ANNO UNDECIMO

Georgii III. Regis.

An Act to enlarge the Term contained in Two ſeveral Acts of Parliament; and to repair, widen, and amend the Road from the Guide Poſt at the weſterly End of *Newton Lane*, within the Townſhip of *Mancheſter*, in the County Palatine of *Lancaſter*, to *Auſterlands*, in the Pariſh of *Saddleworth*, in the County of *York*.

WHEREAS by an Act of Parliament, paſſed in the Eighth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for repairing the Road from the Town of *Mancheſter*, leading through *Newton*, *Failſworth*, and *Oldham*, in the County Palatine of *Lancaſter*, to *Auſterlands*, in the Pariſh of *Saddleworth*, in the County of *York*, ſeveral Tolls and Duties were granted and made payable, and divers Powers and Authorities given for repairing the ſaid Road for the Term of Twenty-one Years, commencing the Firſt Day of May, One thouſand ſeven hundred and thirty-five: And by another Act of Parliament, paſſed in the Twenty-firſt Year of His ſaid late Majeſty, intituled, An Act for enlarging the Term and Powers granted by an Act made in the Eighth Year of the Reign of His preſent Majeſty, for repairing

Recital of the Act of the Eighth and Twenty-firſt Years of *George* II.

the Roads from the Town of *Manchester*, leading through *Newton*, *Failsworth*, and *Oldham*, in the County Palatine of *Lancaster*, to *Austerlands*, in the Parish of *Saddleworth*, in the County of *York*; and for making the same more effectual, the said recited Act, and all and every the Tolls, Powers, Authorities, Articles, Penalties, and Clauses thereby granted, (except such as were varied or altered by the said last-mentioned Act), are continued in full Force and Effect, to be executed from and after the Expiration of the Term by the former Act granted, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament, and divers Tolls, Powers, and Authorities are thereby given for repairing the said Road, and putting the said several Acts into Execution: And whereas, by virtue and in pursuance of the Powers contained in the said several Acts, the Trustees therein named did borrow and take up at Interest several considerable Sums of Money upon the Tolls thereby granted, and applied the same, together with the said Tolls and Duties, in and towards repairing the said Road, and for such other Uses and Purposes as are thereby directed, and great Progress hath been made in repairing the said Road: And whereas a certain Part of the publick Highway in Manchester aforesaid, called Newton Lane, leading from the End of the said Turnpike Road, at a Place in Newton Lane aforesaid, called Miles Platting, to a Guide or Finger Post erected at the westerly End of the said Lane, is in a very ruinous Condition, and incommodious and dangerous to Travellers: And forasmuch as the Powers granted in and by the said recited Acts are in many Respects defective, and the Road therein specified cannot be effectually repaired and kept in Repair, and the Money borrowed and now owing upon the Credit of the said Tolls be repaid, unless the Defects in the said Acts are amended, and a further Term is granted for that Purpose; nor can the said Road from Miles Platting to the Guide Post at the westerly End of Newton Lane aforesaid be effectually repaired and amended by the ordinary Means provided by Law: Wherefore, may it 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, That from and after the First Day of May, One thousand seven hundred and seventy-one, the said Two several Acts of Parliament herein before mentioned, and every Matter and Thing therein contained, (save the Remainder of the Term

thereby granted and yet unexpired) shall be, and are hereby repealed.

Trustees Names.

And, to the End that the said Road from the Guide Post at the westerly End of Newton Lane aforesaid, through the Townships of Manchester, Newton, Failsworth, Oldham, and the Hamlet of Cross Bank, within the Parish of Ashton under Lyne, in the said County of Lancaster, to Austerlands aforesaid, may be repaired, widened, and amended, with all convenient Speed, and be from Time to Time kept in Repair; be it further enacted by the Authority aforesaid, That the Right Honourable James Smith Stanley, commonly called Lord Strange; the Right Honourable Archibald Hamilton, commonly called Lord Archibald Hamilton; the Honourable Booth Grey, the Honourable John Grey, Sir Henry Houghton, Sir Thomas Egerton, Sir Harbord Harbord, and Sir William Horton, Baronets; the Reverend the Warden and Fellows of the Collegiate Church of Christ in Manchester for the Time being, William Allen, Thomas Butterworth Bayley, Thomas Birch, John Peploe Birch, John Gore Booth, John Bradshaw, James Bradshaw, Edward Byrom, William Broome, and Bolton Mason, Esquires; Philip Brown Doctor of Physick, James Bayley Clerk, Samuel Bayley, Thomas Battersbee, Edmund Battersbee, Josiah Birch, Thomas Birch, Michael Bentley, Willaim Bullock, Archibald Bell, and George Bramall, Gentlemen; Samuel Clowes, Joseph Clowes, William Clowes, Samuel Clowes junior, Edward Clowes, Richard Clowes, Otho Cooke, Wenman Coke, and John Chadwick, Esquires; John Clowes Clerk, Thomas Chadwick, Joseph Chippindall, James Clough, Thomas Chadwick, William Crane, John Clough, John Clegg, and Abraham Clegg, Gentlemen; Roger Dewhurst, John Diggles, Thomas Diggles, and John Dickinson, Esquires; John Darby Clerk, Charles Ford Esquire, Henry Feilder Gentleman, Edward Greaves, Edward Gregge, Robert Gartside, John Gartside, Mordecai Greene, Benjamin Gaskell, John Haworth, John Houghton, and Robert Healy, Esquires; William Hardman, Robert Hamilton, Robert Hibbert, Robert Hyde, Thomas Henshaw, Edward Hudson, Richard Edward Hall, Edward Hall, Samuel Haigh, John Hill, John Hobson, and Joseph Holt, Gentlemen; George Johnson, and Thomas Johnson, Esquires; Samuel Kay Doctor of Physick, Robert Kenyon Clerk, John Kershaw Gentleman, George Legh, Henry Cornwall Legh, Henry Legh, George Lloyd, John Lloyd, John Lees, Thomas Lees, Ashton Lever, and Dimock Lister, Esquires; Gamaliel Lloyd Gentleman, John Lever Clerk, James Massey, John Parker

ker Mosley, and Lewis Mathias, Esquires; Peter Mainwaring Doctor of Physick, John Markland, Joshua Marriott, and James Mills, Gentlemen; Richard Millward, Clerk, Richard Nangreave Esquire, Samuel Norcott and Edmund Newton, Gentlemen; Humphrey Owen, Clerk, Joseph Pickford Esquire, Thomas Percivall Doctor of Physick, Jonathan Patten Gentleman, Robert Radclyffe, and Dorning Rasbotham, Esquires; William Rigby, Edmund Radcliffe, Joseph Rider, and Thomas Robinson, Gentlemen; Henry Richardson Clerk, Radcliffe Sidebotham, John Starkey, and James Starkey, Esquires; Roger Sedgwick Doctor of Physick, Richard Scholes, Thomas Styth, Thomas Starkie, William Starkie, and George Smith, Gentlemen; Richard Townley Esquire, Thomas Tipping, John Tipping, Joseph Tipping, Thomas Tipping junior, Richard Taylor, Samuel Taylor, and Ralph Taylor, Gentlemen; William Townson Clerk, Charles White Esquire, James Walker Doctor of Physick, Thomas Walker, Thomas Walker junior, Peter Walker, Robert Whitehead, James Whittaker, and George Worthington, Gentlemen; and Richard Wroe and John Whittaker, Clerks; and their Successors, to be elected as herein-after mentioned, shall be, and are hereby appointed Trustees for putting this Act into Execution.

Time and Place of the First and subsequent Meetings, with Power of Adjournment, and to call other Meetings.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall meet at the House of Mary Crompton, Widow, in Manchester aforesaid, on the First Day of May next, after passing this Act, and proceed to the Execution thereof, 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, and meet at such Times and Places as they the said Trustees, or any Five or more of them, shall appoint; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, or to adjourn to another Day, or in case the Trustees at any Time so assembled shall omit or neglect to adjourn themselves, it shall and may be lawful to and for any Three or more of the said Trustees, or to and for the Clerk or Clerks to the said Trustees, by the Direction of any Three or more of them, from Time to Time, in either of such Cases, by Notice in Writing, to be affixed upon the Turnpike or Turnpikes which shall then be erected upon or across the said Road, at least Eight Days before the next Meeting, to appoint the Trustees to meet at the Place where

where the last Meeting was appointed to be held, on such Day as such Three or more of the said Trustees shall direct or appoint; and the said Trustees at all their Meetings shall defray their own Expences; and that all Orders and Determinations of the said Trustees in Execution of this Act shall be made at Meetings to be held in pursuance hereof, and not otherwise; and that no such Order and 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 any such Order or Determination be revoked or altered at any subsequent Meeting, unless Five Trustees shall be present; nor shall any Trustee be capable of acting in the Execution of the Powers hereby granted during the Time he shall hold any Place or Profit under this Act; nor shall any Trustee or Trustees act in any Case whatsoever where he shall be personally concerned in Interest; but all such Trustees as are Justices of the Peace may act as Justices of Peace in Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Trustees to defray their own Expences.

Orders made at publick Meetings shall not be revoked, unless Five Trustees shall be present.

No Trustee to act whilst he enjoys 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 and remaining Trustees, or any Thirteen or more of them, from Time to Time, to elect One other Person to be a Trustee in the Room of such Trustee so dying 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 upon the Turnpike or Turnpikes which shall or may be across the said Road, at least Eight Days before every such Meeting; and all Persons who shall be so elected are hereby vested with the same Powers for putting this Act into Execution as the Persons in whose Places they shall be respectively chosen were vested with.

Power to appoint new 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 Seisin and Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the yearly Value of One hundred Pounds above Reprizes, or shall be Heir-apparent to some Person or Persons having an Estate of the yearly Value of Two hundred Pounds over Reprizes, or possessed

Qualification of Trustees.

ſeſſed of a perſonal Eſtate to the Amount of Two thouſand Pounds; and if any Perſon made incapable to act for any the Cauſes aforeſaid, ſhall preſume to act contrary to the true 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, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed; and every Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſame Penalty, upon Proof being given of his having acted as a Truſtee in the Execution of this Act.

Truſtees may continue or erect Toll-houſes or Turnpikes.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Thirteen or more of them, or ſuch Perſon or Perſons as they ſhall appoint, ſhall and may, and they are hereby authoriſed and impowered to continue, and from Time to Time to pull down and rebuild, or keep in Repair the Toll-houſe and Turnpike or Toll-gate now ſtanding upon the ſaid Road in Dob-lane within Failſworth aforeſaid, or to remove and rebuild the ſaid Toll-houſe and Turnpike, or Toll-gate, into and acroſs any other Part of the ſaid Lane, called Dob-lane, between Newton Heath and a Houſe in Failſworth, called The Watch Houſe; and alſo to ſet up and erect, or cauſe to be ſet up and erected, One or more Toll-houſe or Toll-houſes, and Turnpike Gate or Gates in or acroſs any Way or Lane leading out of the ſame, to prevent the following Tolls from being evaded; and may, from Time to Time, cauſe ſuch Toll-houſe or Toll-houſes and Turnpike Gate or Gates to be taken down, removed, or altered as to the ſaid Truſtees, or any Thirteen or more of them, ſhall ſeem requiſite: And that from and after the ſaid Firſt Day of May, One thouſand ſeven hundred and ſeventy-one, the ſeveral Tolls herein after-mentioned ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid Truſtees, or any Thirteen or more them, ſhall, by Writing under their Hands, authoriſe and appoint to receive the ſame, before any Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, Chair, Hearſe, Waggon, Wain, Cart, Dray Carriage, Horſe, Mare, Gelding, Mule, or Aſs, Oxen, Sheep, Lambs, Hogs, or other Cattle or Carriage whatſoever ſhall be permitted to paſs through any Gate or Turnpike continued or to be erected by virtue of this Act; (that is to ſay) For every Coach, Berlin, Landau, Chariot,

and take the following Tolls.

riot, Chaise, Chair, Calash, or Hearse, drawn by Six Horses, Mares, Geldings, or Mules, the Sum of One Shilling and Sixpence; for every Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or Hearse, drawn by Four Horses, Mares, Geldings, or Mules, the Sum of One Shilling; for every Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or Hearse, drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Sixpence; for every Chair or Chaise, with Two Wheels drawn by Two Horses, Mares, Geldings, or Mules, the Sum of Sixpence; for every Chair or Chaise with Two Wheels drawn by One Horse, Mare, Gelding, or Mule, the Sum of Threepence: For every Waggon, or other Four-wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gage of Nine Inches from Side to Side at the Bottom or Sole thereof, drawn by Five or more Horses, Mares, Geldings, Mules, or Oxen, the Sum of One Shilling; for every such Waggon or other Four-wheel Carriage last-mentioned drawn by Four Horses, Mares, Geldings, Mules, or Oxen, the Sum of Eightpence: For every Waggon or other Four-wheel Carriage, having the Fellies of the Wheels thereof of the Breadth or Gage of Six Inches as aforesaid, drawn by Five or more Horses, Mares, Geldings, Mules, or Oxen, the Sum of One Shilling and Four-pence; for every such Waggon or other Four-wheel Carriage last-mentioned drawn by Four Horses, Mares, Geldings, Mules, or Oxen, the Sum of One Shilling; and for every such Waggon or other Four-wheel Carriage drawn by Three Horses, Mares, Geldings, Mules, or Oxen, the Sum of Eight-pence: For every Waggon or other Four-wheel Cartiage, having the Fellies of the Wheels thereof of a less Breadth than aforesaid, drawn by Four Horses, Mares, Geldings, Mules, or Oxen, the Sum of Two Shillings: For every Cart or other Two-wheel Carriage, having the Fellies of the Wheels of the Breadth of Nine Inches as aforesaid, drawn by Four or more Horses, Mares, Geldings, Mules, or Oxen, the Sum of Sixpence; For every such last-mentioned Cart or other Two-wheel Carriage, drawn by Three Horses, Mares, Geldings, Mules, or Oxen, the Sum of Four-pence: For every Cart or other Two-wheel Carriage, having the Fellies or Wheels of the Breadth of Six Inches as aforesaid, drawn by Three Horses, Mares, Geldings, Mules, or Oxen, the Sum of Sixpence; for every Cart or other Two-wheel Carriage, having the Fellies or Wheels of a less Breadth than Six Inches as aforesaid,

drawn by Three Horses, Mares, Geldings, Mules, or Oxen, the Sum of Eight-pence: For every Cart or other Two-wheel Carriage, having the Fellies or Wheels of the Breadth of Nine Inches as aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, the Sum of Three-pence; for every Cart or other Two-wheel Carriage, having the Fellies or Wheels of the Breadth of Six Inches as aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, the Sum of Four-pence; for every Cart or other Two-wheel Carriage having the Fellies or Wheels of a less Breadth than Six Inches as aforesaid, drawn by Two Horses, Mares, Geldings, Mules, or Oxen, the Sum of Six-pence; for every Cart, or other Two-wheel Carriage, drawn by One Horse, Mare, Gelding, Mule, or Ox, the Sum of Four-pence: For every Horse, Mare, Gelding, Mule, or Ass (except such as are going empty to any Coal or Cannel Pit) the Sum of One Penny; and for every Horse, Mare, Gelding, Mule, or Ass, loaden with Coal, Cannel, or Sand, the Sum of One Half-penny; for every Drove of Oxen or Neat Cattle, the Sum of Ten-pence per Score, and so in proportion for a greater or less Number; for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence per Score, and so in proportion for any greater or less Number: Which said respective Sums of Money shall be demanded and taken in the Name of and as a Toll or Duty: And if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand made thereof, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed as aforesaid to collect such Tolls, to seize, distrain, detain, and keep any Horse or Horses, or any Cattle, or any Goods or Carriages upon which the said Toll is by this Act imposed, or any of the Goods or Chattels of such Person or Persons so neglecting or refusing to pay the same; and if such Tolls, and the reasonable Charges of such Seizure and Distress, and of detaining and keeping the same, shall not be paid within the Space of Three Days after such Distress made, the Person or Persons so distraining shall and may sell and dispose of the Horse or Horses, Cattle, Carriages, Goods, or Chattels so distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Distress and Sale, shall be deducted; and that all the Tolls to be collected or received by virtue of this Act shall be and are hereby vested

Tolls to be levied by Distress and Sale.

Tolls vested in Trustees.

vested in the said Trustees, and shall be applied in such Manner as is herein-after mentioned and directed concerning the same.

Property of Turnpikes, &c. vested in Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property of the Toll-house and Toll-houses, Turnpike-gate or Gates, already erected, or which may be erected by virtue of this Act, and the Right and Property of the Materials provided for building and repairing the same, and of all Materials which shall be actually got or collected for repairing the said Roads, shall be, and they are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby impowered to bring, or cause to be brought, an Action or Actions in the Name or Names of any Five or more of them, or of their Treasurer or Treasurers, Clerk or Clerks, or to prefer, or order the prefering of One or more Indictment or Indictments, against any Person or Persons who shall injure the same, or any Part thereof, or disturb them in the Possession thereof, or take, or retain, or hold Possession thereof, after being required, by the Order of any Five or more of the said Trustees to deliver up the same.

Tolls to be paid but once a Day.

Provided always, That no Person or Persons shall be subject to the Payment of any of the Tolls hereby made payable more than Once in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) for passing with the same Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, Hearse, Waggon, Wain, Cart, or other Carriage, Horse, Mare, Gelding, Mule, or Ass, Oxen, Sheep, Lambs, Hogs, or other Cattle, through all or any of the Turnpikes to be continued and erected by virtue of this Act, such Person or Persons producing a Note or Ticket, denoting that the Toll or Duty hereby granted had been paid upon the same Day, at the first of the said Turnpikes through which such Person or Persons shall have passed, (which Note or Ticket the Receiver or Receivers, Collector or Collectors of the said Toll or Duty, is and are hereby required to give gratis on the Receipt thereof); nor shall any Person or Persons, having paid the Toll or Duty, and producing such Note or Ticket as aforesaid, who shall return the same Day through all or any of the Turnpikes aforesaid, with the same Coach, Berlin, Landau, Chariot, Chaise, Chair, Calash, or Hearse, laden or unladen, or with the same Waggon, Wain, Cart, or other Carriage, or with the same Horse, Mare, Gelding, Mule, Ass, or

any

any other Sort of Cattle, be obliged to pay a Second Time, unless such Person or Persons shall go and return more than Once the same Day; any Thing herein contained to the Contrary thereof in any wise notwithstanding.

Penalty on giving or receiving Tickets to evade the Tolls.

And, for the preventing of Frauds and Abuses in the said Toll or Duty, be it enacted by the Authority aforesaid, That if any Person having paid the Toll or Duty by this Act granted and made payable, and having such Note or Ticket as aforesaid, shall give or dispose of such Note or Ticket, to any other Person or Persons, in order to avoid the Payment of the said Toll or Duty; or if any Person not having paid the said Toll or Duty, shall offer or produce, and use any Note or Ticket, Notes or Tickets, and thereby pass through any of the said Turnpike or Turnpikes, without paying the Toll or Duty hereby granted; every Person so offering, giving, disposing, receiving, or using, such Note or Ticket, shall forfeit and pay the Sum of Forty Shillings; to be levied and raised as any other Penalty or Forfeiture is directed to be levied, recovered, and disposed of by this Act.

Exemptions from Tolls.

Provided also, and it is hereby further enacted and declared, That no Person shall be charged with any of the Tolls or Duties aforesaid, who shall pass through any of the said Turnpike or Turnpikes, with any Horse, Mare, or Gelding, Waggon, Wain, Cart, or other Carriage, that shall be loaded with, and carry only Stone, Gravel, Sand, or other Materials for repairing the said Roads, or any of the Roads in the Parishes and Townships in which the said Road doth lie, or in any of the neighbouring Parishes or Townships; or for carrying through the said Turnpike or Turnpikes, or any of them, only Dung, Manure, Mould, or Compost, of any Nature or Kind whatsoever, (other than and except Lime) for the manuring of any Gardens or Lands within the said Parishes or Townships; nor for any Waggons, Wains, Carts, or other Carriages, carrying only Hay, Grass, or Corn in the Straw, to be laid up in the Houses, Barns, Outhouses, Backsides, or on the Lands of the Occupier of the Land or Ground from whence the same shall be produced; nor for any Ploughs, Harrows, or other Implements of Husbandry, or for manuring or stocking the Land of such Parishes or Townships; nor for any Waggon, Cart, Carriage, Horse, Mare, Gelding, Mule, or Ass, going to, or returning from, Moston Mill, with any Corn or Grain there ground, or to be ground; nor

for

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for any Horses, Mares, or Geldings, going to, or returning from, any Parish Church, or other Place of Divine Worship upon Sundays, in the several Townships of Oldham, Chadderton, Failsworth, and Newton, or with any Corpse to be interred at such Church; nor for any Clergyman going to, or returning from, visiting any sick Person or Persons; or for any Horses, Mares, Geldings, or other Cattle going to, or returning from, the Pasture or Watering Place or Places belonging to the respective Farms of any of the Townships or Parishes wherein the said Road lies; or for any Post-horse carrying the Mail or Packet; nor for the Horses, Mares, or Geldings, belonging to Soldiers passing on their March, or for any Waggons, Wains, Carts, or other Carriages attending them; or for any Horses, Mares, Geldings, Waggons, Carts, or other Carriages, travelling with Vagrants sent by Passes; or from 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 said Counties of Lancaster and York, or either of them, during the Time of such Election, or for Two Days before or after such Election shall begin or be concluded: 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 and pay the Sum of Forty Shillings for every such Offence; to be recovered and applied as any Penalty or Forfeiture is by this Act directed to be recovered and applied.

Penalty on illegal Claims.

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; and all such Composition-money shall be paid Six Months 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-money shall be applied in such Manner as the Tolls hereby granted are directed to be applied.

Trustees may compound with Travellers.

Penalty on Persons permitting a private Passage.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall go or pass with any Horse, Beast, Cattle, Coach, Waggon, Cart, or other Carriage, through or over any Lands, Grounds, or Place, lying by the Side of, or near the said Road, (the same not being a publick Highway); or if any Person or Persons owning or occupying any Land, Ground, or other Grave, or private Way, shall knowingly and willingly permit, or suffer any other Person or Persons, to go or pass with any Horse, Beast, Cattle, Coach, Waggon, Cart, or other Carriage, through or over such Land, Place, or private Way; or if any Person or Persons shall forcibly or wilfully go or pass with any Horse, Beast, Cattle, Coach, Waggon, or other Carriage, through the Turnpike or Turnpikes continued, or which may be erected by virtue of this Act, or any of them, without paying the Toll or Duty by this Act directed to be paid for the same; or shall unload any Cart in Part, or in all; or shall conceal or secrete any Goods or other Things chargeable with the Tolls aforesaid; or shall put or leave in any House or other Place, any Carriage, Beast, or Cattle, liable to pay Tolls or Duties in Part, or entirely; or having passed through the said Turnpike or Turnpikes, shall afterwards add or put any Horse or other Beast to any Carriage, and draw therewith upon any Part of the said Road, so as to increase the Number of Horses or other Beasts drawing the said Carriage; or shall take off any Horse or other Beast which shall be used in the drawing of any Carriage upon the said Road, or any Part thereof, either before or after passing through the said Turnpike or Turnpikes, with Intent to avoid or lessen, or having thereby evaded or lessened the said Tolls or Duties, or any Part thereof; every Person so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Forty Shillings, whereof One Moiety shall be paid to Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties are hereinafter directed to be applied.

Trustees may lease, &c. the Tolls.

And it is hereby further enacted by the Authority aforesaid, That the said Trustees, and their Successors, or any Nine or more of them, shall and may, and they are hereby authorised and impowered, at any General Meeting, by Writing under their Hands and Seals, to assign, lease, demise, set or let the Tolls and Duties hereby granted, or any Part or Parcel thereof, from Year to Year, or for any Part of the Term hereby

granted

granted, not exceeding Two Years, for the best Rent that can be got for the same, unto any Person or Persons who shall give good and sufficient Security for Payment of the Rent and Rents by such Lease and Leases to be reserved and made payable, as Notice in Writing for that Purpose, under the Hand or Hands of the Clerk or Clerks to the said Trustees be affixed upon the Turnpike Gate or Gates continued, or to be erected by virtue hereof, at least One Month before such Meeting; and which said Rent or Rents shall be reserved and made payable by monthly Payments to the said Trustees, or to any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall for that Purpose nominate and appoint to receive the same, and shall be applied in such Manner as the Tolls and Duties so leased are directed to be applied.

Application of Money.

And it is hereby further enacted and declared, That out of the Tolls and Duties hereby granted, and the 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 incident to, and attending the obtaining and passing this Act, and afterwards pay off such Sum or Sums of Money as are due and owing upon the Credit of the said former Acts, or either of them, and the Interest due, and to grow due, in respect thereof, until the same shall be fully paid; and afterwards all the Tolls and Duties to be collected, and Monies to be borrowed upon the Credit thereof, shall be applied in the Expences of repairing, widening, altering, turning, and keeping the said Road in Repair, and of executing the other Purposes of this Act, in such Manner as the said Trustees, or any Five or more of them, shall, from Time to Time, direct.

Trustees may widen or alter the Road.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, and their Successors, or any Five or more of them, and they are hereby authorised and impowered, at any of their Meetings, by Writing under their Hands and Seals, to contract and agree with any Person or Persons who shall be willing to undertake the same, for the repairing, widening, amending, supporting, and maintaining any Part or Parts of the Road hereby directed and intended to be repaired, widened, amended, and kept in Repair, as aforesaid, for and during any Time not exceeding One Year, and at and for such Rate and Price for every Mile thereof in Length, or otherwise, as to the said Trustees, and their Successors, or

any

any Five or more of them, shall seem reasonable and expedient, so as Fourteen Days Notice in Writing for that Purpose, under the Hand of the Clerk to the said Trustees, be affixed upon the Turnpike-gate and Gates continued, or which may be erected for collecting and receiving the Tolls and Duties hereby granted.

Trustees may vary the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, at any Meeting or Meetings to be held for that Purpose, to vary, lessen, or reduce all or any of the Tolls by this Act granted, for such Times or Times as they, or any Five or more of them, shall think proper; and may afterwards, from Time to Time, advance all or any of the Tolls or Duties so lessened to any Sum or Sums of Money, not exceeding the respective Rates herein before mentioned; and to order and direct the Tolls so reduced or advanced to be collected, received, taken, laid out, and applied for the Purposes of this Act, in such Manner as they shall think fit; but no such Reduction shall be made, unless the Person or Persons who shall be intitled to One Moiety of the Money which shall be then owing on the Credit of the said Tolls shall be consenting thereto; and no such Meeting shall be had for any of the Purposes aforesaid, unless Fourteen Days Notice at the least shall be given thereof in Writing, and be affixed upon every Turnpike Gate or Gates continued, and which may be erected, by virtue of this Act.

Trustees may borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, at their First or any subsequent Meeting to be held in pursuance of this Act, to borrow and take up at Interest, upon the Credit of the Tolls arising by virtue hereof, such Sum and Sums of Money as they, or any Nine or more of them, shall think fit; and may and are hereby impowered to assign over or mortgage the said Tolls, or any Part or Parts thereof, (the Charges of such Assignments or Mortgages to be paid out of the said Tolls) by the following Words of Assignment under their Hands, or any other Words for that Purpose:

Form of Assignment on mortgaging the Tolls.

BY virtue and in pursuance of an Act of Parliament, passed in the Eleventh Year of the Reign of His Majesty King *George* the Third, intituled, *An Act to enlarge the Term contained in Two several Acts of Parliament, and to repair, widen, and amend the Road from the Guide-Post at the westerly End of* Newton Lane, *within the Township of* Manchester,

in

in the County Palatine of Lancaster, *to* Aufterlands, *in the Parish of* Saddleworth, *in the County of* York, and in consideration of the Sum of to the Treasurer appointed by the Truſtees for putting the ſaid Act into Execution, having been this Day paid by *A. B.* we, whoſe Hands and Seals are hereunto ſubſcribed, being of the ſaid Truſtees, do aſſign unto the ſaid *A. B.* his Executors, Adminiſtrators, and 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 Tolls, to have, hold, receive, and take the Proportion of the ſaid Tolls hereby aſſigned unto the ſaid *A. B.* his Executors, Adminiſtrators, and Aſſigns, from the Day of the Date hereof until the ſaid Sum of with Intereſt at the Rate of *per Centum per Annum*, ſhall be repaid. As witneſs our Hands and Seals this Day of

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 affixed in Writing upon the Turnpike Gate and Gates continued, or which may be erected on the ſaid Road, at leaſt Fourteen Days before the borrowing thereof; and all and every Perſon and Perſons to whom any ſuch Mortgage or Aſſignment ſhall be made, 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 whomſoever, by indorſing on the Back of ſuch Security, in the Preſence of Two credible Witneſſes, the Words following, or Words to the like Effect, videlicet,

Aſſignments to be entered in a Book.

Clerk's Fee.

No Money to be borrowed after the Firſt Meeting without Notice.

Aſſignments may be tranſferred.

I Do tranſfer this Aſſignment, with all my Right and Title to the Principal hereby ſecured, and to all the Intereſt now due, unto *C. D.* his (or her) Executors, Adminiſtrators, and Aſſigns, dated this Day

Witneſs *G. H.* *E. F.*

J. K.

Form of Tranſference.

Which ſaid Tranſfer or Aſſignment ſhall be produced and notified to the ſaid Clerk or Treaſurer within One Month next after the Date thereof, who ſhall cauſe an Entry or

Memorial to be made of such Assignment or Transfer, containing the Date, Names of the Parties, and Sums of Money therein transferred, in the said Book or Books to be kept for entering the said original Assignments or Mortgages, for which such Clerk or Treasurer shall be paid the Sum of Two Shillings and Sixpence, and no more, and which said Book or Books shall and may, at all reasonable Times, be perused and inspected without Fee or Reward; and after such Entry made, but not till then, every such Assignment shall entitle such Assignee, his, her, and their Executors and Administrators, 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 any Person who shall have made such Assignment or Transfer to make void, release, or discharge the same, or any Monies due thereon; and all and every Person and Persons to whom any such Mortgage or Assignment shall be made as aforesaid, shall be, in proportion to the Sum or Sums therein mentioned, a Creditor or Creditors on the said Tolls in equal Degree One with another, and shall have no Preference in respect of the Priority of advancing any such Monies.

All Creditors to be equal in Degree.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, may, from Time to Time, by Writing under their Hands, appoint One or more Collector or Collectors of the said Tolls, and also a Clerk and Treasurer, and One or more Surveyor or Surveyors of the said Road, and such other Officers as they shall think necessary to employ in the Execution of this Act, and, from Time to Time, 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; and out of the Monies to arise by virtue of this Act, may pay such Salaries, and make such Allowances to the said Officers and Persons, as to 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

Trustees to appoint Officers,

and remove them, and appoint others.

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 shall, upon Oath, if thereunto required by the said Trustees, or any Five or more of them, (which Oath the said Trustees, or any Five 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 and 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 Fourteen Days after being thereunto required by any Five or more of the said Trustees, all the Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act; then, and in any of the said Cases, 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 Names of any Five or more of them, against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order to recover 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 by or on the Behalf of the said Trustees, or any Five or more of them, to any Two or more Justices of the Peace for the said County of Lancaster, such 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, refusing or neglecting as aforesaid, to be brought before them; and upon his or 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 Justices are hereby impowered and required to administer without any Fee or Reward) it shall appear to such 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 Justices may and are hereby required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cause such Money to be levied and raised

Officers to account upon Oath.

Justices to determine Differences.

by

For want of Diſtreſs, Offender to be committed.

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 Money, and the Charges of diſtraining for the ſame; then, and in either of the Caſes aforeſaid, ſuch Juſtices ſhall commit every ſuch Offender to the Common Gaol for the ſaid County of Lancaſter, there to remain, without Bail or Mainprize, until he ſhall give and make a true and perfect 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) and until he ſhall have delivered up ſuch Books, Papers, and Writings as aforeſaid, or given Satisfaction in reſpect thereof to the ſaid Truſtees, or any Five or more of them.

On Death, &c. of Collector, 5 Truſtees may appoint another.

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 any 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; any Thing herein contained to the Contrary notwithſtanding.

Surveyors may dig Gravel, &c. in Waſte Grounds, without paying for the ſame,

And be it further enacted by the Authority aforeſaid, That the Surveyor or Surveyors of the ſaid Road, or any of them, 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, Heath, Gravel, Sand, Stones, or other Materials proper for the repairing of the ſaid Road, out of and from any waſte Ground or Common, River or Brook, in any Townſhip or Place, without paying any Thing for the ſame; provided no ſuch Gravel, Sand, Stones, or other Materials, be taken within Fifty Yards from any Weir or Bridge, 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 ſuch Pits, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and if ſuch Quantities of Materials, proper and ſufficient for that Purpoſe, cannot

levelling the Pits;

not be had or found in or upon such waste Grounds or Commons, Rivers or Brooks, contiguous to the said Road intended therewith to be repaired; then, and in such Case, the 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, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground 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, Common, River, or Brook, or private Ground, 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 or either of them, concerning such Damages as aforesaid, the Justices of the Peace, at their next General Quarter-sessions to be holden in and for that Part of the County wherein such Difference shall arise, on Fourteen Days Notice thereof to be given in Writing by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by the said Owner or Owners, Occupier or Occupiers, to the said Surveyor or 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 Matter of such Damages; and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

or from private Grounds making Satisfaction.

Justices may determine Differences.

And be it further enacted by the Authority aforesaid, That all Bodies Politick and Corporate, Corporations Aggregate and Sole, and other Persons whatsoever, who, by reason of the Tenure of their Lands, or any Charge thereon, or by any Law, Custom, Usage, or otherwise, are or shall be liable to the Repair of any Part or Parts of the Road by this Act intended to be repaired, or to pay any Sum or Sums of Money for or towards the Repair thereof, shall, notwithstanding this Act, remain liable to repair the same, or to pay such Monies for or towards the Repairs thereof, as they respectively before were or was liable to do or pay, except so far as is herein or hereby otherwise directed.

Persons liable to repair the Road, to continue so.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any

Surveyors may remove Annoyances,

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 convert the same to his and their own Use and 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 to cut, lop, or top any Trees, Shrubs, or Bushes, growing in the said Road, or in the Hedges or Banks adjacent thereto, and to take and carry away the same, in case the Owner or Owners, Occupier 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 Twenty 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 Trustees, or any Five or more of them, shall be reimbursed to such Surveyor or Surveyors by such Owner or Owners, Occupier or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures are hereinafter directed to be recovered and applied; and if, after Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person, for every such Offence, shall forfeit the Sum of Twenty Shillings.

open Ditches, and cut down Trees, &c. in case the Owner neglects so to do.

Charges to be reimbursed to the Surveyors.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors of the said Road, or such Person or Persons as he or they shall appoint, to make Causeways, and also Ditches or Drains, in and upon the said Road, and also through any Ground lying contiguous thereto; and also to widen any of the narrow Parts of the said Road, by opening, clearing, and laying into the same any Grounds of any Person or Persons lying contiguous thereto, so as to make such Parts of the said Road not exceeding Thirty Feet in Width; and also to make a Road through the Grounds adjoining or lying near to any

Surveyors may make Causeways and Ditches,

widen narrow Parts,

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, 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 publick 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, 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 judged reasonable by the said Trustees, or any Five or more of them; but no Satisfaction shall be made for doing or performing any of the Works aforesaid upon or through any common or waste Ground.

and erect Bridges,

making Satisfaction to the Owners of the Ground.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall be, and are hereby fully impowered to divert, turn, or alter the Course or Path of any Part or Parts of the said Road through any common or waste Ground without making any Satisfaction for the same, and also through any private Grounds or Hereditaments, first making Satisfaction to the Owners thereof and Persons interested therein for the Damage they may thereby sustain; and for that Purpose it shall and may be lawful to and for the said Trustees, or any Nine or more of them, to contract with the Owners of and Persons interested in any Lands or Hereditaments for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by diverting, turning, or altering the Course or Path of any Part or Parts of the said Road through such Lands or Hereditaments, and to pay for the same Lands and Hereditaments by and out of the Tolls and other Monies to be raised by virtue of this Act: And it shall be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Femes-covert, Infants, or Issue unborn, Lunaticks, Ideots, or other Person or Persons, and to and for all Femes-covert who are or shall be seised or interested in their own Right, and to and for all and every Person

Trustees may alter or turn the Road,

and purchase Land for that Purpose.

Bodies Politick, &c. may treat for the Sale of Lands, &c.

Perſon and Perſons whomſoever, who are or ſhall be poſſeſſed of or intereſted in any ſuch Lands or Hereditaments, to contract with the ſaid Truſtees, or any Nine or more of them, for the Satisfaction to be made for ſuch Damages, or to ſell and convey unto them, or any Nine or more of them, all or any of ſuch Lands or Hereditaments, or any Part thereof, for the Purpoſes aforeſaid; and all Contracts, Sales, and Conveyances, that ſhall be ſo made, ſhall be valid and binding againſt and to all Perſons, and to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or other Matter whatſoever to the Contrary notwithſtanding: And all ſuch Bodies Politick, Corporate or Collegiate, Corporations, Huſbands, Guardians, Truſtees, Feoffees, Committees, Executors, Adminiſtrators, and all other Perſons, ſhall be and are hereby indemnified for what they ſhall do by virtue of this Act; and if any ſuch Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Truſtees, Feoffees, Committees, Executors, Adminiſtrators, or any other Perſon or Perſons intereſted in any ſuch Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-houſe or Houſes, or Place or Places of Abode of ſuch Perſon or Perſons, or of the principal Officer or Officers of ſuch Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Hereditaments through which any Part of the ſaid Road is to be directed, turned, or altered, or which the ſaid Truſtees, or any Nine or more of them, ſhall think neceſſary to be purchaſed for the widening any Part of the ſaid Road, ſhall, for the Space of One Month next after ſuch Notice given or left, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or if, by reaſon of Abſence or diſtant Reſidence from the Lands or Hereditaments intended to be purchaſed, he, ſhe, or they cannot conveniently be applied to or treated with for that Purpoſe, or if treating he or they ſhall not agree with the ſaid Truſtees for the Prices of ſuch Lands or Hereditaments; then, and in any of the ſaid Caſes, the ſaid Truſtees, or any Nine or more of them, may, and are hereby impowered, by Warrant or Warrants, Precept or Precepts, under their Hands and Seals, to command the Sheriff of the ſaid County of Lancaſter, or his Deputy, to impannel, ſummon, and return a Jury of Twenty-four honeſt and diſintereſted Men of the ſaid County, to be and appear before the ſaid Truſtees, at a certain Time and Place to be ſpecified in the ſaid Warrant

Perſons refuſing to treat,

the Damage and Recompence to be ſettled by a Jury.

Warrant or Warrants, Precept or Precepts, the said Time being at least Fourteen Days next after the Date and Delivery of the said Warrant or Warrants, Precept or Precepts respectively, to the said Sheriff or his Deputy, then and there to assess and ascertain the Prices and Value of the Lands and Hereditaments intended or necessary to be purchased; and the said Sheriff or his Deputy is hereby required to impannel, summon, and return the said Jury accordingly, giving to each Juryman at least Six Days Notice of the Time and Place of his Attendance; and the said Jurymen are hereby required to attend accordingly; and the said Trustees, or any Nine or more of them, having caused Fourteen Days Notice in Writing under their Hands to be given to the Person or Persons intitled to the said Lands or Hereditaments intended to be purchased, or to be left at the last or usual Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, or at the Place or Places of Abode of the respective Tenant or Tenants in Possession of such Lands or Hereditaments, thereby setting forth the Nature, Situation, and Quantities of such Lands or Hereditaments, and the Time when, and the Places where the said Jury are to meet to assess and ascertain the Value thereof, they the said Trustees, or any Nine or more of them, may proceed to enquire by the Verdict of the said Jurors on their Oaths (which Oaths the said Trustees, or any Nine or more of them, are hereby impowered and required to administer) of the Value of such Lands or Hereditaments; and in Default of a sufficient Number of Jurors, the Sheriff, or his Deputy, shall return other like Persons of the Byestanders, or that may be conveniently had for the Service, and to which Jurors all Parties interested shall have their lawful Challenges; and the said Trustees, or any Nine or more of them, having given the Nature of the Enquiry in Charge to the said Jury that shall be sworn, may, and are hereby impowered to send for, summon, and examine all proper Persons on their Oaths (which Oaths the said Trustees, or any Nine or more of them, are hereby impowered and required to administer) concerning the Nature and Value of the said Lands and Hereditaments; and, if needful or required, to cause the Jury sworn to view the said Lands or Hereditaments, and to take such other Measures to inform themselves, and the Jury sworn, concerning the Nature and Value of the said Lands and Hereditaments, as they shall think proper; and the said Jury being so informed, shall by their Verdict as-

Jurors may be challenged.

Witnesses may be examined on Oath.

ſeſs and aſcertain the Value of the reſpective Lands and Hereditaments, that ſhall have been given them in Charge to enquire of; and the ſaid Truſtees, or ſuch Nine or more of them, as ſhall be preſent at the taking of ſuch Inqueſts, ſhall thereupon adjudge the Sums of Money aſſeſſed by the ſaid Juries as the Value of the ſaid Lands or Hereditaments to be paid to the Perſon or Perſons intitled to the ſame Lands or Hereditaments; and ſuch Findings of the Juries, and Judgements of the ſaid Truſtees, ſhall be finally binding and concluſive to all Bodies Politick, Corporate or Collegiate, Corporations Aggregate and Sole, Infants, Femes-covert, and other Perſons whomſoever any-wiſe intereſted, or to be intereſted in the ſaid Lands and Hereditaments, or any Part thereof; and if any ſuch Sheriff or his Deputy ſhall refuſe or neglect duly to obey any Warrant or Precept of the ſaid Truſtees, or to do any Act or Matter of his Office relating to the Premiſes; or if any Juryman ſo ſummoned as aforeſaid ſhall not appear, or appearing ſhall refuſe to be ſworn, or if ſworn ſhall not find his Verdict concerning the Matters that ſhall be given him in Charge; or if any Witneſs being ſent for or ſummoned to appear or give Evidence to the ſaid Truſtees and Juries ſhall not appear, or if appearing ſhall refuſe to be ſworn, or being One of the People called Quakers, ſhall refuſe to make his ſolemn Affirmation, and thereupon to give his Evidence concerning the Matters aforeſaid, every ſuch Sheriff, Deputy, Jurymen, and Witneſs ſhall, for every ſuch Refuſal, Neglect, or Offence, forfeit the Sum of Five Pounds,

Verdict of Jury to be binding and concluſive.

Damages, &c. aſſeſſed by the Jury how to be paid.

Provided always, and it is hereby enacted by the Authority aforeſaid, That if the ſaid Jury, upon ſuch Inqueſt, ſhall find or aſſeſs an equal or leſs Sum of Money for ſuch Damage or Recompence than had been by the ſaid Truſtees, or any Nine or more of them, or their Treaſurer, or other Perſon or Perſons by virtue of their Order, tendered to the Party or Parties ſo refuſing or neglecting to treat as aforeſaid; then, and in ſuch Caſe, the Perſon or Perſons ſo refuſing or neglecting to treat ſhall pay the Coſts occaſioned by ſuch Refuſal or Neglect, which Coſts ſhall be ſettled and aſcertained by the ſaid Jury, and ſhall be deducted out of the Sum of Money by them aſſeſſed for ſuch Damage and Recompence.

Conveyances of Lands, and Verdicts of Juries, &c. to be entered in a Book

And be it further enacted by the Authority aforeſaid, That all Conveyances of Lands and Hereditaments that ſhall be purchaſed by virtue of this Act, and Memorials of all the Verdicts of Juries, and Judgements of Truſtees, concerning the Value of Lands and Hereditaments that ſhall be aſcertained by Juries, ſhall be entered into ſome

Book

Book or Books of the Trustees, and shall be inrolled with the Clerk of the Peace of the said County of Lancaster; and that after the Execution of such Conveyances, and giving such Judgements of the said Trustees, and Payment or Tender of the Consideration-monies mentioned in such Conveyances, or of the Monies assessed and adjudged to be the Value of any Lands or Hereditaments as aforesaid, to the Person or Persons intitled to the same; or in case of want of Opportunity to tender, or of Refusal to accept the said Monies when tendered, then, on leaving the same with the said Clerk of the Peace, or his Deputy, for the Use or Uses of the Person or Persons intitled thereto, it shall be lawful for any Person or Persons authorised by the said Trustees, or any Nine or more of them, to divert or turn the said Road through such Lands or Hereditaments, or to add the same to such Part of the Road as is intended to be widened therewith, and to do all and every Act, Matter, and Thing with relation to such Lands or Hereditaments as the said Trustees, or any Nine or more of them, shall direct; and the said Trustees, or any Nine or more of them, shall cause such Part of the said Road as shall be diverted or turned through private Grounds, or which shall be widened by virtue of this Act, to be ditched and fenced from the adjoining Lands; and all Lands and Hereditaments which shall be made a Part or Parts of the said Road shall be for ever then afterwards a common Highway to all Intents and Purposes, and shall be repaired, and kept in Repair, in such Manner as the Road hereby appointed to be repaired is by this Act, or any other Law, to be amended; and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title to such Lands and Hereditaments; and after any such new Road shall be completed, the Land constituting the former Road, unless it shall lead to some Village, Town, or Place, to which the new Road doth not lead, shall be vested in, and shall and may be sold and conveyed by the said Trustees, or any Nine or more of them, for the best Price that can be got for the same; and the Money arising by such Sale shall be applied to to the Purposes of this Act: But this Act shall not extend to the taking down any Dwelling-house or other Building, or to take in any Garden, Orchard, Yard, Park, planted Walk, or Avenue to a House, without the Consent of the Owner or Proprietor thereof; any Thing herein contained to the Contrary notwithstanding.

After Conveyance, and Money tendered, Road may be diverted through the Lands, &c.

Buildings, &c. not to be injured.

And be it further enacted by the Authority aforesaid, That all and every the Inhabitants of the several Townships, Hamlets, and Places through which the said Road

Inhabitants of Townships to do Two Days Work.

Road doth lead, who by the Laws and Statutes of this Realm are or shall be liable to do Work in the Highways for the repairing thereof, commonly called Statute-work, shall and are hereby required, from and after the said First Day of May, One thousand seven hundred and seventy-one, (save as herein-after is mentioned and provided) to do and perform such and so many Days Work, not exceeding Two Days Work for any One Person or Team in One year, for any Township, Hamlet, or Place through which the said Road doth lead, in such Part or Parts of the said Road as doth or do lie in such Townships, Hamlets, and Places respectively, and in such Places thereof, and at such Times, (the same not being in Hay Time or Harvest) and in such Manner, as the said Trustees, or any Five or more of them, or the Surveyor or Surveyors by virtue of this Act to be appointed, or either of them, shall for those Purposes direct or appoint, and shall, with their Teams and Servants, or otherwise, as the Case shall be, do Eight Hours Work in every Day; and the Surveyor or Surveyors of the Highways of such Townships, Hamlets, and Places respectively, and where there shall be no Surveyor, then the Churchwardens or Overseers of the Poor, and if no Churchwarden or Overseers, then some or One of the principal Inhabitants of the said Townships, Hamlets, and Places respectively, shall yearly, within the Space of Eight Days next after Notice in Writing to him or them for that Purpose respectively given by the said Trustees, or any Five or more of them, or by any or either of the said Turnpike Surveyors under his or their respective Hands, deliver to such Trustees or Surveyors from whom such Surveyor, Churchwarden, Overseer, or Inhabitant shall receive such Notice, or to One of them, a true List in Writing of the Names of all the Inhabitants of such Townships, Hamlets, and Places respectively, and shall therein distinguish and set forth which of such Inhabitants keep Teams, or occupy Plough Lands, and are liable to Teams Duty, and which of them are Labourers, or liable only to do Labour, or any, and what other Duties to the Highways; and if any or either of the Inhabitants of the said Parishes, Hamlets, or Places shall refuse or neglect to do their respective Statute-work or Duty on the said Road, at such Times and Places, and in such Manner as according to the Powers by this Act given, he shall be directed to do; or if any Person shall come as a Labourer, or with a Team, to work on the said Road in pursuance of such Notice as aforesaid, and shall be found idle or negligent by the said

Surveyors to deliver in Lists of Persons liable to do Statute-work.

Penalty on Persons not performing Statute-work.

said Surveyor or Surveyors, where the Work is required to be done, such Surveyor or Surveyors may and is and are hereby required to discharge such Person, and it shall be deemed as if such Person or such Team had not come or been sent to do such Work; and every Person so offending shall, for every such Offence, forfeit the several and respective Sums herein after mentioned; that is to say, Every Person liable to do a Team's Duty the Sum of Ten Shillings, and every Person liable to do a Labourer's Duty only the Sum of One Shilling and Sixpence; and if any or either of the said Parish Surveyors, Churchwardens, Overseers, or principal Inhabitants of the said Townships, Hamlets, or Places respectively, having such Notice to deliver such List or Lists as aforesaid, shall refuse or neglect so to do within the Time or in the Manner herein before for that Purpose mentioned, every such Surveyor, Churchwarden, Overseer, and Inhabitant, shall, for every such Neglect or Offence, forfeit the Sum of Five Pounds.

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

Provided always, and be it further enacted and declared, That the Supervisor or Surveyor, Supervisors or Surveyors of the Highways within the said Township of Manchester for the Time being, shall pay or cause to be paid unto the Clerk or Treasurer of the said Trustees for the Time being, the yearly Sum of Ten Pounds, during the Continuance of this Act, to be laid out in repairing the said Lane called Newton Lane, as and for the Composition in lieu of the Statute-work or Labour to be done or performed by the Inhabitants of or the Occupiers of Lands, Tenements, or Hereditaments in the said Township of Manchester, who shall be and are hereby exempted and discharged from doing or performing any Statute-work or Labour in or upon the said Road from the Guide-post in Newton Lane to Miles Platting aforesaid, or paying any other Composition for the same, save as aforesaid; any Law, Statute, or Usage to the Contrary notwithstanding; which said Sum of Ten Pounds shall be paid half-yearly by equal Payments; to wit, the Twenty-fourth Day of June and the Twenty-fifth Day of December, the First Payment to be made at or upon the Twenty-fourth Day of June; and if Neglect or Default shall happen to be made in Payment of the said yearly Sum of Ten Pounds, or any Part thereof, the same shall and may be recovered from such Supervisor or Supervisors Surveyor or Surveyors, of the said Town of Manchester, in such Manner as any of the Penalties or Forfeitures hereby inflicted are directed to be levied and recovered; and such Supervisor or Surveyor, Super-

The Inhabitants of *Manchester* exempted from doing any Statute-work

visors or Surveyors, shall be reimbursed and allowed the same by and out of the Composition-money to be from Time to Time raised in lieu of Statute-work within the said Town of Manchester.

Trustees may compound for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and are hereby impowered to compound with the Inhabitants of the several Townships, Parishes, Hamlets, and Places, through which the Road by this Act intended to be repaired and amended doth lead, for the Statute-work and Labour by them respectively, by virtue of this Act, to be done in the said Road in every Year, the several Sums of Money at and for which such Work and Labour shall be so compounded being paid down at the respective Times of making such Composition.

Roads to be measured, and Mile-stones erected.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and they are hereby impowered and required to cause the said Road to be measured, and Stones or Posts to be set up, in, upon, or near the Sides thereof, at the Distance of One Mile from each other, with Inscriptions thereon, denoting the Distance of every such Stone or Post from any Town or Place, as they shall think fit; and also to erect Guide or Direction Posts, with such Inscriptions thereon as they the said Trustees, or any Five or more of them, shall think proper; and if any Person or Persons shall wilfully pull down, break, or damage any such Stone or Post, or deface or obliterate any Inscription that shall have been made thereon, or shall cause or procure the same to be done, every such Person so offending shall, for every such Offence, forfeit any Sum not exceeding Five Pounds, nor less than Ten Shillings, whereof One Moiety shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the Penalties are herein after-directed to be applied.

Penalty on defacing Mile-stones.

Application of Penalties.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by this Act imposed, other than and except such or such Parts thereof as are by this Act otherwise directed to be paid, shall be paid to the said Trustees, and shall be by them applied in the Repair of the said Road, in like Manner as other the Monies to be raised by virtue of this Act are hereby directed to be applied.

Treasurer 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 and Receivers, for the due Execution of his

his or their Office or Offices, as the said Trustees, or any Five or more of them, shall think proper.

Provided also, and be it enacted, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant to any Trustee, shall be capable of holding any Place of Profit under this Act. No Victualler, &c. to hold any Place of Profit.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed or incurred, touching which no Provision is made for the Recovery thereof, shall be recovered and levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of One or more of His Majesty's Justices of the Peace for the said County of Lancaster (which Warrant such Justice or Justices is and are hereby impowered and required to issue, upon Information of One or more Witness or Witnesses upon Oath, which Oath such Justice or Justices is and are hereby impowered and required to administer without Fee or Reward); and in case sufficient Distress cannot be found, or such Penalties or Forfeitures shall not be forthwith paid, it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorised and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the common Gaol or House of Correction of the said County of Lancaster, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied. Penalties and Forfeitures how to be recovered and applied.

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 is appointed, such Person may appeal to the Justices of the Peace at the next or the second General Quarter Sessions of the Peace to be held for the said County of Lancaster, such Appellant first giving, or causing to be given, Fourteen Days Notice at the least in Writing of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Three Days after such Notice entering into a Recognizance before some Justice of the Peace for the said County, 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 said Persons aggrieved may appeal to Quarter Sessions, upon giving Fourteen Days Notice.

Justices,

Justices, at the said Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Cause 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 to be deemed 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 Defect 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 upon the Case.

Writings to be without Stamps.

Provided always, and be it enacted by the Authority aforesaid, That no Mortgage, Assignment, Transfer, or other Security for the borrowing of Money, or any Nomination, Information, Contract, Warrant, Judgement, or other Writing whatsoever under the Hand and Seal or Hands and Seals of or only signed by any of the said Trustees, or any Justice or Justices of the Peace, or exhibited before them, or any of them, relating to the Execution of this Act, shall be charged with any Stamp-duty whatsoever.

Proceedings to be entered in a Book.

Provided always, and it is hereby further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Trustees, or any Five or more of them, shall be entered into Books to be kept for those Purposes; so entered, and such Orders and Proceedings, shall be signed by the Clerk at any Meeting of 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; which said Books, and also the Books directed to be kept for registering the said Mortgages, Assignments, or Transfers, or Extracts therefrom, signed by the Clerk to the said Trustees, shall and may be produced and read in Evidence in all Courts whatsoever.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That this Act shall commence and have Continuance from

from the said First Day of May One thousand seven hundred and seventy-one, for and during the Residue of the said Term granted in and by the said recited Act of the Twenty-first Year of his late Majesty's Reign, and during the additional Term given and granted by an Act made in the Twenty-eighth Year of the Reign of His said late Majesty, intituled, An Act to amend an Act made in the Twenty-sixth Year of His 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*) and also from and after 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 then next Session of Parliament.

No Conviction to be quashed for Want of Form, or removed by *Certiorari*.

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 liable to be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record; and that it shall and may be sufficient for any Justice or Justices of the Peace acting in the Execution hereof, to draw up any Conviction or Convictions of any Offender or Offenders against this Act, in the following Form, or in Words to the like Effect; (to wit,)

Form of Conviction.

County of *Lancaster*. } BE it remembered, That on the Day of in the Year of the Reign of His present Majesty, *A. B.* is convicted before [*One or Two*] of His Majesty's Justices of the Peace for the County of *Lancaster*, of the Offence [*specifying shortly the Nature of the Offence, and the Time and Place where the same was committed*] contrary to the Statute made in that Behalf, and is [*or are*] by me [*or us, as the Case shall be*] adjudged to have therefore forfeited the Sum of Given under my [*or our* Hand and Seal [*or Hands and Seals*] the Day and Year first aboveſaid.

Limitation of Actions.

Provided always, 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 Days Notice shall be thereof given to the Clerk of the said

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Truſtees, or after a ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be laid or brought in the ſaid County of Lancaſter, and not elſewhere; and the Defendant or Defendants in every ſuch
General Iſſue. Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before Twenty Days Notice ſhall be thereof given, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County; that then, and in any of the Caſes aforeſaid, the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs; then the Defendant or Defendants ſhall recover
Treble Coſts. Treble Coſts, and have ſuch other Remedy for the ſame as any Defendant or Defendants hath or have in other Caſes by Law.

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

FINIS.