Anno decimo

Georgii III. Regis.

An Act to continue and render more effectual ſeveral Acts for repairing and amending the Road from *Biggleſwade*, in the County of *Bedford*, through *Bugden* and *Alconbury*, to the Top of *Alconbury Hill*, and from *Bugden* to *Huntingdon*, and from *Croſs Hall* to *Great Stoughton Common*, in the County of *Huntingdon*; and for repairing, widening, turning, and altering the Road leading out of the aforeſaid Road at or near the *Ferry-houſe*, in the Pariſh of *Tempsford*, to and through *Little Barford*, *Eyneſbury*, and *Saint Neots*, to the Turnpike Road at the End of *Croſs Hall Lane*.

WHEREAS by an Act paſſed in the Eleventh Year of the Reign of His Majeſty King George the Firſt, intituled, An Act for the repairing and amending the Road from *Biggleſwade*, in the County of *Bedford*, to *Bugden*, and through *Alconbury*, to the Top of *Alconbury Hill*, or Croſs Poſt leading into *Sautery Lane*, on the *York* and *Edinburgh* Road, and from the ſaid Town of *Bugden* to the Town of *Huntingdon*, and from *Croſs Hall* in *Eaton Sokon*, in the ſaid County of *Bedford*, to *Great* Preamble.

Stoughton Common in the said County of *Huntingdon*, several Tolls and Powers were granted for repairing and widening the said Road; which Act was to have Continuance for and during the Term of One-and-twenty Years, to be computed from the First Day of May One thousand seven hundred and twenty-five: And whereas another Act passed in the Ninth Year of the Reign of his late Majesty King George the Second, for enlarging the Term and Powers of the said first-mentioned Act, whereby the said first-mentioned Act was continued for Twenty-one Years from the Expiration of the Term in the said first-mentioned Act granted, subject to the Alterations and Additions in the said last-mentioned Act contained: And whereas by an Act passed in the Twenty-eighth Year of His said late Majesty, for amending an Act made in the Twenty-sixth Year of the Reign of His said late Majesty, intituled, An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto, the said last-mentioned Term is enlarged and continued for Five Years from the Expiration of the said last-mentioned Term; by means whereof the said several Acts so as aforesaid passed for amending and repairing the said Road, and the Terms thereby granted, are continued or enlarged until the First Day of May which will be in the Year of our Lord One thousand seven hundred and seventy-two: And whereas the Trustees appointed to put the said Acts for repairing and amending the said Road in Execution have, in pursuance of the Powers to them thereby given, borrowed several Sums of Money on the Credit thereof, which cannot be repaid, and the said Road kept in good Repair, unless some further Provision be made by Parliament for these Purposes: And whereas the Road leading out of or from the said first-mentioned Road at or near the Ferry House, in the Parish of Tempsford, in the County of Bedford, to and through Little Barford in the said County, and from thence to and through Eynesbury and Saint Neots, in the aforesaid County of Huntingdon, to the End of Cross Hall Lane, in the Turnpike Road leading from Eaton to Bugden, is in a ruinous Condition, and in some Places narrow and incommodious to Passengers, and cannot be sufficiently repaired, widened, and turned, by the ordinary Course of Law: And whereas the said Two first-recited Acts are in some Respects defective, and it will be more convenient to have One uniform Act of Parliament for repairing, widening, turning, and keeping in Repair all the said Roads: May it therefore please Your

Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, and 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 Terms granted by the said Two first-recited Acts, and also the additional Term granted in or by the Act herein before mentioned to have been made in the Twenty-eighth Year of the Reign of his late Majesty, shall be, and the same are hereby further continued from the Expiration of the said additional Term, for and during the further Term of Twenty-one Years, and from thence to the End of the next Sessions of Parliament: And that instead of the said Two first-recited Acts, and the Tolls, Powers, Authorities, Penalties, Forfeitures, Payments, Punishments, Matters, and Things therein respectively contained, this present Act, and the Clauses, Provisions, Tolls, Powers, Authorities, Penalties, Forfeitures, Payments, Punishments, Matters, and Things herein contained shall, for the Purpose of repairing, amending, widening, and keeping in Repair the several Roads in or by the said Two first recited Acts directed to be repaired; and also for the Purpose of repairing, widening, turning, and keeping in Repair the Road leading out of the said Road at or near the Ferry House, in the Parish of Tempsford, to and through Little Barford, and to and through Eynesbury and Saint Neots, to the End of Cross Hall Lane in the Turnpike Road leading from Eaton to Bugden, take Place from and immediately after the passing of this Act, and shall continue in force during the Terms now to come and unexpired of the said Acts, and also until the Expiration of the said further Term of Twenty-one Years, and to the End of the then next Session of Parliament: And that the said Terms shall be and are hereby declared to be subject and liable to the Payment of the several Sums of Money now due and owing upon the Credit of the said Acts, and the respective Interests thereof due or to grow due, and all Claims which any Persons are entitled to under the same, or any Acts of the Trustees acting under the same, and likewise of all Monies which shall or may hereafter be borrowed on the Credit of the said recited Acts or of this present Act, and the respective Interests thereof, for and during the Continuance of the respective Terms by the said recited Acts and this present Act continued or granted.

Terms granted by Act 11 *Geo.* I, 9 *Geo.* II, and 28 *Geo.* II,

further continued for 21 Years.

Instead of the 2 first-recited Acts, the Powers and Penalties of this Act are to take place;

subject to the Payment of Debts.

And be it further enacted, That the Right Honourable Earl Ludlow in the Kingdom of Ireland, the Right

Trustees Names.

Honourable the Earl of Upper Oſſory in the Kingdom of Ireland, the Right Honourable Lord Carysfort in the Kingdom of Ireland, the Right Honourable John Stewart commonly called Lord Mount Stewart, the Right Honourable Charles Greville Montague commonly called Lord Charles Greville Montague, the Honourable Thomas Trevor Hampden, the Honourable John Parker, the Honourable William Montague, the Honourable John Proby, Richard Aſtell, George Alexander, Samuel Archdecon, Sir Robert Bernard Baronet, Sir Roger Burgoyne Baronet, Charles Barnett, William Nailor Blundell, John Bagnell, John Burgoyne, Richard Bickerton, John Beecher, Montague Burgoyne, Robert Butcher, Thomas Butcher, George Blackhouſe Clerk, Edward Bailey Clerk, Andrew Burnaby Clerk, John Bailey, Sir Brownlow Cuſt Baronet, Saville Cockayne Cuſt, John Campbell, John Kendall Cater, John Crawley, John Hart Cotton, Edward Crane D. D. William Cooke Clerk, William Comins Clerk, John Cooke Clerk, William Cole Clerk, Hadley Cox Clerk, Sir John Danvers Baronet, John Daniel, John Dennis, George Dixon, Richard Davies Clerk, George Edwards, Joſeph Eayne, William Farrer, Charles Ventriſs Field, John Franklin, Luke Franklin, Hugh Farrer, William Gery, John Green, Charles Gery Clerk, George Gibſon Clerk, Robert Godby junior, Stephan Gorham, John Harvey, John Harvey junior, James Harvey, John Howard, Robert Hagar, Henry Hinde, Robert Hodſon, Robert Hudſon, Richard Hatley, the Mayor, Aldermen, and Recorder of Huntingdon for the Time being, Robert Jones, Thomas Jones, John Jackſon, Thomas Jetherel, King of Warden, Edward Leeds, Thomas Lee, John Lee, Peter Lepiper Clerk, Richard Littlehales Clerk, Sir Philip Monoux Baronet, John March, William Metcalf, Leonard Morſe, Lewis Monoux Clerk, Philip Monoux Clerk, William Seale Maxey Clerk, John Maule, John Neſbitt, John Negus D. D. Sir George Oſborne Baronet, Robert Henley Ongley, Thomas Oſborn L L. D. Sir Gillies Payne Baronet, John Parſlow, Aſhley Palmer, William Pym, Thomas Parnell, Nicholas Pedley, Stanhope Pedley, William Pym junior, Robert Palmer, Henry Fiſh Palmer, Charles Fiſh Palmer, Thomas Potter, William Peacock junior, Thomas Parſlow Clerk, Richard Peat Clerk, Peter Peckard Clerk, John Pennington Clerk, Trimnel Peacock Clerk, James Pointer Clerk, Robert Phipp Clerk, William Palmer, Newdigate Pointz, Robert Pattiſon, John Perkins, Thomas Parker, Richard Pope, Richard Reynolds,

Laurence Reynolds, Ambroſe Reddal, James Ruſt, George Raite M. D. Richard Reynolds Clerk, Lawrence Reynolds Clerk, William Roberſon Clerk, George Cornelius Swan, Peter Stanley, Thelwall Saluſbury Clerk, Caſtle Sherard Clerk, John Sparhawke Clerk, William Smith of Bedford Clerk, Stephen Scarbrow, Simon Staughton, Lawrence Smith Clerk, George Thornhil, John Trollop Clerk, Edward Towerſey, Henry Tingey, Robert Vichery, Samuel Whitbread, Jacob Whitbread, Thomas Wetham, John Woodham, John Waller, Richard Wills, Walker Clerk, Toby Chancey, Mathew Maddocks Clerk, John Owen Clerk, Thomas Strong Clerk, King Clerk, William Henſman, John Henſman, Jonathan Cuthbert, James Cuthbert, Taylor White, Joſeph Barnes, Thomas Whiting, Thomas Johnſon, Charles Marion Welſtead, and their Succeſſors, to be elected in Manner herein after mentioned, ſhall be and they are hereby appointed Truſtees for ſurveying, ordering, altering, turning, widening, and keeping in Repair all the ſaid Roads, and putting in Execution this Act and all the Powers hereby given.

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

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, may continue the Gates or Turnpikes already erected upon any of the ſaid Roads, and may from Time to Time erect, or cauſe to be erected, ſuch other Gates or Turnpikes in, upon, acroſs, or on the Sides of the ſame, or any of them, or upon any of the Roads mentioned in this Act, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem requiſite; and alſo may, where the ſame ſhall be wanting, cauſe to be erected or provided, a Toll-houſe, upon or adjoining to the ſaid Roads, at each and every of the Places where the ſaid Gates or Turnpikes ſhall be erected, with ſuitable Out-buildings thereto, and to take in and incloſe from the Common or Waſte near the ſaid Roads reſpectively, a Garden-ſpot to each Toll-houſe ſuitable and convenient thereto; and alſo to provide and maintain a Lamp or Lamps, with proper Furniture at or near each Turnpike; and may agree for any Houſe or Houſes already erected and ſtanding convenient for that Purpoſe, or for any Piece or Pieces of Ground proper or convenient for the erecting or building ſuch Houſe or Out-houſes; and may from Time to Time remove ſuch Gate or Gates, Turnpike or Turnpikes, and Toll-houſes, and alter the ſame, or any Part or Parts thereof reſpectively, as they the ſaid Truſtees, or any Five or more of them, ſhall think meet and expedient; and to the End that the

the Tolls herein-after laid or charged may be duly collected, according to the true Intent and Meaning of this Act, to ditch and fence in the said Road, and any Part or Parts of any Down, Moor, Common, Common Field, or Waste Ground, as they shall judge necessary, to prevent the evading the Payment of the Toll at any of the said Gates or Turnpikes; and that the Tolls following shall be demanded and taken at each of the said Gates or Turnpikes by such Person or Persons as the said Trustees, or any Five or more of them, shall appoint for that Purpose, before any Coach, Berlin, Landau, Chariot, Calash, Chair, Chaise, Carravan, Hearse, or Litter, Waggon, Wain, Cart or other Carriage, Horse, Mare, Gelding, Ass, Mule, Oxen, Sheep, Hogs, or other Cattle whatsoever, shall pass through the same; that is to say,

and take Tolls thereat.

Tolls.

For every Coach, Berlin, Chariot, Calash, or Chair drawn by Four or more Horses, the Sum of One Shilling and Sixpence.

For every Coach, Berlin, Chariot, Calash, or Chair drawn by Two or Three Horses, Nine-pence.

For every Chaise or Chair drawn by One Horse, Sixpence.

For every Waggon, Wain, Car, Cart, Carravan, or other Carriage drawn by Four or more Horses or other Cattle, carrying Coals, Grain, or Materials for Building, the Sum of One Shilling; and drawn by One, Two, or Three Horses or other Cattle, carrying Coals, Grain, or Materials for Building, Sixpence.

For every Stage or other Waggon, Car, Cart, Carravan, or other Carriage drawn by Four or more Horses or other Cattle, the Sum of One Shilling and Sixpence; and drawn by One, Two, or Three Horses or other Cattle, Nine-pence.

For every Horse, Mare, Gelding, Mule, or Ass laden or unladen, and not drawing, One Penny Halfpenny.

For every Drove of Oxen or Neat Cattle, One Shilling and Three-pence per Score; and so in proportion for any greater or less Number.

And for every Drove of Calves, Hogs, Sheep, or Lambs, Five-pence per Score, and so in proportion for every greater or less Number.

And the several and respective Tolls or Sums of Money aforesaid shall be demanded and taken in the Name of

of and as a Toll; and the Money so to be raised and collected shall be, and is hereby vested in the said Trustees: And if any Person or Persons subject to the Payment of any of the said Tolls, shall, after Demand thereof made, refuse or neglect to pay the same; it may and shall be lawful for such Person or Persons appointed to collect or receive the said Tolls as aforesaid, to levy the same by Distress of any Horse or Horses or other Cattle, or of any Carriage upon which such Toll is by this Act imposed, or by Distress of any of the Goods or Chattels of such Person or Persons, and to detain and keep such Horse or Horses or other Cattle, or Goods and Chattels, until such Tolls, with the reasonable Charges of making and keeping such Distress, shall be paid; and such Person or Persons so distraining, after the Space of Four Days after such Distress made (such Tolls, with the reasonable Charges of such distraining and keeping, not being paid) shall and may sell the Cattle, Carriage, or Goods so distrained, rendering the Overplus (if any shall be) upon Demand, to the Owner thereof, after such Tolls, and all reasonable Charges of distraining, keeping and selling the same, shall be deducted and paid.

Tolls vested in Trustees.

Tolls may be levied by Distress.

Distress may be sold after Four Days.

And be it further enacted, That the several and respective Sums of Money so to be demanded, received, and taken, shall be demanded, received, and taken in the Name of and as a Toll or Duty; and the Money so hereby to be raised and collected is hereby vested in the said Trustees; and the same and every Part thereof, and also all Sums of Money to be borrowed on the Credit thereof, shall be applied in the First Place to pay and discharge all the Expences and Costs of procuring and passing this Act; and the Remainder thereof shall be applied in erecting or repairing Turnpikes and Toll-houses, and in turning, repairing, widening, and amending the said Roads, and in defraying the necessary Costs, Charges, and Expences attending the same, and the other Purposes of this Act.

Application of the Tolls, &c.

And be it further enacted, That the said Trustees, or any Five or more of them, shall, and they are hereby directed and required to cause the Road leading from Biggleswade, through Bugden and Alconbury, to the Top of Alconbury Hill, and particularly the Causeway at or near Tempsford Bridge, and the said Bridge, to be well and effectually repaired, and from Time to Time kept in Repair, before they shall at any Time whensoever apply any Money raised or to be raised by virtue of the

Road from *Biggleswade* to *Alconbury Hill* to be first repaired.

said recited Acts or this Act towards the repairing, widening, and keeping in Repair the Road leading out of the aforesaid Road at or near the Ferry-house, in the Parish of Tempsford, to and through Little Barford, Eynesbury, and Saint Neots, to the End of Cross Hall Lane in the Turnpike Road leading from Eaton to Bugden; any Thing in this Act or in the said recited Acts contained to the contrary thereof in any-wise notwithstanding.

Direction for the more effectual Reparation thereof.

And, for the more effectual supporting and keeping in Repair the said Road leading from Biggleswade through Eaton, Bugden, and Alconbury, to the Top of Alconbury Hill, and every Part thereof, and the Causeway leading from Tempsford Bridge, and of Tempsford Bridge aforesaid, at all Times; be it further enacted, That if it shall happen that the said Road, Causeway, or Bridge shall at any Time hereafter be in want of Reparation, it shall and may be lawful to and for the Surveyor or Surveyors of the said Road for the Time being or any One of them, or the Minister of any of the Parishes through which the said Road doth lead, or for the Surveyor or Surveyors of the Highways in any of the said Parishes, to call a Meeting of the said Trustees, by affixing Seven Days Notice before the Day of such Meeting in Writing upon the several Turnpike Gates erected and to be erected upon the said Road, such Meeting or Meetings to be held at One of the most convenient Publick Houses either in Tempsford, Eaton, or Saint Neots; and such Trustees, or any Three of them, at such Meeting or Meetings, are hereby authorized and required to give Directions to the Surveyor or Surveyors of the said Road, or to any other Person or Persons they shall appoint, immediately to amend and repair the said Road, Causeway, and Bridge in a good and substantial Manner, and to order the Treasurer of the said Road to pay the Expences attending such Amendments and Repairs out of the Money raised or to be raised by virtue of the said recited Act, or this Act; any former Order or Adjournment of the said Trustees, or any Thing in this Act, or in any of the said recited Acts to the contrary thereof in any-wise notwithstanding.

Qualification of Trustees.

And be it further enacted, That no Person shall, from and after the passing of this Act, be capable of acting as a Trustee, in any Case, in the Execution hereof, unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments,

ments, of the clear yearly Value of Forty Pounds, or be possessed of or intitled to a personal Estate to the Value of Eight hundred Pounds, or be Heir Apparent of a Person seised and possessed of an Estate in Lands, Tenements, or Hereditaments, of the clear yearly Value of Eighty Pounds: And if any Person, not being so qualified as aforesaid, shall at any Time after the Passing of this Act, or at any Time after he shall, by Sale of his Estate, or any Part thereof, or otherwise, be disqualified, act as a Trustee for any of the Purposes in this Act mentioned, or shall do any Act as such Trustee contrary to the Intent and true Meaning hereof; every such Person so offending shall, for every such Act or Offence, forfeit the Sum of Fifty Pounds to such Person or Persons as shall or will inform or sue for the same, to be recovered by Action of Debt or on the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall, upon any Trial to be had touching the same, prove that he is qualified as aforesaid; and for Want or Default of such Proof, shall pay the said Sum of Fifty Pounds, without any further or other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act. Penalty on acting if not qualified.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to cause One or more Gate or Gates, Turnpike or Turnpikes, to be erected on the Sides of the said Roads, across any Lane or Bye-way leading into or out of the same; and also to erect or provide a Toll-house at each of the Places where such Gate or Gates, Turnpike or Turnpikes shall be erected; and to cause the said Tolls to be collected and levied at such Gate or Gates, Turnpike or Turnpikes, so as the same do not extend to a Double Charge, in case of passing through any other of the Gates or Turnpikes erected across the said Roads. Trustees may erect Sidegates, and take Tolls thereat.

And be it further enacted, That the said Trustees, or any Fifteen or more of them, may, and they are hereby authorised and impowered, from Time to Time, to remove such Gates or Turnpikes as, by virtue of the said Two first-recited Acts, have been, or, by virtue of this present Act, shall be, erected or set up, and to erect or set up, other Gates or Turnpikes in such other Places, as such Trustees at any General Meeting, or any Fifteen Trustees may remove Turnpikes.

teen or more of them, shall see Occasion or think expedient.

Turnpikes and Toll-houses, &c. vested in Trustees.

And be it further enacted, That the Property of the several Gates or Turnpikes and Toll-houses, and Bridges, and other Works which, by virtue of the said Two first-recited Acts, have been, or, by virtue of this present Act, shall be, erected or built, and of the Materials which shall be brought together, and laid upon or near the Sides of the said Roads, for repairing the said Roads, shall be, and are hereby, vested in the said Trustees appointed or to be appointed to put the same in Execution; and they, or any Five or more of them, are hereby authorised and impowered to dispose of the same as they shall think proper; or to bring, or cause to be brought, any Action or Actions, or prefer, or cause to be preferred, any Bill or Bills of Indictment, in the Names of any Two or more of them, or in the Name of their Treasurer or Clerk, against any Person or Persons who shall break down or spoil any such Gates, Turnpikes, or Toll-houses, or steal or take away any such Materials, or do any Act to hinder or obstruct them, or any of their Agents or Workmen, in the due Execution of this Act.

Inhabitants, &c. neglecting to repair Bridges, after Notice,

And be it further enacted, That in case it shall so happen at any Time during the Continuance of this Act, that any Bridge or Bridges in any of the Towns or Parishes through which the said Roads do lead or run, and which usually have been, or of Right ought to be, repaired by the Inhabitants of such Towns or Parishes respectively, shall be out of Repair; and the Inhabitants of the Town or Parish wherein any such Bridge or Bridges is or are, shall, for the Space of Fourteen Days after Notice in Writing for that Purpose given to them, or any of them, under the Hands of Five or more of the said Trustees, refuse or neglect to repair the same; that then and in such Case, and so often as such Case shall happen, it shall and may be lawful to and for the said Trustees, or any Five or more them, to lay out and apply so much and such Part of the Money to be raised and levied by force and virtue, or upon the Credit of this Act, as they shall, from Time to Time, think requisite or necessary on that Behalf, for and towards the repairing of such Bridge or Bridges so out of Repair; which Money so applied shall, from Time to Time, be recovered by the said Trustees, or any Five or more of them, against the Inhabitants of such Town or Parish, or Towns or Parishes respectively, by the like

Trustees may do the same, and recover the Money.

Action,

Action, and the like Ways and Means, and in such Manner and Form, as is or are by any of the Laws of this Kingdom prescribed for the Recovering of Damages against Inhabitants of Hundreds in Cases of Robberies; and which Money so to be recovered, together with the Costs of Suit, Action or Actions shall be levied and raised, in the same Manner as such Damages recovered against Inhabitants of Hundreds are, by any of the Laws of this Kingdom, directed to be levied or raised; and such Action or Actions may be brought in the Names or Name of any Two or more of the said Trustees, or their Clerk or Treasurer for the Time being.

Tolls to be paid but Once a Day.

And be it further enacted, That no Person who shall have paid the Toll for passing through any One Gate or Turnpike erected or to be erected across or on the Side of any of the said Roads, and shall produce a Note or Ticket denoting or testifying the Payment of the said Toll (which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give gratis upon the Receipt of the said Toll) shall be subject to the Payment of any further or other Toll for passing the same Day (to be computed from Twelve of the Clock in the Night, to Twelve of the Clock in the succeeding Night) with the same Horse or other Cattle or Carriage, through any other Gate or Turnpike erected or to be erected across or on the Side of any of the said Roads; such Person or Persons delivering the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors of the said Toll or Duty, at the latter Gate or Turnpike the same Day; and no Person or Persons having Occasion to pass the Place or Places where the Toll is taken, and shall return the same Day before Twelve of the Clock at Night with the same Coach, Chariot, Landau, Berlin, Calash, Chair, Chaise, Caravan, Waggon, Wain, Cart, or other Carriage, Horse, Mare, Gelding, Ass, Mule, or any other Cattle as aforesaid, shall be liable or compelled the same Day to pay the said Toll more than Once.

Penalty on forging or disposing of Tickets, &c. to avoid Payment of the Tolls.

And for preventing Frauds and Abuses in the said Toll hereby granted, be it further enacted, That if any Person or Persons shall forge or counterfeit any Ticket or Note denoting the Payment of any of the said Tolls, and offer the same at any of the said Gates or Turnpikes, in order to avoid Payment of any of the said Tolls, or having paid the Toll by this Act granted or made payable, and having a Note or Ticket, or Notes or Tickets, signifying the Payment of such Toll, shall

give or diſpoſe of the ſame to any other Perſon or Perſons, in order to enable ſuch other Perſon or Perſons to avoid the Payment of the ſaid Toll, every ſuch Perſon ſo forging or counterfeiting any ſuch Ticket or Note, or giving, diſpoſing, or offering ſuch Note or Notes, Ticket or Tickets, and the Perſon or Perſons receiving the ſame, being thereof convicted on the Oath of One or more credible Witneſs or Witneſſes, before One or more Juſtice or Juſtices of the Peace for ſuch of the ſaid Counties of Bedford and Huntingdon wherein the ſaid Offence ſhall be committed (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered to adminiſter) ſhall reſpectively forfeit and pay, for every ſuch Offence, the Sum of Twenty Shillings, to be levied and recovered in ſuch Manner as is herein after mentioned; one Moiety whereof ſhall go and be paid to the Informer, and the other Moiety thereof ſhall go and be paid to the Collector of the ſaid Tolls and Duties, and be applied towards the Repairing of the ſaid Roads.

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

And be it further enacted, That if any Perſon or Perſons whatſoever owning, renting, or occupying any Land near unto any Turnpike, Toll Gate, or Side Bar erected, or to be erected in purſuance of this Act, ſhall, during the Continuance of this Act, permit or ſuffer any Perſon or Perſons to paſs through ſuch Land, or any Gate, Paſſage, or Way, with any Coach, Berlin, Landau, Chariot, Calaſh, Chair, Chaiſe, Caravan, Hearſe, or Litter, Waggon, Wain, Cart, Carriage, Horſe, Aſs, Mule, or any Sort of Cattle for which any Toll is by this Act made payable; or if any Perſon or Perſons ſhall at any Time unload or cauſe to be unladen any Sort of Goods and Merchandize; or ſhall, at any Time or Times, take off or cauſe to be taken off any Horſe or Horſes, or any other Sort of Cattle, from any Coach, Chariot, Berlin, Landau, Chaiſe, Calaſh, Chair, Hearſe, or Litter, Waggon, Wain, Cart, or any other Carriage, at or before the ſame ſhall come to any of the Gates or Turnpikes erected by virtue of this Act, with an Intent to avoid paying any of the Tolls hereby impoſed, or any Part thereof; or ſhall conceal or ſecrete any Goods or other Things chargeable with any of the Tolls aforeſaid; or ſhall put or leave in any Houſe or Place any Coach, Chariot, Berlin, Landau, Calaſh, Chair, Chaiſe, Caravan, Hearſe, or Litter, Waggon, Wain, Cart, or any other Carriage, Horſe, Gelding, Mare, Aſs, Mule, or any other Cattle chargeable with or liable to pay the ſaid Tolls, with ſuch Intent as aforeſaid; or, in order to avoid the Payment of the ſaid Tolls,

Tolls, shall, with any Carriage, Horse, Gelding, Mare, Ass, Mule, or any Oxen, Sheep, or other Cattle, go or pass through any Ground or other Place adjoining or lying near to any of the said Roads (such Ground or other Place not being a common Highway) with an Intent to avoid paying any of the said Tolls; or if any Person shall wilfully break down, destroy, or fill up any of the Banks, Hedges, Rails, Ditches, or other Fences made or to be made upon or near any of the said Roads for securing the Payment of the said Tolls; every Person so offending in any of the said Cases, and being thereof convicted upon Oath, by the Testimony of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the County in which such Offence shall be committed (which Oath the said Justice or Justices is and are hereby impowered to administer) shall, for every such Offence respectively, forfeit and pay the Sum of Twenty Shillings; which Sum, in case the same be not forthwith paid, shall be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals of the said Justice or Justices, rendering the Overplus to the Owner on Demand, after deducting the reasonable Charges of obtaining such Warrant, and making such Distress and Sale, to be settled by the said Justice or Justices.

Exemptions from Toll.

Provided always, and it is hereby declared, That this Act, or any Thing herein contained, shall not extend or be construed to extend to charge any of the Coaches or Carriages of His Majesty, or their Royal Highnesses the Prince or Princess of Wales, or any of the Royal Family, or any of the Horses of His Majesty's Guards attending His Majesty, or the Prince or Princess of Wales, or any of the Royal Family; or the Horses or Carriages of any of the Trustees for putting in Execution this Act, who shall have duly qualified themselves for that Purpose, in going or returning to or from any Meeting for the Execution thereof; or of any Clergyman going to baptise or name any Child, or pray by the Sick, or bury the Dead, or performing any other ecclesiastical Duty within any Parish in either of the said Counties whereof he shall be Minister or Curate, and returning the same Day; and that no Person or Persons shall be charged with any of the Tolls aforesaid who shall pass through any of the said Turnpikes or Toll Gates, erected or to be erected by virtue of this Act, with any Quantities of Stone, Brick, Lime, Timber, Wood, Gravel, or other Materials for repairing or amending

ing the said Roads, or for the repairing or amending the Bridge over the River Ouze at Tempsford, or for building, repairing, or enlarging any other Bridge or Bridges, Tunnel or Tunnels, or other Works which the said Trustees may think necessary to be erected, built, or done on the said Roads, or any of them, but that the same shall pass and repass Toll-free; and also that no Person or Persons resident, or being in the Occupation of any Lands in any of the Towns, Hills, or Parishes adjacent to any of the said Roads, shall be charged with any of the Tolls aforesaid for carrying through the said Turnpikes or Toll-gates any Dung, Lime, Mould, or Compost, of what Nature or Kind soever, for manuring of Lands or Gardens; or for any Carts, Wains, Waggons, or other Carriages, carrying any Hay or Fodder, or Corn in the Straw of his or their own Growth, to be laid up in the House or Outhouses, Barns, Yards, or Grounds, of or belonging to the respective Inhabitants of the several Parishes or Places in or through which the said Roads hereby intended to be repaired do lie or run; nor for any Ploughs, Harrows, or any other Implements of Husbandry, or any other Thing whatsoever belonging to or employed by such Inhabitants respectively in Husbandry, or for manuring or stocking of Lands lying near the said Roads; nor shall any of the Tolls hereby laid be taken or demanded from any Person or Persons residing in the said Parishes in which any of the said Roads hereby directed to be repaired do or doth lie, for any Horses or Cattle going to or returning from Pasture or Watering-places; nor from any Person or Persons residing in or near the said Parishes in which any of the said Roads, hereby directed to be repaired, do or doth lie, who shall pass through the said Turnpikes or Toll-gates to and from Church, Chapel, or other Place of religious Worship on Sundays; nor for the Horses of any Soldiers passing who are upon their March, or for Carts, Carriages, or Waggons attending them, or laden with their Arms or Baggage, or for Horses, Carts, or Waggons travelling with Vagrants sent sent by legal Passes; nor shall any Person or Persons be subject to pay any Toll for passing, returning or repassing of any Horse, Mare, Gelding, Mule, or Ass, or any Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Caravan, or any other Carriage that shall be going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of Bedford and Huntingdon respectively, or either of them, on the Day of such Election or Elections.

Provided

Penalty on making illegal Claims.

Provided always 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; One Moiety whereof shall be paid to the Informer, and the other Moiety to the said Trustees, or their said Treasurer for the Time being, to be applied towards the Repairs of the said Roads.

First Meeting of Trustees.

And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the Falcon, in the Town of Saint Neots aforesaid, on the Eighth Day of May, One thousand seven hundred and seventy, and shall then and there proceed to the Execution of this Act; and shall afterwards from Time to Time, as they, or any Five or more of them, shall see Occasion, meet at such Place, or any other Place or Places near the said Roads, as they, or any Five or more of them, shall from Time to Time appoint for the further Proceeding in the Execution of this Act; and the said Trustees, or the major Part of them at any such Meeting, shall have full Power and Authority (in case the Business then proposed to be transacted cannot be completed on the Day of Meeting) to adjourn from Day to Day, or from the Day of such Meeting to any other Day, and meet again at the same Place, until the Business so to be transacted shall be completed; and that of every Meeting of the said Trustees (except of the said First Meeting, and also of the Meetings to be held by Adjournment as aforesaid, and also except of such Meetings whereof different Notices are herein-after directed to be given) a Notice in Writing under the Hands of Five or more of the said Trustees shall be fixed on every One of the said Turnpike-gates erected or to be erected on any of the said Roads, Ten Days at least before every such Meeting.

Trustees may adjourn to another Day.

Annual Meeting of the Trustees for passing the Accounts,

and Election of Officers.

Provided always, and it is hereby enacted and declared, That the said Trustees, or any Five or more of them, shall meet Once or oftener in every Year during the Continuance of this Act, at such House in the Towns of Tempsford, Eaton, and Saint Neots aforesaid, and at such Times as the said Trustees, or any Five or more of them, shall think proper or appoint, for the settling, adjusting, and passing the Accounts of the several Treasurers, Collectors, and Receivers of the said Tolls and all Disbursements relating thereto, and for the fresh Election of their several Officers.

Trustees may borrow Money on the Credit of the Tolls.

And be it further enacted, That the said Trustees, or any Nine or more of them, may, and are hereby impowered at their First or any subsequent Meeting (Notice of such subsequent Meeting, and the Intent and Business thereof, in Writing under the Hands of Five or more of the said Trustees, being affixed upon all the said Turnpikes, Fourteen Days at least before such Meeting) to borrow and take up at Interest any such Sum or Sums of Money as they shall judge necessary for the repairing, amending, widening, turning, and keeping in Repair the said Roads, and answering all the Purposes of this Act, upon the Credit of the Tolls payable by virtue of this Act, so that the said Sum or Sums so to be borrowed do not in the Whole, together with the Sums already borrowed on the Credit of the said before-mentioned Acts, or any of them, exceed the Sum of Five thousand Pounds; and by any Writing or Writings under their Hands and Seals to assign, grant, or convey the said Tolls, together with the Gates, Turnpikes, and Houses erected or to be erected on or near any of the said Roads by virtue of the said former or this present Act, to any Person or Persons that shall advance and lend his, her, or their Monies thereon, for any Time or Term during the Continuance of this Act, as a Security or Securities for, and for the due Payment of the Monies which shall be so borrowed, and such Interest as shall be agreed to be given for the same, not exceeding the Rate of Five Pounds by the Year for every One hundred Pounds; which said Money so to be borrowed, shall be applied and disposed of for the several Purposes mentioned in this Act, and according to the true Intent and Meaning thereof, and to or for none other Use or Purpose whatsoever; and Copies of all and every the Assignment or Assignments, Grant or Grants, Conveyance or Conveyances, so to be made by the said Trustees as aforesaid, shall be registered or entered at Length in a Book or Books to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers to such Trustees; which said Book or Books shall and may be seen and perused at all seasonable Times by any Person or Persons whomsoever, without Fee or Reward; but no such Money shall be borrowed by the said Trustees, or any of them, under or by virtue of this Act, unless such Notice as aforesaid be first given: And all and every Person and

Copies of Assignments to be entered in a Book.

Persons

Persons to whom any such Assignment or Assignments, Grant or Grants, Conveyance or Conveyances as aforesaid shall be made, or who shall be or become intitled to the same, or the Money thereby secured, shall and may from Time to Time, by proper Words of 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 or in the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, within Sixty Days after the Date thereof, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Date, Parties, and Sum of Money therein mentioned to be transferred, in the said Book or Books to be kept for the entering the said original Assignments, for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made, such Assignment 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 again, and so toties quoties; and it shall not be in the Power of such Person or Persons who shall have made such Assignment or Assignments to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof; and no Person who hath heretofore advanced or lent any Money on the Credit of the said former Acts, or shall hereafter advance or lend any Money on the Credit of this Act, nor any Person who shall take any Transfer or Assignment of any Security granted or made under or by virtue of the said former Acts, or to be granted or made under or by virtue of this present Act, who is or shall be intitled to receive any Interest-money out of any of the Tolls collected on the said Roads, shall by reason thereof be disqualified from acting as a Trustee under any of the said former Acts, or this present Act,

Persons lending Money may transfer their Securities.

Persons lending Money not disqualified from acting as Trustees.

And be it further enacted, That no Preference shall be given to any Person or Persons advancing any Sum or

All Creditors to be deemed equal in Degree.

or Sums of Money upon the Credit of this Act, in respect to the Priority of advancing any such Sum or Sums of Money; but that all Persons to whom such Assignments, Grants, or Conveyances shall be made as aforesaid, shall, in proportion to the Sum or Sums therein mentioned, be Creditors on this Act in equal Degree one with another.

Trustees to elect Collectors and Surveyors.

And be it further enacted, That the said Trustees, or any Seven or more of them, may and are hereby authorised and impowered, at their First or any subsequent Meeting, by Writing under their Hands, to elect and appoint fit and proper Persons to be Collectors and Receivers of the said Tolls, and One or more proper Person or 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 Seven or more of them, shall think necessary or convenient, and shall take such Securities for the due Execution of their respective Offices, as the said Trustees, or any Seven or more of them, shall in their Discretion think fit; and such Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, or either or any of them, from Time to Time to remove or displace, and to elect and appoint others in the Stead of such of them as shall be so removed or shall die; Notice thereof, where the same is done at any such subsequent Meeting, being first given and fixed on all the said Turnpikes of the Time and Place of such Meeting, at least Ten Days before such Election, Removal, or fresh Appointment; and may and are hereby authorised and impowered, by and out of the Monies which shall arise by and from the several Tolls aforesaid, to contract for and allow and pay to such Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, and to such other Person and Persons as shall be assisting to them, or either or any 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 them the said Trustees, or any Seven or more of them, shall seem reasonable and convenient.

and may remove them, and appoint others.

Trustees to allow Officers Salaries.

Officers to account upon Oath.

And be it further enacted, That all and every such Collectors and Receivers, Clerks, Treasurers, Surveyors, and other Officers, and all other Persons whatsoever who shall have or receive any of the Mo-

nies

nies which shall be raised, collected, or received by virtue of this Act, shall from Time to Time, when and as often as he or they shall be thereunto required by the said Trustees, or any Five or more of them, produce and give up to 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 had, collected or received, and how, to whom, and for what Purposes such Monies, and every Part thereof, hath or have been paid, disposed of, or applied, together with 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 and appoint; and that all and every the said Officers and Persons, so accounting or to account as aforesaid, shall (if thereunto required by any Two or more of the said Trustees) upon their several Oaths (which said Oaths the said Trustees, or any Two or more of them, are hereby authorised and impowered to administer) verify his or their said Accounts, and the particular Items and Articles thereof; and if either or any of the said Officers or Persons, being required so to do, shall refuse or neglect to render and give up such Account and 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 shall direct or appoint, then, and in every or any of the Cases aforesaid, such Trustees, or any Five or more of them, may and are hereby authorised and impowered, to bring or cause to be brought any Action or Actions, in the Names of such Trustees, or in the Name or Names of any Two or more of them, or in the Name of their Clerk or Treasurer, against the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, for the Recovery of the Monies that shall be in the Hands of such Officer or Officers,

Remedy against Officers refusing to account, by Action.

Upon Complaint made to Two Justices they may cause such Officers to be brought before them.

ficers, Person or Persons respectively; or if Complaint shall be made by the said Trustees, or any Two or more of them, of any such Refusal or Neglect as aforesaid, to any Two 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 Justices may, and are hereby authorised and required, by a Warrant or Warrants under their Hands and Seals, to cause the Officer or Officers, Person or Persons, so neglecting or refusing, to be brought before 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 Party or Parties, or by the Oath or Oaths of One or more Witness or Witnesses, (which said Oath or Oaths, such Justices are hereby impowered to administer) it shall appear to such 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 Justices may, and are hereby authorised and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied and raised by Distress and Sale of the Goods and Chattels 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 the Charges of levying and raising the same, or if such Officer or Officers, Person or Persons, shall not appear before the said Justices at the Time and Place by 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 or Places of Abode respectively, or if, appearing, shall refuse or neglect to give or deliver to the said Justices such Account or Accounts of the Receipts and Payments as aforesaid, or to verify the Truth of such Accounts, and the Items and Articles thereof, upon Oath as aforesaid, or to produce or deliver up to the said Justices the several Receipts and Vouchers relating to such Accounts respectively, and to the Items

and levy the Monies by Distress.

For want of Distress, Offender to be committed,

and

and Articles thereof; then, and in every or any of the Cases aforesaid, the said Justices may and are hereby authorised and required, by a Warrant or Warrants under their 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 and 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 the Items thereof on Oath as aforesaid, and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid all the Monies which shall appear to be in their respective Hands, and the reasonable Charges of such Distresses as shall in those Respects have been made, or such other Charges as shall otherwise have been occasioned by or attending such Complaint or Application to the said Justices, 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 stipulated to be paid to the said Trustees; which said Compositions and Money the said Trustees, or any Five or more of them, are hereby authorised and impowered to make and receive.

till Payment or Composition made.

And be it further enacted, That the said Surveyor or Surveyors so appointed as aforesaid, or any or either of them, 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 authorised and impowered to gather, take, and carry away, for amending the said Roads, or any of them, any Stones lying on the Surface of any Fields adjoining thereto respectively; and also to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials proper for the repairing of the said Roads, or any of them, in, upon, out of, or from, any Waste or Common Grounds, River or Brook, in any Parish, Town, or Place through which the said Roads lead, or adjoining to, or lying near, the Roads aforesaid, or in any neighbouring Parish, Town, or Place, to be used in repairing the same Roads, without paying any Thing for the same; such Surveyors or other Persons levelling the Ground from which such Materials so to be cut or dug shall be taken, or causing the same

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

without paying for the same, levelling the Pits;

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

same to be done: And if sufficient Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials cannot be had or found in or upon such Waste or Common Grounds, Rivers, or Brooks; then, and in such Cases, to cut, dig, gather, take, and carry away, any Quantity or Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials proper and sufficient for that Purpose, in and upon, or out of and from, the Lands or Grounds of any Person or Persons where the same may be had (such Lands or Grounds not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or Meadow Ground planted with any Walk or Walks of Trees, or Avenue to 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 in Writing from and under the Hands of the said Trustees, or any Five or more of them, for so doing, and paying, or offering to pay, such Rates for such Materials, and for the Damage done to the Owners or Occupiers of the Lands and Grounds where and from whence the same shall be digged, gathered, and conveyed, and over which the same shall be conveyed, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between the said Trustees, Surveyors, or other Persons employed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning the said Damages, the Justices of the Peace of the County or Place where the said Furze, Heath, Stones, Gravel, Sand, or Materials, shall be so cut, digged, gathered, taken, and carried away, at their General Quarter Sessions of the Peace to be held in and for the said County or Place next after such Differences shall arise, and on Ten intire 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 Surveyors, or to be left at their respective Places of Abode, with some or One of their respective Families, shall hear, settle, and determine the Matters of the said Damages; whose Judgement or Order therein shall be final and conclusive to all Parties.

making Satisfaction to the Owners of the Grounds.

Justices may determine Differences.

Surveyors may remove Annoyances, &c.

And be it further enacted, 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, from Time to Time (such Surveyor or Surveyors having an Order

Order in Writing from the said Trustees, or any Five or more of them, for that Purpose) to remove and prevent all Annoyances on any Part of the Roads aforesaid, 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 to the Prejudice thereof; and to open, scour, or cleanse any Watercourses or Ditches adjoining to the said Roads, and make the same as deep and large as he or they shall think proper and necessary; and to cut down any Trees or Bushes (Timber Trees excepted) or lop or top any Trees or Bushes growing in any of the said Roads, or in the Hedges or Banks adjoining thereto, and to take and carry the same, in case the Owners or Occupiers of the Premises shall neglect to remove the same, or to cut down and carry away such Trees or Bushes as aforesaid, or to open, scour, or cleanse such Watercourses or Ditches, and to remove such other Annoyances for the Space of Twenty Days next after Notice in Writing given for that Purpose under the Hand or Hands of such respective Surveyor or Surveyors; the Charges whereof (to be settled by the said Trustees, or any Five or more of them) shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers; the same to be recovered in such Manner as the Penalties and Forfeitures given by this Act, and not particularly provided for, are herein after-directed to to be recovered: And if after Removal of any of the said Annoyances, any Person shall again offend in the like Kind; every such Person shall, for every such Offence, forfeit and pay unto the said Trustees the Sum of Twenty Shillings.

turn Watercourses,

scour Drains,

cut down and lop Trees;

Owners neglecting to do the same after the Space of Twenty Days Notice.

Surveyors to be reimbursed the Charges.

Penalty on Second Offence.

And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors (by Order of the said Trustees, or any Five or more of them) out of the Monies arising from the said Tolls, to maintain and support all such Bridges, Causeways, Tunnels, Ditches, and Drains which have already been made in, upon, or under any of the said Roads; and also to erect, maintain, and support all such further Bridges, Causeways, Tunnels, Ditches, and Drains, in, upon, or under the same, or through any Grounds lying contiguous thereto, as they shall think proper; and also to make or cause to be made a Road or Way through any Ground adjoining to any narrow or ruinous Part of any of the said Roads (not being the Ground whereon any House or

Surveyors may make Causeways, &c.

and widen the narrow Part of the Road;

Houſes, or other Buildings, ſtand, or a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any Houſe, or any incloſed Ground planted and ſet apart as a Nurſery for Trees) to be made uſe of by all Paſſengers, Cattle, Carriages, or otherwiſe, as a publick Highway, whilſt the old Road is repairing or widening, and till ſuch Time as it ſhall be convenient and ſafe for Paſſengers and Carriages to paſs through the ſame, making ſuch reaſonable Satisfaction to the Owners or Occupiers of ſuch Ground reſpectively through which any ſuch Road or Way ſhall be made, or on or under which any ſuch Bridges, Arches, or Tunnels ſhall be erected or laid, or through which any ſuch temporary Roads ſhall be made, for the Damages which ſuch Owners or Occupiers reſpectively ſhall or may thereby reſpectively ſuſtain, as ſhall be adjudged reaſonable by the ſaid Truſtees, or any Five or more of them; and in caſe any Difference ſhall ariſe between the ſaid Truſtees and ſuch Owners or Occupiers reſpectively, concerning the ſame, then it ſhall and may be lawful to and for the Juſtices of the Peace, or the major Part of them, at the next General Quarter Seſſions to be holden for the County in which the Matter in Diſpute ſhall lie, to hear, adjudge, and finally determine the ſame, the Party or Parties applying for that Purpoſe giving reaſonable Notice in Writing thereof to ſuch Surveyor or Surveyors; and if any Owners or Occupiers of any Watercourſe, Ditch or Ditches adjoining to any of the ſaid Roads, ſhall neglect or refuſe to cleanſe or ſcour ſuch Watercourſe or Watercourſes, and to make ſuch Ditch or Ditches ſo deep and in ſuch Manner as ſuch Surveyor or Surveyors ſhall adjudge proper and convenient, after Ten Days Notice ſhall be given for that Purpoſe, by ſuch Surveyor or Surveyors, or ſuch Perſon or Perſons as ſhall be appointed by him or them, to ſuch Owners or Occupiers, it ſhall and may be lawful to and for ſuch Surveyor or Surveyors to ſet any Man or Men to Work to ſcour or cleanſe and make the ſame, and by Warrant from any One or more Juſtice or Juſtices of the Peace for the County wherein ſuch Watercourſe or Ditches ſhall lie, to levy the Charges thereof upon the Perſons, Goods, or Eſtates of the Owners or Occupiers of ſuch Watercourſe or Watercourſes, Ditch or Ditches, and by Diſtreſs and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any be) after all Charges of ſuch Diſtreſs and Sale thereout deducted, to the ſaid Owners or Occupiers when by him, her, or them demanded.

making Satisfaction to the Owners.

Juſtices may determine Differences.

Surveyors may ſcour Watercourſes, &c. Owners neglecting to do the ſame.

Provided

Provided always, That in case the antient or former Way over any Ground shall, by virtue or in pursuance of this Act, be turned or diverted, the Inhabitants of the Township, Parish, or Hamlet wherein the old Road which shall thereby be left or discontinued shall lie, shall not be obliged to repair such old Road, unless the said old Road leads to some other Village, Town, or Place than the new Road doth. If Road discontinued, Inhabitants not liable to the Repair thereof.

And be it enacted, That in case the said Trustees, or any Nine or more of them, shall think it proper to widen, turn, or alter the Way or Path of any of the said Roads, and for that Purpose to Purchase any Ground, or Land or Lands, Tenement or Tenements, lying contiguous or near to any Part of the said Roads, or any of them, it shall and may be lawful to and for the said Trustees, or any Nine or more of them, from Time to Time, to make such Purchase or Purchases, and out of the Money arising by or from the Tolls by this Act granted, or out of any Money to be borrowed on the Credit of the said Acts, or this Act, to pay for such House or Houses, Ground, Land or Lands, Tenement or Tenements, and all Charges attending the Purchase thereof. Trustees may turn or alter the Course of the Road.

And wheras it may happen that some Person or Persons, Bodies Politick, Corporate, or Collegiate, Feoffees in Trust, or others, are or may be seised or possessed of some such House or Houses, Ground, Land or Lands, Tenement or Tenements, which, according to the Powers given by this present Act, may, by the said Trustees, be thought necessary or proper to be purchased for such Toll House or Toll Houses, or erecting the same, or to be taken in and added to the said Roads, either for extending, widening, enlarging, diverting, turning, altering, or amending the same as aforesaid, or for a more convenient Passage, and they may be willing to treat and agree to sell such Ground, Land or Lands, Tenement or Tenements, for the Purpose aforesaid, but are or may be incapable of selling, granting, or conveying the same, by reason of some legal Disability or Disabilities; be it therefore further enacted, 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 Trusts, and Bodies Politick, &c. may agree with Trustees for Sale of Lands.

and for all and every Person and Persons whatsoever who are or shall be seised, possessed of, or interested in any such House or Houses, Ground, Land or Lands, Tenement or Tenements, to treat, contract, and agree with the said Trustees, or any Nine or more of them, for Satisfaction to be made them respectively for such their House or Houses, Ground, Land or Lands, Tenement or Tenements, or any Part thereof, or their Interest therein, for the Purposes aforesaid, and to sell and convey the same, as Occasion shall be or require; and that all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Custom, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and that all Feoffees in Trust, Executors, Administrators, Guardians, and Trustees, Corporations, Bodies Corporate or Collegiate, Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do touching the same, by virtue or in pursuance of this Act.

Owners, &c. neglecting to treat,

And be it further enacted, That if any such Owner, Proprietor, Occupier, Body Politick, Corporate, or Collegiate, Feoffees, Trustees, or other Person or Persons interested in such Ground, Land or Lands, Tenement or Tenements, upon convenient Notice to them given or left in Writing at the Dwelling-house or Place of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Ground, Land or Lands, Tenement or Tenements so to be taken into and added to the said Road as aforesaid, or for such more convenient Passage as aforesaid, shall, by the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat about or shall not agree in the Premises, or by reason of Absence shall be prevented from treating; then, and in every, or in any such Case, the said Trustees, or any Five or more of them, shall cause it to be inquired into and ascertained by and upon the Oath of a Jury of Twelve indifferent Men of One, some, or all of the Parishes through or in which the said Roads do lead, or run, or lie (which Oath the said Trustees or any Five or more of them, are hereby impowered and required to administer) what Damages such Owners, Occupiers, or Proprietors, or other Per-

Jury to settle the Damage and Recompence.

ſon or Perſons intereſted or concerned therein, ſhall or may ſuffer or ſuſtain for or by reaſon of the taking in or adding of any ſuch Ground, Land or Lands, Tenement or Tenements, into the ſaid Road, or carrying ſuch Road through the ſame, and what Recompence or Satisfaction ſuch Owners, Occupiers, Proprietors, or other Perſon or Perſons ſuffering thereby ſhall reſpectively have by Reaſon or on Account thereof; and for that Purpoſe, and in order thereto, the ſaid Truſtees, or any Five or more of them, are hereby impowered and required, from Time to Time as it ſhall be neceſſary or requiſite, to ſummon and call before them all and every Perſon or Perſons whatſoever who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, and ſhall examine all ſuch Witneſſes before the ſaid Jury upon Oath (which Oath the ſaid Truſtees, or any Five or more of them, are hereby impowered and required to adminiſter); and they ſhall order and cauſe the ſaid Jury to view the Places in Queſtion, and uſe all other lawful Ways and Means, as well for their own as the ſaid Jury's Information in the Premiſes, as they the ſaid Truſtees, or any Five or more of them, ſhall think fit; and after the ſaid Jury ſhall have ſo inquired of, aſcertained, and ſettled ſuch Damages 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 the ſaid Ground, or Land or Lands, Tenement or Tenements, or other Perſons intereſted therein, according to ſuch the Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgement, Order or Determination ſo had or made, ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons whatſoever claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe, and their reſpective Heirs and Succeſſors, and all Infants, Femes-covert, Bodies Politick, Corporate or Collegiate, and all and every other Perſon and Perſons whomſoever; and all and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon or Perſons any ways intereſted in ſuch Ground, Land or Lands, Tenement or Tenements, ſhall thereby be from thenceforth, to all Intents and Purpoſes, barred and diveſted of all Right,

Witneſſes to be examined on Oath.

Jury to ſettle the Damage and Recompence.

Their Determination to be final.

Title, Claim, Interest, and Property of, in, to, or out of the same.

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

And for the summoning and returning such Jury or Juries, be it further enacted, That the said Trustees, or any Five or more of them, shall and are hereby impowered to issue out their Warrant to the Sheriff of the County where such Ground, Land or Lands, Tenement or Tenements, so intended to be taken in and added to any of the said Roads lies or lie, thereby requiring him to impannel, 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; whereupon such Sheriff is hereby required to impannel, summon, and return such Twenty-four Persons accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear before the said Trustees, or any Five or more of them, shall choose Twelve, who being sworn shall be the Jury for the Purposes aforesaid; and in case any One Piece of Ground or Land so intended to be taken in and added to any of the said Roads shall be situate in both the said Counties of Bedford and Huntingdon, then and in such Case the said Trustees, or any Five or more of them, shall direct their Warrant for the Purposes aforesaid to the Sheriff of any of the said Counties indifferently, who together with the said Trustees shall proceed thereupon in the same Manner as if the said Ground or Land had been situate wholly in One County; and for want of a sufficient Number of Jurymen, the said Sheriff or his Deputy 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; and all Persons concerned shall from Time to Time have their lawful Challenges 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 Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff or Sheriffs, his or their Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons that shall be summoned and returned on such Jury not appearing, or refusing to be sworn on the said Jury, and being so sworn, and refusing and not giving their Verdict concerning the same,

Jurors may be challenged.

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

or

or in any other Manner wilfully neglecting their Duties therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons, who being required to appear and give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear and give Evidence, or be examined touching the same, and from Time to Time to set such Fine or Fines, not to exceed the Sum of Ten Pounds upon any One Person, and from Time to Time levy such Fine or Fines by Distress and Sale of the Goods and Chattels of such Person or Persons, by Warrant from any Five or more of the said Trustees, the same to be applied towards the repairing the said Roads; and the Verdict given on such Occasion or Occasions shall by the said Sheriff, within Ten Days after the same is so given, be transmitted to and shall be entered by the Clerk of the Peace for the Time being, on the Rolls of the Sessions of the said County or Place, and shall be kept among the Records of the Sessions of the Peace for the said County; Transcripts whereof shall be delivered by the Clerk of the Peace for the said County or Place to such Person or Persons as shall require the same, paying therefore to the said Clerk of the Peace a reasonable Satisfaction for his Trouble therein; and the same shall be taken to be good and sufficient Evidence or Proof in any Court of Law or Equity, and shall be final, binding and conclusive, to all Intents and Purposes, against all and every such Person and Persons, Party or Parties whatsoever, their Heirs, Successors, Administrators, and Assigns, and all others claiming any Interest in the said Ground, Land or Lands, Tenement or Tenements, or any Thing thereunto belonging.

Fines not to exceed 10*l.*

And be it further enacted, That all and every such Sum or Sums of Money, Consideration, Recompence, or Satisfaction to be agreed for, ascertained, or assessed as aforesaid, shall be and are hereby charged and chargeable upon all Tolls and Monies which shall be raised, received, collected, or borrowed for the Purposes or by virtue of this Act, and shall be paid thereout accordingly to the Persons intitled thereto, or to their respective Agents; and upon Payment or Tender thereof to the said Persons so respectively intitled thereto, or to their respective 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 Time being,

Consideration Money to be paid out of the Tolls.

being, for the Use of such Person or Persons as the said Trustees, or any Five or more of them, shall appoint the same to be paid unto, and after Three Months Notice thereof given to such Person or Persons, or his, her, or their Agent or Agents, it shall and may be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen, Servants, or Agents, to take into and add to the said Road such said Ground, Land or Lands, Tenement or Tenements, and to do all and every such Act, Matter, and Thing, with relation to the said Ground, Land or Lands, Tenement or Tenements, so taken into and added, or to be taken into and added to the said Road, and to ditch and fence out the same, as the said Trustees, or any Five or more of them, shall think fit; and the said Ground, Land or Lands, Tenement or Tenements, so taken or to be taken in, when the same shall be so ditched or fenced as aforesaid, shall, to all Intents and Purposes whatsoever, from thenceforth become and be, and shall be deemed and taken to be a publick and common Highway, and be from thenceforth Part of the same Road to which the same shall be so added or taken in, not only during the Continuance of this present Act, but for ever after; and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner as other Highways are by Law to be repaired and kept in Repair; and after such Purchase shall be made as aforesaid, and the same shall be made Part of the same Road, and completely repaired and finished, then the Lands and Grounds comprized in or constituting the old or former Road, in lieu whereof the Ground or Land for which such new Road or Way shall be purchased, obtained, or made as aforesaid, shall or may be sold or disposed of by the said Trustees, or any Five or more of them, to such Person or Persons as shall be willing to become Purchasers thereof, for the best Price that can be reasonably had or gotten for the same, and conveyed unto and to the Use of such Person or Persons, and his, her, or their Heirs; and the Money arising by such Sale shall be applied and disposed of for repairing and amending the said Roads; and such Conveyance or Conveyances to be made of the said Lands and Grounds comprised in the said old Road, being executed by the said Trustees, or any Five or more of them, and inrolled with the

Lands purchased to be deemed a publick Highway,

and kept in Repair as such.

Old Road may be sold.

the Clerk of the Peace for such County wherein such old Road lies, shall be good and effectual in the Law to all Intents and Purposes whatsoever.

Owners of adjoining Lands to have Preference in Purchase.

Provided always, That in case the Owner or Owners of any Ground or Land adjoining to any Ground or Land constituting the former Road, shall signify in Writing to any Five or more of the said Trustees, before the new Road shall be completed, his, her, or their Desire to purchase so much of the former Road as shall adjoin to his, her, or their Ground or Land, such Owner or Owners shall be allowed to purchase the same in Preference to any other Person; and if the said Trustees, or any Five or more of them, and the said respective Owners, shall not agree touching the Money to be paid for the Purchase of such Ground or Land, the Value thereof shall be ascertained and settled by a Jury, in such Manner as is herein before directed, with respect to the Valuation of Ground or Land intended to be laid into, or made Part of, the said Road.

Differences to be settled by a Jury.

Power of Trustees not to extend to pull down Dwelling-houses, &c.

Provided also, and it is hereby enacted and declared, That the Power and Authority given to the said Trustees as aforesaid, shall not extend to the pulling down any Dwelling-house or other Building, or taking in the Site of any House or other Building, or to take in any Garden, Orchard, Yard, Court, Park, Paddock, planted Walk, or Avenue to any House, unless the Owner or Proprietor thereof shall consent thereto.

Expences of Jury, how to be borne.

And be it further enacted, That in case any Jury or Juries, to be summoned and sworn pursuant to the Authority of this Act, shall give in or deliver a Verdict or Assessment for more Money, as a Recompence or Satisfaction, for the Right, Interest, or Property of any Person or Persons, in any such Lands, Grounds, or Hereditaments, or for any such Loss or Damage, than what shall have been agreed to, and offered by, the said Trustees, or any Nine or more of them, before the summoning or returning the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property in the said Lands, Grounds, or Hereditaments, or Loss or Damage as aforesaid; that then, and in such Case, the Costs and Expences of summoning and returning the Jury and Witnesses, concerning the ascertaining and determining the Value of any such Right, Property, Interest, or Damages sustained as aforesaid, shall be borne and paid by the said Trustees, or any

Five or more of them, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit thereof: But if any Jury or Juries, so to be summoned and sworn as aforesaid, shall give or deliver in a Verdict or Assessment for no more or for less Money than shall have been agreed to, and offered by, the said Trustees, or any Nine or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, in any such Lands, Grounds, or Hereditaments, or Losses or Damages aforesaid; then, and in such Case, the Costs and Expences of summoning and returning the said Jury and Witnesses, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute.

Trustees not to act where interested.

Provided always, and be it further enacted, That no Person or Persons shall sit or act as a Trustee, in any Case, relating to the contracting for, or purchasing of, any Ground, Land or Lands, Tenement or Tenements, so to be purchased or taken into any of the said Roads, in or to which he or they hath or have any Estate or Interest.

Persons chargeable to the Repair of the Road, to continue so.

And be it further enacted, That all and every Person and Persons who by Law are chargeable towards the repairing and amending any of the said Roads, or any Bridges thereon, under or by virtue of this Act to be repaired, amended, widened, or kept in Repair, shall still remain chargeable, and do their respective Days Works, and contribute and pay towards the Repairs and amending of the said Roads and Bridges in the several Parishes, Townships, and Places in or through which the said Roads do respectively lie or lead, in such Manner as he, she, or they ought to have done before the passing this Act.

And, for the preventing the Differences which may arise between the said Trustees and the Surveyors of the Highways for the Time being, for the several Parishes in or through which the Roads aforesaid do respectively lie or lead, touching what Part of the Statute-work in any Parish, Place, or Division ought to be done on the said Roads respectively; be it further enacted, That it shall and may (yearly and every Year, during the Continuance of this Act) be lawful for the said Trustees, or any Five or more of them, at any of their publick Meetings, upon Application made to them by

Trustees may determine the Statute-work.

the said Turnpike Surveyor or Surveyors, to adjudge and determine what Part or Proportion of the said Statute-work shall be done upon the said Roads respectively by the Inhabitants of each or any of the Parishes in or through which the said Roads respectively lie or lead, so that the same shall not exceed Three Days, nor be done in Hay-time or Harvest; and which said Statute-work shall be done by such Persons at such Times, and in such Manner, and in such Places on the said Roads, as the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by them appointed, shall from Time to Time direct and appoint; and every Inhabitant of the said Parishes or Places who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments of the yearly Value of Fifty Pounds, shall be deemed to keep a Team, and shall do and perform such Work upon the said Roads as Persons keeping Teams are liable to perform; and all and every Person and Persons shall, for every Fifty Pounds a Year of Lands, Tenements, or Hereditaments which they, he, or she shall respectively rent or occupy within any such respective Parish, Place, or Division, send in every Year One Team to perform such Work for so many Days as by this or any other Act he is required or obliged to do the Work called Statute-work upon the same; and where it shall happen that such Lands, Tenements, or Hereditaments lie in Two of such Parishes or Places, that is to say, Part in One and Part in another of such Parishes or Places, then such Person or Persons shall do the same Work as if the same all lay in One Parish or Place.

Inhabitants to perform Statute-work.

Persons renting 50*l. per Annum*, deemed Team-holders.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, from Time to Time during the Continuance of this Act, to compound and agree with any of the Parishes or Townships in or through which any Part of the said Roads do lie or lead, or with any of the Possessors or Occupiers of such Lands, Tenements, or Hereditaments as are or shall be liable or chargeable to the Repair of any Part of the said Roads, for a certain Sum of Money, or otherwise by the Year, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of the Statute or other Work to be done by such Parish or Parishes, Township or Townships, or by such Possessor or Possessors, Occupier or Occupiers of such Lands,

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

Compositions to be entered in a Book.

Lands, Tenements, and Hereditaments chargeable as aforesaid; Copies of all which Compositions or Agreements so to be made by the said Trustees as aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books shall and may at all seasonable Times be seen and perused by any Person or Persons whomsoever without Fee or Reward.

Parish Surveyors to give a List of Parishioners to Turnpike Surveyors.

And be it further enacted, That the respective Surveyor or Surveyors of the Highways for the Time being of all and every the Parish and Parishes in which the said Roads intended to be repaired or kept in Repair by this present Act do respectively lie or shall go through, shall yearly and every Year during the Continuance of this Act, within Fourteen Days after Demand thereof made to him or them in Writing by the Turnpike Surveyor or Surveyors appointed or to be appointed by the said Trustees, or any Five or more of them, under this Act, give and deliver to the said Turnpike Surveyor or Surveyors an exact List or Account in Writing, under his or their Hands, of the Christian and Surnames of all and every Person and Persons in the said respective Parishes who are by Law chargeable towards repairing the Roads in any of the said Parishes, and shall set forth and specify in such List what each Person is respectively chargeable with, for and towards the same; and the said Parish Surveyor or Surveyors for the Time being respectively, within Seven Days after Notice shall be given them, or either of them, by the said Turnpike Surveyor or Surveyors, of the Time when, and how many of the Persons so chargeable as aforesaid he or they would have to do such their respective Statute or Days Works, so adjudged or appointed as aforesaid, in or upon any Part or Parts of the said Roads, shall summon or give publick Notice thereof to the said Person or Persons so chargeable as aforesaid; and if any Parish Surveyor or Surveyors aforesaid shall neglect or refuse to do as they are hereby required and directed to do, he or they for every such Neglect or Refusal shall forfeit the Sum of Forty Shillings, to be levied and recovered in such Manner as any other Forfeiture or Penalty is by this Act directed to be levied and recovered; which said Sum of Forty Shillings shall be paid into the Hands

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of the Clerk or Treasurer to the said Trustees, and be applied towards repairing the said Roads: And if any Person or Persons keeping a Team or Teams, Draught or Draughts, Cart or Carts, or hereby deemed or adjudged to keep a Team, and chargeable towards the repairing the said Roads, shall, after such Summons or publick Notice, neglect or refuse to send their respective Teams, Draughts, or Carts (each Team, Draught, or Cart not to contain less than Three good Horses or Beasts of Draught) with Two able Men to attend the same, to do and perform such their respective Days Works on the said Roads, he, she, or they so neglecting or refusing shall for every such Neglect or Default forfeit and pay the several Sums following (that is to say) the Sum of Ten Shillings for every Team, Draught, or Cart making Default each of the said respective Days; and if any Labourer or other Person or Persons so chargeable towards the repairing the said Road shall at any Time neglect or refuse (after such Summons or publick Notice) to do and perform the said appointed Days Work on the said Roads, he, she, or they shall respectively forfeit the Sum of One Shilling and Sixpence for each of the said Days such Labourer or other Person or Persons shall make Default; and if any Person or Persons who shall (according to such Summons or publick Notice as aforesaid) come to work as Labourers, or be sent with any Team, Draught, or Cart to work on the said Roads, are found idle or negligent by the said Turnpike Surveyor or Surveyors respectively where the Work is to be done, in such Case the said Turnpike Surveyor or Surveyors may, is, and are hereby impowered and required to remove and turn him or them off who shall be found idle or negligent as aforesaid, and it shall be esteemed and taken as if such Person or Persons had not come, or sent any Team, Draught, or Cart to work on the said Road, and he, she, or they shall be subject and liable to do their respective Days Work aforementioned, as if he, she, or they had neglected or refused to do or perform the said respective Days Work so ordered and appointed as aforesaid.

Penalty after Notice on Persons with Teams not coming to work,

and on Labourers.

Negligent Persons to be turned off.

Provided always, and be it further enacted, That if the Surveyor or Surveyors of the Highways for the Time being of any of the said Parishes, Hamlets, or Places shall think the said Trustees, or the Surveyor or Surveyors by them authorised, have directed or appointed

Surveyors may appeal to the Quarter Sessions to determine Statute work.

pointed too large a Proportion of the Statute-work in any Parish, Hamlet, or Place to be done on any Part of the said Roads, it shall and may be lawful for such Surveyor or Surveyors of the Highways aforesaid to appeal to the General Quarter Sessions of the Peace next after such Direction or Appointment to be held for the County wherein such Part of the said Road lies; and the Justices in their said respective Quarter Sessions are hereby authorised and impowered finally to adjust and determine what Proportion of the Statute-work in any Parish, Hamlet, or Place shall be done on such Part of the said Roads; such Surveyor or Surveyors of the Highways as aforesaid first giving Six Days Notice in Writing of such Appeal to the Surveyor or Surveyors appointed by the said Trustees as aforesaid.

Trustees may compound with Travellers.

And be it further enacted, That the said Trustees, or any Twenty-one or more of them, may and they are hereby impowered from Time to Time, as they shall see convenient or think fit, to compound or agree with any Person or Persons using to travel through the Gate or Gates, Turnpike or Turnpikes erected or to be erected on the said Roads, or any of them, with any Waggon, Wain, Cart, Caravan, Horse, Gelding, Mare, or other Beast of Burden, for any Sum or Sums of Money, to be paid Quarterly or otherwise from Time to Time after such Agreement shall be made, so that such Composition or Agreement be not at any one Time made for any longer Term than One Year; Copies of all which Compositions or Agreements so to be made by the said Trustees as aforesaid shall be entered at Length in a Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurer; which said Book or Books shall and may be seen and perused at all seasonable Times by any Person whomsoever without Fee or Reward.

How Composition for Tolls and Statute-work is to be recovered.

And be it further enacted, That in case any Composition-money agreed to be paid for passing through the said Gates or Turnpikes erected or to be erected on any of the said Roads Toll-free, or in lieu of any Statute or Days Work of the Inhabitants of any Parish, Township, or Hamlet in or through which the said Roads do respectively lie or lead, shall not be paid within One Month next after the same shall become payable according to such Composition or Agreement, that then it shall and may be lawful for any Justice

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of the Peace of the County wherein such Person or Persons so compounding as aforesaid shall reside, on Oath being first made before him by the Person authorised by the said Trustees, or any Five or more of them, to receive such Composition-money, upon his Oath that the same has been demanded, and remains unpaid (which Oath such Justice is hereby authorised to administer) to issue his Warrant to such Persons so authorised to receive the same, to levy the same by Distress and Sale of the Goods and Chattels of the Person or Persons so having compounded for passing through any of the said Gates or Turnpikes Toll-free as aforesaid, or of the Person or Persons who shall so compound for or in respect of the said Statute or Days Work, or of the Surveyors of the Highways for the Time being of such Parish, Township, or Hamlet, in respect of whose Statute or Days Work such Composition shall be made, returning the Overplus, after the Charges of such Distress and Sale thereout first deducted.

How Composition-money advanced shall be reimbursed.

And be it further enacted, That if any of the Surveyors of the Highways of and for such Parish, Township, or Hamlet, for which any such Composition shall be made for any Statute or Days Work as aforesaid, shall pay the Composition-money; or in case such Composition-money shall be levied on him in the Manner herein before provided; all and every such Surveyor and Surveyors shall and may be reimbursed the Composition-money he shall so pay, or which shall be so levied on him, together with the Charges of levying the same, in such Manner as, by the Laws now in being, Surveyors of the Highways of this Kingdom are to be reimbursed the Monies by them expended in buying Materials for amending the said Highways.

Lands chargeable to the Roads, to continue so.

And be it further enacted, That if it shall appear to the said Trustees, or any Five or more of them, that any Lands, Tenements or Hereditaments, or any Rents and Profits issuing out of any Lands, Tenements, or Hereditaments, now are, or hereafter shall be liable or chargeable towards the amending the said Roads or Bridges by this Act directed to be repaired, or any Part thereof, such Lands, Tenements, and Hereditaments shall still remain liable and chargeable; and the Possessors and Occupiers of such Lands, Tenements, and Hereditaments are hereby required and directed to pay such Rents and Profits to such Person or Persons as the said Trustees, or any Five or more of them, shall, from

Time to Time appoint to receive the Tolls granted by this Act; and upon Default of Payment thereof, it shall and may be lawful to and for the said Trustees, or any Five or more of them, by Warrant under their Hands and Seals, to levy the same by Distress and Sale of the Goods of such Person or Persons as shall neglect or refuse to make such Payment as aforesaid; and such Rents and Profits when recovered and received shall be applied, from Time to Time, for and towards amending the said Roads and Bridges, and to no other Use or Purpose whatsoever.

Persons liable to repair Bridges, &c. to continue so.

And be it further enacted, That all such Bridges, Causeways, Drains, and Sewers lying or being in the said Roads, as have been heretofore or ought to be maintained or repaired by any particular Person or Persons, Bodies Politick or Corporate, by reason of the Tenure, Enjoyment, or Occupation of any Manors, Lands, Tenements, Hereditaments, Estate or Estates, by any such Person or Persons, Body Politick or Corporate, or by reason of any other Matter or Thing, or otherwise howsoever, shall from Time to Time, be repaired, maintained, and kept in Repair by such Person or Persons, Body Politick or Corporate, liable to the Repair thereof respectively; and in case at any Time during the Continuance of this Act, any such Bridge, Causeway, Drain, or Sewer shall happen to be out of Repair, and the Person or Persons, Body Politick or Corporate liable to repair the same shall, for the Space of Fourteen Days after Notice in Writing for that Purpose given to such Person or Persons, or such Body Politick or Corporate, or their Clerk or Agent, or any Member thereof, under the Hands of Five or more of the said Trustees, refuse or neglect to repair the same; that then, and in such Case, and as often as such Case shall happen, it may and shall be lawful to and for the said Trustees, or any Five or more of them, from Time to Time, as Occasion shall be, by Writing under their Hands, to order the same to be repaired by their Surveyor or other Workman, and the Expence thereof to be paid by their Clerk or Treasurer out of the Money to be raised or levied by force or virtue of this Act; and in case such Person or Persons, Body Politick or Corporate, shall, for the Space of Ten Days after Demand thereof made to such Person or Persons, Body Politick or Corporate, or their Clerk or Agent, or any Member thereof, by the Clerk of the said Trustees, or their said Surveyor, refuse

Penalty on Neglect.

ſuſe or neglect to repay the ſame to ſuch Clerk or Surveyor, then, and in ſuch Caſe, the ſaid Truſtees may and ſhal recover the ſame againſt ſuch Perſon or Perſons, Body Politick or Corporate, by Action of Debt or on the Caſe, in any of His Majeſty's Courts at Weſtminſter, to be brought in the Name or Names of any Two or more of the ſaid Truſtees, or of their Clerk or Treaſurer for the Time being, in which Action or Actions ſo to be brought no Eſſoign, Protection, Privilege, Wager of Law, or more than One Imparlance ſhall be allowed; and the Plaintiff or Plaintiffs in ſuch Action, in caſe he or they obtain or obtained a Verdict or Judgement, ſhall be entitled to full Coſts of Suit, and ſhall have the like Remedy for the ſame, and the Damages recovered in ſuch Action, as any Plaintiff or Plaintiffs hath or have for Coſts and Damages in any other Action or Caſe by Law.

Expences may be recovered.

And be it further enacted, That the ſaid Truſtees, or any Nine or more of them, may, and they are hereby authoriſed and impowered, with Conſent of the Mortgagee or Mortgagees thereof, to leſſen or reduce all or any of the Tolls by this Act granted, and at ſuch of the ſaid Gates or Turnpikes as they ſhall ſee fit at any Time hereafter, and for ſuch Time as they ſhall think proper; and alſo to raiſe and augment the ſame as they, or any Nine or more of them, ſhall think proper, ſo as no greater Tolls be at any Time demanded or taken than are by this Act granted or made payable; and ſhall have ſuch and the ſame Power for levying and recovering ſuch Tolls ſo leſſened as is herein before given for levying and recovering the Tolls afore-mentioned.

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

And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Thirteen or more of them, from Time to Time, by Writing under their Hands and Seals (without any Stamp thereupon) at any Publick Meeting for that Purpoſe, to aſſign, leaſe, demiſe, farm, ſet, or let out the Tolls by this Act granted, or any Part of ſuch Tolls, together with the Toll-houſes and Gates by this Act veſted in them, to any Perſon or Perſons who ſhall be willing to take or farm the ſame, from Year to Year, or for any Part of the ſaid Term hereby granted, not exceeding Three Years together, upon Twenty-one Days Notice in Writing, to be affixed on all the Turnpike Gates to be erected by virtue of this Act, and upon publick bidding to the higheſt Bidder, and for the beſt Price ſuch Truſ-

Truſtees may leaſe, &c. the Tolls.

tees can get for such Toll-houses and Gates, or any Part thereof, payable at such Times, and under such Covenants as the said Trustees, or any Thirteen or more of them, shall think fit (the Person who shall hire the same giving such Security as the said Trustees, or any Thirteen or more of them, shall approve) and to be paid to the said Trustees, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall appoint to receive the same; which Money so to be paid shall be applied and disposed of for repairing the said Roads, and the other Purposes herein mentioned, and to no other Use or Purpose whatsoever.

Trustees may allow Costs of Prosecution.

And be it further enacted, That in case any Action or Prosecution shall be commenced or prosecuted in pursuance of this Act, under the Authority or by the Direction of the said Trustees, or any Five or more of them; in any such Case the said Trustees, or any Five or more of them, shall, out of the Monies arising by the said Tolls, allow and pay to the Prosecutor, or such Person or Persons in whose Name or Names such Action or Prosecution shall be commenced or prosecuted, all such reasonable Costs and Charges as such Person or Persons shall be really and bona fide out of Pocket for or by reason of such Action or Prosecution, or any Judgement or Determination therein, and likewise indemnify all such Persons as shall be prosecuted, or have any Action or Actions brought against them, for or by reason of any Thing done in pursuance of this Act, under the Authority and by the Direction of the said Trustees, or any Five or more of them.

Roads to be measured, and Mile-stones erected;

And be it further enacted, That the said Trustees, or any Five or more of them, may and are hereby authorised, impowered, and required to cause such Part of the said Roads as hath not already been measured, and had Mile-stones or Posts set up, to be measured, and Mile-stones or Posts to be fixed or set up in or on the Sides thereof, with Inscriptions thereon denoting the Number of Miles and Distance of Places; and as often as any such Mile-stones, now or hereafter to be erected, shall decay or become useless to set up others instead thereof; and if any Person or Persons shall willfully or designedly break, pull down, dig up, injure, or destroy any or either of the Stones or Posts already fixed or set up, or shall hereafter be fixed or

Penalty on injuring them.

set

ſet up on any Part of the ſaid Roads, or eraſe, obliterate, or deface any of the Inſcriptions which ſhall be made thereon, or any Part thereof, or cauſe or procure the ſame to be done, every ſuch Perſon offending ſhall, for every ſuch Offence, forfeit the Sum of Forty Shillings for each Stone or Poſt ſo willingly or deſignedly broken, obliterated, defaced or pulled down.

Penalty on haling Timber otherwiſe than on Wheel-carriages.

And be it further enacted, That if any Perſon or Perſons during the Continuance of this Act ſhall hale or draw, or cauſe to be haled or drawn upon, in, or along any Part of the ſaid Roads, any Tree or Trees, Piece or Pieces of Timber, otherwiſe than upon Wheels or Carriages; every ſuch Perſon or Perſons, for every ſuch Offence, ſhall forfeit the Sum of Ten Shillings.

Penalties may be levied by Diſtreſs.

And be it further enacted, That all the Penalties and Forfeitures hereby inflicted (and not otherwiſe directed to be levied, or for the Recovery whereof no particular Method is herein-before directed) ſhall, upon Proof of the Offences reſpectively, for which ſuch Penalties or Forfeitures ſhall be incurred, before any Juſtice of the Peace of or for the County or Place wherein the reſpective Offender or Offenders ſhall reſide, or the Offence be committed, either by the Confeſſion of ſuch Party or Parties, or by the Oath of One Witneſs, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by a Warrant or Warrants under the Hand and Seal of ſuch Juſtice (which Warrant or Warrants ſuch Juſtice is hereby authoriſed and required to grant for theſe Purpoſes, and to adminiſter ſuch Oath gratis); and the Overplus remaining after ſuch Penalties and Forfeitures are recovered, and the Charges of ſuch Diſtreſs and Sale are deducted, ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels; which ſaid Penalties and Forfeitures ſo levied as aforeſaid, or otherwiſe paid, and every Part thereof (except ſuch Parts thereof as are hereby otherwiſe diſpoſed of) ſhall from Time to Time be paid to the ſaid Truſtees or their Treaſurer, and ſhall be laid out in the Repair of the ſaid Roads; and in any of the ſaid Caſes, or in any other Caſe wherein any Diſtreſs or Diſtreſſes are herein-before directed to be taken, ſufficient Diſtreſs ſhall not be found, and ſuch Penalties and Forfeitures ſhall not be paid, it ſhall and may be lawful for ſuch Juſtice, and he is hereby authoriſed and required, by a Warrant or Warrants under his Hand

Application thereof.

For want of Diſtreſs, Offender to be committed.

and Seal, to cause such Offender or Offenders to be committed to the common Gaol of the said County for any Time not exceeding Three Months for the First Offence, or until such Penalties and Forfeitures, and all reasonable Charges, shall be fully satisfied and paid; and for the Second and every other Offence of the same Kind and Nature for any Time not exceeding Six Months or less than One Month, or until such Penalties and Forfeitures by him, her, or them incurred, and all reasonable Charges, shall be fully satisfied and paid.

Persons aggrieved, may appeal to the Quarter Sessions.

And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Act, Matter, or Thing done in pursuance of this Act, and for which no particular Method of Relief hath been herein-before already appointed, such Person or Persons may, within the Space of Four Months next after the doing any such Act, Matter, or Thing, appeal to the Justices of the Peace for the County or Place wherein the said Act, Matter, or Thing shall be done, or Cause of Complaint shall arise, at any General Quarter Sessions of the Peace which shall be held for such County or Place within the said Space of Time next after the doing such Act, Matter, or Thing; such Person first causing Fourteen Days Notice in Writing of such Appeal, and of the Cause or Matter thereof, to be given to the Person who shall be or act as Clerk of the said Trustees in the said County or Place, and within Two Days after such Notice given entering into Recognizance, before One or more Justice or Justices of the Peace of or for such County or Place, with Two sufficient Sureties in such Sums as by such Justice or Justices shall be thought proper, but not less than Forty Pounds, with Condition to prosecute such Appeal with Effect; and the said Justices, upon such Appeal being so made to or brought before them, and due Proof being made of such Notice being given as aforesaid, and such Recognizance being duly returned to them and filed, shall proceed to hear and determine the Matter or Matters of such Appeal or Appeals in such Manner, and shall give and award such Judgement and such Costs therein, as to them shall seem reasonable; and in case the Costs which in any such Cause shall be by them given and awarded, shall not be immediately paid down in Court by such of the Parties to such Appeal as shall be ordered to pay the same, to

Notice of Appeal to be given.

Justices to determine, and award Costs.

the

the Person or Persons intitled to receive the same, or his, her, or their Attorney, or other Person authorised to receive the same, then the said Justices shall at their Discretion, either immediately issue their Warrant for levying the same by Distress and Sale of the Goods and Chattels of the Person or Persons refusing to pay the same, or, if they shall judge proper, shall order such Person or Persons to be forthwith committed to the common Gaol of such County or Place, and there to be detained until he, she, or they shall have paid such Costs; and in case such Person or Persons is or are not then present in Court, shall grant their Warrant for that Purpose; and if the Person ordered to pay such Costs shall happen to live in any County, Riding, City, Liberty, or Place without the Jurisdiction of the said Court, it shall and may be lawful for any Justice of the Peace of the County, Riding, City, Liberty, or Place wherein such Person shall inhabit, and every such Justice is hereby authorised and required, upon Request to him for that Purpose made, and upon a true Copy of the Order for Payment of such Costs produced and proved by some credible Witness upon Oath, by Warrant under his Hand and Seal, to cause the Money mentioned in that Order to be levied by Distress and Sale of the Goods of the Person ordered to pay the same; and if no sufficient Distress can or may be had, to commit such Person to the common Gaol of that County, Riding, City, or Liberty, there to be detained until he, she, or they shall have paid such Costs; and such Subpoenas or other Process for the subpoenaing or summoning of Witnesses to give Evidence in such Appeals, as are usual in any other Cases or Matters triable at such Quarter Sessions, shall, at the Request of any of the said Parties, and upon Payment of the usual Fees, be made out and delivered to the Party or Parties by the Clerk of the Peace of or for the said County or Place.

Methods of recovering them when Persons live out of the Jurisdiction.

Subpœnas for Witnesses.

Provided always, and be it further enacted, That in all Cases, where the Liberty or Right of Appeal or Application to any of the Justices of the Peace in or for any of the Counties aforesaid at their respective General Quarter Sessions, is herein before particularly given and directed to be made at the next General Quarter Sessions of the Peace, and it shall so happen that there is not sufficient Time between the doing the Act or Matter complained of, and the holding such General Quarter Sessions of the Peace, to give the Notice

Where there is not Time before the next General Quarter Sessions to give due Notice,

herein before required, then and in every such Case the Appellant or Appeallants shall be at Liberty to appeal or apply to the General Quarter Sessions of the Peace next but one after the doing such Act so complained of, and intended to be appealed against, giving the Notice for that Purpose, and doing all the previous Acts herein before required; and the said Justices upon such Appeals shall proceed to hear and determine the Matter or Matters thereof, and shall give and award such Judgement, and such Costs therein, as to them shall seem reasonable; and direct and exercise all and every such Ways and Methods of and for the recovering the same as is or are herein after directed or given for the recovering Costs in other Cases of Appeal.

Appeal may be made to the next but one.

Provided always, and be it further enacted, That no Conviction, Judgement, or Order of the Justices of the Peace at their General Quarter Sessions, or of any Justice or Justices of the Peace, or of the said Trustees 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, unless before the issuing of any Writ of Certiorari for that Purpose, 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 Costs and Charges to be awarded by the Court into which such Conviction, Judgement, or Order shall be removed, in case such Writ shall not be prosecuted with Effect, or such Conviction or Order shall be confirmed.

Proceedings not to be quashed for want of Form only;

nor removeable by *Certiorari*.

And be it further enacted, That the said Trustees shall during the Continuance of this Act take Care to have all Receipts, Payments, Debts, Orders, and Contracts had, made, or contracted or entered into for or upon account of the making and amending, widening, directing, or turning the said Roads, and all other the Proceedings of them the said Trustees, to be forthwith fairly written or entered in One or more Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers; which said Book or Books shall and may be seen and perused at all seasonable Times without Fee or Reward by any Person or Persons whatsoever;

Proceedings to be entered in a Book.

whatsoever; and also that any of the said Trustees shall and may have Copies of all or any Part thereof made out by the said Clerk or Treasurer, paying for every Copy not exceeding One hundred Words Sixpence, and so proportionably for any greater or lesser Number of Words; and that all such Orders so entered shall be signed by the said Clerk or Clerks at any Meeting of any Five or more of the said Trustees assembled, as the Case shall require, and such Orders shall be deemed and taken to be original Orders, as if the same were under the Hands and Seals of any Two or more of the said Trustees; which said Books, and also the said Book directed to be kept for registering and entering the said Assignments and Transfers, shall and may be produced and read in Evidence in all Cases of Appeals, Suits, or Actions touching any Thing done in Pursuance and by the Authority of this Act.

Books may be read in Evidence.

And be it further enacted, That when and as often as any of the said Trustees shall die or refuse to act, it shall and may be lawful for the surviving Trustees, or any Seven or more of them, by Writing or Writings under their Hands and Seals, from Time to Time, during the Continuance of the said Term hereby granted, to nominate and appoint One or more fit Person or Persons, qualified as aforesaid, in the Room of such Trustee or Trustees so deceased or refusing to act; and all and every such Person and Persons, so, from Time to Time, nominated and appointed by such Trustees, shall be joined with the surviving and remaining Trustees in the Execution of all and every the Powers in them reposed by virtue of this Act; but Notice in Writing of the Time and Place of Meeting for the Election of such new Trustee or Trustees shall be given, by the Clerk or Clerks to such Trustees for the Time being, on all the Turnpikes or Gates erected or to be erected on the said Roads, at least Ten Days before the Meeting for such Election; and all and every such Person and Persons as shall be so chosen, shall and may, and he and they is and are hereby authorised and impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as such Trustees are by this Act authorised and impowered to act and do.

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

Notice thereof to be given.

And be it further enacted, That the said Trustees, or any of them, shall not be impowered to do any Act in the Execution of the Powers hereby to them given, or any of them, unless with respect to such Acts as any Three of them

Proceedings to be at Meetings only.

Exception.

them are hereby impowered to do, except it be at a Meeting held in pursuance of this Act, and of which due Notice shall have been given; and that with respect to all Meetings in which the Time of Notice has not herein before been specified and declared, Ten Days Notice in Writing under the Hands of any Five or more of the said Trustees shall be affixed on all the said Gates or Turnpikes: And that if any Difference shall arise, touching any Matter or Thing which shall at any such Meeting be offered or proposed to be done, the same shall be determined by the major Part of the said Trustees then present, so as such major Part amount to the Number herein before particularly specified for doing the several and respective Acts hereby directed to be done; and that all the said Trustees shall, at every such Meeting, out of their own Monies pay and defray all their own Charges.

10 Days Notice to be given, where not otherwise directed.

Trustees to defray their own Expences.

No Order to be revoked unless Eleven Trustees be present.

And be it further enacted, That no Act, Order, Determination, or other Proceeding of the said Trustees, or any of them, in the Execution of this Act, shall be revoked, repealed, or altered at any subsequent Meeting, unless Eleven of the said Trustees shall be present, and Fourteen Days previous Notice in Writing shall be given of such Meeting upon all the Turnpikes erected or to be erected on the said Roads.

In Default of a sufficient Number to act,

Clerk to give Notice of another Meeting.

And be it further enacted, That if there shall not appear at any Meeting which shall be appointed to be held by the said Trustees a sufficient Number of them to act at such Meeting; then, and in such Case, the Clerk or Clerks to such Trustees shall and may adjourn the said Meeting to any other Day, by Notice in Writing under his or their Hand or Hands, to be fixed on all the Gates or Turnpikes erected or to be erected on the said Roads, at least Ten Days before the next Meeting, and shall appoint the said Trustees to meet at the House where the Meeting of the said Trustees was appointed to be held, or some other convenient House in or near some Part of the said Roads, on that Day Three Weeks from the Day on which such last Meeting of the said Trustees was appointed to be held.

Trustees in the Commission of the Peace may act as Justices.

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

Trustees (excepting in such Matters, Things, and Respects in which he or they shall be personally interested); in any or either of which said Matters, Things, and Respects, such Person or Persons shall not be entitled or impowered to act either as a Trustee or Justice.

Trustees not to accept of a Place of Profit.

And be it further enacted, That if any Person or Persons appointed or to be appointed by this Act a Trustee or Trustees for putting the same in Execution, shall have or accept of any Place of Profit arising out of or by reason of the Tolls by this Act laid or granted; such Person or Persons shall, during the Time he or they shall enjoy or be possessed of any such Place of Profit, be incapable of acting as a Trustee or Trustees for putting this Act in Execution.

Victuallers, &c. not to enjoy Places of Profit.

And be it further enacted, That no Person or Persons keeping any 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 House of publick Entertainment, or shall sell Ale, Wine, Brandy, or other Spirituous Liquors by Retail.

Writings to be without Stamps.

And be it further enacted, 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 of 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.

Limitation of Actions.

And be it further enacted, That if any Action or Actions, Suit or Suits shall be brought against any Person or Persons for any Thing done 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 the Space of Three Calendar 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 or 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 every of them, may plead the General Issue, and give this Act and the special Matter in Evidence on any Trial or Trials which shall be had thereupon, and that the Matters or Things 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 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 said Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions, or if on any Demurer or Demurers 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 Remedies for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in other Cases by Law.

General Issue.

Treble Costs.

Publick Act. And be it further enacted, 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 whatsoever, without specially pleading the same. 9

FINIS.