or more of them, or to such Person or Persons, and for such Uses and Purposes, as they, or any Five or more of them, shall direct or appoint; and that all and every the said Officers and Persons so accounting or to account as aforesaid, shall, if required, upon their several Oaths (which said Oaths the said Trustees, or any Two or more of them, are hereby authorized and impowered to administer to such Officers and Persons) verify their said Accounts, and the particular Items and Articles thereof, and the several Receipts and Payments which shall be therein contained; and if any or either of the said Officers or Persons so accounting or to account as aforesaid, being required so to do, shall refuse or neglect to render or give up such Account or Accounts as aforesaid, or to produce and deliver up to the said Trustees, or any Five or more of them, the Receipts and Vouchers relating to the same, or to verify the Items or Articles thereof, upon his or their Oath or Oaths, or shall refuse or neglect to pay such Money as, upon the Balance of any Account or Accounts, shall appear to be in their respective Hands, to the said Trustees, or any Five or more of them, or as they, or any Five or more of them, shall direct or appoint; then, and in either of the Cases aforesaid, the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered to bring or cause an Action or Actions to be brought in the Name or Names of any One or more of them, or in the Name of the Clerk or Treasurer to the said Trustees, against the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons, respectively; or if Complaint shall be made of any such Refusal or Neglect as aforesaid, to any Justice or Justices of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing shall live or reside, such Justice or Justices may, and is, and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to

Officers refusing or neglecting to account,

may be sued;

or on Complaint made thereof to Justices,

Justices to enquire into the Default,

cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them; and upon his or their appearing, or not being to be found, to hear and determine the Matters of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, by virtue of this Act might have done: And if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint or Complaints shall be made, or by the Oath or Oaths of One or more Witness or Witnesses (which said Oath or Oaths such Justice or Justices is and are hereby impowered to administer) it shall appear to such Justice or Justices, that any of the Monies which shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may, and is and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons, respectively: And if no Goods of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and Charges of levying and raising the same; or if such Officer or Officers, Person or Persons, shall not appear before the said Justice or Justices, at the Time and Place by him or them appointed for that Purpose, upon Notice thereof in Writing being delivered to such Officer or Officers, Person or Persons, or left at his or their last Place and Places of Abode, respectively; or if appearing, shall refuse or neglect to deliver to the said Justice or Justices such Account or Accounts of the Receipts and Payments as aforesaid, and to verify the Truth of such Accounts, and of the Items and Articles thereof, upon Oath, as aforesaid, or to produce or deliver up to the said Justice or Justices the several Receipts and Vouchers relating to such Accounts respectively, and to the Items and Articles thereof; then, and in either of the Cases aforesaid, the said Justice or Justices may, and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Officer or Officers, Person or Persons, to be committed to the Common Gaol of the County where such Officer or Officers, Person or Persons, shall live or reside, there to remain without Bail or Mainprize, until he or they shall have delivered in and settled his or their respective Accounts, and verified

and levy the Balance by Distress and Sale;

and for want of Distress, or Offender refusing to appear and account,

to be committed.

until he shall conform,

verified the Items thereof on Oath, and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid the Money which shall appear to be in their respective Hands, and the reasonable Charges of such Distresses and Sales as shall in those Respects have been made, or shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Money which shall be thereby to them stipulated to be paid; which said Compositions and Money the said Trustees, or any Five or more of them, are hereby authorized and impowered to make and receive.

or compound with the Trustees.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, are hereby authorized and required to take such Security from the Treasurer or Treasurers, to be appointed for the Purposes of this Act, for the due Execution of his and their said Office and Offices, as to the said Trustees, or any Nine or more of them, shall seem meet.

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That no Person or Persons keeping an Inn, Alehouse, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors, by Retail, shall be capable of taking, holding, or enjoying, any Place or Places of Trust or Profit under this Act, during such Time as he or they shall keep such Inn, Alehouse, or other publick House of Entertainment, or shall sell Ale, Wine, Brandy, or other Spirituous Liquors by Retail.

No Victualler, &c. capable of being a Trustee.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them appointed, or any other Person or Persons, who shall, by the said Trustees, or any Five or more of them, or by the said Surveyor or Surveyors, or either of them, be employed or appointed for that Purpose, may, and is, and are hereby authorized and impowered to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials proper for repairing of Roads, in, upon, out of, or from any Waste or Common Ground or Grounds in any Parish, Town, or Place, in, adjoining to, or lying near, the Roads aforesaid, or in any neighbouring Parish, Town, or Place, to be used, disposed of, and applied, in repairing the said Roads, without paying any Thing for the same; they the said Trustees or Surveyors, or other Persons, filling up the Pits, and levelling the Ground, from which such

Surveyors may dig Gravel, &c. in Waste Grounds, &c.

without paying for the same;

levelling the Pits;

such Materials shall be taken, or causing the same to be done; and if such Quantities of Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials, proper and sufficient for that Purpose, cannot be had or found in or upon such Waste or Common Ground or Grounds, then and in such Cases to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, and carried away, any Quantity or Quantities of Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials proper and sufficient for that Purpose, in, upon, out of, and from the Lands, Fields, or Grounds of any Person or Persons where the same may be had or found, to be used, disposed of, and applied in or towards repairing the said Roads; such Lands, Fields, and Grounds, or either of them, not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or inclosed Ground planted with any Avenue, or Trees, for the Ornament of any House, they the said Surveyors, or other Person or Persons by them appointed or employed as aforesaid, or some or one of them, having an Order from the said Trustees, or any Five or more of them, for so doing; and paying, or offering to pay, to the respective Owners or Occupiers of such Lands, Fields, or Grounds, such Damages for the cutting, digging, gathering, taking and carrying away the said Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, and other Materials, and for carrying the same over their Grounds, as the said Trustees, or any Five or more of them, shall adjudge or think reasonable; they the said Trustees or Surveyors, or other Persons, filling up the Pits, and levelling the Ground, from which such Materials shall be so taken, or causing the same to be done; and in case of any Difference between the said Trustees, Surveyors, or Person or Persons by them appointed or employed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning the said Damages, any Three or more Justices of the Peace of the County or Place where the said Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials, shall be so cut, digged, gathered, taken, and carried away, shall and may, on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by them the said Owner or Owners, Occupier or Occupiers, to the said Surveyor or Surveyors, to be left at their respective Places of Abode with some or One of their respective Families, hear, settle, and determine the Matters of the said Damages; and the Judgement or Order of

and where there is not sufficient of such Materials to be had there, they may be taken from private Grounds;

making Satisfaction to the Owners of the Ground.

Justices to determine Differences.

of the said Justices therein shall be final and conclusive to all Parties.

Surveyors may make Causeways,

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them appointed as aforesaid, or any other Person or Persons by them, or either of them, appointed or employed, may, and is, and are hereby authorized and impowered (they the said Surveyor or Surveyors, or other Persons, having a Warrant or Order from and under the Hands of the said Trustees, or any Five or more of them, for those Purposes respectively) to make, or cause to be made, any Causeway or Causeways, in, or along the Side or Sides of any Part or Parts of the said Roads; and shall and may erect or build, or cause to be erected or built, any Bridges or Arches of Stone, Brick, or Timber, upon, in, or across the said Roads, or any Part thereof; and shall or may dig or cut, or cause to be digged or cut, any Drains or Watercourses, in, through, or across any Lands or Grounds, to prevent the said Roads, or any Part or Parts thereof, from being overflowed; and erect Bridges over such Drains or Watercourses, if necessary; making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds, for the Damages they may thereby sustain, as to the said Trustees, or any Five or more of them, shall seem meet.

and erect Bridges,

and cut Drains;

making Satisfaction to the Owners of the Grounds.

Surveyors may remove Annoyances, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, having an Order of the said Trustees, or any Five or more of them, from time to time, to remove and carry away all Annoyances by Filth, Dung, Ashes, and Rubbish, or otherwise, on any Part of the Roads aforesaid; and to cut down Trees or Bushes growing in the said Roads, or in the Hedges or Banks adjacent thereto, the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such other Annoyances as aforesaid, for the Space of Six Days after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors; the Charges whereof shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers neglecting to cut down the said Trees or Bushes, or to remove such other Annoyances as aforesaid; and in case such Owners or Occupiers shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant or Warrants under the Hand and

lop or top Trees, &c.

the Owners neglecting to remove the same after Notice;

the Charges thereof to be reimbursed the Surveyors;

to be levied by Distress and Sale.

Seal, or Hands and Seals, of Two or more Justices of the Peace for the County wherein the Matter in Dispute shall arise, from time to time, to levy the Charge thereof upon such Owners or Occupiers by Distress and Sale of his and their Goods and Chattles, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid; and if, after Removal of any of the said Annoyances, any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted, upon Oath, before Two or more Justices of the Peace shall, for every such Offence, forfeit and pay to the said Trustees, or any Five or more of them, the Sum of Twenty Shillings, to be levied and recovered in Manner aforesaid.

Penalty of a Second Offence.

Persons neglecting to scour their Ditches, &c after Notice given for that Purpose;

And be it further enacted by the Authority aforesaid, That if any Person or Persons who of right ought to scour or cleanse any Ditch, Drain, or Watercourse, lying, or which shall lie in, or leading, or which shall lead into, or out of, the said Roads, or any Part thereof, shall not, in a proper Manner, scour and cleanse such Ditches, Drains, and Watercourses, or cause the same to be done, within the Space of Six Days next after Notice in Writing shall, for that Purpose, be given to him, her, or them, respectively, or shall be left at his, her, or their respective Place or Places of Abode, by Order of the said Trustees, or any Five or more of them, or by the said Surveyor or Surveyors; then, and in either of the said Cases, the said Surveyor or Surveyors may, and is and are hereby authorized and impowered to cause such Ditches, Drains, and Watercourses, to be scoured and cleansed, and to pay for the scouring and cleansing the same: And if the said Person and Persons shall not repay the Money so paid by such Surveyor or Surveyors, upon Demand thereof upon him, her, or them, respectively made, either in Person, or by Writing to be left at his, her, or their respective Place or Places of Abode, the same Money, and every Part thereof, upon Proof of the cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money, and Demand thereof made, and Nonpayment thereof, as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace of the County or Place where such Person or Persons respectively shall live, shall and may, by a Warrant or Warrants under the Hand and Seal of such Justice, be raised and levied by Distress and Sale of the Goods and Chattles of such Person or Persons, rendering the Overplus (if any be) to the Owner or

Surveyors may set Men to cleanse the same,

and levy the Charge by Distress and Sale.

Owners thereof, upon Demand, after all Charges paid.

Trustees may contract for the Purchase of Lands to be taken into the Roads, &c.

And be it further enacted by the Authority aforesaid, That in case the said Trustees, or any Nine or more of them, shall, at any Time or Times, during the Continuance of this Act, think proper to widen, turn, or alter any Part or Parts of the said Roads, for the better Accommodation of Coaches, Carriages, and Passengers, that then the said Trustees, or any Nine or more of them, shall have full Power and Authority, from time to time, to treat, contract, and agree with the several Owners, Proprietors, Occupiers of, and Persons interested in, any Lands, Grounds, or Hereditaments, lying contiguous or near to the said Roads, for the Purchase of any such Lands, Grounds, or Hereditaments, or for the Loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may any ways sustain by such widening, turning, or altering any Part of such Roads; and out of the Tolls or Duties by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid, and the said Trustees, or any Nine or more of them; and also the Costs and Charges attending such Agreement and Purchase.

Bodies Politick, or Corporate, &c. impowered to sell Lands to be taken into the Roads.

And whereas it may happen that some Persons, or Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, or others, are or may be seised or possessed of Lands, Grounds, or Hereditaments, which may by the said Trustees be thought necessary or proper to be taken in and added to the said Roads, for turning, widening, altering, or amending the same; and such Persons, or Bodies Politick, Corporate, Collegiate, or Feoffees, may be willing to treat and agree for the Sale of such Lands, Grounds, or Hereditaments, but may be incapable of granting or conveying the same, by reason of Infancy or other Disability; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, or other Trustees whatsoever, for or on Behalf of any Infants, Femes Covert, or Cestuique Trust; and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Lands, Grounds, or Hereditaments, to treat, contract, and agree, with the

the said Trustees, or any Nine or more of them, for the Purchase of such Grounds, Lands, or Hereditaments, or any Part thereof, or for their Interest therein, for the Purposes aforesaid, and to sell and convey the same, as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding: And all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Persons neglecting to treat for the Sale of such Lands;

And be it further enacted by the Authority aforesaid, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, or any other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to them given or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode, of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands, Grounds, or Hereditaments, so to be taken in and added to the said Roads, or into which such Road is to be turned or altered, as aforesaid, shall, by the Space of Fourteen Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premisses, or by reason of Absence, shall be prevented from treating; then, and in every or any such Case, the said Trustees, or any Five or more of them, shall cause it to be enquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which such Lands or Grounds so to be taken in, do lie (which Oaths any Two or more of the Trustees are hereby impowered and required to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or Proprietors, or other Person or Persons interested, for, or upon Account of, the taking of such Lands, Grounds, or Hereditaments, into the said Roads, or of turning such Road into the same; and in order thereto, the said Trustees, or any Five or more of them, are hereby impowered and required, from time to time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to

the Damage and Recompence to be assessed by a Jury.

Witnesses may be summoned and examined upon Oath.

be

be examined as a Witness or Witnesses, touching or concerning the Premisses (which Oath any Two or more of such Trustees are hereby impowered and directed to administer) and they shall also order and cause the said Jury to view the said Places in Question, if there be Occasion, and use all other lawful Ways and Means, as well for their own, as for the said Jury's better Information in the Premisses, as they the said Trustees, or any Five or more of them, shall think fit; and after the said Jury shall have enquired of, ascertained, and settled such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine the said Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners, Occupiers, or Proprietors of, or other Persons interested in the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination so had and made, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, and Persons under any other Disability whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, as well as all other Person or Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons any ways interested in such Lands, Grounds, or Hereditaments, shall upon Payment, or Tender, of the Sum or Sums of Money so assessed as aforesaid, thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same; and for the summoning and returning such Jury or Juries, the said Trustees, or any Five or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the County in which such Lands and Grounds so to be taken in do lie; thereby commanding and requiring him to impanel, summon, and return an indifferent Jury of Twenty four Persons, or more, to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Two

Verdict of the Jury to be binding and conclusive.

Trustees to issue their Warrants to the Sheriff, &c. of the County to impanel a Jury.

or more of them, shall swear or cause to be sworn, Twelve, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men, of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve.

Jurors may be challenged.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Trustees,

Trustees may impose a Fine on Sheriff, &c. making Default.

or any Five or more of them, acting in the Premisses, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, or Bailiffs or Agents, making Default in the Premisses, and on any of the Persons that shall be summoned and returned on such Jury, and shall not appear, or that shall refuse to be sworn on the said Jury, or being so sworn, and refusing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premisses, shall refuse or neglect to appear, or appearing shall refuse to be examined and give Evidence; and, from time to time, to levy such Fine or Fines in the same Manner as any other Forfeiture or Penalty herein before mentioned is hereby directed to be levied, so as that no such

Fine not to exceed 10 *l.*

Fine shall exceed the Sum of Ten Pounds upon any One Person for any One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Money allowed for Lands, &c. how to be charged and tendered.

And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, ascertained, or assessed as aforesaid, shall be, and is and are hereby charged and chargeable upon the Monies which shall be raised, received, or borrowed, by virtue of this Act, and shall be paid thereout accordingly to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof, or Tender thereof, to such Persons or their Agents, and in case of Refusal to accept the same, then upon leaving the same in the Hands of the Clerk to the said Trustees, for the

Lands, &c. purchased to be made Part of the Road,

Use of such Persons; and after Ten Days Notice thereof given to such Persons or their Agents, to receive such Money, Consideration, Recompence, or Satisfaction, it shall and may be lawful for the said Trustees, or any Five

or

or more of them, their Surveyors, Workmen, or Agents, to take into and add to the said Roads such Grounds, Lands, or Hereditaments, and to do all and every such Act, Matter, and Thing, with relation to such Grounds, Lands, or Hereditaments, as the said Trustees, or any Five or more of them, shall think fit: And after the Purchase of the said Lands, Grounds, or Hereditaments, or Adjudication of the Value thereof made, and Tender of Payment, and Notice given, as aforesaid, such Lands, Grounds, or Hereditaments, shall be laid into, and made Part of, the said Roads, in such Manner as the said Trustees, or any Five or more of them, shall order and direct; and shall be by them, or by such Person or Persons as they, or any Five or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out, for that Purpose; and after such Draining, Ditching, Fencing, and Setting out, the said Lands, Grounds, or Hereditaments, shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be, a publick and common Highway, and be, from thenceforth, Part of the said Roads for ever after; and shall be repaired, and kept in Repair, by such Ways and Methods, and in all Respects in such Manner, as the old Road, so widened, altered, or turned, was and ought to have been kept in Repair: And after such new Road shall be compleated, the Lands and Grounds comprized in, or constituting the old or former Road, shall be vested in, and shall and may be sold by the said Trustees, or any Five or more of them, to such Person or Persons as shall be willing to become Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by such Sale, shall be applied and disposed of for the repairing and amending the said Roads; and the Sale or Conveyance and Conveyances so to be made of such Lands or Grounds, being executed by the said Trustees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County where such Lands or Grounds do lie; shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

and esteemed as publick Highways.

Old Road may be sold.

Provided always, and be it enacted by the Authority aforesaid, That in widening, turning, or diverting, any Part or Parts of the said Roads, nothing shall be done which shall or may in any wise injure or damage any House or Building, or any Yard, Garden, Orchard, Plantation, or Nursery of Trees, or any Walk of Trees, or Avenue to any House.

Not to damage any House, &c. in altering the Road.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Towns, Parishes,

Parishes, &c. liable to the Repair of the Road, Bridges, &c. to continue so.

rishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, and the Members thereof, who, before the making this Act, hath or have used, or of right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with, the repairing, and keeping in Repair, the same Parts of the same Roads, in the same Manner as they, or every of them, hath or have heretofore usually done, or ought to do: And that the Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired do lie, who by the Laws and Statutes of this Realm are or shall be obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, shall still be subject and liable to do and perform the same Work; and shall and are hereby required to do and perform such and so many Days Works in such Parts of the said Roads by this Act directed to be repaired, and lying within the said Parishes, Hamlets, or Places, in which such Inhabitants respectively shall live, and at such Times, and in such Manner, as the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them authorized, shall direct or appoint: And that every Inhabitant of the said Towns, Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy, any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, shall be deemed and taken to keep a Team, and shall do and perform such Work, in and towards the repairing the Highways of the several Towns, Parishes, Hamlets, and Places, in which they respectively live, as Persons keeping Teams are obliged by Law, and ought to do.

Inhabitants to do Statute-work.

Persons renting 50 *l. per Ann.* to be deemed Team-holders.

Parish Surveyors, &c. to deliver in Lists of Persons liable to perform Statute-work.

And, to the end that the said Trustees may know the Inhabitants of all the Towns, Parishes, Hamlets, and Places, wherein the Roads by this Act directed to be repaired do lie, who are liable to do Statute-work in their Highways, and what Sort of Duty they ought respectively to do; be it further enacted by the Authority aforesaid, That the Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, and Places, where, or in, or for which, any such Surveyor or Surveyors usually have been, or ought to be, chosen, shall, and are hereby required, at the First Meeting of the said Trustees, after the Twenty fifth Day of March in every Year, during the Continuance of this Act, Ten Days Notice of such

Meeting being fixed on all the Turnpikes erected by virtue of this Act, to deliver in to the said Trustees true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute-duties in and upon the said Highways; and shall in such Lists, and every of them, distinguish and set forth which of such Inhabitants shall, and by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams.

Penalty on not delivering in such Lists.

And be it further enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the several Towns, Parishes, Hamlets, or Places, through which the said Roads do lead, shall not deliver in to the said Trustees Lists of the Inhabitants of their said several Towns, Parishes, Hamlets, or Places, at such Times, and in such Manner, as by this Act is directed and required to be delivered, such Surveyor or Surveyors, and every of them, shall forfeit and pay for every such Default, the Sum of Five Pounds; and if any or either of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-work in and upon the Highways, shall not do such Statute-work in and upon the said Roads, at such Times and Places, and in such Manner, as they shall by the said Trustees, or any Five or more of them, or by the Surveyor or Surveyors by them authorized, be directed or appointed to do, such Inhabitants, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums herein after-mentioned; that is to say, Every such Inhabitant or Person who shall keep, or by virtue of this Act shall be deemed to keep, a Team, for every Day's Work, the Sum of Ten Shillings; and every other Inhabitant or Person not keeping, or being by virtue of this Act not deemed to keep, a Team, for every Day's Work, the Sum of One Shilling.

Penalty on Persons not performing Statute-work.

Trustees may compound with Parishes, &c. for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them appointed, being authorized or impowered so to do by the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered to compound with the several Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired, or any Part or Parts thereof, do or doth lie, for the several Days Statute-work, to be by them respectively done upon the said Roads, at and for such Rates

or Sums of Money, by the Year, or otherwise, as they the said Trustees, or any Five or more of them, or the Surveyor or Surveyors, and Inhabitants respectively, shall agree upon; which said Money shall be instantly paid to the said Trustees, or any Five or more of them, or to their Appointment.

Surveyors may appeal to Quarter Sessions, to determine Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the Highways for the time being, of any of the Towns, Parishes, Hamlets, or Places, wherein the said Roads directed by this Act to be repaired do lie, shall think the said Trustees, or the Surveyor or Surveyors by them authorized, have directed or appointed too large a Proportion of the Statute-work, in any Town, Parish, Hamlet, or Place, to be done on the said Roads, it shall and may be lawful for such Surveyor or Surveyors of the Highways to appeal to the Quarter Session of the Peace, next after such Direction or Appointment, to be held for the County wherein such Highway lies; and the Justices in their said Quarter Session are hereby authorized and impowered finally to adjust and determine what Proportion of the Statute-work, in any Town, Parish, Hamlet, or Place, shall be done on the Roads by this Act directed to be repaired; such Surveyor or Surveyors of the Highways as aforesaid, having first given Fourteen Days Notice in Writing of such Appeal to the Surveyor or Surveyors authorized by the said Trustees as aforesaid.

Roads to be measured, and Mile-Stones erected.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and are hereby authorized, impowered, and required to cause the said Roads to be measured, and Mile-stones or Posts to be fixed or set up in or on the Sides of the said Roads, with Inscriptions to be made thereon, denoting the Number of Miles, and Distance of Places; and also Posts at the several Roads leading out of the Roads hereby directed to be repaired, with Inscriptions to be made thereon, denoting to what Place or Places the said Roads respectively lead, as they, or any Five or more of them, shall think fit; and if any Person or Persons shall wilfully or designedly break or pull down, dig up, injure or destroy, any or either of the Stones or Posts that shall be so fixed or set up, or erase, obliterate, or deface, any of the Inscriptions which shall be made thereon, or cause or procure the same to be done, every such Person so offending, shall forfeit and pay the Sum of Forty Shillings for each Stone or Post so wilfully or designedly broken, obliterated, defaced, or pulled down, to be levied by Distress and Sale of the Goods and Chattles of every such Offender, by War-

Penalty on breaking or defacing Mile-Stones, &c.

To be levied by Distress and Sale.

rant

rant under the Hand and Seal, or Hands and Seals of the said Trustees, or any Five or more of them, or the Justice or Justices of the Peace for the County or Place where the Offence shall be committed, before whom such Conviction shall be made; One Moiety of which Forfeiture shall go to the Informer, and the other Moiety shall be laid out and applied in repairing the Stones or Posts so broken, pulled down, obliterated, or defaced, or in supplying new Ones in their Stead; and if there shall be any Overplus of such Forfeitures, the same shall be laid out in repairing the Roads aforesaid; and in case the Person or Persons, so offending and convicted, shall have no Goods or Chattles, then it shall and may be lawful for the said Trustees, or any Five or more of them, or any One or more of such Justice or Justices of the Peace, as aforesaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Person or Persons to the House of Correction for the County wherein such Offence shall be committed, there to remain for the Space of One Calendar Month, to be reckoned from the Day of Commitment; and the Person or Persons shall not be discharged, till he, she, or they, shall have paid the Sum of Forty Shillings, or until the Expiration of the said Calendar Month.

For want of Distress Offender to be committed.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures imposed or made payable by this Act (other than and except such for the Recovery whereof any other Method or Methods is or are herein before prescribed) upon Proof thereof, and of the several Matters, Causes, or Things, for which the same Penalties and Forfeitures shall be incurred respectively, before any Justice of the Peace of the County or Place where the respective Party or Parties, who shall incur such Penalties and Forfeitures, shall live, either by the Confession of such Party or Parties, or by the Oath of One Witness, shall be levied by Distress and Sale of the Goods, Chattles, and Effects, of the Party or Parties so incurring, by a Warrant or Warrants under the Hand and Seal of such Justice; which Warrant or Warrants any such Justice is hereby authorized and required to grant for those Purposes, and to administer such Oath gratis; and the same Penalties and Forfeitures being so levied, as aforesaid, or otherwise paid, and every Part thereof (other than and except such Parts thereof as are hereby directed to be paid to Informers against Persons for Offences which shall be by them committed in Breach of this Act) shall, from time to time, be paid to the said Trustees, or any Five or more of them, or

Penalties and Forfeitures how to be recovered and applied.

or to their Appointment, and shall be laid out and applied in and towards the repairing and widening the Roads by this Act directed to be repaired, or in making a new Road through private Grounds, as aforesaid, and keeping the said Roads in Repair.

Overplus of the Monies raised to be paid to the Owner.

Provided always, and be it further enacted, That the Overplus of the Money which shall be raised and levied, by such Distresses and Sales as aforesaid, after Payment or Deduction of the respective Penalties and Forfeitures, for which the same shall be taken and made, and of the reasonable Charges of taking and making the same, shall, if demanded, be paid to the respective Owners of the Goods, Chattles, and Effects, which shall be so distrained and sold; and if

For want of Distress, Offender to be committed.

no Goods, Chattles, and Effects of the Person or Persons, who shall incur the said Penalties and Forfeitures, can be found sufficient to answer the same, and the Charges of such Distresses and Sales (if any such shall be taken and made) then and in such Cases, any Justice may, and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause such Person and Persons to be committed to the Common Gaol of the said County, for any Time not exceeding Two Months for the First Offence, or until such Penalties or Forfeitures, and the Charges of such Distresses and Sales (if any such there be) shall be paid; and for the Second and every other Offence of the same Kind or Nature, for any Time not exceeding Four Months, nor less than One Month, or until such Penalties or Forfeitures by him, her, or them incurred, and the reasonable Charges of the said Distresses and Sales (if any such there be) shall be fully satisfied and paid.

Persons aggrieved may appeal to the Quarter Sessions.

Provided also, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, or themselves aggrieved by any Act, Order, or Judgement, of any Justice or Justices of the Peace, which shall by him or them be done, made, or awarded, by virtue of this Act, or in the Execution of any of the Powers hereby to him or them given, such Person or Persons may appeal to the Justices at the next General Quarter Session of the Peace for the County or Place where the Matter or Thing, for or by reason of which such Act, Order, or Judgement, shall be so done, made, or awarded, and which shall be holden next after the doing, making, or awarding, of such Act, Order, or

Notice of Appeal to be given.

Judgement, he, she, or they, causing Fourteen Days Notice in Writing of such Appeal, and of the Cause or Matter thereof, to be given to the Person or Persons on whose

whose Oath or Oaths, or Evidence, such Act, Order, or Judgement, shall be so done, made, or awarded, and to some or One of the Collectors or Receivers of the said Tolls; which said Justices at their said Session, upon due Proof of such Notices being given as aforesaid, shall proceed in, and hear and determine, the Causes and Matters of the said Appeals, and every of them; and the Orders and Judgements of the said Justices shall be final and conclusive to all Parties concerned and interested therein.

Proceedings not to be quashed for want of Form,

Provided also, and be it further enacted by the Authority aforesaid, That no Conviction, Judgement, or Order of the Justices of the Peace, at their General Quarter Session, or of any Justice or Justices of the Peace, which shall be by them respectively awarded or made in pursuance of this Act, or in the Execution of the Powers hereby to them respectively given, shall be quashed, vacated, or discharged, for or on Account of Form only; nor shall be removed by Certiorari into any of His Majesty's Courts of Record at Westminster, until the Person or Persons who shall sue out or prosecute such Writ, shall enter into a Bond with Two sufficient Sureties in the Penalty of Fifty Pounds, to the Person or Persons in whose Favour such Conviction, Judgement, or Order shall be made, conditioned for the prosecuting such Writ with Effect, and Payment of the Costs and Charges to be awarded by the Court into which such Conviction, Judgement, or Order, shall be or be intended to be removed, in case such Writ shall not be prosecuted with Effect, or such Conviction or Order shall be confirmed.

nor removed by *Certiorari*,

until Security be given to prosecute.

Proceedings and Orders of the Trustees to be entered in Books.

And be it further enacted by the Authority aforesaid, That full, true, and fair Accounts and Entries of all the Monies that shall be collected, and received, laid out, expended, and paid, by virtue of this Act, and of all Orders, Acts, Matters, Proceedings, and Things, which shall be done by the said Trustees, in the Execution of the Powers hereby to them given, shall, from time to time, be duly and regularly entered in Books which shall be kept for those Purposes.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security, for the borrowing of Money, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by any Trustee or Trustees for putting this Act in Execution, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, touch-

ing, concerning, or in Execution of any of the Powers or Authorities hereby vested in such Trustee or Trustees, or Justice or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp Duty whatsoever.

No Order to be repealed, unless 9 Trustees be present.

And be it further enacted by the Authority aforesaid, That no Order made by the said Trustees, or any Five or more of them, in, for, or concerning, the executing the Trusts, Powers, and Authorities of this Act, or any of them, shall be revoked, repealed, or set aside, by any subsequent Order of the Trustees, unless Nine Trustees shall be then present.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That this Act, and the several Tolls, Authorities, and Powers, hereby made payable and given, shall commence and have Continuance, from the Twenty first Day of May, One thousand seven hundred and fifty seven, for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any thing done, or to be done, by virtue or in pursuance of this Act, or in relation to the Matters herein contained, such Actions and Suits, and every of them, shall be commenced within Six Months next after the doing the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, and not afterwards; and shall be brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed or done, and not in any other County or Place; and that the Defendant or Defendants in such Actions and Suits, and

General Issue.

every of them, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid; then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants; or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuited, or suffer a Discontinuance of such Action or Actions; or if, upon any Demurrer or Demurrers

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in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs, in any other Cases by Law. Treble Costs.

And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be, a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

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FINIS.