Anno tricesimo

Georgii II. Regis.

An Act for building a Bridge over the River *Lea*, at or near a Place called *Jeremy's Ferry*; and for making, repairing, and widening, Roads from thence into the great Roads at *Snaresbrook* in the County of *Essex*, and at *Clapton* in the County of *Middlesex*.

WHEREAS the present Communication between the West, North, and East Parts of the Cities of London and Westminster, and Suburbs thereof, with the great Roads into the Counties of Essex, Hertford, Cambridge, Suffolk, and Norfolk, is very inconvenient: And whereas the building a Bridge over the River Lea, at or near a certain Ferry called Jeremy's Ferry, and the making a new Road cross the Marsh called Walthamstow or Low Layton Marsh, and certain Lands adjoining to Mark House Lane; and the widening and amending the Lane from Clapton, in the Parish of Hackney, in the County of Middlesex, or making a new Road cross a certain Field there, called Mill Field, down to the said River Lea; and the widening and amending the Roads from Mark House Lane into the great Road, at or near a House known by the Sign of The Eagle at Snaresbrook, in the Parish of Wanstead, in the County of Essex; will make a more commodious, useful, and nearer Communication between the said Cities and Counties; May it therefore please Your Majesty that it may Preamble.

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,

Trustees Names.

That William Willis, James Reade, Anthony Todd, Thomas Minors, Samuel Touchet, Thomas Fletcher, Robert Jackson, William Pooley, James Neave, Richard Bristow, Christopher Robinson, Edward Hillersdon, John Rigg, Benjamin Cleeve, Robert Kingscote, Samuel Bosanquet, James Johnson, John Leapidge, Francis John Tyssen, John Conyers, Richard Blunt, Philip Hale, Joseph Guinand, Stephen Skynner, Thomas Scott, Samuel Scott, Thomas Fowell, Thomas Sims, William Warren, Bartholomew Blake, Thomas Truman, Robert Phipps, Thomas Chitty, William Harvey, Thomas Smith of Westminster, Esquires; Sir Robert Ladbroke Knight and Alderman, James Crokatt, William Davy, John Lidderdale, Nathaniel Bassnett, John Dekewer, Charles Buxton, William Sheldon, Robert Moxon, Anthony Colombies, Samuel Wordsworth, Edward Rowe Mores, William Monke M. D. John Walton, Joseph Eyre, Lascoe Hide, Israel Wollaston, Robert Haseler, George Lynn, William Fane Sharpe, Edward Cartwright, Richard Nicholas, Esquires; shall be, and they and their Successors to be elected in Manner herein after-mentioned, are hereby appointed Trustees for

Impowered to build a Bridge.

putting this Act in Execution; and the said Trustees, or any Five or more of them, or such Persons as they, or any Five or more of them, shall appoint for that Purpose, shall be, and are hereby, authorized and impowered to build a Bridge cross the River Lea, at a Place called Jeremy's Ferry, or within Two hundred Yards thereof;

To widen and turn the Lane from *Clapton* to the Ferry.

and to amend, widen, and repair the Lane leading from Clapton, in the Parish of Hackney, in the County of Middlesex, to the said River Lea; or to make a new Road to the same, over a certain Field called North Mill Field, in Hackney aforesaid; and also to open, make, and keep in Repair, a new Road of the Breadth of Forty Feet at the least from the said Bridge, cross Walthamstow, or Low Layton Marsh, and over certain other Lands and Grounds to and cross Mark House Lane, into Butterfield Lane; and to amend, widen, and keep in Repair, the Road leading through the said Butterfield Lane, to the North East Corner of Knott's Green, in the Parishes of Walthamstow and Low Layton, in the said County of Essex; and from thence into the great Turnpike Road, near a House known by the Sign of The Eagle at Snaresbrook, in the Parish of Wanstead, in the said County:

To make and repair Roads from the Bridge to the *Eagle* at *Snaresbrook*.

And the said Trustees, or any Five or more of them, are hereby

5

hereby authorized and impowered to make use of any Lands or Grounds for the Purpose of widening the said Lane leading from Clapton aforesaid; and to dig and make proper Foundations in the said River Lea, and on the Banks of each Side, for the Piers and Abutments of the said intended Bridge; and to cut the Banks of the said River in such Manner as shall be necessary and proper for building the said Bridge; and for making the Navigation of the said River convenient for the Passage of Boats, and other Vessels, under or near such Bridge; and to cut, remove, and take away, all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, which may any ways hinder or obstruct the Navigation under or near such Bridge; and to take in, and make use of, any Lands or Grounds, and to remove any Buildings or Erections thereon, for the Purpose of opening and making such new Roads; and for the building or erecting of a Toll-house or Toll-houses; and, from time to time, and at all Times during the Continuance of this Act, to do all other Matters or Things necessary or convenient for erecting, maintaining, and supporting the said Bridge; and for opening, making, widening, repairing, and keeping in Repair the said Roads; they the said Trustees, or such Persons as they shall appoint, doing as little Damage as may be, and first making Satisfaction, in Manner as is herein after mentioned, to the respective Owners and Proprietors, for such Lands or Grounds, and for the Buildings and Erections thereon, as shall be intended to be made use of, taken down, removed, or altered, or that shall be in any wise prejudiced or damaged by the Execution of any of the Powers of this Act.

To dig Foundations;

and remove Beds o. Gravel.

To take in any Lands,

making Satisfaction to the Owners of such Grounds.

Provided always, That the said new intended Bridge shall consist, if practicable and expedient, of One Arch of Sixty eight Feet, or else of Three Arches; the Middle Arch whereof shall be Forty Feet wide at the least; and that the said Bridge shall be made Twenty Feet wide in the Clear at the least, for the better and more convenient passing over the same; And that when the said Bridge is built cross the said River, there shall remain a free and open Passage for the Water to flow through the Arch or Arches under the said Bridge, of Sixty eight Feet at the least.

Bridge to be of One or Three Arches.

A free Passage of 68 Feet for the Water.

And, for preventing wilful and malicious burning, or otherwise damaging or destroying the said Bridge, or any Part thereof, or hindering or interrupting the building the same; be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously

Penalty for wilful damaging the Bridge,

maliciously burn, blow up, pull down, or otherwise destroy, the said Bridge, or any Part thereof, or attempt so to do; or shall wilfully and maliciously, and without Authority from the said Trustees, or any Five or more of them, remove or take away any Works thereunto belonging, or in any wise direct or procure the same to be done, whereby the said Bridge, or the Works thereof, may be damaged, or the Lives of Passengers endangered, such Offender or Offenders, being lawfully convicted thereof, shall be adjudged guilty of Felony, and shall suffer as a Felon.

Trustees may erect Turnpikes and Toll-houses, &c. and take Tolls thereat.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and impowered to erect, or cause to be erected, a Turnpike or Turnpikes upon and across the said new intended Bridge, and across any Part of the said Roads hereby directed to be made or widened, amended, and kept in Repair; and also a Toll-house or Toll-houses in, upon, or adjoining to the same; and the following Tolls shall be demanded and taken by such Person or Persons, as the said Trustees, or any Five or more of them, shall, from time to time, appoint for that Purpose, at the said Turnpike or Turnpikes; that is to say,

The Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Chair, Calash, or other Vehicle whatsoever, drawn by Six Horses, or other Cattle, the Sum of Two Shillings; by Four Horses, or other Cattle, the Sum of One Shilling and Six Pence; and by Two or Three Horses, or other Cattle, the Sum of One Shilling.

For every Chaise, Chair, Calash, or other Vehicle whatsoever, drawn by One Horse, the Sum of Six Pence.

For every Waggon, Wain, Dray, Car, Cart, or such like Carriage, the Wheels whereof shall be under the Breadth of Six Inches, the Sum of Three Pence for every Wheel, and One Penny for every Horse, or other Cattle, drawing the same.

For every Waggon, Wain, Dray, Car, Cart, or such like Carriage, the Wheels whereof shall be of the Breadth of Six Inches, or upwards, the Sum of One Penny for every Wheel, and One Penny for every Horse, or other Cattle, drawing the same.

For every Horse, Mule, or Ass, not drawing, the Sum of Two Pence.

For every Foot Passenger passing the said Bridge, One Halfpenny.

For every Drove of Oxen or Neat Cattle, the Sum of Twenty Pence per Score; and after that Rate for any greater or less Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten Pence per Score; and after that Rate for a greater or less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of and as a Toll; and the Money so to be raised is hereby vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes, and in such Manner, as is by this Act directed: And if any Person or Persons, subject to the Payment of any of the said Tolls, shall refuse to pay the same, it shall be lawful for the Person or Persons appointed to collect the said Tolls as aforesaid, to seize and distrain any Horse, Mare, Gelding, or other Cattle, or Carriage, upon which the said Toll is by this Act imposed, or the Goods and Chattles of such Person or Persons; so neglecting or refusing to pay the same; and, in case such Toll, and the reasonable Charges of making and keeping such Distress, shall not be paid within the Space of Four Days next after such Distress made and taken, the Person or Persons so distraining shall and may sell the Cattle, or other Goods, so distrained; returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Toll, and all reasonable Charges occasioned by such Distress, shall be deducted; the Reasonableness of which Charges shall, in case of Dispute, be settled by any One or more of the Justices of the Peace for the Counties of Middlesex or Essex.

Tolls vested in Trustees.

Tolls may be levied by Distress and Sale.

Distress may be sold in 4 Days.

And be it further enacted by the Authority aforesaid, That the said Trustees may destroy the Ford-way into Walthamstow or Low Layton Marsh, near Jeremy's Ferry; and, for that Purpose, they, or any Five or more of them, may cause the Chanel of the said River Lea to be dug and made deeper; and may cut the Banks of the said River, and erect and place Posts and Rails thereon.

Trustees may destroy the Ford-way near *Jeremy's Ferry*, &c.

Provided always, That none of the Tolls by this Act granted and made payable, shall be demanded or taken at any of the Turnpikes erected by virtue hereof, for any Waggon, Wain, Cart, or other Carriage, or for any Horse, Mare, Gelding, Mule, Ass, or other Beast, drawing or not drawing the same, which shall be employed or used in the carrying away any Grass or Hay from the said Marsh called Walthamstow Marsh, or Low Layton Marsh, which shall have been mowed or made therein, and not sold or disposed of, but passing to be laid up in the Out-houses,

Persons and Things exempted from the Tolls.

houses, Barns, Yards, or Grounds, of the Owners thereof; nor for any Horses, Mares, Geldings, Cows, or other Cattle whatsoever, going over the said Bridge, or through any of the said Turnpikes, to the said Marsh, for the Purpose of depasturing there only, or returning from the same; or for any Person or Persons leading or driving any of the said Carriages or Cattle to or from the said Marsh; or from any Person or Persons being the Occupier or Occupiers of the House on the said Marsh, near the said Ferry, or his, her, or their known Servant or Servants.

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.

Bridge and Toll-houses vested in Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property of the said Bridge, and of the Turnpikes and Toll-houses, and of the Posts and Rails to be set up by virtue of this Act, and the Materials of which the same shall consist, shall be, and are hereby vested in the said Trustees during the Continuance of this Act; and they, or any Five or more of them, are hereby impowered to bring Actions, or prefer Indictments, in the Name of their Treasurer or Clerk, against any Person or Persons, who shall disturb or injure them in the Possession of the Property thereof.

Application of the Tolls.

And be it further enacted by the Authority aforesaid, That out of such Money as shall be borrowed on the Credit of the Tolls by this Act granted, 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, and the Monies arising from time to time from the said Tolls, in erecting and building the said Bridge, and in erecting Turnpikes and Toll-houses, and making, opening, repairing, widening, and amending, the said Roads, and defraying the necessary Costs, Charges and Expences attending the same; and for making Satisfaction to any Person or Persons as shall be prejudiced or damaged thereby; and for executing all other the necessary Purposes of this Act.

Trustees may lessen the Tolls, &c.

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, at a General Meeting to be called for that Purpose, whereof Fourteen Days publick Notice shall be given, from time to time, to lessen and reduce all or any of the Tolls by this Act granted,

and

and afterwards raise or augment the same again, so as not to exceed the Sums hereby granted; and such Tolls so lessened and reduced, shall and may be collected and levied in such Manner, and applied for such Purposes only, as the Tolls hereby granted are directed to be recovered, levied, and applied. and raise them again.

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 to be erected by virtue of this 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. Tolls to be paid but once a Day.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven 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, through, or into which any of the Roads hereby directed to be opened, widened, and repaired, lead, for themselves, Servants, and Carriages or Cattle, passing through all or any of the Turnpikes erected by virtue of this Act; which Composition-money shall be instantly paid to the said Trustees, or any Five or more of them, or to their Appointment; and shall be applied in the same Manner as the Tolls by this Act granted are directed to be applied. Trustees may compound with Parishes, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons owning or occupying any Lands or Grounds adjoining or near to any of the said Turnpikes, shall permit any Person or Persons to pass through any such Lands or Grounds (the same not being a common Highway) with any Horse, or other Cattle or Carriage whatsoever; or if any Person or Persons shall pass through any such Lands or Grounds, or any private Way whatsoever, with any Horse, or other Cattle or Carriage, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or shall forcibly or wilfully pass through any of the said Turnpikes, with any Horse, or other Cattle or Carriage whatsoever; or shall offer, give to, or receive from, any Person or Persons Penalty on Persons permitting, or going through, private Passage, &c.

or giving or receiving of Tickets;

or taking off Horses, &c.

to avoid Payment of the Tolls.

sons (except the Collectors of the said Tolls;) or shall forge, counterfeit, or alter, any Note or Ticket, by this Act directed to be given by the Collectors of the said Tolls; or shall take off, or cause to be taken off, any Horse or other Cattle, from any Carriage; or leave, or cause to be left, upon or near to any Part of the said Roads, any Horse, or other Cattle or Carriage, with an Intent to evade the Payment of any of the said Tolls, or any Part thereof; or shall interrupt or disturb any Person or Persons employed by the said Trustees, or any Five or more of them, or their Surveyor, in digging or gathering any Materials for repairing the said Roads; every Person so offending in each, either, or any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Twenty Shillings; whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the said Tolls are hereby directed to be applied.

Penalties for working Ferries, or making or using Fords.

And be it further enacted by the Authority aforesaid, That if any Person or Persons (other than and except Francis John Tyssen Esquire, and such other Person or Persons as is or are herein after authorized) shall use or employ any Boat, Barge, or other Craft, in ferrying or conveying cross the said River, within the Distance of Half a Mile from the said Bridge, any Persons, Cattle, or Carriages, for Hire or Gain, the Owner or Owners of every such Boat, Barge, or other Craft, or the Person or Persons employing or using the same, shall forfeit the Sum of Twenty Shillings for every Person, Horse, Mare, Gelding, Mule, Ass, Beast, Sheep, Swine, Calf, Lamb, and every Coach, Waggon, and every other Carriage whatsoever, which shall be so ferried or conveyed cross the said River; and if any Person or Persons whatsoever shall make any Ford through the said River, within the Distance of Half a Mile from the said Bridge, every such Person shall forfeit the Sum of Ten Pounds for every such Offence; and every Person who shall use any Ford within such Distance, shall forfeit the Sum of Twenty Shillings for every Time he or she shall pass through the said River at any such Ford, or shall cause any Cattle or Beasts, or any Carriage whatsoever, to pass through the same; One Moiety of all which Forfeitures shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the said Tolls are hereby directed to be applied.

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 the said Trustees, or any Seven or more of them, shall be, and are hereby authorized and impowered, from time

time to time, to treat, contract, and agree, with the several Owners, Proprietors, Occupiers of, and Persons interested in, any Lands, Tenements, or Hereditaments, for the Purchase thereof, or by way of annual Rent for the same, or otherwise; as the said Trustees, or any Seven or more of them, shall think fit, and likewise for the Loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may any ways respectively sustain by such opening, making, and widening the said Roads, or the Execution of any of the Powers of this Act; and out of the Tolls collected or to be collected by virtue of this Act, or out of any Money borrowed or to be borrowed on the Credit thereof, to pay for the Purchase of such Lands, Tenements, and Hereditaments, or for such Loss or Damage, such Sum or Sums of Money, or annual Rent, as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested, as aforesaid, and the said Trustees, or any Seven or more of them, and also the Costs and Charges attending such Agreements and Purchases respectively.

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

And 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, and Administrators, Guardians, Committees, or other Trustees whatsoever, for and on Behalf of any Infants, Femes Coverts, Lunaticks, Ideots, or Cestuique Trusts, and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in any wise in any such Lands, Tenements, or Hereditaments, to treat, contract, and agree, with the said Trustees, or any Seven or more of them, for the Purchase of such Lands, Tenements, and Hereditaments, or any Part thereof, or for their Interest therein, or by way of annual Rent for the same; for the Purposes aforesaid; and to sell and convey, or lett, the same to the said Trustees, or to such Person or Persons in Trust for them, and in such Manner as the said Trustees, or any Seven or more of them, shall direct, and as Occasion shall 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, Feoffees in Trust, Executors, Administrators, Guardians, Committees,

tees, 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, Trustee or Trustees, Committee or Committees, Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, or any other Person or Persons in any-wise interested in any such Lands, Tenements, or Hereditaments, upon Fourteen Days 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 principal Officer or Officers of such Body Politick, Corporate, or Collegiate, Aggregate or Sole, or at the House of the Tenant in Possession of such Lands, Tenements, and Hereditaments, shall neglect or refuse to treat, or shall not agree for the Purchase of any such Lands, Tenements, and Hereditaments, or any Part or Parts thereof, or for their Interest therein, or for an annual Rent to be paid for the same, or by reason of Absence, shall be prevented from treating as aforesaid; then and in 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 Oath of a Jury of Twelve indifferent Men of the County where such Premisses shall lie (which Oath any Two or more of such 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 opening, making, or widening such Roads; and in order thereunto, the said Trustees, or any Five or more of them, are hereby impowered and required, from time to time, as there shall be Occasion, to summon and call before the said Jury, and examine upon Oath, all Persons whatsoever who shall be thought proper or necessary to be examined as Witnesses touching or concerning the Premisses (which Oath any Two or more of such Trustees are hereby impowered and required to administer) and if any of the Parties interested shall request the same, shall cause the said Jury to view the Place or Places in Question, and shall use all lawful Ways and Means as well for their own as for the said Jury's better Information in the Premisses, in such Manner as they the said Trustees, or any Five or more of them, shall think fit; and after the said Jury shall have so enquired of, ascertained, and settled, such Damage and Recompence, they the said

The Damage and Recompence to be assessed by a Jury.

Witnesses may be summoned and examined upon Oath.

said Trustees, or any Five or more of them, shall thereupon order and adjudge the Sum or Sums of Money so assessed by the said Jury for such Purchases, or such annual Rents as aforesaid, to be paid to the Persons interested in such Lands, Tenements, and Hereditaments, according to the Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and the Order and Adjudication so had and made, shall be final and conclusive, to all Intents and Purposes, against all Parties or Persons whatsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs, Executors, Administrators, and Successors, respectively, as well absent as present, Infants, Femes Coverts, Lunaticks, Ideots, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, as well as all other Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons interested in such Lands, Tenements, or Hereditaments, shall thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Claim, Interest, or Property, of, in, to, or out of the same; and for the summoning and returning of such Jury or Juries, the said Trustees, or any Five or more of them, are hereby impowered, from time to time, to issue their Warrant or Warrants to the Sheriff of the County of Middlesex or of Essex respectively, as the Case shall require, thereby requiring him to impanel, summon, and return, an indifferent Jury of Twenty-four Persons 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; at which Time and Place all Parties interested; shall have Fourteen Days Notice given or left in Manner aforesaid; and the said Sheriff or his Deputy or Deputies, is and are hereby required to impanel, summon, and return, such Twenty four Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear according to or upon such Summons, the said Trustees, or any Two or more of them, shall cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and for Default of a sufficient Number of Jurymen, the Sheriff or his Deputy or Deputies shall return so many of the Standers-by as shall be necessary to make up the Number of Twelve, to serve on such Jury; and the said Sheriff shall be paid for his Fee in and about the Premisses, the Sum of Two Pounds Two Shillings, and no more; and his Deputy or Deputies, for summoning the said Jury, the Sum of One Pound One

Trustees to issue their Warrant to the Sheriff for returning a Jury.

Shilling, and no more; and each of the said Jurymen so to be sworn, the Sum of Five Shillings, and no more.

Jurors may be challenged.

Provided always, and be it enacted by the Authority aforesaid, That all Persons concerned shall, from time to time, have their lawful Challenges (but not to challenge the Array of the Panel) against any of the said Jurymen, when they come to be sworn; and the said Trustees, 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, 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 refuse to be sworn on the said Jury, or to give their Verdict, or in any 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 touching the Premisses, shall refuse to be examined, or to give Evidence, and from time to time, to levy such Fine or Fines in such Manner as any Penalties in this Act are directed to be levied and recovered; so as that no such Fine shall exceed the Sum of Five Pounds upon any One Person for any One Offence.

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

Fine not to exceed 5 l.

Trustees not to act where interested.

Provided always, That no Person whatsoever shall sit or act as a Trustee in any Case where he is in any-wise directly or indirectly interested or concerned of or in the Lands, Tenements, or Premisses in Question before such Jury; nor shall any Person whatsoever be sworn to serve on any Jury, or be examined as a Witness, where he or she is any-ways directly or indirectly interested in any Matter in Question before such Jury.

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

And be it further enacted by the Authority aforesaid, That all such Sums of Money, Consideration, Rent, Recompence, or Satisfaction, as shall be agreed for or assessed as aforesaid, for the Purchase or Hire of or Damage done to any Lands, Tenements, or Hereditaments, so to be taken into the said Roads, or any Part thereof, shall be and is and are hereby charged and chargeable upon the Tolls by this Act granted and made payable; and shall be paid thereout, or out of the Monies borrowed upon the Credit of the same, to the respective Persons intitled thereto; and that upon the Payment of such Sum or Sums which shall be so assessed for the Purchase of such Lands, Tenements, and Hereditaments, as aforesaid, or Tender thereof; or in case any Person or Persons, after Ten Days Notice to be given to him, her, or them, or left at the House of the Occupier of the Premisses, shall refuse or neglect to receive the same, then upon

on leaving the same in the Hands of the Treasurer to the said Trustees, to be paid upon Demand, to such Person or Persons; or after such Annuity or annual Rent shall be so assessed as aforesaid, it shall and may be lawful for the said Trustees, or any Five or more of them, their Workmen or Agents, to enter upon the said Premisses, and take down any Buildings or Erections thereon, and to lay the Ground whereon the same were erected, and also such other Lands, Grounds, Tenements, or Hereditaments, as aforesaid, or such Part thereof as they shall think fit, into the said Roads which they shall think proper, by virtue of this Act, to open, widen, or make, and to do all and every such Act, Matter, and Thing, with relation to such Premisses, and to ditch, drain, and fence out the same, as the said Trustees, or any Five or more of them, shall think fit; and such Premisses, after the Rent for the same shall be so contracted or agreed for, or so assessed and adjudged, and after the Money so contracted and agreed for, or so assessed and adjudged for such Purchases as aforesaid, shall be paid, tendered, or left, as herein directed; and after the same Premisses shall be so ditched, drained, and fenced, or such Part thereof as the said Trustees, or any Five or more of them, shall direct, shall to all Intents and Purposes whatsoever, become and be a common Highway, and shall be repaired and kept in Repair, in such Manner as is hereby authorized and directed.

Lands, &c. when taken into the Roads, to be fenced, &c.

and esteemed as publick Highways.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any of them, their Servants or Agents, to enter upon any Grounds for the Purpose of surveying, taking a Level of, and marking out, the Ground intended to be made use of for the Purposes aforesaid; they doing as little Damage as may be, and giving Three Days Notice, to the Occupier or Occupiers of such Grounds, of the Time of their making such Survey, taking such Level, or marking out such Grounds, and making Satisfaction for all Damages that shall be done, exceeding the Sum of One Shilling.

Trustees impowered to make a Survey.

Provided also, and be it enacted, That nothing in this Act contained, shall extend to impower the said Trustees, to pull down any Part of the House on the South Side of the Lane leading from Clapton to the Ferry called Jeremy's Ferry, now in the Occupation of Master Jeremy Marlow, or any Part of the Garden Wall belonging to the same; or to pull down any Part of the Stables, Coach-houses, or other Out-houses, belonging to or in the Possession of Master John Lidderdale junior, on the North Side of the said Lane, or to remove or destroy

Trustees not to pull down the House, &c. of Mr. *Marlow*;

nor the Stables, &c. of Mr. *Lidderdale*, &c.

any Hedge or Fence which now incloses his Garden, or to lay any Part of such Garden into the said intended Road; and if by filling up the Ditch or Sewer near to the said Jeremy Marlow's Garden Wall, or taking down any of the Buttresses which now support the same, the said Wall, or any Part thereof, should fall down or be damaged, then and in such Cases, the said Trustees shall cause the said Wall to be built up again or repaired, in such Manner as the same was before it fell down or was damaged; nor shall this Act extend to the pulling down any Dwelling-house or other Building, or any Part thereof, or the taking in the Scite of any House or other Building, or to the taking in any Garden, Yard, Court, Park, Paddock, or any Part of them, or any of them, within the County of Essex; any thing herein contained to the contrary notwithstanding.

Buildings, &c. not to be injured by this Act.

Trustees may sell Lands not laid into the Roads.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, to sell and dispose of all such Lands and Grounds, as shall necessarily be purchased for the Purposes and by virtue of this Act, which shall not be laid into or made Part of the said Roads, to any Person or Persons 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 other the Purposes of this Act; and the Sale and Conveyance or Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Seven or more of them, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Rents to be paid quarterly;

how to be recovered.

And be it further enacted by the Authority aforesaid, That the said Annuities or annual Rents so to be agreed for or assessed as aforesaid, shall, from time to time, as the same shall become due, be paid by the said Trustees out of the Tolls collected by virtue of this Act, or out of the Monies borrowed on the Credit thereof, by quarterly Payments, to the Person or Persons who shall be intitled thereto, the First Payment thereof to begin and be made at the End of Three Calendar Months next after such Premisses shall be taken by the said Trustees as aforesaid; and such Person and Persons shall, during the Continuance of this Act respectively, have the same Estate and Interest in such Annuities or annual Rents, as they would have had in the said Premisses, in case this Act had never been made; and in Default of Payment thereof by the said Trustees, within Thirty Days after the same

same shall become due (being demanded of the Treasurer or Treasurers for the time being of the said Trustees) it shall and may be lawful for the Person or Persons who shall, from time to time, be intitled to the said Annuities or annual Rents, or any of them, to commence and prosecute One or more Action or Actions at Law, on the Case, or in Debt, against the Treasurer or Treasurers of the said Trustees; and shall and may upon such Action or Actions recover the Money then due, together with his, her, or their Full Costs of Suit, and have such Remedies for the same as are allowed by Law in other Cases; which said Money and Costs so recovered, when paid, shall be allowed to such Treasurer in his Account with the said Trustees.

Rents to be paid during any enlarged Term.

And it is hereby declared, That in case the Term by this present Act granted, or any further Term, shall hereafter be enlarged by Parliament, the same Annuities or annual Rents so agreed for or assessed as aforesaid, shall continue to be payable and paid to the several Persons who shall, from time to time, be intitled thereto, during such additional Term or Terms, in the same Manner as the same are herein before directed to be paid; and such Persons shall respectively have the like Remedies for the Recovery thereof, as are herein before given during the Term hereby granted.

Lessors may set up Toll gates, if the Act expires.

Provided always, That if the Term hereby granted, or any additional Term or Terms, shall not be enlarged by Parliament, it shall and may be lawful for the respective Persons who shall be intitled to such Annuities or annual Rents, after the Expiration of the said Term, or any additional Term which shall not be enlarged, to erect or cause to be erected, any Gate or Gates across any Part or Parts of the said Ground so taken from their respective Lands; and have and receive such Satisfaction for a Passage over the same, as they might have done if this Act had not been made.

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

Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, during his holding any Place of Profit under this Act.

Toll-houses only to be built on the Lands purchased, &c.

And be it enacted by the Authority aforesaid, That no Part of the Lands to be purchased by the Authority of this Act, for making or widening any Part of the said Roads, or for digging Materials for the same, shall be made use of for the erecting of any Building whatsoever, other than of such Toll-houses as may be erected by Order of the said respective Trustees; and that no Building shall be erected on any new Foundation, upon any

Lands adjacent to either of the said new Roads, within Fifty Feet of the said Roads; and every such Building, which shall be erected contrary to the true Intent and Meaning of this Act, shall be deemed a common Nuisance.

Mr Tyssen's Consent:

And whereas Francis John Tyssen Esquire, Lord of the Manor of Hackney, and the present Owner and Proprietor of the said Ferry called Jeremy's Ferry, hath consented and agreed to the building of the said Bridge, in manner as herein mentioned, and to wave all Advantage that might arise to himself from building a Bridge or Bridges over the said River Lea; and is willing to be restrained, during the Continuance of this Act, or of any subsequent Term therefrom, from working or using the said Ferry, or any other Ferry, cross the said River, within half a Mile from the said Ferry called Jeremy's Ferry, except Brazier's and Crossley's Ferry, and them only in such Manner as they are now used, and not otherwise; and hath likewise consented and agreed to allow sufficient Land or Ground for the Foundations of the Piers and Abutments of the said new-intended Bridge, in Consideration of the annual Rent of One hundred and fifty Pounds, to be paid him Quarterly by the said Trustees, clear of all Taxes and Deductions, and to be charged on the said Tolls; be it therefore further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall, out of the Tolls hereby granted, or authorized to be collected, or out of the Monies to be borrowed on the Credit thereof, from time to time, pay, or cause to be paid, unto the said Francis John Tyssen, or to such other Person or Persons as shall be intitled to the said Ferry called Jeremy's Ferry, and to the Ground whereon the Piers and Abutments to the said Bridge shall be built or erected, the annual Rent of One hundred and fifty Pounds, clear of all Taxes and Deductions whatsoever, by Four equal Quarterly Payments, as and for a Recompence and Satisfaction for the Land or Ground whereon the said Piers and Abutments shall be built or erected, and for the Damage and Loss which he, she, or they may sustain by reason of the Building of the said Bridge, and by being restrained from building Bridges over, and working Ferries cross, the said River, in manner herein after-mentioned; which said annual Rent shall commence from the Time the said Bridge shall be made passable, and shall continue during the Remainder of the Term hereby granted, or any subsequent Term, and may be recovered by the like Ways and Means as is hereby directed concerning the other Rents,

To be allowed an annual Rent:

Annuities,

Annuities, or yearly Sums herein before-mentioned and directed to be paid, or by such Ways and Means as are herein after particularly mentioned and provided for.

To have free Use of the Ferry till the Bridge is built:

Provided always, and be it further enacted by the Authority aforesaid, That the said Francis John Tyssen, or his Assigns, or the respective Person or Persons who shall be intitled to the said Ferry, or his, her, or their Assigns, shall have the free Use of the said Ferry, and the sole Profits arising therefrom, until the said Bridge shall be made passable; and, in the mean Time, the said Trustees shall not cause or permit any Act to be done, which shall incommode or prejudice the Landing-places of the said Ferry, without first making other Landing-places, which shall be equally convenient.

Not to build Bridges,

And be it further enacted by the Authority aforesaid, That neither the said Francis John Tyssen, nor any other Person or Persons claiming, or to claim, by, from, or under, him, by Lease, Descent, or otherwise howsoever, by virtue of any Estate he is now Owner of, or intitled to, during the Continuance of this Act, or of any subsequent Term or Terms, shall build, or cause to be built, any Bridge or Bridges over the said River, or work or use the said Ferry called Jeremy's Ferry, or any other Ferry, for the Carriage of any Person, Cattle, or Carriage whatsoever, for Hire, cross any Part of the said River, within half a Mile Distance of the said Ferry, called Jeremy's Ferry, save and except the Horse Ferry, called Brazier's Ferry, and the Foot Ferry, called Crossley's Ferry; nor shall the said Two last-mentioned Ferries be worked or used in any other Manner than as the same have been heretofore, and now are, worked and used.

or work Ferries, except *Brazier's*, &c.

Payments how to be recovered.

And be it further enacted by the Authority aforesaid, That in case any or either of the said Quarterly Payments, or any Part thereof, shall be in Arrear or unpaid, by the Space of Thirty Days after the same shall have become due and payable, and Demand thereof shall be made to any Five or more of the Trustees for putting this Act in Execution, or to their Treasurer, by, or on the Behalf of, the said Francis John Tyssen, or other Person or Persons who shall be intitled to receive the same, then, and so often as such Case shall so happen, it shall be lawful for the said Francis John Tyssen, or such other Person or Persons intitled as aforesaid, respectively, or his, her, or their Agent or Agents, to enter upon, and take Possession of, the said Bridge, and of any Turnpike or Turnpikes which shall be placed thereon, or to erect any Turnpike across, or at either End of, the

said

said Bridge; and to collect such Rates or Sums of Money as have been usually taken at the said Ferry, for the Conveyance of Persons, Cattle, and Carriages; and shall have the like Power for levying the same as is hereby granted for levying the Tolls herein before-mentioned; and all Persons evading, or attempting to evade, the Payment of such Rates or Sums of Money, shall be subject to the same Penalties as are by this Act inflicted upon Persons evading, or attempting to evade, the Payment of the said Tolls; or in case, at the Time any such Payment, or any Part thereof, shall be in Arrear as aforesaid, the said Bridge shall be unsafe or dangerous for the Passage of Cattle or Carriages, then, and in such Case, the said Francis John Tyssen, or the Person or Persons intitled as aforesaid, his, her, or their Agent or Agents, may, and is or are hereby authorized and impowered to work and use the said Ferry, called Jeremy's Ferry, in such Manner as hath been heretofore practised for the Conveyance of Persons, Cattle, and Carriages, for Hire; and the said Francis John Tyssen, or other Person or Persons intitled as aforesaid, his, her, or their Agent or Agents, shall and may, from time to time, continue to collect such Rates or Sums of Money, or to work and use such Ferry, until all such Arrears, and also all such Monies as, during the Time of such Collection, or the Use of such Ferry, shall have grown due, together with all reasonable Charges occasioned by the Collection of such Rates or Sums of Money, or the Working of such Ferry, shall be thereby fully satisfied, or until the said Trustees, or any Five or more of them, shall have paid and discharged all such Arrears, Monies, and reasonable Charges, as aforesaid, and no longer.

Rent to continue if the Term of the Act is enlarged.

And be it further enacted by the Authority aforesaid, That in case the Term by this Act granted, or any future Term or Terms, shall hereafter be enlarged by Parliament, the same annual Rent shall continue to be paid in like Manner, from time to time, to the said Francis John Tyssen, or to such other Person or Persons intitled as aforesaid, during such enlarged Term or Terms; and he, she, and they, shall have the like Powers and Remedies for recovering such Payments, and every Part thereof, which shall be in Arrear, as are herein before provided and granted, during the Term herein mentioned.

If the Term is not enlarged, the Bridge to be vested in Mr. *Tyssen*.

Provided always, That if the Term hereby granted, or any future Term, shall not be enlarged by Parliament, the said Bridge, and all the Works belonging and appertaining thereto, shall, from and immediately after the Er-

piration of such Term or Terms, become vested in, and be the Property of, the said Francis John Tyssen, or the Person or Persons intitled as aforesaid.

Provided also, That the said Quarterly Payments to the said Francis John Tyssen, or the Person or Persons intitled as aforesaid, shall have a Priority to all other Claims, Debts, and Demands whatsoever, which shall arise or become due by virtue or in pursuance of this Act; and the Rates or Sums of Money which shall be collected by, or on the Behalf of, the said Francis John Tyssen, or other Person or Persons intitled as aforesaid, upon, or at either End of, the said Bridge, or which shall be received at such Ferry as aforesaid, shall not be subject or liable to the Payment of any other annual Rent, or any Principal or Interest Monies, or any other Debt due or owing upon the Credit of this Act; but such Rates and Sums of Money shall be, from time to time, received for the sole Use and Benefit of the said Francis John Tyssen, or other Person or Persons intitled as aforesaid, until all such Arrears and reasonable Charges shall be, from time to time, fully paid and satisfied.

Payments to him, &c. to have a Priority to others.

Monies collected for him, &c. not to be subject to other Demands.

And whereas the said Ferry, called Jeremy's Ferry, is now under Lease from the said Francis John Tyssen, together with the Fishery and a certain House and Land near or adjoining to the said Ferry, to Jeremiah Cotterell, for the Term of Twenty one Years, from Christmas One thousand seven hundred and forty four; and the said Jeremiah Cotterell is also intitled to a Stable situate in Hackney Marsh, opposite to the said Ferry, heretofore in the Possession of Robert Howarth, afterwards of Samuel Brasier, and now of the said Jeremiah Cotterell; and also of a Piece of Land lying between the said Stable and a Ferry heretofore called Smith's Ferry, being half an Acre, with certain Liberties thereto belonging, under a Lease heretofore made by the said Francis John Tyssen to the said Samuel Brasier, for the Term of Twenty one Years, from Christmas One thousand seven hundred and thirty nine; which Lease, and the Estate and Term thereby granted, is now vested in the said Jeremiah Cotterell: And whereas the said Francis John Tyssen and Jeremiah Cotterell have come to an Agreement for all the Estate and Interest of the said Jeremiah Cotterell, of and in the said several Leases and Premisses thereby respectively demised, in case this Act shall pass into a Law; now be it enacted by the Authority aforesaid, That from and immediately after the passing of this Act, the said several Leases so made to, and vested in, the said Jeremiah Cotterell,

Immediately after the passing of this Act, Mr. *Cotterell's* Lease to determine.

terell, shall cease, determine, and be absolutely null and void.

If the Bridge is not built within 60 Yards of *Jeremy's Ferry*, Trustees to pay Mr. *Tyssen* 100*l.*

Provided also, and be it enacted by the Authority aforesaid, That in case the said new intended Bridge shall not be built within Sixty Yards of the said Ferry called Jeremy's Ferry, the said Trustees shall, and they, or any Five or more of them, are hereby impowered and required to pay unto the said Francis John Tyssen the Sum of

and make a convenient Road, &c.

One hundred Pounds; and to make a good and convenient Road, of the Width of Twenty Feet, or upwards, from the said Bridge, to a certain ancient Victualling-house near the said Ferry, belonging to the said Francis John Tyssen, in full Satisfaction for the Loss he shall or may sustain by the present Way or Passage over the said Ferry into the said Marsh being turned so far distant from the said House, and no Avenue or Road being left to lead to the same; which said Sum of One hundred Pounds shall be paid to the said Francis John Tyssen within One Month next after the said Bridge shall become passable; and the said Road shall be made within Three Months after the said Bridge shall become passable.

Lands whereon the Piers of the Bridge is built, vested in the Trustees.

And it is hereby declared and enacted, That the Land or Ground whereon the Piers and Abutments of the said Bridge shall be built or erected, from and after the First Day of June, One thousand seven hundred and fifty seven, shall be vested in the said Trustees, for the Purposes of this Act.

Trustees may borrow Money on the Credit of the Tolls.

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, from time to time, upon the Credit of the Tolls hereby made payable, or any Part or Parts thereof, to borrow and take up at Interest, not exceeding Four Pounds per Centum per Annum, any Sum or Sums of Money, as they shall think needful; and may, and they are hereby authorized and impowered to assign over the said Tolls, or any Part or Parts thereof, to any Person or Persons, for any Term or Number of Years, during the Continuance of the Term hereby granted, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof, as aforesaid,

Assignments to be entered in a Book.

Copies of all which Assignments or Securities, or Abstracts thereof, shall be entered in a Book or Books to be kept for that Purpose; and all the Sums of Money so to be borrowed, shall be applied in such Manner as is herein before mentioned, and for no other Use or Purpose whatsoever.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons to whom any such Assignment or Assignments shall be made by the said Trustees, as a Security for any Sum or Sums of Money, by any Person or Persons whatsoever lent and advanced on the Credit of this Act, or who shall be intitled to the Money thereby secured, shall and may, from time to time, by Assignment, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which said Assignment or Transfer shall be produced and notified to the Clerk, to be appointed by virtue of this Act, within Three Months after the Date thereof, who shall cause an Entry or Memorandum to be made of such Assignment, containing the Dates, Parties Names, and Sums of Money, therein mentioned to be transferred, in a Book to be kept for that Purpose; for which the said Clerk shall be paid such Sum or Sums of Money, as the said Trustees, or any Five or more of them, shall order and direct: And after such Entry made, such Assignment or Transfer shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign, and transfer, and so toties quoties. Assignments may be transferred, and the Manner of doing so.

Provided always, No such Assignment shall be deemed good or effectual unless an Entry or Memorandum thereof shall be made in a Book, to be kept for that Purpose, by the Clerk to the said Trustees; which Entry or Memorandum shall be made gratis; and such Book may, at all seasonable Times, be inspected by any Person or Persons interested. Entries to be made thereof

Provided also, 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 Fourteen Days before the borrowing of such Money. 14 Days Notice to be given of borrowing Money.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Trustees to appoint Officers;

Treasurers, Receiver or Receivers, and Collector or Collectors, of the said Tolls; and also a Surveyor or Surveyors, to see that the said Roads be effectually opened, made, widened, and repaired; and, from time to time, in case of Misbehaviour, to remove such respective Officers, and appoint new ones, in case of Death, or such Removal; and out of the Money arising by virtue of this Act, the said Trustees, or any Five or more of them, shall and may make such Allowances to the said respective Officers, for their Care and Pains, and also to such other Persons who shall have been assisting in and about opening, making, widening, and repairing the said Roads, or any of them, as to the said Trustees, or any Five or more of them, shall seem reasonable: And such Surveyor or Surveyors, and also the said Receiver or Receivers, Collector or Collectors, and every of them, shall, from time to time, at any Meeting of the said Trustees (when thereunto required by any Five or more of them) deliver in upon Oath (which Oath any Two or more of them are hereby impowered to administer) a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which he or they, or every or any of them, shall, to such Time, have received and disbursed by virtue of this Act, on account of his or their respective Offices: And in case the said Surveyors, Receivers, or Collectors, or any of them, shall not make and deliver such Account, in Manner aforesaid, or shall not pay the Money remaining in his or their Hands, unto such Person or Persons as the said Trustees, or any Five or more of them, shall, by Writing under their Hands and Seals, impower to receive the same; that then, and in either of the said Cases, any Two or more Justices of the Peace, at any Special Session, or other Meeting of them, to be held within the Division in which the said Surveyor or Surveyors, Receiver or Receivers, Collector or Collectors, shall reside, shall make Inquiry of and concerning such Default, in a summary Way, as well by the Confession of the Parties themselves, as by the Testimony of One or more credible Witness or Witnesses, upon Oath (which Oath the said Justices are hereby required and impowered to administer without Fee or Reward:) And if any Person shall be thereof convicted, such Justice shall commit the Party to the County Gaol, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment as aforesaid, or shall have compounded for the same, and paid such Composition; which Composition the said Trustees, or any Seven or more of them, are hereby impowered to make.

and remove them, and appoint others.

Trustees to allow Officers Salaries.

Officers to account on Oath to the Trustees.

Officers not making Account and Payment,

Justices to enquire into the Default,

and commit the Offender to Gaol,

until he shall conform, or compound with the Trustees.

And

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, and are hereby authorized and required to take such Security from the Treasurer or Treasurers, Collectors, and other Officers, who shall be employed or concerned in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, for the due Execution of their respective Offices, as to the said Trustees, or any Five or more of them, shall seem meet. Treasurer, &c. to give Security.

Provided always, That no Person or Persons keeping an Inn, Alehouse, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or 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, Ale-house, or other House of publick 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 Surveyor or Surveyors, and such other Persons as he or they shall employ or appoint for that Purpose, may, and is, and are hereby authorized and impowered to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, Ballast, or other Materials, proper for making or repairing of the said Roads, or in building the said Bridge, and making a Way over the same, in, upon, out of, or from, any Waste or Common Ground or Grounds, Common River, or Brook, in any Parish, Town, or Place, into or through which the said Roads, or any Part thereof, lead, or in any neighbouring Parish or Place, to be used and applied in making, widening, and repairing, the said Roads, and Bridge, without paying any thing for the same; they the said Surveyor or Surveyors, or other Persons, filling up the Pits, and levelling the Ground, and doing no Damage to the River or Brook, from which such Materials shall be so taken: And if a sufficient Quantity of such Materials as aforesaid, proper for that Purpose, cannot be had or found in or upon such Waste or Common Ground, River, or Brook, then, and in such Cases, to cut, dig, gather, take, and carry away, any Quantity or Quantities of such Materials, proper for that Purpose, in, upon, or out of, and from, and over, the Lands, Fields, Grounds, Rivers, or Brooks, of any Person or Persons, where the same may be had or found, to be used, disposed of, and applied, in or towards making, widening, and repairing the said Roads and Bridge (such Lands, Fields, and Grounds, or either of them, Surveyors may dig Gravel, &c. in Waste Grounds; without paying for the same; levelling the Ground; and where there is not sufficient of such Materials to be had there, they may be taken from private Grounds,

not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or inclosed Ground, planted with any Avenue of Trees, for the Ornament of any House) such Surveyor or Surveyors, or other Person or Persons, having an Order from the said Trustees, or any Five or more of them, for so doing, and filling up the Pits, and levelling the Ground, from which such Materials shall be taken, 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, such Materials as aforesaid, and for carrying the same over their Grounds, as the said Trustees, or any Five or more of them, shall adjudge reasonable: And in case of any Difference concerning the same, any Two or more Justices of the Peace of the County or Place where such Materials shall be so cut, digged, gathered, taken, and carried, 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 him, her, or them, to the said Surveyor or Surveyors, or to be left at their respective Places of Abode, with some or One of their respective Families, hear, settle, and determine, the Matters in Dispute, and ascertain what Damages shall be paid; and the Order and Determination of the said Justices shall be final and conclusive to all Parties.

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences relating thereto.

Surveyors may remove Annoyances, &c.

And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for such Surveyor and Surveyors, and such Person and Persons as he or they shall appoint, from time to time to remove and prevent any Bars, or other Obstructions or Annoyances, by Filth, Dung, Ashes, Rubbish, or otherwise; and to turn any Watercourses, Sinks, or Drains, running into, along, or out of, any Part of the said Roads, or otherwise, to the Prejudice thereof; and to open, scour, and cleanse, any Ditches or Watercourses adjoining to any Part of the said Roads, and to make the same as deep and as large as he or they shall think necessary; and also to cut down, lop, or top, any Trees, and also any Branches or Bushes growing or to grow on any Part of the said Roads, or in the Banks or Hedges adjoining thereto, in case the Owners or Occupiers of the Premisses where such Obstructions or Annoyances, as aforesaid, shall happen to be, or the Persons causing the same shall neglect to remove them, or to open, scour, or cleanse, such Ditches or Watercourses, or to cut down, lop, or top, such Trees, Branches, or Bushes, for the Space of Ten Days after Notice in Writing given for that Purpose

scour Ditches,

cut down Trees, &c.

the Owners neglecting to remove the same, after Notice;

under the Hand or Hands of the said Surveyor or Surveyors, or any or either of them; and the Charges of removing such Obstructions or Annoyances, and opening, scouring, and cleansing, such Ditches or Watercourses, and cutting down, lopping, or topping, and removing, such Trees, Branches, or Bushes, as aforesaid, shall, upon Demand, be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers, or Persons causing such Obstructions or Annoyances; and such Charges shall be recovered by Distress and Sale of the Goods and Chattles of such Owners, Occupiers, or Persons, by Warrant under the Hands and Seals of Five or more of the said Trustees, or Two or more Justices of the Peace for the Counties of Middlesex, or Essex respectively: And if, after Removal of any of such Bars, Obstructions, or Annoyances, any Person or Persons shall again offend in the like Kind, every such Person so offending, and being thereof convicted on his or their own Confession, or upon the Oath of One credible Witness, before One or more Justice or Justices of the Peace for such respective County (which Oath the said Justice or Justices is and are hereby impowered to administer) shall, for every such Offence, over and besides the Charges of removing such Bars, Obstructions, or Annoyances, forfeit the Sum of Twenty Shillings.

Surveyors to be reimbursed the Charges;

and levy the Charge by Distress and Sale.

Penalty of a subsequent Offence.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall be, and are hereby authorized and impowered 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 to erect and build any Bridges or Arches upon, in, or across, the same, or any Part thereof; and to dig or cut any Drains or Watercourses in, through, or cross, any Lands or Grounds, to prevent the said Roads, or any Part or Parts thereof, from being overflowed; and to 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 shall be agreed upon between such Trustees and such Owners or Occupiers; or, in case of Difference concerning the same, as shall be assessed by Two or more Justices of the Peace, as aforesaid.

Surveyors may make Causeways,

cut Drains,

and erect Bridges;

making Satisfaction to the Owners of the Grounds.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, and the Inhabitants of all Towns, Parishes, Hamlets, and Places, Bodies Politick and Corporate, and the Members thereof, who, before the making this Act, hath or have used,

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

or

or of right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account, to repair any Part or Parts of the Roads hereby intended to be repaired, shall, notwithstanding this Act, be 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.

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

And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, and they are hereby authorized by their Clerk or Surveyor, from time to time, to summon the Surveyor or Surveyors of the Highways for such respective Parishes, Townships, Hamlets, or Places, and in case no Surveyor is appointed for any such Parish, Township, Hamlet, or Place, then to summon the Churchwardens, or Overseers of the Poor, for the same, to bring in Writing before such Trustees, upon Oath, within Ten Days after such Summons, a List of the Names of the several Persons, who, within such Parishes, Townships, Hamlets, and Places, respectively, by Law are obliged to do their Statute-work for that Year with Teams and Draughts, or otherwise, as also the Number of Days Work which each Person ought to do on the respective Roads in such several Parishes, Townships, Hamlets, or Places respectively; out of which List or Lists the said Trustees, or any Five or more of them, shall and may allot, appoint, and order, such and so many Persons to do their Statute-work on the Roads directed to be repaired by this Act, as they shall think fit; which said Statute-work shall be done by such Persons on such several Days, and at such Times, and in such Part or Parts of the said Roads, within the Parish, Township, Hamlet, or Place, where such respective Person or Persons shall live, as they the said Trustees, or any Seven or more of them, or their Surveyor or Surveyors, shall from time to time direct or appoint: And if any Person or Persons shall neglect or refuse to do such Statute-work so allotted, appointed, and ordered, to be done, as aforesaid, every such Person or Persons, for every Day he, she, or they shall make Default, shall forfeit the Sum of Ten Shillings for each Team and Draught; and every Houlholder, or Person liable to do such Work as a Labourer, making Default, shall forfeit the Sum of One Shilling and Six Pence for each Day's Default: And in case the said Surveyors, Churchwardens, and Overseers, or any or either of them, shall refuse or neglect to give in a List of the Names aforesaid, or shall deliver in a false or defective

Penalty on Persons not performing Statute-work.

Penalty on Surveyors, &c. neglecting to give in such Lists.

fective List, then each and every such Surveyor, Churchwarden, and Overseer, shall, for every such Offence, forfeit the Sum of Five Pounds.

Trustees may compound with Persons for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may, and are hereby impowered to compound with the several Inhabitants of all, any, or either, of the said Parishes, Townships, Hamlets, or Places, for the several Days Statute-work to be by them respectively done upon the said Roads, for such Sums of Money, by the Year, or otherwise, as they the said Trustees, or any Seven or more of them, shall think proper; which said Money shall be instantly paid, and shall be applied as the said Tolls are directed to be applied.

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

Provided also, and be it further enacted by the Authority aforesaid, That if the Surveyors of the Highways, or the said Churchwardens or Overseers, or any or either of them, for the time being, for any of the said Parishes, Townships, Hamlets, or Places, shall think the said Trustees have appointed too large a Proportion of the Statute-work to be done on the said Roads, it shall be lawful for such Surveyors of the Highways, Churchwardens, or Overseers, or either of them, to appeal to the Quarter Session of the Peace to be held for the County or Place next after such Appointment is given, in case the same shall be given Seven Days before the holding such Quarter Session; and in case such Appointment shall not be given Seven Days before the holding of such Quarter Session, the Justices in such respective Quarter Session are hereby impowered finally to adjust and determine what Proportion of the Statute-work in any Parish, Township, Hamlet, or Place, shall be done on the said Road; such Surveyors, Churchwardens, or Overseers, respectively, first giving Four Days Notice in Writing of such Appeal to the respective Turnpike Surveyor or Surveyors.

Qualification of Trustees.

Provided always, and it is hereby 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 at the Time of acting therein he shall, in his own Right, or in Right of his Wife, be in the actual Possession and Enjoyment, or Receipt, of the Rents and Profits of a Real Estate in Law or Equity, of the clear yearly Value of One hundred Pounds above Reprizes, or possessed of, or intitled unto, a Personal Estate alone, or a Real and Personal Estate together, to the Amount or Value of Two thousand Pounds; or be Heir Apparent

of a Person possessed of an Estate in Land of the clear yearly Value of Two hundred Pounds above Reprizes:

Penalty on Persons acting, if not qualified.

and if any Person not qualified, as aforesaid, shall nevertheless presume to act, contrary to the true Intent and Meaning of this Act, he shall for every such Offence forfeit the Sum of Fifty Pounds, to be recovered by any Person who will sue for the same, in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case; wherein no Essoin, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed.

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

And be it further enacted by the Authority aforesaid, That from time to time, as often as any Trustee hereby appointed, or hereafter to be elected, shall die, or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Nine or more of them, by any Writing or Writings under their Hands and Seals, to elect and appoint One other Person, living in the said County of Middlesex or Essex respectively, as a Trustee: And all Persons so from time to time elected and appointed, shall be, and are hereby enabled to act in the Execution of all the Powers herein contained, as fully to all Intents and Purposes as if they had been hereby appointed and nominated Trustees.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet together at the King's Arms Tavern in Cornhill, in the City of London, on the Seventh Day of June, One thousand seven hundred and fifty seven, and proceed to the Execution of this Act; and shall then, and from time to time afterwards, adjourn themselves, and meet there, or at any Place near the said Roads, as often as they, or any Five or more of them, shall think convenient or necessary: And if it shall happen that there shall not appear at any Meeting, a sufficient Number of Trustees to act, and to adjourn to any other Day, the Clerk to the said Trustees shall, by Notice in Writing or Print, to be affixed upon the said Turnpike or Turnpikes, at least Five Days before, appoint the said Trustees to meet again at the House or Place where the last Meeting of the said Trustees was appointed to be held, on that Day Sevennight; and that all the said Trustees, at all their Meetings, shall defray their own Expences: And that no Trustee 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,

In Default of a sufficient Number to act,

Notice to be given of another Meeting.

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

them, except it be at a Meeting to be by them held in pursuance of this Act.

And whereas it may happen that the said Bridge may receive such Damage by unforeseen Accidents, that the Passage thereof may for some Time become dangerous or impracticable; be it therefore enacted by the Authority aforesaid, That in all such Cases it shall be lawful for such Person or Persons as the said Trustees, or any Five or more of them, shall appoint, from time to time, as often as Occasion shall require, to provide a proper and convenient Ferry or Ferries cross the said River, and as near to the said Bridge as conveniently may be; and there to take for Passage over the said River, by such Ferry or Ferries, such Tolls as are herein before authorized to be collected at the Turnpike or Turnpikes to be erected by virtue of this Act. Ferry may be worked when the Bridge is repairing, &c.

Provided always, That such Ferry or Ferries shall not continue for any longer Time than shall be necessary for repairing or rebuilding the said Bridge, or longer than the Passage over the same shall or may be dangerous or impracticable, as aforesaid. Ferry not to continue longer than the Bridge is repairing.

And, for preventing Damages and Mischiefs that may be done and committed by evil-minded or disorderly Persons rowing, navigating, or managing Boats, or other Vessels, in or upon the said River Lea; and to the end that the said Masters and Owners of such Boats, Barges, Lighters, and other Vessels, may be more careful therein; be it further enacted by the Authority aforesaid, That every Master and Masters, Owner and Owners of any Boat or other Vessel shall be, and is hereby made answerable and responsible for any wilful Damage or Mischief that shall be done by his or their Boat or Vessel, or by any of the Boat-men, Bargemen, or Crew of or belonging to any such Boat or Vessel, to the said Bridge, or any Part thereof, or to any of the Works which shall be erected, or be erecting, by virtue of this Act; and the said Master or Masters, Owner or Owners, of every such Boat or Vessel, shall and may be sued for such Trespass and Damage which shall be so done, in any Court of Record whatsoever. Masters to make good the Damages their Boat-men do.

And be it enacted by the Authority aforesaid, That the said Bridge shall not be rated or assessed, for or towards the Payment of any publick or parochial Rate whatsoever; nor shall the said Bridge be deemed a County Bridge, so as to subject the Counties of Middlesex and Essex, or either of them, to repair or support the same, but shall be deemed and taken to be situate, lying, and Bridge not to be rated.

being in, and to be Part of the said County of Middlesex.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That all the Powers hereby granted shall commence from the First Day of June, One thousand seven hundred and fifty seven; and the said Tolls and Powers hereby vested in the said Trustees, shall have Continuance for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, and no longer.

Penalties and Forfeitures when recovered, how to be applied.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures hereby inflicted (the Manner of levying and Recovery whereof is not otherwise particularly directed) shall, upon Proof of the Offences respectively, before any One or more Justice or Justices of the Peace of the County or Place wherein the respective Offenders shall reside, or the Offence be committed, either by the Confession of such Offenders, or by the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is or are hereby impowered and required to administer, without Fee or Reward) be levied by Distress and Sale of the Goods and Chattles of such Offenders, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of such Justice or Justices; which Warrant or Warrants he or they is or are hereby impowered and required to grant; and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattles; and the Penalties and Forfeitures, when paid or levied, shall be (if not otherwise directed to be applied by this Act) from time to time, paid to the said Trustees, or any Five or more of them, or to their Treasurer, and applied in the Execution of the Purposes of this Act: And in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice or Justices of the Peace, and he and they 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 Offender or Offenders to be committed to the Common Gaol, or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Six Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Provided

Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may (except where any Matter to be done by this Act is herein directed to be final) appeal to the Justices of the Peace, at any General Quarter Session of the Peace, to be held for the County or Place wherein the Cause of Complaint shall arise, within Four Months after the Cause of such Complaint shall have arisen, such Appellant first giving, or causing to be given, Fourteen Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Seven Days after such Notice, entering into a Recognizance, before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at and abide the Order of the said Quarter Session; and the said Justices at the said Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine such Appeal, in a summary Way; and if they see Cause, may by Order of such Session mitigate at their Discretion all or any of the said Penalties, Fines, or Forfeitures, or vacate and set aside any Conviction or Convictions, but not for want of Form only, and set the Party at Liberty, or otherwise may ratify and confirm the same, and award such Costs as they shall think proper; and the Determination of such Quarter Session shall be binding and conclusive, to all Intents and Purposes, and shall not be liable to be removed by Certiorari, or other Process whatsoever.

Persons aggrieved may appeal to the Quarter Sessions.

Notice of Appeal to be given,

and Recognizance to be entered into.

Provided also, and be it further enacted, That all Persons for Offences committed by the working or using of any Ferry, cross the said River, or making or using of any Ford through the same, and all other Offences committed upon the said River, contrary to the true Intent and Meaning of this Act, shall be proceeded against and convicted before any Justice or Justices of the Peace for the County of Middlesex or Essex, or for the County wherein such Offenders respectively shall reside; and the Penalties and Forfeitures shall and may be levied, or the Offenders committed as aforesaid, in such and the same Manner as if such Offences had been committed within such respective Counties.

Offences committed on the River how to be proceeded against.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment,

Writings to be without Stamps.

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, or only signed by any Trustee or Trustees, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, 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.

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

And be it further enacted and declared by the Authority aforesaid, That every Trustee who is or shall be in the Commission of the Peace for the Counties of Middlesex or Essex, may act as a Justice of the Peace for putting this Act in Execution, notwithstanding his being a Trustee.

Proceedings, &c. to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept for that Purpose, and being signed by any Five or more of the said Trustees, or the Clerk to the said Trustees, shall be deemed and taken to be original Orders; and such Book or Books, and also the Entries of all Assignments of the Tolls hereby made payable, and also of the Transfers of

which may be produced and read in Evidence on Appeals.

such Assignments, shall and may be produced and read in Evidence, in all Cases of Appeals, and in any Suits or Actions, touching any thing done in pursuance of this Act.

Reservation of Rights.

Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to invalidate, lessen, diminish, alter, or take away, any of the Rights, Powers, Trusts, or Authorities, which by an Act of Parliament passed in the Twelfth Year of the Reign of His present Majesty are vested in Trustees for ascertaining, preserving, and improving, the Navigation of the said River Lea; except only that no such Rights, Powers, Trusts, or Authorities, shall be exercised so as to prevent or interrupt the Execution of the Purposes of this Act; any thing in this or any former Act contained to the contrary notwithstanding.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done or to be done in pursuance of this present Act, in every such Case the Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards; and shall be laid in One of the said Counties of Middlesex or

Essex, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon; and that the same was done in Pursuance and by the Authority of this Act; and if it shall appear so to be done; or that any such Action or Suit shall be brought or commenced after the Time before limited; or shall be laid in any other County or Place; that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his, her, or their Action or Suit; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit, in other Cases by Law. General Issue. Treble Costs.

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

FINIS.