Anno decimo

Georgii III. Regis.

An Act for repairing and widening the Road from *Whitchurch*, in the County of *Southampton*, to the Turnpike Road at *Aldermaſton Great Bridge*, in the County of *Berks*.

WHEREAS the Road leading from the North End of Barehill Street in the Town of Whitchurch, in the County of Southampton, through Kingſcleer and Aldermaſton, to the End of the preſent Turnpike Road at Aldermaſton Great Bridge, in the County of Berks, is become very deep and ruinous, and in ſeveral Parts thereof very ſteep and narrow, and cannot be ſufficiently widened, altered, repaired, and kept in Repair by the ordinary Courſe of Law: May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That John Ambroſe, Joſeph Arundel, Francis Anneſley, John Aberey, John Appleton, William Andrews, Martin Anneſley, Bernard Brocas, Samuel Beaver, Richard Bargus, John Burnall of Sidmonton, John Burnell of Itchenſwell, John Brackſtone, James Blatch, the Reverend William Dee Beſt, the Reverend John Bradley, the Reverend John Blair, Charles Bayly, Robert Blanch, the Reverend James Burnell,

Preamble.

Truſtees Names.

Burnell, the Reverend John Burton D. D. the Reverend Walter Bigg, John Berry, Henry Bunce, Joſhua Bathe, John Biggs, James Bates, Thomas Bates, John Baſſett junior, William Bennett, John Bailey, Charles Blackſtone, Jonathan Butler, Richard Bird, Thomas Craven, Ralph Congreve, Robert Carr, William Colſell, Nathaniel Cliffold, the Reverend John Craven, the Reverend John Clarke, Thomas Cowdrey, John Carter of Beenham, John Charker, John Collett M. D. John Cane, Richard Cox, William Crook, Richard Clark, Roger Cannon, John Cannon, John Dodd, George Darby, John Dean, the Reverend William Dean, Richard Digweed, the Reverend Richard Davies, the Reverend John Davies, William Drake, Thomas Dyer, John Dredge, Thomas Dicker, Richard Dicker, William Dicker, Matthew Dyer, Samuel Dyer, John Duke, George Dewar, Thomas Edwards, the Reverend William Etwall, William Eames, Ralph Etwall, the Right Honourable Arthur James Plunkett commonly called Earl of Fingall, John Fielder, Thomas Flory, Stephen Flory, William Flower, Francis Flower, John Field, Thomas Foſter, Samuel Fennell, Sir John Griffin Griffin Knight of the Bath, Chriſtopher Griffith, William Garrett, William Green, John Green, Joſeph Godwin, Robert Gover, Edward Gunnell, Jacob Groſe, Joſeph Godden, John Godden, John Godden junior, Thomas Gale, George Goddard, Edward Goddard, Richard Goddard, George Woodward Grove, Sir Thomas Gatehouſe Knight, Henry Greatham, Henry Grainger, the Honourable Robert Henley commonly called Lord Henley, the Honourable Henry Herbert, John Potter Harris, the Reverend William Hillman, the Reverend Benjamin Hill, Thomas Hall, Thomas Hall junior, William Hillier, Edward Hatherell, John Harris, Joſeph Head, Richard Hide otherwiſe Sweetzir, Charles Hyde, Thomas Hyde, Francis Hewett, William Holding, Edward Hawkins, Robert Holdway, Edward Hooper, Giles Hillman, Roger Hall, Rawlins Hillman, Colonel Philip Jennings, John James, Joſhua Iremonger, George Jones, John Iremonger, Robert Kingmill, John Kirkby, the Vicar of Kingſcleer for the Time being, Robert Kewell, Benjamin Lethieullier, John Limbery, John Long, James Larckomb, Abraham Lawrence, Richard Leverſuch, Sir Sidney Medows Knight, John Mount, Robert Mackreth, James Morgan, Charles Mein, the Reverend James Morgan, George Morgan, Joſeph Mabberley, Joſeph Mundy, Peter Matthews, James Makittrith M. D. Benjamin Mundy, the Honourable and Reverend William Neville, William Norton, John Nutley, Peter Oſman, William Oſman, the Reverend

rend Thomas Oſbourn, Henry Penton, George Powlett, Joſeph Portall, Thomas Pryor, James Chicheley Plowden, William Poyntz, Edmund Portſmouth, the Reverend Charles Powlett, Richard Pierce, Thomas Paice, William Penton, Samuel Priſmall, George Powlett, John Pollen, John Pollen junior, the Reverend Gregory Parry Clerk, John Pyle, John Pugh, Edward Pugh, Walter Pyle, the Reverend David Renaud, Edward Rolfe, John Rogers, Chriſtopher Rawlinſon, Richard Ring, Sir Simeon Stuart Baronet, George Auguſtus Selwyn, Thomas Slater, Richard Soper, Henry Skeat, Joſeph Saunders, Thomas Sidney, William Stephens, Sir Harry Saint John Knight, the Reverend Richard Smith, Thomas Smith of Kingſcleer, Thomas Smith of Burghcleer, Joſeph Stevens, Richard Sambourne, William Sweetapple, the Honourable Thomas Townſhend, the Right Honourable Thomas Townſhend junior, John Turton, Charles Thorngate, Joſeph Talmadge, Charles Tomlins, William Thomas, John Tyler, Richard Turner, Thomas Tull, Robert Paris Tayler, Hinton Talmadge, Arthur Vanſittart, Joſeph Vincent, John Vincent, Earle Vincent, the Honourable Henry Wallop, the Dean of Wincheſter for the Time being, the Vicar of Whitchurch for the Time being, the Reverend Zachary Whiting, Richard Webb, William Whither, John Waight, John Wix, William Willmot, Charles Wymondeſold, Thomas Webb, Thomas White, Joſeph Wooff, James Walter, Joſeph Wakeford, Alexander Willis, William Yalden, ſhall be, and they and their Succeſſors, to be elected in Manner herein-after mentioned, are hereby appointed Truſtees, for ſurveying, ordering, widening, turning, altering, amending, and keeping in Repair, the Road aforeſaid, and for putting in Execution all other the Powers by this Act given.

Qualification of Truſtees.

Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, 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, of the clear yearly Value of Fifty Pounds above Reprizes; or poſſeſſed of a perſonal Eſtate of the Value of One thouſand Pounds; or ſhall be Heir-apparent of a Perſon poſſeſſed of an Eſtate in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds: And if any Perſon not being ſo qualified ſhall preſume to act, contrary to the Intent and Meaning hereof; every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame;

to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is so qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in Execution of this Act.

First Meeting. And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet together at the House of William Waite, known by the Sign of the White Swan, in Kingscleer aforesaid, upon the Monday Fortnight after the Day of passing this Act; and shall then chuse a Clerk or Clerks, to write their Orders, and take Minutes, and make Entries of their Proceedings, and for other Purposes; and shall then, and from Time to Time afterwards, adjourn themselves to meet at such Place or Places, within or near the said Road, as they shall think most convenient, for putting this Act in Execution; and that Two Trustees present at any Meeting shall be sufficient for the Purpose of Adjournment of any Meeting; and if there shall not be more than One Trustee present, then it shall and may be lawful for the Trustee then present, or the Clerk or Clerks to the Trustees, from Time to Time as such Case shall happen, to cause Notice in Writing to be affixed on all the Turnpikes that shall be then erected on the said Road; or if no Turnpike shall be then erected, to cause the like Notice to be affixed in the most conspicuous Place in the said Towns of Whitchurch, Kingscleer, and Aldermaston, at least Ten Days before the intended Meeting, appointing the said Trustees to meet at such Place where the preceding Meeting was appointed to have been held, at any Time, not exceeding Four Weeks after the Day for which such last Meeting was appointed; and in case it shall happen that no such Adjournment shall be made at any Meeting of any Two or more Trustees as aforesaid, or that no Notice or Appointment for Meeting shall be given or made by the Trustee or Trustees, or Clerk or Clerks as aforesaid, or that no Meeting shall be held pursuant to any Adjournment, or Notice, or Appointment, or for want of a proper Adjournment, or Notice, or Appointment, by which Means, or by some or One of them, the Intent of this Act might be frustrated; then, in all or either of the said Cases, it shall and may be lawful for any Five of the Trustees, though not assembled at a Meeting in pursuance of this Act, to cause Notice in Writing to be affixed upon all the Turnpikes that shall be then erected on the said Road;

Two Trustees sufficient to adjourn.

Road; or if no Turnpike shall be then erected, to cause the like Notice to be affixed in the most conspicuous Place in the said Towns of Whitchurch, Kingscleer, and Aldermaston, at least Ten Days, and not exceeding Twenty-one Days, before the intended Meeting, appointing the Trustees to meet at such Time, and at such Place, within or near the said Road, as they the said Five Trustees shall think convenient; and the said Trustees, when met in pursuance of every or any such Notice or Appointment as before mentioned, shall and may proceed and carry this Act into Execution; and no Meeting of the Trustees shall be adjourned for any longer Time, than Eight Weeks from the Day on which such Adjournment shall be made; and that no Business shall be done or proceeded upon, by the Trustees, at any Meeting, before the Hour of Ten in the Forenoon; and that no Adjournment or Appointment of Meeting shall be made, to any Hour later than Two in the Afternoon of the Day on which such Meeting shall be held; and all Orders and Determinations of the said Trustees, in Execution of this Act, shall be made at Meetings to be held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be made, unless the Majority of the Trustees present at a Meeting shall concur therein, such Majority not being less than the Number of Trustees by this Act authorised to make any such Order or Determination; nor shall such Order or Determination be revoked or altered at any subsequent Meeting, unless Nine Trustees shall be present; and every Act, Order, or Determination, agreed upon at any Meeting, shall be signed at the said Meeting by a competent Number of Trustees; and the said Trustees, at all their Meetings, shall defray their own Expences: But no Person shall be capable of acting as a Trustee in the Execution of any of the Powers hereby granted, during the Time he shall hold any Place of Profit under this Act; but all such Trustees as are or shall be Justices of the Peace, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Adjournments.

No Order to be revoked, unless Nine Trustees be present.

Trustees to bear their own Expences.

No Trustee to hold a a Place of Profit.

And be it further enacted by the Authority aforesaid, That when and as often as any Trustee shall die, or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, to elect, nominate, or appoint One other Person to be a Trustee, in the room of such Trustee so deceased, or refusing to act; but Notice in Writing of the Time and Place of Meeting for every such Election, shall be given by the Clerk or Clerks to the said Trustees, by affixing the same

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

Notice of Election to be given.

same in Writing upon all the Turnpikes in or upon the said Road, at least Ten Days before every such Meeting; and all Persons who shall be so elected and duly qualified, are hereby vested with the same Powers for the putting this Act in Execution, as the Persons in whose Places they shall be respectively chosen were vested with.

Trustees may erect Turnpikes, and take Tolls thereat.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, from Time to Time, erect or cause to be erected such Gate or Gates, Turnpike or Turnpikes as they shall think necessary, upon or across the said Road, and also upon the Sides thereof, and across any Street, Way, or Lane leading into the same; and also so many Toll-houses, with suitable Out-buildings as they shall think proper; and may also take in and inclose from any Common or Waste near the said Road, a Garden Plot to each Toll-house, suitable and convenient thereto, not exceeding One Quarter of an Acre; and shall or may provide and maintain a Lamp or Lamps, with proper Furniture, at or near each Turnpike across the said Road; and may cause any such Turnpike or Turnpikes, Toll-house or Toll-houses to be taken down, removed, or altered, in such Manner as they shall think meet and expedient; and that the Tolls following shall be demanded and taken, before any Cattle or Carriage shall be permitted to pass through any of the same Toll-gates or Turnpikes respectively; that is to say;

Tolls.

For every Horse, or other Beast, or Cattle, drawing in every Carriage, the Sum of Three-pence.

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, any not drawing, the Sum of One Penny.

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten-pence per Score, and so in proportion for any greater or less Number.

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

Tolls may be levied by Distress.

Which said respective Sums of Money shall be demanded and taken in the Name of, or as a Toll; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect such Tolls, by him or themselves, or taking such Assistance as he or they shall think necessary, to seize and distrain any Horse or other Cattle, or Beast, with the Har-

nels or Accoutrements, or any Carriage, upon which any such Toll is by this Act imposed, with its Loading, or any of the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the same; and if such Tolls, and the reasonable Charges of such Seizure and Distress, and of keeping the same, shall not be paid within the Space of Four Days after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse, Cattle, Beast, Carriage, Harness, or Goods and Chattels so seised and distrained, returning the Overplus, if any be, and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls and all reasonable Charges shall be deducted; and all the Tolls collected or levied by virtue of this Act shall be and are hereby vested in the said Trustees, and shall be applied or may be assigned in such Manner as is herein-after mentioned.

Distress may be sold after 4 Days.

Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of the Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining to retain the same, or the Money arising from the Sale thereof, as the Case may happen, till the Quantity of the Tolls or Charges of distraining, keeping, and selling the Distress, as the Case shall happen, shall be ascertained by some Justice of the Peace for the County where the Turnpike shall stand, at which the said Tolls became due; who, upon Application made to him for that Purpose, shall examine the Matter by Oath of the Parties, or other Witness or Witnesses, and shall determine the Quantity of the Toll due, and shall also assess the Charges of such Distress, and the keeping and selling the same, and also of the Collectors and other Attendance for that Purpose upon the said Justice; all which Sum and Sums so determined and assessed, shall be paid to the said Collector before he shall be bound to return the said Distress, or the Overplus after Sale thereof, or any Part thereof.

Justice to settle Disputes concerning the Tolls.

Provided always, That no Person shall be liable to pay more than Two full Tolls for passing or repassing at any Time or Times with the same Horses, Cattle, or Carriages in the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, through all or any of the Turnpikes to be erected by virtue of this Act; nor shall pay Toll any more than Once in any One Day, to be computed as aforesaid, for passing and repassing through any One of such Turnpikes: But that all and every Person and Persons, after having paid such Tolls or Toll respectively

But Two full Tolls to be paid for passing through all the Turnpikes;

and but One for passing through any One.

tively as aforesaid, shall, upon producing a Note or Ticket, Notes or Tickets, denoting such Payments or Payment, afterwards pass and repass with such Horses, Cattle, Beast, or Carriage Toll-free during such Day, to be computed as aforesaid, through the respective Gate or Gates where such Payment or Payments respectively was or were made; which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis on the Receipt of the Toll.

No Turnpikes to be at *Aldermaston.*

Provided always, That no Turnpike or Toll-gate shall be set up or erected by virtue of this Act within the Town and Parish of Aldermaston aforesaid, or between the said Town and the Extremity of the said Road at Aldermaston Great Bridge.

Turnpikes, &c. vested in Trustees.

And be it further enacted by the Authority aforesaid, That the said several Gates or Turnpikes, Toll-houses and Garden Plots, erected or provided by virtue of this Act, and the Rights and Properties to and of the same, and the Materials of which the same shall consist, and of the Lamps and other Conveniencies, Tools, Instruments, and Requisites to be provided for the Purposes of this Act, shall be, and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby authorised and impowered to bring, or cause any Action or Actions to be brought in the Name or Names of any One or more of the said Trustees, or of their Treasurer or Clerk, or to prefer, and order and direct the preferring of Indictments against any Person or Persons who shall injure the same, or disturb them in the Possession thereof, or take or retain, or hold Possession thereof, or any Part thereof.

Application of the Monies.

And be it further enacted by the Authority aforesaid, That out of the Tolls or Monies to be borrowed upon the Credit thereof, the said Trustees, or any Five or more of them, shall in the First Place pay all the Expences incurred in and in relation to the obtaining this Act; and that afterwards all such Tolls and Monies shall be applied in defraying the Expences of erecting and providing the Turnpikes and Toll-houses, and of repairing, widening, altering, turning, and keeping in Repair the said Road, and of executing the other Purposes of this Act, and to no other Use whatsoever.

Tolls may be varied.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Seven or more of them, at their First Meeting, and from Time to Time assembled at any subsequent Meeting or Meetings to be held for that Purpose, to vary, lessen, or alter all or any of the Tolls hereby

granted at all or any of the said Turnpikes, and for such Time or Times as they shall think proper; and afterwards from Time to Time to advance all or any of the Tolls so lessened, to any Sum or Sums of Money not exceeding the respective Rates herein before mentioned, and so as such Reduction be with the Consent of the several Persons who shall be intitled to Three Fourths at the least of the Money then due on the Credit of this Act; but no such Reduction shall be made at any Time after such First Meeting, unless Notice in Writing of the Meeting to be held for making such Reduction be affixed upon all the Turnpikes then erected across the said Road, at least Twenty-one Days before such Meeting; and such Tolls, so varied, lessened, or altered, shall be collected, recovered, and applied, in the same Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

Trustees may compound with Travellers.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may and are hereby impowered, from Time to Time, as they shall see convenient, to compound and agree for any Term not exceeding One Year at any One Time, with any Person or Persons for any Carriages, Horses, Cattle, or Beasts travelling upon the said Road, for all or any of the Tolls to be paid for or in respect of such Carriages, Horses, Cattle, or Beasts; so that no such Composition shall be made for any Cattle or Carriages travelling for Hire, or for or in respect of any Waggon, Wain, Cart, or Horses, or Beasts of Draught drawing the same, unless such Waggons, Wains, and Carts have the Fellies of the Wheels thereof of the Breadth or Gage of Nine Inches; and all such Composition-money shall be paid yearly in Advance, to the Treasurer or Treasurers of the said Road; and in Default thereof, the Composition or Agreement with the Person or Persons making such Default shall from thenceforth be void; and all such Composition-monies shall be applied in such Manner as the Tolls in respect whereof such Composition is made are directed to be applied.

Trustees may lease the Tolls.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time, by Writing under their Hands and Seals, to lease the Tolls arising within or in relation to the said Road, or any Part or Parts of such Tolls, unto any Person or Persons, from Year to Year, or for any Term of Years not exceeding Three Years, for the best Rent that can be got for the same, payable at such Times, and under such Covenants,

nants, and to such Person or Persons as they the said Trustees, or any Five or more of them, shall direct or appoint: But in case any Lease shall be made of the said Tolls, or any Part thereof, contrary to the true Intent and Meaning of this Act, every such Lease shall be void; and the Person and Persons to whom the said Tolls shall have been let or farmed as aforesaid, shall be liable to account for the same to the said Trustees, or any Five or more of them; and the same shall be levied and recovered upon and from him and them by the same Ways and Means, and in such Manner, as the Tolls granted by this Act are herein directed to be levied and recovered from the Collectors thereof; and the Monies arising by such Leases shall be applied in such Manner as the Tolls so leased are directed to be applied.

Penalty on Persons avoiding the Tolls.

And be it further enacted, That if any Person or Persons shall go or pass with any Cattle or Carriage through or over any Land, Ground, or Place lying by the Side of or near to the said Road, the same not being a public Highway, in order or with Intent to avoid the Payment of the Tolls by this Act granted, or any Part thereof; or shall forge, counterfeit, or alter, or shall deliver to or receive of any other Person or Persons any Note or Ticket with Intent to avoid the Payment of any or any Part of the said Tolls; or if any Person or Persons owning or occupying any Land, Ground, or Place, not being a public Highway, shall knowingly and wittingly permit or suffer any other Person or Persons to go or pass with any Cattle or Carriage through or over such Land, Ground, or Place, in order or with Intent that the Payment of any of the said Tolls, or any Part thereof, should be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse or Beast of Draught from any Waggon, Wain, Cart, or other Carriage, or shall do any other Act in order or with Intent to avoid the Payment of the said Tolls, or any Part thereof; such Persons, and every of them, shall for each Offence forfeit the Sum of Forty Shillings, over and besides such Damages and Punishments as they shall be otherwise liable to by Law; to be levied and recovered by such Means, and in such Manner, as are herein after mentioned and provided for the levying and recovering of Penalties and Forfeitures imposed by this Act; One Moiety whereof, when raised, shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the other Penalties and Forfeitures are herein after directed to be applied.

Penalty on counterfeiting Tickets,

or permitting Passage thro' private Grounds,

taking off Horses, &c.

And

And whereas some Parts of the said Road lead over Commons, Common Fields, or Waste Grounds, and the Payment of the Tolls hereby granted may, by reason of the Width of the said Commons, Common Fields, or Waste Grounds, be avoided; be it therefore enacted, That the said Trustees, or any Five or more of them, shall and may cause to be fenced or ditched off such Parts of the said Commons, Common Fields, or Waste Grounds, as they shall think necessary, in order to prevent the Payment of the said Tolls being evaded. Fencing off Commons.

And be it further enacted by the Authority aforesaid, That no Toll shall be taken for any Carriage or Cattle going unloaden for, or being loaden only with, or returning after having gone loaden only with any Materials for repairing the said Road, or any other Highway or Road; or for any Carriage or Cattle carrying any Hay or Corn in the Straw, not sold or disposed of, but passing to be laid up in the Houses, Out-houses, Barns, or Yards of the Inhabitants of any of the Parishes or Places through which the said Road doth lead; or for any Horses, Cattle, or Carriages going with or for any Ploughs, Harrows, or other Implements of Husbandry, belonging to any of the said Inhabitants; or for any Cattle going to or from Plough or Harrow belonging to any of the said Inhabitants; or for any Carriage or Cattle carrying any Lime, Chalk, Dung, Mould, or Compost of any Kind whatsoever to be employed in Husbandry, or for manuring or stocking of Land in such Parishes or Places, excepting Ashes commonly called Peat Ashes and Turf Ashes; or for any Horses or other Cattle employed in the conveying of any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties in which the Turnpike-gates shall be respectively situated, on the Day of such Election; or for any Post Horse or Carriage carrying the Mail or Packet; or for any Horse, Ox, Cow, Sheep, or other Cattle going to or returning from Pasture or Watering-places; or for the Horses of Soldiers who are upon Duty, or Waggons or Carriages attending them: And 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 for every such Offence the Sum of Forty Shillings. Persons and Things exempted from Tolls. Penalty on making illegal Claims.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Seven or more of them, at their First or any subsequent Meeting or Meetings to be held in pursuance of For borrowing Money.

this Act, upon the Credit of the Tolls arising by virtue of this Act, to borrow and take up at Interest such Sum or Sums of Money as they, or any Seven or more of them, shall think fit; and may and are hereby impowered to assign over and mortgage the said Tolls, or any Part or Parts thereof, the Costs and Charges of such Assignments or Mortgages to be paid out of such Tolls, as a Security to any Person or Persons, or their Trustees, who shall advance the same, by the following Words of Assignment under their Hands, or by any other Words for that Purpose:

Form of Assignment.

BY virtue of an Act made in the Tenth Year of the Reign of His Majesty King *George* the Third, *for repairing and widening the Road from* Whitchurch, *in the County of* Southampton, *to the Turnpike Road at* Aldermaston Great Bridge, *in the County of* Berks; we of the Trustees, in Consideration of the Sum of to the Treasurer of the said Road in Hand paid, do assign unto *A B*, his Executors, Administrators, or Assigns, such Proportion of the Tolls arising by virtue of the said Act, as the said Sum of shall bear to the whole Sum advanced or to be advanced on the Credit of the same; to be had and holden from this Day of in the Year of our Lord for and during the Continuance of the said Act, unless the said Sum of with Interest at the Rate of *per Centum per Annum* shall be sooner repaid and satisfied.

Assignments to be entered in a Book.

And Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose, by the Clerk or Clerks, Treasurer or Treasurers, to the said Trustees; but no Money shall be borrowed upon the Credit of the said Tolls, after such First Meeting, unless Notice be for that Purpose fixed in Writing upon all the Turnpikes in or upon the said Road, at least Ten Days before the borrowing thereof; and all and every Person and Persons, to whom any such Assignment or Assignments shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may from Time to Time assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest thereby secured, to any Person or Persons whatsoever, indorsing on the Back of such Security, before One credible Witness, the following Words, or Words to the like Effect:

I do

I Do transfer this Aſſignment, with all my Right and Title to the Principal hereby ſecured, and to all the Intereſt now due upon the ſame, unto his Executors, Adminiſtrators, or Aſſigns. Dated this Day of

Form of Transfer.

Witneſs, *G. H.* *J. K.*

Which ſaid Transfer or Aſſignment ſhall be produced and notified to the ſaid Clerk or Clerks, Treaſurer or Treaſurers, who ſhall cauſe an Entry or Memorial to be made of ſuch Aſſignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money therein 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 ſuch Sum as the ſaid Truſtees, or any Five or more of them, ſhall appoint, not exceeding the Sum of Two Shillings and Sixpence; and after ſuch Entry made, but not till then, every ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her, and their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and every ſuch Aſſignee may in like Manner aſſign again, and ſo toties quoties; and in caſe any Sum or Sums ſo aſſigned ſhall not exceed the Sum of Fifty Pounds, it ſhall and may be lawful to and for the reſpective Perſon or Perſons, then intitled to ſuch Aſſignment reſpectively, by an Indorſement of his, her, or their proper Name, with or without Witneſs, to tranſfer his, her, or their Property in ſuch Aſſignment or Aſſignments, to any other Perſon or Perſons, without any Entry to be made thereof in the ſaid Book or Books to be kept for entering the ſaid original Mortgages or Aſſignments; and all ſuch Transfers and Aſſignments 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 or tranſfer the ſame again, and ſo toties quoties; and it ſhall not be in the Power of ſuch Perſon or Perſons, who ſhall have made ſuch Aſſignments reſpectively, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof; and all and every Perſon or Perſons, to whom any ſuch Mortgage or Aſſignment ſhall be made as aforeſaid, ſhall be, in proportion to the Sum or Sums therein mentioned, Creditors on ſuch Tolls, on the Credit whereof ſuch Sum or Sums are advanced, in equal Degree one with another, and

Aſſignments to be entered in a Book.

Clerk's Fee.

No undue Preference to be given.

shall have no Preference in respect of the Priority of any such Monies so advanced.

Trustees may appoint Officers;

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, from Time to Time, by Writing under their Hands, appoint One or more Collector or Collectors of the Tolls, and One or more Clerk or Clerks, Treasurer or Treasurers, and Surveyor or Surveyors of the said Road, and such other Officers as the said Trustees, or any Five or more of them, shall think necessary; and from Time to Time to remove any or either of such Officers and other Persons, and appoint others in the room of such of them as shall be so removed or shall die; Notice of the Time and Place of Meeting for electing such other Collectors, Clerks, or Treasurers, being fixed upon all the Turnpikes erected by virtue of this Act, at least Ten Days before such Election; and out of the Monies to arise by virtue of this Act, the said Trustees, or any Five or more of them, may make such Allowance to the said Officers and Persons, as to them the said Trustees, or any Five or more of them, shall seem reasonable; and all such Officers and Persons shall, under their Hands, at such Time and Times, and in such Manner as the said Trustees, or any Five or more of them, shall direct, deliver to such Trustees, or such Person or Persons as they, or any Five or more of them, shall appoint, true and perfect Accounts in Writing of all the Monies which shall have been by such Officer or Officers, and Person or Persons respectively, received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint; and all the said Officers and Persons so accounting as aforesaid shall upon Oath, if thereunto required by the said Trustees, or any Five or more of them, (which Oath the said Trustees, or any Two or more of them, are hereby impowered to administer) verify their said Accounts: And if any such Officer or Person shall not make and render, or refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to the said Trustees, or any Five or more of them, within Ten Days after being thereunto required by any Five or more of such Trustees, all the Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act; or shall refuse or neglect

and remove them, and appoint others.

Notice of Election to be given.

Trustees to allow Officers Salaries.

Officers to account upon Oath;

They refusing to account,

neglect to pay such Monies 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 either 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 Name of such Trustees, or in the Name or Names of any One or more of them, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint shall be made of any such Refusal or Neglect as aforesaid, to any One or more Justice or Justices of the Peace for the County or Place wherein such Officer or Officers, Person or Persons, so neglecting or refusing shall be and reside, such Justice or Justices may and are hereby authorised and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause or order the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, to be brought before him or them; and upon his and their appearing, or not being to be found, to hear and determine the Matter 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 Testimony of any credible Witness or Witnesses upon Oath, which Oath such Justice or Justices is and are hereby impowered and required to administer without any Fee or Reward, it shall appear to such Justice or Justices, that any of the Monies that shall have been collected or raised by virtue of this Act, shall be in the Hands of such Officer or Officers, Person or Persons; such Justice or Justices may, and are hereby authorised and required, upon Nonpayment thereof, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively: And if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Monies, and the Charges of distraining and selling the same; then, and in either of the Cases aforesaid, such Justice or Justices shall commit every such Offender to the Common Gaol of such County or Place where such Officer or Officers, Person or Persons, shall live or reside;

may be sued.

Justices to enquire into the Default.

Balance to be levied by Distress.

For want of Distress, Offender to be committed.

reſide; there to remain without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Truſtees, or any Five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make, or until he ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, and give Satisfaction in reſpect thereof to the ſaid Truſtees, or any Five or more of them.

Officers to give Security.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall take ſuch Security from their Treaſurer or Treaſurers, Receiver or Receivers, and other Officer and Officers, for the due Execution of his or their Office or Offices, as the ſaid Truſtees, or any Five or more of them, ſhall appoint.

Truſtees may appoint Officers, though not at a public Meeting.

Provided always, That as often as any Collector of the Tolls ſhall die, or be incapable of performing his Duty, it ſhall and may be lawful for any Five or more of the ſaid Truſtees, though not aſſembled at a Meeting in purſuance of this Act, by any Writing under their Hands, to appoint One other Perſon to collect ſuch Tolls; and the Perſon ſo appointed ſhall have the ſame Authority for Recovery thereof as the Perſon he ſhall ſucceed was veſted with, until the ſaid Truſtees, or any Five or more of them, ſhall, at a Meeting to be held by virtue of this Act, appoint a Collector of ſuch Tolls.

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

And be it further enacted by the Authority aforeſaid, That the Surveyor or Surveyors of the ſaid Road, or any Part thereof, and ſuch other Perſon or Perſons as ſhall be employed by ſuch Surveyor or Surveyors, or by the ſaid Truſtees, or any Five or more of them, is and are hereby impowered to cut, dig, gather, take and carry away any Furze, Chalk, Sand, Flints, Heath, Stones, Gravel, or other Materials proper for repairing of the ſaid Road, in, upon, or out of and from any Waſte Grounds or Commons, in any Pariſh, Town, or Place, in which any Part of the ſaid Road lies, or in any neighbouring Pariſh, Town, or Place, without paying any Thing for the ſame, ſuch Surveyors or other Perſons filling up the Pits, and levelling the Ground from whence ſuch Materials ſhall be taken, or railing or fencing off, or ſloping ſuch Pits, ſo that the ſame may not be dangerous to Paſſengers or Cattle: And if ſuch Quantities of Furze, Heath, Stones, Gravel, Chalk, Sand, Flints, or other Materials proper and ſufficient for that Purpoſe,

without paying for the ſame, levelling the Pits;

cannot be had or found in or upon such Waste Grounds or Commons contiguous to that Part of the said Road intended therewith to be repaired; then, and in such Case, the said Surveyor or Surveyors, or other Persons as aforesaid, may, by Order of the said Trustees, or any Five or more of them, dig, gather, take and carry away, any such Materials as aforesaid, in, upon, or out of, from, and over the Lands of any Person or Persons, not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House, or any inclosed Grounds planted and set apart as a Nursery for Trees, paying or tendering Payment of such Rates for such Materials, and for the Damage done to such private Lands over which any Materials gotten in any Waste Ground or Common, or private Grounds, 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, Surveyor or Surveyors, or other Person or Persons appointed and employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such Payments and Damages as aforesaid; the Justices of the Peace, at their next General Quarter-sessions, or at the Second General Quarter-sessions at the farthest, to be holden in and for the County wherein such Difference shall arise, on Fourteen Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages; and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

or from private Grounds,

paying for the same.

Provided always, and be it further enacted by the Authority aforesaid, That if the Owner or Occupier of any Ground or Soil, or any Person whatsoever, shall take away any Materials, which shall have been dug or gathered in any Wastes, Lands, Fields, Grounds, River, or Brook, for the Purpose of repairing the said Road; or if any Owner or Occupier of any private Ground shall get or take away any Materials out of any Pit or Quarry, which shall have been made for the Purpose of getting such Materials, before the said Surveyors, or their Workmen, shall have discontinued working therein for the Space of Six Weeks, except the Owner or Occupier of such Pit or Quarry for his private Use, and Persons authorised by such Owner or Occupier to get Materials thereout for his proper Use only, and not for Sale; every Person so offending shall forfeit, for every such Offence, the Sum of Forty Shillings.

Penalty on Owners, &c. taking away Gravel, &c. dug by Order of the Srrveyors.

And

Surveyors may remove Annoyances,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Five or more of them, or the said Surveyor or Surveyors, and such Person and Persons as he or they shall appoint from Time to Time, such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them, to remove and prevent all Annoyances on any Part of the said Road, by Filth, Dung, Ashes, Rubbish, Straw, or otherwise, and

turn Watercourses,

convert the same to his own Use or Uses; and to turn any Watercourses, Sinks, or Drains, running along, into, or out of the said Road to the Prejudice thereof; and to open, scour, cleanse, widen, or make deeper any Watercourses or Ditches adjoining thereto, and make the same as deep and large as he or they shall think necessary;

and cut down Trees, &c.

and to cut down, lop, or top, any Trees, Shrubs, or Bushes, growing in the said Road, or in the Hedges or Banks adjoining thereto; and to take and carry away

Owners, &c. neglecting to do the same after Notice.

the same, in case the Owners or Occupiers of the Premises shall neglect to lop or top, cut down, and remove, such Trees, Shrubs, or Bushes; or to open, scour, cleanse, widen, or deepen such Watercourses or Ditches, or remove such other Annoyances, in such Manner as the said Trustees, or any Five or more of them, or the Surveyor or Surveyors, shall require, for the Space of Ten Days next after Notice in Writing given for that Purpose, under the Hand or Hands of such Surveyor or Surveyors; the Charges whereof, to be settled by the said

Charges to be reimbursed to the Surveyor.

Trustees, or any Five or more of them, shall be reimbursed to such Surveyor or Surveyors, by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures are herein after directed to be recovered and applied; and if, after Removal

Penalty on a Second Offence.

of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall, for every such Offence, forfeit the Sum of Twenty Shillings.

Surveyors may make Causeways,

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors for the said Road, or such Person or Persons as he or they shall appoint, such Surveyor or Surveyors having an Order for that Purpose from the said Trustees, or any Five or more of them, to make Causeways, and also Ditches or Drains, in and upon or on the Side of the said Road, and also through any Ground lying contiguous thereto; and also to make a Road through the Grounds adjoining, or lying near to any hollow Way, narrow or ruinous Part of the said Road, such Grounds respectively not being the Ground whereon any House stands, or a

Yard,

Yard, Garden, Orchard, 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 as a public Highway whilst the old Road is repairing or widening; and also, by Order of any Five or more of the said Trustees, to build, erect, repair, and keep in Repair, any Bridge or Bridges, Arch or Arches, upon any Part or Parts of the said Road, and cross any Stream, Brook, Water, Ditch, or Drain therein, or contiguous thereto; and to cut, or cause to be cut, any Watercourse or Watercourses, in, through, or cross any Lands or Grounds, to prevent the said Road, or any Part or Parts thereof, from being damaged or overflowed; making such Recompence to the Owners and Occupiers of the private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees, or any Five or more of them.

and erect Bridges;

making Satisfaction to the Owners of the Grounds.

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

Trustees may contract for the Purchase of Lands to be taken into the Road.

And whereas it may happen that some Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, or others, are or may be seised or possessed of Lands, Grounds, or Hereditaments, which may by the said Trustees be thought necessary or proper to be taken in and added to the said

Bodies Politic, &c. may contract for the Sale of Lands.

Road, for turning, widening, altering, or mending the same; and such Persons, or Bodies Politic, Corporate, Collegiate, or Feoffees, or others, may be willing to treat and agree for the Sale of such Lands, Grounds, or Hereditaments, but may be incapable of granting or conveying the same, by reason of Infancy, or other Disability; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Persons, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Committees, Guardians, and other Trustees whatsoever, for and on Behalf of any Infants, Femes-covert, Lunaticks, or Cestuique Trusts, and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any such Lands, Grounds, or Hereditaments, to treat, contract, and agree with the said Trustees, or any Five or more of them, for the Purchase of such Grounds, Lands, or Hereditaments, or any Part thereof, or for their Interest therein, for the Purposes aforesaid; and to sell and convey the same as Occasion shall be or require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing to the contrary thereof, in any wise notwithstanding: And all Feoffees in Trust, Executors, Administrators, Committees, Guardians, and Trustees, Corporations Aggregate or Sole, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

On Refusal, &c. to treat,

And be it further enacted by the Authority aforesaid, That if any such Owner, Proprietor, Occupier, Bodies Politic, Corporate, or Collegiate, Committees, Guardians, Trustees, or any other Person or Persons interested in such Lands, Grounds, or Hereditaments, upon Notice to them given, or left in Writing at the Dwelling House or Houses, or Place or Places of Abode, of such Person or Persons, or of the Head Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or at the House of the Tenant in Possession of the Lands, Grounds, or Hereditaments, so to be taken in and added to the said Road, or into which such Road is to be turned or altered as aforesaid, shall, by the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or, by reason of Absence, shall be prevented from treating; then, and in every or any such Case, the said Trustees, or any Five or more of them, shall cause it to be inquired into

Jury to settle the Damages,

and

and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which such Lands or Grounds so to be taken in do lie, (which Oaths any Two or more of the Trustees are hereby impowered and required to administer), what Damages will be sustained by, and what Recompence and Satisfaction shall be made to the Owners, Occupiers, or Proprietors, or other Person or Persons interested, for or upon account of the taking in of such Lands, Grounds, or Hereditaments, into the said Road, or of turning such Road into the same; and in order thereto the said Trustees, or any Five or more of them, are hereby impowered and required, from Time to Time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to be examined as a Witness or Witnesses touching or concerning the Premises, (which Oath any Two or more of such Trustees are hereby impowered and directed to administer), and they shall also order and cause the said Jury to view the said Places in Question, if there be Occasion, and use all such other lawful Ways and Means, as well for their own as for the said Jury's better 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 inquired of, ascertained, and settled such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine the said Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners, Occupiers, or Proprietors of, or other Persons interested in the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, and Determination so had and made, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-coverts, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, or Collegiate, as well as all other Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons any ways interested in such Lands, Grounds, or Hereditaments, shall thereby be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of the same:

Witnesses to be summoned, and examined on Oath.

And,

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

And, for summoning and returning such Jury or Juries, the said Trustees, or any Five or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the County in which such Lands and Grounds so to be taken in do lie, thereby commanding and requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons or more, to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number accordingly; and out of the Persons so impanneled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Two or more of them, shall swear or cause to be sworn Twelve, who shall be the Jury for the Purposes aforesaid; and in default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve.

Jurors may be challenged.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons concerned shall have their lawful Challenges against any of the said Jurymen, when they come to be sworn; and the said Trustees, 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 such Sheriff, his 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, and shall not appear, or that shall refuse to be sworn on the said Jury, or being sworn and refusing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be examined and give Evidence; and from Time to Time to levy such Fine or Fines, in the same Manner as any other Forfeiture or Penalty herein before mentioned is hereby directed to be levied; so as no such Fine shall exceed the Sum of Ten Pounds upon any one Person for one Offence; and all such Fines shall be applied for such Use, and in such Manner, as the Tolls granted by this Act are to be applied.

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

Fine not to exceed 10*l.*

And

And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction to be agreed for, ascertained, or assessed as aforesaid, shall be, and is and are hereby charged and chargeable upon the Monies which shall be raised, received, or borrowed by virtue of this Act, and shall be paid thereout accordingly to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof or Tender thereof to such Persons, or their Agents, and in case of Refusal to accept of the same, then upon leaving the same in the Hands of the Clerk to the said Trustees, for the Use of such Persons, and after Ten Days Notice thereof given to such Persons or their Agents, to receive such Money, Consideration, Recompence or Satisfaction, it shall and may be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen, or Agents, to take into and add to the said Road such Grounds, Lands or Hereditaments, and to do all and every such Act, Matter and Thing, with relation to such Grounds, Lands or Hereditaments, as the said Trustees, or any Five or more of them, shall think fit; and after the Purchase of the said Lands, Grounds, or Hereditaments, or Adjudication of the Value thereof made, and Tender of Payment, and Notice given as aforesaid, such Lands, Grounds, or Hereditaments, shall be laid into and made Part of the said Road, in such Manner as the said Trustees, or any Five or more of them, shall order and direct; and shall be by them, or by such Person or Persons as they, or any Five or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose; and after such draining, ditching, fencing, and setting out, the said Lands, Grounds or Hereditaments, shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be a public and common Highway, and be from thenceforth Part of the said Road for ever after; and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner, as the old Road so widened, altered, or turned, was and ought to have been kept in Repair; and after such new Road shall be compleated, the Lands and Grounds comprised in or constituting the old or former Road, shall be vested in, and shall and may be sold by the said Trustees, or any Five or more of them, to such Person or Persons as shall be willing to become Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by

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

Lands when purchased to be deemed a public Highway.

Old Road may be sold.

such Sale, shall be applied and disposed of for the repairing and amending the said Road; and the Sale, or Conveyance and Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Five or more of them, shall be good and effectual in the Law to all Intents and Purposes whatsoever.

Buildings not to be injured.

Provided always, and be it further enacted by the Authority aforesaid, That in widening, turning or diverting any Part or Parts of the said Road, nothing shall be done which shall or may in any wise injure or damage any House or Building, or any Yard, Garden, Orchard, Park, Paddock, Plantation, or Nursery of Trees, or any Walk of Trees, or Avenue to any House, without the Consent of the Owner or Owners thereof.

How the Jury, &c. shall be paid.

And be it further enacted by the Authority aforesaid, That in case any Jury shall give in and deliver a Verdict or Assessment for more Monies, as a Recompence for the Right, Interest, or Property of any Person or Persons, in any Lands or Hereditaments, or for any such Loss or Damage as afore-mentioned, than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning the Jury, as a Recompence or Satisfaction for any such Right, Interest or Property, or Loss or Damage as aforesaid; that then, and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses, shall be borne and paid by the said Trustees, or any Five or more of them, out of the Tolls hereby granted, or out of any Money to be borrowed upon the Credit thereof: But if any such Jury shall give and deliver 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 Five or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest or Property, or Loss or Damage as aforesaid; that then, the Costs and Expences of summoning and maintaining 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.

Penalty on interrupting Officer in the Execution of his Duty.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall assault, interrupt, or hinder, or cause to be assaulted, interrupted, or hindered, any or either of the said Turnpike Surveyors, or any other Person or Persons by them or either of them, or by the said Trustees, or any Five or more

of

of them, for those Purposes employed, in the cutting, digging, taking, or carrying of any Furze, Heath, Stones, Gravel, Chalk, Lime-stone, Sand, Flints, or other Materials for altering, widening, or repairing the said Road, or any Part or Parts thereof; or in topping, lopping, cutting down, or removing any Trees or Bushes as aforesaid; or in digging, cleansing, or scouring any Ditch, Drain, or Watercourse; or in doing any other Act in or for the repairing, widening, or altering the said Road, or any Part thereof, or otherwise in or for the Execution of the Powers by this Act given, or any of them; every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Persons chargeable to the Highways &c. to continue so.

And be it further enacted by the Authority aforesaid, That all and every Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politic and Corporate, and the Members thereof, who before the making of this Act hath or have used, or Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Road hereby intended to be repaired, or any Bridge, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with the repairing and keeping in Repair the same Parts of the same Road, and such Bridges, in the same Manner as they or any of them have or hath heretofore usually done or ought to do; and that the Inhabitants and Occupiers of Lands, Tenements, and Hereditaments, in the several Towns, Parishes, Hamlets, or Places, through which the Road hereby intended to be repaired doth lead, who by the Laws and Statutes of this Realm are or shall be obliged or liable to work with Teams, Draughts, or otherwise in the Highways for the repairing thereof, commonly called Statute-work, shall still be subject and liable to do the same Work, and shall and are hereby required to do and perform such and so many Days Work in such Parts of the said Road by this Act directed to be repaired, and lying within the said Parishes, Hamlets, or Places, in which such Inhabitants respectively shall live or be liable to do Statute-work, and at such Times, and in such Manner, as the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, shall direct or appoint.

Inhabitants to perform Statute-work.

And, to the End that the said Trustees may know the Inhabitants and Occupiers of Lands, Tenements, and Hereditaments, in all the Towns, Parishes, Hamlets,

lets, and Places, wherein the Road by this Act directed to be repaired doth lie, who are liable to do Statute-work on their Highways, and what Sort of Duty they ought respectively to do, be it further enacted by the Authority aforesaid, That the Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, and Places, where, or in or for which any such Surveyors usually have been or ought to be chosen, shall, and are hereby required, after Six Days Notice in Writing, signed by the Clerk, Treasurer, or Surveyor to the said Trustees, shall be given to him or them, or left at his or their House or Houses, or last Place of Habitation, for that Purpose, to return and deliver in to the said Trustees, at any Meeting to be by them held agreeable to such Notice, true and perfect Lists in Writing, upon Oath if thereunto required, which Oath the said Trustees, or any Two or more of them, are hereby impowered to administer, of the Names of all such Inhabitants of, and Occupiers of Lands, Tenements, and Hereditaments, in such Towns, Parishes, Hamlets, and Places respectively, that are liable to do their Statute-duties in and upon the said Highways; and shall in such Lists, and every of them, distinguish and set forth which of such Inhabitants and Occupiers keep a Team or Teams, and what Lands, Tenements, or Hereditaments, and to what annual reputed Value, they respectively occupy, and which of them are Labourers, or liable to do Statute-duty as Labourers only: And if the Surveyor or Surveyors of the several Towns, Parishes, Hamlets, or Places, wherein any Part of the said Road doth lie, shall not deliver in such Lists as aforesaid respectively, at such Times, and in such Manner, as by this Act are required and directed to be delivered, or shall refuse to verify the same upon Oath, if thereunto required; or if the Name or Names of any Person or Persons who ought to have been inserted in such Lists, shall be by Design omitted; or if such Surveyor or Surveyors shall refuse or decline to give public Summons or Notices to such Person or Persons who ought by Law to do and perform such Statute Labour or Duty as aforesaid, according to the Direction of the Surveyor or Surveyors appointed by the said Trustees; such Parish Surveyor or Surveyors, and every of them, shall forfeit and pay for every such Default the Sum of Five Pounds: And if any or either of the Inhabitants of, or Occupiers of Lands, Tenements, or Hereditaments, in the said several Towns, Parishes, Hamlets, or Places, be-

Surveyors of the Highways to give in Lists of Persons liable to do Statute-work.

ing obliged or liable by Law to do Statute-work in and upon the Highways, shall not do such Statute-work in and upon the said Road, at such Times and Places, and in such Manner, as they shall, by the said Trustees, or any Five or more of them, or by their Surveyor or Surveyors, be directed or appointed to do; such Inhabitants and Occupiers, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums herein after mentioned; (that is to say) Every such Inhabitant and Person who shall keep, or by virtue of the Laws now in being is compellable to furnish a Team or Teams, for every Day's Default of every Team the Sum of Ten Shillings; and every Inhabitant or Person liable to work on the said Road as a Labourer only, or to find and send One or more Labourer or Labourers thereon, for every Day's Default of himself and every such Labourer or Labourers, the Sum of One Shilling and Sixpence: And if any Person or Persons, who shall come to work as a Labourer or Labourers, or be sent with any Team to work on the said Road, shall be found idle or negligent by the Turnpike Surveyor, such Surveyor is hereby impowered to turn off such Person or Persons; and he, she, and they, or the respective Person or Persons on whose Behalf he or they shall come to work on the said Road, shall in that Case be subject and liable to the respective Forfeitures and Payments before mentioned, as if he, she, or they had neglected to come, or such Team had not been sent to work on the said Road.

and on Persons not performing Statute-work.

Labourers found idle, to be turned off.

Provided always, and be it enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and are hereby authorised and impowered to compound with any Person or Persons who are to repair by reason of their Tenure or otherwise, and with the several Inhabitants of, or Occupiers of Lands, Tenements, or Hereditaments in the several Towns, Parishes, Hamlets, and Places through which the Road hereby intended to be repaired, or any Part or Parts thereof, doth lead, for the Repairs aforesaid, and for the several Days Statute-work or other Work to be by him, her, or them respectively done upon the said Road, at and for such Rates or Sums of Money, by the Year or otherwise, as they the said Trustees, or any Five or more of them, and the Inhabitants or Occupiers respectively shall agree upon; which said Money shall be paid to the said Trustees, or any Five or more of them, or to their Appointment, to be laid out in the Repairs of the said Road.

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

Surveyors may appeal to the Quarter-sessions to proportion the Statute work:

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

Notice thereof to be given.

Penalty on haling Timber, &c. otherwise than on Wheel-carriages.

And be it further enacted by the Authority aforesaid, That if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Road, any Tree or Piece of Timber, or any Stone, otherwise than on Wheel Carriages; or shall suffer any Part of any Trees or Pieces of Timber or Stone, which shall be conveyed upon Wheel Carriages, to drag upon any Part of such Road to the Prejudice thereof; every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all the Penalties, Forfeitures, and Fines, hereby inflicted or authorised to be imposed, if the Manner of levying and recovering thereof is not herein otherwise directed, shall, upon Proof of the Offences respectively before any One Justice of the Peace for the County or Place wherein the Offence shall be committed, or any One Justice of the Peace for the County or Place wherein the Offender shall be and reside, either by Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses, which Oath such Justice is hereby impowered and required to administer without Fee or Reward, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice; which Warrant or Warrants such Justice is hereby impowered and required to grant for those Purposes;

poſes; and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale, are recovered and deducted, ſhall be returned upon Demand unto the Owner or Owners of ſuch Goods and Chattels; and the Penalties, Forfeitures, and Fines, when paid or levied, ſhall be, if not otherwiſe directed to be applied by this Act, from Time to Time, paid to any Five or more of the ſaid Truſtees, or to their Treaſurer or Treaſurers, and applied in the Repair of the ſaid Road: And in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any One Juſtice of the Peace as aforeſaid, and he is hereby authoriſed and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol of the County or Place where the Perſon or Perſons offending ſhall live, or where the Offence or Offences ſhall be committed, for any Time not exceeding Six Calendar Months, unleſs ſuch Penalties, Forfeitures, and Fines, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

For want of Diſtreſs, Offender to be committed.

And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it further enacted, That all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; videlicet,

Form of Conviction.

BE it remembered, That on in the Year of our Lord One thouſand ſeven hundred and *A B* is convicted before me *C D*, One of His Majeſty's Juſtices of the Peace for the County of *(ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe ſhall be)*. Given under my Hand and Seal the Day and Year aforeſaid.

Perſons aggrieved may appeal to the Quarter-ſeſſions.

Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace at any General Quarter-ſeſſions of the Peace, to be held for the County or Place wherein the Cauſe of Complaint ſhall ariſe; and within Six Months after the Cauſe of ſuch Complaint ſhall have

Notice of Appeal to be given.

have arisen; such Appellant first giving, or causing to be given, Ten Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer of the said Road, and within Three Days after such Notice, entering into Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Quarter-sessions; and the Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter-sessions shall be final, binding, and conclusive to all Intents and Purposes.

Distress not unlawful for want of Form,

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Default or Want of Form in the Summons, Conviction, Notice, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage in an Action on the Case.

nor the Parties distraining deemed Trespassers *ab initio*.

Plaintiff not to recover, if Tender of Amends hath been made.

Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made, by or on the Behalf of the Party or Parties who shall have committed, or cause to be committed, any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit; whereupon such Proceedings or Orders and Judgements shall be had, made, and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Mortgage, Assignment, Transfer, or other Security for borrowing Money, or any Purchase, Sale, Nomination, Contract, Bond, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by any Trustee or Trustees, or Justice or Justices of the Peace, or exhibited before them, or under the Hands and Seals, or Hand and Seal of, or only signed by any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Stamp Duty whatsoever.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Trustees at their Meetings shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, shall be signed by a competent Number of the said Trustees then assembled, as the Case shall require; and such Orders shall be deemed and taken to be original Orders; which said Book or Books, and also the said Book directed to be kept for registering the said Mortgages, Assignments, and Transfers, shall and may be produced and read in Evidence in all Cases of Appeals, Suits, Actions, or other Proceedings, touching any Thing done by the Authority of this Act.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That this Act shall commence and have Continuance from the Day of passing thereof, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The Provisions of the Public Act 7 *Geo* III. extended to this Road.

And be it further enacted, That the Road hereby directed to be repaired and amended, shall be deemed and taken to be a Turnpike Road, within the Intent and Meaning of an Act of Parliament made in the Seventh Year of the Reign of His present Majesty, intituled, An Act to explain, amend, and reduce into One Act of Parliament, the general Laws now in being for regulating the Turnpike Roads of this Kingdom, and for other Purposes therein mentioned; and that all and every Clause and Provision contained in the said last-mentioned Act shall be in full Force, with regard to the Road hereby directed to be repaired and amended, during the Continuance of this Act, as if the same had been herein repeated and re-enacted; excepting so far as the Subject Matter of the same, or any Part thereof, is herein otherwise ordered and provided for.

Proceedings not to be quashed for want of Form;

And be it further enacted by the Authority aforesaid, That no Proceeding to be had touching the Conviction of any

Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster; any Law or Statute to the contrary notwithstanding.

nor removable by *Certiorari*.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until Twenty-one Days Notice shall be thereof given in Writing to the Clerk of the said Road, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and every such Action shall be so brought, laid, and tried, in the County or Place where such Matters and Things respectively shall be committed and 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, at any Trial or Trials which shall be had thereupon; and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to be so done; or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid; or that sufficient Satisfaction was made or tendered as aforesaid; or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited; or shall be laid in any other County or Place than as aforesaid; then the Jury or Juries shall find for the Defendant or Defendants therein: And if a Verdict or Verdicts shall be found for such Defendant or Defendants; or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuited, or suffer a Discontinuance of such Action or Actions; or if upon any Demurrer or Demurrers, in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs; and shall have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

General Issue.

Treble Costs.

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

FINIS.