ANNO UNDECIMO

Georgii III. Regis.

An Act for repairing and widening the Road from *Shelton* to the Road between *Cheadle* and *Leek*, and from *Bucknall* to *Weſton Coyney*; and from the Road between *Cheadle* and *Leek* to the Turnpike Road above *Frogall Bridge*; and from the ſame Road to the Road between *Blyth Marſh* and *Thorp*, at or near *Ruehill Gate* in the County of *Stafford*.

WHEREAS the Road leading from the preſent Turnpike Road in Shelton, in the County of Stafford, through Bucknall, and by Aſh and Cellarhead, to the Turnpike Road between Cheadle and Leek, at Blakely Lane Head; and from Bucknall aforeſaid to the Turnpike Road between Leek and Sandon at Weſton Coyney; and from the ſaid Turnpike Road between Cheadle and Leek, on Kingſley Moor, through Kingſley, to the Turnpike Road at or near the Guide Poſt above Frogall Bridge; and from the ſame Turnpike Road, on the Eaſt Side Frogall Bridge, to the Turnpike Road between Blyth Marſh and Thorp, at or near Ruehill Gate, in the ſaid County, are, in many Places, very ruinous, narrow, and incommodious, and cannot be effectually repaired, widened, and kept in Repair by the ordinary Courſe of Law: May it therefore pleaſe Your Majeſty that it may be enacted; and Preamble.

be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Right Honourable Lord Archibald Hamilton, Thomas Anson, George Adams, Charles Bowyer Adderley, William Armet, Edward Arblaster, Charles Armet, Thomas Adams, Richard Adams Clerk, Joseph Adams, Benjamin Adams, William Adams, Thomas Alhwood, Sir William Bagot Baronet, Sir Thomas Broughton Baronet, John Bagnall, Charles Biddulph, William Beard, Thomas Beech, John Baddiley, John Bill Clerk, William Bill, James Brindley, John Brindley, George Broom, Joseph Booth, Joseph Bucknall, William Bourne, Thomas Broad, Samuel Boyer, John Beckett, Luke Bennett, Nathaniel Beard junior, James Bent, James Bourne, John Bourne, Isaac Barbor, Aaron Brown, John Breck Clerk, Sampson Bagnall, Thomas Boulton, Hugh Boulton Clerk, Joseph Barker, Thomas Barker, William Banks, Joseph Bourne, John Beech, William Beech, Charles Barnes, Francis Burton, Thomas Bacchus, Thomas Birks, William Boulton, William Bower, Sir John Chetwood Baronet, Smith Child, John Clownam, John Cook, Thomas Child, John Chatterley, Ephraim Chatterley, Charles Chatterley, John Clark, William Clark, John Child, John Daniel, Thomas Fitzherbert, John Fenton, John Fenton junior, Thomas Fenton, John Fenton Clerk, John Fernyhough Clerk, Thomas Fernyhough, Thomas Fletcher, Thomas Fletcher junior, Hugh Ford, Isaac Ford, Hugh Ford, William Ford, Thomas Ford, Henry Fowler, William Fowler, Sir Nigel Gresly Baronet, the Honourable Booth Grey, the Honourable John Grey, Thomas Gilbert, John Gilbert, George Greatbach, James Godwin, Richard Hill, John Henshall, Hugh Henshall, John Hales, John Hassells, Thomas Heath, Joshua Heath, Richard Hollins, John Hollins, Thomas Hollins, Thomas Hatrell junior, Henry Hatrell, Thomas Heath, John Harrison, William Hyatt, Blest Hadderton, Robert Hurst, Richard Hulme, Joseph Ingleby, Joseph Jenkinson, George Kendall, William Kinnersley, Anthony Keeling, Obadiah Lane Clerk, Richard Lateward, Thomas Lovatt, Francis Leigh, Edward Leigh, Edward Mainwaring, Hugo Meynell, John Murhall, Edward Mainwaring junior, Thomas Mills, William Mills, Ralph Moreton, John Middleton Clerk, Thomas Middleton Clerk, John Mare, John Mare junior, Francis Mare, the Mayor, Recorder, Justices, and Bailiffs of Newcastle-under-Lyne for the Time being, Thomas Mytton, Howard Moreton, Lord Chief Baron Parker, Thomas Parker,

Trustees for the First District.

Parker, George Parker, Humphry Palmer, Samuel Perry, John Plant, Thomas Price, Ralph Pool, Thomas Payne, Thomas Pratt, John Phillips, John Phillips junior, Michael Paxter, Thomas Phillips, William Robinson Clerk, James Robison, Samuel Robison, Robert Robison, John Richards, Robert Rhodes, John Ripton, Ralph Sneyd, William Swinnerton, Jeremiah Smith, Walter Sneyd, Edward Sneyd Clerk, Thomas Swinnerton, Ambrose Smith, Thomas Swinnerton, John Sparrow, William Sutton, John Simpson, Thomas Simpson, James Smallwood, William Smallwood, Joseph Stone, Joseph Snape, Joseph Smith, John Shorthose, John Shrigley, William Sutton, Joseph Stevens, George Twemlow, Thomas Twemlow, John Taylor, John Turner, William Tatton, Thomas Unett, William Unett, Sir John Wrottesley Baronet, Bowyer Leftwich Wynn, Thomas Whieldon, John Ward Clerk, William Whieldon, William Whieldon junior, Stephen Wood, John Wedgwood, Josiah Wedgwood, Josiah Wedgwood, Carlos Wedgwood, Thomas Warburton, Isaac Warburton, Jacob Warburton, Jacob Warburton junior, John Weatherby, John Weatherby junior, John Woodhouse, John Ward Clerk, John Walklate, Sampson Whieldon, and John Yates, and their Successors, to be elected in Manner herein aftermentioned, shall be, and are hereby appointed Trustees for repairing and widening the said Road leading from Shelton aforesaid to Blakely Lane Head; and from Bucknall to Weston Coyney; and for putting all the Powers of this Act in Execution in relation to the said Road, which shall be and is herein after called the First District of the Roads hereby intended to be repaired and widened.

Trustees for the Second District.

And that the Trustees named and appointed in and by an Act of Parliament made and passed in the Second Year of the Reign of his present Majesty (intituled, An Act for repairing and widening the High Road leading from *Ashborne*, in the County of *Derby*, to the Town of *Leek*, in the County of *Stafford*; and from *Ryecroft Gate* upon *Rushton Common* to *Congleton*, in the County of *Chester*; and also the Road leading from *Blyth Marsh*, in the County of *Stafford*, through *Cheadle*, *Oakamoor*, and *Blore*, to the Turnpike Road from *Ashborne* to *Buxton* near *Thorp*, in the County of *Derby*) and their Successors, elected in Manner therein mentioned; and also Sir John Wrottesley Baronet, John Port, Thomas Silvester, William Tatton, John Beech, Howard Moreton, John Child, William Bower, George Kendall, Thomas Mytton, Henry Mytton, Daniel Lowands, John Lee, Thomas Smith, Richard Whilock, William Smith, William Ratcliff, William Ratcliff of Onecoat, John Torr, Jotin Rushton, George Clicklow,

Thomas Cooke, Henry Prince, James Burnett, Thomas Ruſhton, William Whieldon, Paul Prince, Henry Beard, Joſeph Ruſhton, the Reverend Daniel Lloyd, Robert Maſſey, John Waterhouſe, John Townſend, Thomas Cliff, William Alcock, George Poyſor, William Fowler, William Fallows, John Oulſnam, Charles Endſer, John Baddiley, Francis Burton, Thomas Bacchus, William Clark, the Honourable Booth Grey, the Honourable John Grey, Joſeph Jenkinſon, Obadiah Lane Clerk, John Middleton Clerk, Lord Chief Baron Parker, Thomas Parker, George Parker, Michael Paxter, Jeremiah Smith, John Sparrow, and William Sutton, being qualified, as directed by the ſaid laſt-mentioned Act, ſhall be, and are hereby appointed Truſtees for repairing and widening the ſaid Road, from the Road between Cheadle and Leek on Kingſley Moor, to the Road between Blyth Marſh and Thorp near Ruehill Gate aforeſaid, and for putting all the Powers of this Act in Execution in relation to the ſaid Road, which ſhall be and is hereafter called the Second Diſtrict of the Roads hereby intended to be repaired and widened.

Qualification of Truſtees.

Provided always, 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 for the ſaid Firſt Diſtrict, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion, or in Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds above Reprizes, or poſſeſſed of or intitled unto 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 at Weſtminſter, by Action of Debt or on the Caſe, or by Bill, Suit, 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 ſaid Penalty, upon Proof given of his having acted as a Truſtee in the Execution of this Act: And if any Perſon ſhall preſume to act as a Truſtee in the Execution of this Act for the ſaid Second Diſtrict, not being qualified as required by the ſaid Act of the Second Year

Penalty on acting if not qualified.

of

of his present Majesty, he shall be liable to the Penalty inflicted by the said Act for the acting as a Trustee in the Execution thereof, without being qualified as required by the said Act.

And be it further enacted by the Authority aforesaid, That the Trustees for the said First District, or any Five or more of them, shall meet together at the House of William Tomlinson, known by the Sign of the Royal Oak in Cheadle, on Tuesday the Twenty-first Day of May, One thousand seven hundred and seventy-one: And the said Trustees for the said Second District, or any Five or more of them, shall meet at the House of William Tomlinson aforesaid, on the said Twenty-first Day of May, One thousand seven hundred and seventy-one, and respectively proceed to the Execution of this Act, and shall then respectively chuse a Clerk or Clerks for each of the said respective Districts, to write their Orders, take Minutes, and make Entries of their respective 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 such respective Districts, as they the said respective Trustees, or any Five or more of them, shall think proper; provided that no such Meeting shall be adjourned for any longer Time than Three Months from the Day on which such Adjournment shall be made, and that no Business shall be done or proceeded upon at any of the said Meetings before the Hour of Ten in the Forenoon, and that no Adjournment shall be made to any Hour later than Two in the Afternoon of the Day on which such Meeting shall be appointed to be held: 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, the Trustee or Trustees then present, or the Clerk or Clerks to the said Trustees respectively, shall, from Time to Time, as often as such Case shall happen, by Notice in Writing, to be fixed upon all the Turnpike gates which shall then be erected upon or across the Roads in each respective District, at least Ten Days before the next Meeting, appoint such Trustees respectively to meet at the Place where the last Meeting was appointed to be held on the Fourteenth Day after the Day for which such last Meeting was appointed: And the said Trustees, at all their Meetings, shall defray their own Expences: And that all Orders and Determinations of the said respective Trustees, in the 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

First Meeting.

Trustees to defray their own Expences.

All Orders to be made at publick Meetings, but not

made,

Valid unless the Majority of Truſtees preſent concur.

made, unleſs 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 an equal or ſuperior Number of Truſtees than concurred in the making ſuch Order or Determination, ſhall concur in revoking or altering the ſame: Nor ſhall any Truſtee be capable of acting 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 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.

Truſtees not to hold Places of Profit.

Truſtees may act as Juſtices where not intereſted.

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

And be it further enacted by the Authority aforeſaid, That when and as often as any Truſtee ſhall die or refuſe to act, it ſhall be lawful for the ſurviving or remaining Truſtees for the ſaid Diſtricts reſpectively, or any Five or more of them, by Writing under their Hands and Seals, to elect One other Perſon, qualified as aforeſaid, 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 reſpective Truſtees, by affixing the ſame upon all the Turnpikes in or upon the Roads in each reſpective Diſtrict, at leaſt Ten Days before every ſuch Meeting; and all Perſons who ſhall be ſo elected, 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.

Notice of Election to be given.

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

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees for the ſaid Firſt Diſtrict, or any Five or more of them, ſhall and may, from Time to Time, cauſe to be erected One or more Turnpike or Toll-gate, Turnpikes or Toll-gates, in, upon, or acroſs, any Part or Parts of the ſaid Roads, in the ſaid Firſt Diſtrict, and on the Side or Sides thereof, or acroſs any Lane or Way leading out of the ſame; and alſo a Toll-houſe or Toll-houſes, on the Sides of the ſame Roads, and may cauſe any ſuch Turnpike or Turnpikes, Toll-houſe or Toll-houſes, to be taken down, removed, or altered: And the Truſtees for the ſaid Second Diſtrict, or any Five or more of them, ſhall and may, from Time to Time, cauſe to be erected, One or more Turnpike or Toll-gate, Turnpikes or Toll-gates, on the Side or Sides of the ſaid Roads in the ſaid Second

cond District, or across any Lane or Way leading out of the same, so that such Side-gates respectively be not erected upon or on the Side of any other Turnpike Road, and also a Toll-house or Toll-houses near each of the said Turnpikes or Toll-gates; and may cause any such Turnpike or Turnpikes, Toll-house or Toll-houses, to be removed or altered; and that the Tolls following shall and may be demanded and taken before any Cattle or Carriages shall be permitted to pass through any of the same Turnpikes or Toll-gates, to be erected by virtue of this Act; (that is to say) and take the following Tolls.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing in any Carriage, the Sum of Three-pence. The Tolls.

For every Horse, Mare, Gelding, Mule, or other Beast, laden or unladen, and 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, 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 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 and may be lawful for the Person or Persons appointed to collect such Tolls, to seize and distrain any Horse, Beast, or other Cattle, or any Goods or Carriage upon which any such 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 or Distress, and of detaining and keeping the same, shall not be paid within the Space of Four Days after such Seizure or Distress made, the Person or Persons so distraining shall and may sell the Horse, Cattle, Beast, Carriage, or Goods and Chattels so distrained, returning the Overplus (if any be), upon Demand, to the Owner thereof, after such Tolls and all reasonable Charges shall be deducted: And all the Tolls collected and levied by virtue of this Act, shall be, and are hereby vested in the said respective Trustees, and shall be applied, or may be assigned, in such Manner as herein after mentioned. Tolls vested in the Trustees.

The Second District consolidated with the Road from *Blyth Marsh* to *Thorp*.

And be it further enacted by the Authority aforesaid, That the said Road, herein before called the Second District of the Roads by this Act directed to be repaired and widened, shall immediately, from and after the passing of this Act, be added to, and consolidated with the said Road from Blyth Marsh to the Road between Ashborne and Buxton, near Thorp; and that the Tolls to be collected and received upon or for the Benefit of the said Second District, by virtue of this Act, and also upon the said Turnpike Road between Blyth Marsh and the Road from Ashborne to Buxton near Thorp, shall reciprocally be Securities to each other for the several Sums already borrowed upon the Credit of the Tolls arising upon the said Road between Blyth Marsh and Thorp, or to be borrowed on the Credit of the said Tolls, and of the Tolls to arise by virtue of this Act, within or for the Benefit of the said Second District.

How the Tolls levied are to be applied.

And whereas the Trustees appointed by an Act of Parliament passed in the Ninth Year of the Reign of His present Majesty, for repairing and widening the Road from Cheadle to Botham House, and from thence to Butterton Moor End, have erected a Turnpike or Toll-gate across the said Road, at or near Frogall Bridge aforesaid, which Road intersects the Road herein before called the Second District, for about the Distance of Six hundred Yards, at Frogall aforesaid: And whereas the Tolls authorised to be collected upon the said Road, between Blyth Marsh and Thorp, which chiefly arise from Lime and Coals, will, by repairing and widening the said Road, called the Second District, be greatly diminished, as the said Roads lie in a parallel Direction with each other, and the Tolls to be collected at the said Turnpike at Frogall aforesaid, on the said Road from Cheadle to Butterton Moor End aforesaid, will be thereby greatly augmented and increased: And whereas it would be for the mutual Advantage of all the said Roads, and also of the Publick, if a reasonable Proportion of the Tolls arising at the said Turnpike or Toll-gate at Frogall aforesaid were to be applied in Repair of the Roads in the said Second District, and also of the said other Road so united therewith as aforesaid, instead of any additional Turnpike being erected across the said Road in the said Second District; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees appointed in and by the said Act for repairing the said Road from Cheadle to Butterton Moor End aforesaid,

aforesaid, or the Collector or Collectors appointed, or to be appointed by them, or any Five or more of them, and they are hereby required to demand, collect, and receive at the said Toll-gate at Frogall, the like Tolls and Duties as herein before authorised and directed to be taken at the several Turnpikes or Toll-gates herein before mentioned; and that Three-fourth Parts of all such Toll as shall be collected at the said Frogall Gate for Lime, and Slack to burn Lime; and also One-half of all such Toll as shall be collected at the said Gate for Coals, which shall go upon that Part of the said Road called the Second District, which lies within the Township of Whiston, beyond the Road which branches from thence towards Foxt; and also One-fourth Part of all such Tolls as shall be collected at the said Gate for Coals to be carried along or up the said Road towards Foxt aforesaid, shall be paid to the Treasurer of the said Second District, and applied and expended under the Direction of the Trustees of that District in the Repair and Amendment, and for the Uses of the said Road called the Second District, and also of the said Road united therewith, as aforesaid.

Trustees for the Second District impowered to remove *Frogall* Turnpike.

And whereas it might be more convenient for collecting the Tolls and Duties aforesaid, if the Toll-gate now erected at Frogall was removed nearer to the Place where the said Road leading to Ruehill Gate branches out of the said Road at or near Frogall aforesaid; be it therefore further enacted by the Authority aforesaid, That the said Trustees for the said Second District, or any Five or more of them, shall and may, and they are hereby authorised and impowered, by and with the Consent of the said Trustees for the said Road from Cheadle to Butterton Moor End, or any Five or more of them, at any Time hereafter, if they shall see Occasion, to remove the said Turnpike or Toll-gate, and Toll-house now erected at Frogall aforesaid, to any other Place between Frogall Bridge and the Place where the Road in the said Second District, within the said Liberty of Whiston, branches out of the said Road, that shall appear to them, or any Five or more of them, convenient for collecting the Tolls at the said Turnpike in the Shares and Proportions aforesaid; and when such Turnpike shall be so removed, it shall not be lawful for the Trustees of the said Road from Cheadle to Butterton Moor End aforesaid, or any other Person or Persons, to erect or continue any other Turnpike or Toll-gate, or to collect any other Toll upon that Part of the Road which intersects the said Road in the said Second District,

District, except as aforesaid: And it shall and may be lawful for the said Trustees of the said Second District, or any Five or more of them, to appoint a Person to collect and receive their Proportion of the Tolls to be paid at the said Turnpike or Toll-gate, now erected at Frogall, or to be removed as aforesaid, and to discharge such Collector, and appoint another in his Stead, as they shall, from Time to Time, see Occasion; or in case the said Trustees of the said Road from Cheadle to Butterton Moor End aforesaid shall refuse to consent to the Removal of the said Turnpike or Toll-gate, that then it shall and may be lawful for the said Trustees for the said Second District, or any Five or more of them, to erect a Turnpike or Toll-gate, and Toll-house across the said Road in the said Second District, at or near the branching of the said Two Roads in Whiston aforesaid, for the more convenient collecting and receiving the Proportion of the Tolls and Duties to be paid to the said Trustees of the said Second District, or their Treasurer, as aforesaid.

No Toll to be taken for crossing the Road only.

Provided always, and be it further enacted by the Authority aforesaid, That no Toll shall be taken in respect of any Horse, Cattle, Beast, or Carriage, which shall only cross the said Roads, or not travel more than Two hundred Yards upon the same respectively, nor more than One Penny Halfpenny, for the Passage of any Horse or other Beast, through any Turnpike or Toll-gate to be erected upon the said Roads, in either of the said Districts, drawing in any Carriage (not travelling for Hire) going to, or returning from any Corn-mill or Corn-mills, erected, or to be erected, upon or near the said Roads, or any of them, nor more than One Halfpenny for the Passage of any Horse or other Beast, not drawing also, going to or from any such Corn-mill or Corn-mills.

Tolls to be paid but once a Day.

Provided also, and be it further enacted by the Authority aforesaid, That no Person shall be liable to pay Toll more than Once for passing 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 of the succeeding Night, through any One Turnpike or Toll-gate to be erected by virtue of this Act, within the said respective Districts; but all and every such Person and Persons, after having paid such Toll or Tolls respectively, as aforesaid, shall, upon producing a Note or Ticket, Notes or Tickets, denoting such Payment, afterwards pass with such Horses, Cattle, Beasts, or Carriages, Toll-free,

free, during such Day, to be computed as aforesaid, through the respective Gates where such Payment was made, and also through any other Toll-gate within the same District; which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis, on Receipt of the Toll.

Property of Turnpikes, &c. vested in Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property of all the said Turnpikes and Toll-houses to be erected or provided by virtue of this Act within the said respective Districts, and of the Materials of which the same shall consist, and also all Rails, Stiles, Posts, and Fences, which shall be in or belonging to the said Districts respectively; and also all Materials which shall be actually got or collected for repairing the said Roads within such Districts, or any Part thereof, shall be, and are hereby vested in the said Trustees for such District respectively; and they, or any Five or more of them, are hereby impowered to bring, or cause to be brought, any Action or Actions in the Name or Names of any One or more of them, or of their Treasurer or Treasurers, Clerk or Clerks, or to prefer, or order the preferring, of Indictments against any Person or Persons who shall injure or disturb them the said Trustees in the Possession thereof.

Application of the Tolls.

And be it further enacted by the Authority aforesaid, That out of the Tolls collected and levied upon or in respect of the said respective Districts, or the Monies to be borrowed on account thereof, or on the Credit of this present Act, the said respective Trustees shall, in the First Place, pay all the Costs, Charges, and Expences of obtaining and passing this Act, or any wise relating thereunto; and that One Moiety of such Expences shall be defrayed out of the Monies arising within or on Account of the said First District, and the other Moiety out of the Monies arising within or on account of the said Second District: And all the Residue of the said Money, arising within or on account of the said First District, shall be paid, laid out, and expended in repairing and widening the said Roads in the said First District; and all the Residue of the said Money arising within or on account of the said Second District, shall be paid, laid out, and expended in repairing and widening the said Roads in the said Second District, and the said other Roads united therewith as aforesaid.

Trustees may lessen or vary the Tolls,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Five or more of them, at their First Meeting, and from Time to Time assembled at any sub-

sequent Meeting or Meetings to be held for that Purpose, to lessen or reduce within such Districts respectively all or any of the Tolls hereby granted, and for such Time or Times as they the said respective Trustees, or any Five or more of them, shall think proper; and may afterwards, from Time to Time, 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 to order and direct such Tolls so lessened or reduced, or advanced, to be collected, received, taken, laid out, and applied for the Purposes of this Act, in such Manner as the said respective Tolls are herein before directed to be collected, levied, and applied; but no such Reduction shall be made after such First Meeting for such District respectively, unless the Person or Persons who shall be intitled to Two-thirds of the Money which shall have been lent upon the Credit of the Tolls intended to be reduced shall be consenting thereto; and that no such Reduction shall be made unless Ten Days Notice at least shall be given in Writing, to be affixed upon all the Turnpikes which shall be then erected by virtue of this Act within such District respectively, expressing the Intention to make such Reduction.

and raise them again, so as not to exceed those formerly granted.

And be it further enacted by the Authority aforesaid, That the said Trustees for the said First District, 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 Horses, Cattle, Beasts, or Carriages travelling upon the said Roads in the said First District, or any Part thereof, for all or any of the Tolls to be paid for or in respect of such Horses, Cattle, Beasts, or Carriages; so that no such Composition shall be made for any Cattle or Carriages travelling for Hire; and all such Composition-money shall be paid quarterly in Advance to the Treasurer or Treasurers of the said Roads; 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, in respect whereof such Composition is made, are directed to be applied.

Trustees for the First District may compound with Travelers.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Seven 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 respective Districts, or any Part or Parts of such Tolls, unto

Trustees may lease, &c. the Tolls.

unto any Person or Persons, from Year to Year, or for any Term not exceeding Two Years, for the best Rent that can be got for the same, payable at such Times, and under such Covenants, and to such Person or Persons as they the said respective Trustees, or any Seven or more of them, shall direct or appoint; and the Monies arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied: Provided that the Contract for the Letting the said Tolls be made with the best Bidder, at a publick Meeting to be held for that Purpose, whereof Ten Days Notice shall be given, by Writing to be fixed upon every Toll-gate erected within the District where such Tolls shall arise.

Penalty on Persons going through or permitting private Passages, or forging Tickets, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall with any Horse, Cattle, Beast, or Carriage, pass through any Land, Ground, or Hereditaments, lying near any Turnpikes which shall be erected by virtue of this Act (the same not being a public Highway); or if any Owner or Occupier of any such Lands, Grounds, or Hereditaments, shall knowingly permit or suffer any Person or Persons with any Horse, Cattle, Beast, or Carriage whatsoever, to pass through the same; or if any Person or Persons shall give to or receive from any Person or Persons, or forge or counterfeit any Ticket by virtue of this Act to be given, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall forcibly pass through any such Turnpike with any Horse, or other Cattle or Beast, without Payment of Toll, or shall take off, or cause to be taken off, any Horse, or other Cattle or Beast from any Carriage, or shall leave, or cause to be left, upon or near to any Part of the said respective Roads any Carriage, Horse, Cattle, or Beast, with an Intent to avoid the Payment of any of the said Tolls, or any Part thereof, or with such Intent shall unload any Goods from any Horse, Cattle, Beast, or Carriage, or secrete any Goods chargeable with any such Toll; every Person so offending in each or any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties are hereby directed to be applied.

Penalty on driving into private Passages to evade the Toll.

And be it further enacted by the Authority aforesaid, That no Waggon, Cart, or other Carriage, travelling for Hire upon the said respective Roads, shall be drove or turned out of the same into any of the Roads adjacent, not being Turnpike Roads, in order to avoid, and thereby

thereby avoiding Payment of the Tolls and Duties appointed by this Act to be paid at any Gate or Turnpike which shall be erected for collecting and receiving the same, upon Pain of forfeiting any of the Horses drawing such Waggon, Cart, or Carriage, not being the Shaft or Thill Horse, with all his Gears and Accoutrements to and for the sole Use and Benefit of any Person or Persons who shall seize and distrain the same.

Exemptions from Tolls.

Provided always, and be it further enacted by the Authority aforesaid, That no Toll shall be taken for any Horse, Cattle, Beast, or Carriage, loaden only with, or going unloaden for, or returning unladen, having been only laden with, on the same Day, Gravel, Stone, or other Materials for repairing the said respective Roads, or any Part thereof, or any of the Roads in the Parishes in which the said Roads do lie; or with Hay, Straw, or Corn in the Straw only, or Muck, Dung, Compost, or other Manure, for the Improvement of Land (except Lime) not sold or disposed of, but passing to be laid up or placed in the Outhouses, or on the Lands of the Owners thereof; or for any Ploughs, Harrows, or Implements of Husbandry; or for any Person or Persons going to or returning from their proper Parochial Church, Chapel, or other Place of religious Worship; or attending the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes; or for any Post Horse, or Vehicle carrying the Mail or Packet; or for any Cattle going to or from Water or Pasture; or for the Horses of any Soldiers upon their March, or Carriages attending them with their Baggage; or for any Cattle or Carriage employed in conveying of Vagrants sent by legal Passes; or for any Coach, Landau, Berlin, Chariot, Calash, or Chair, or Passengers on Horseback, going to or returning from any Election of a Knight of the Shire to serve in Parliament for the County of Stafford, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded: And if any Person shall claim or 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.

Trustees may borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Seven or more of them, may and are hereby impowered at their first or any subsequent Meeting, to borrow or take up at Interest any Sum or Sums of Money upon the Credit of the Tolls, arising within the said respective Districts, or applicable thereto, by virtue of this Act, and may

and

and are hereby impowered, from Time to Time, by any Writing or Writings under their Hands and Seals, to assign over and convey the said respective Tolls, or any Part or Parts thereof, the Charges of such Assignments and Conveyances to be paid out of such Tolls respectively, to any Person or Persons who shall advance or lend their Monies thereon, for any Time or Term during the Continuance of this Act, as a Security or Securities for the several Sums of Money that shall be borrowed, and the Interest thereof as aforesaid; and Copies of all such Assignments and Conveyances shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said respective Trustees; but no Money shall be borrowed on the Credit of the said Tolls after such first Meeting respectively, unless Notice be for that Purpose fixed in Writing upon all the Turnpikes or Tollgates within the District for which such Money shall be borrowed, at least Fourteen Days before the borrowing thereof: And all and every Person and Persons, to whom any such Assignment shall be made as aforesaid, or who shall be intitled to the same, is and are hereby impowered, from Time to Time, by Assignment under his, her, or their Hand or Hands, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Presence of Two or more credible Witnesses, to assign over or transfer his, her, or their Right to the Principal and Interest Money thereby secured, to any Person or Persons whomsoever; all which Assignments or Transfers shall be produced and notified to the Clerk or Treasurer to the said respective Trustees within Thirty Days after the Date thereof, who shall cause an Entry to be made of such Assignments, containing the Date, Names of the Parties, and Sums of Money therein mentioned, to be assigned or transferred, in the said Book or Books to be kept for entering the said original Assignments, for which the said 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 seasonable Times, be perused and inspected without any Fee or Reward: And after such Entry made, and not otherwise, such Assignment or Transfer shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Money due thereon; and such Assignee may, in like Manner, assign and transfer again, as so toties quoties; and it shall

No Money to be borrowed without publick Notice.

Assignments may be transferred.

not be in the Power of any Person who shall have made any such Assignment or Transfer to make void, release, or discharge the same, or any Monies thereon due.

Creditors to be equal in Degree.

And be it further enacted by the Authority aforesaid, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of the said respective Tolls in respect to the Priority of advancing such Sum or Sums of Money; but that all Persons to whom such respective Mortgages or Assignments shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on the said respective Tolls in equal Degree one with another.

Trustees not answerable in their private Capacities.

Provided always, That nothing herein contained shall extend, or be construed to extend, to charge or subject the said respective Trustees, or Persons appointed to receive the said Money, or any Part thereof, to any Payment of the same by Reason of their or any of their Signing or Sealing any such Assignments, or other Securities, to be made in pursuance of this Act, or any of them.

Trustees to appoint Officers,

And be it further enacted by the Authority aforesaid, That the said respective 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 said respective Tolls, and One or more Clerk or Clerks, Treasurer or Treasurers, and Surveyor or Surveyors of the said respective Roads, and such other Officers as the said respective Trustees, or any Five or more of them, shall think necessary; and from Time to Time to remove any such Officers, and other Persons, and appoint others in the Room of such of them as shall be removed or shall die; and out of the Monies to arise by virtue of this Act, to make such Allowances to the said Officers and Persons as to them the said respective Trustees, or any Five or more of them, shall seem reasonable:

and remove them, and appoint others.

Officers to account upon Oath.

And all such Officers and Persons, shall under their Hands, at such Time and Times, and in such Manner as the said respective Trustees, or any Five or more of them, shall deliver to such respective 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

Hands to the said respective 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 thereto required by the said respective Trustees, or any Five or more of them, (which Oath the said Trustees, or any One or more of them, are hereby impowered to administer) verify their said Accounts: And if any such Officer or Person shall not render or make, 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 respective Trustees, or any Five or more of them, within Twenty-one 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 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 any of the Cases aforesaid, such respective 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 Five 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 of the 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 is and are hereby authorised and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them; and upon his or their appearing, or not being to be found, to hear and determine the Matter in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the respective 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

Officers refusing to account and make Payment, or deliver up Books, &c. may be sued.

Justices to enquire into the Default.

Balance to be levied by Distress.

is and are hereby impowered and required to administer without 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 is and are hereby authorised and required, upon Nonpayment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods 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 levying the same; then, and in any of the Cases aforesaid, such Justice or Justices shall commit every such Offender to the Common Gaol for such County or Place, 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 respective 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 respective Trustees, or any Five or more of them, are hereby impowered to make) or until he shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said respective Trustees, or any Five or more of them.

For want of Distress, Offender may be committed.

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

Treasurer to give Security.

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 for such District respectively, 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 the Recovery thereof as the Person he shall succeed was vested with, until the said respective 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.

Trustees may appoint Officers.

And be it further enacted by the Authority aforesaid, That if any Toll-gatherer, or Person appointed by the

said

said respective Trustees, or any Five or more of them, in Manner herein-before mentioned, to collect and receive any of the Tolls by this Act granted, shall at any Time or Times neglect or refuse to quit his Employment, conformable to the Orders of the said respective Trustees, or any Five or more of them, and to deliver up the Possession of the Turnpike or Toll-gate, and Toll-house to the said respective Trustees, or to such Person or Persons as they, or any Five or more of them, shall appoint, and shall be convicted of such Neglect or Refusal before One or more Justice or Justices of the Peace of the County or Place where such Neglect or Refusal shall be, either by Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, then it shall and may be lawful to and for such Justice or Justices, and he and they is and are hereby required to issue his or their Warrant or Warrants to the Constable, Tythingman, or other Officer or Officers of the Peace of the said County or Place, to turn such Toll-gatherer or Collector out of the Possession of the said Turnpike or Toll-gate and Toll-house, and to deliver the Possession thereof to such Person or Persons as the said respective Trustees, or any Five or more of them, shall have directed and appointed in Manner aforesaid; and also to bring such Toll-gatherer or Collector, so neglecting or refusing as aforesaid, before such Justice or Justices, who is and are hereby impowered and required to commit him or them to the House of Correction, there to be kept to hard Labour for any Time not exceeding the Space of Three Calendar Months.

Trustees may remove Toll-takers, &c.

Provided always, and be it further enacted, That no Victualler or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant of any Trustee, shall be capable of holding any Place of Profit under this Act.

No Victualler to hold any Place of Profit.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors of the said respective Districts, and such other Person and Persons as shall be employed by such Surveyor or Surveyors, or by the said respective Trustees, or any Five or more of them, is and are hereby impowered to cut, dig, gather, take, and carry away any Furze, Heath, Stones, Gravel, Sand, or other Materials, proper for the repairing of the said respective Roads, out of and from any waste Grounds, Stone Quarries, or Commons, Rivers or Brooks, in any Parish, Town, or Place, in which any Part of the said respective Roads do lie, 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

Surveyors, &c. may dig Gravel, &c. from waste Ground, &c.

filling up the Pits, &c.

levelling the Ground from which 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 Furze, Heath, Stone, or other Materials, proper and sufficient for that Purpose, cannot be had or found in or upon such waste Grounds or Commons, Rivers or Brooks, 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 respective Trustees, or any Five or more of them, dig, and make Pits, get, gather, take, and carry away, any such Materials as aforesaid, in, upon, or out of, and from the Stone Quarries, and Lands of any Person or Persons, (not being 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,) paying, or tendering Payment of such Rates, for such Materials, and for such Damage done to such private Lands, over which any Materials gotten in any waste Ground, Common, River, or Brook, or private Grounds, shall be conveyed, as the said respective Trustees, or any Five or more of them, shall adjudge reasonable.

For want of such Materials, may be taken from Private Grounds,

making Satisfaction.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Five or more of them, or the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint from Time to Time, (such Surveyor or Surveyors having any Order for that Purpose from the said respective Trustees, or any Five or more of them), to remove and prevent all Annoyances on any Part of such respective Roads, by Filth, Dung, Ashes, Rubbish, Straw, or otherwise, and convert the same to his or their own Use or Uses; and to turn any Watercourses, Sinks, or Drains, running along, into, or out of the said respective Roads, to the Prejudice thereof; and to open, scour, cleanse, widen, and 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 down, lop or top any Trees, Shrubs or Bushes, growing in the said Road, or in the Hedges or Banks adjacent thereto, not being a Garden, Orchard, Plantation, or Avenue to a House, and take and carry away the same, (in case the Owners or Occupiers of the Premises shall, for the Space of Fourteen Days after Notice in Writing given for that Purpose by such Surveyor or Surveyors, neglect to lop or top,

Surveyors may remove Annoyances.

and cut down Trees, &c.

cut

cut down and remove such Trees, Shrubs or Bushes, or to open, scour, cleanse, widen or deepen, such Watercourses or Ditches, and to remove such other Annoyances in such Manner as the said respective Trustees, or any Five or more of them, or the Surveyor or Surveyors shall require) the Charge whereof, to be settled by the said respective 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 hereinafter directed to be recovered and applied; and if after Removal of any of the said Annoyances, any Person shall again offend in like Manner, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings.

Charges to be reimbursed to the Surveyor.

Penalty on a second Offence.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Surveyor or Surveyors for the said respective Roads, or such Person or Persons as he or they shall appoint, (such Surveyor or Surveyors having an Order for that Purpose from the said respective Trustees, or any Five or more of them) to make Causeways, and also Ditches and Drains, in and upon the said Roads, and also through any Ground lying contiguous thereto, in order to conduct the Water off the said Roads; and also to widen any narrow Parts of the said Roads, by opening, clearing, and laying into the same, any Grounds of any Person or Persons lying contiguous thereto, so as to make such Part of the said Roads Forty Feet in Width; and also to make a Road through any of the Grounds adjoining or lying near to any hollow Way, narrow or ruinous Part of the said Roads, (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, heretofore 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 respective Trustees, to build, erect, repair, and keep in repair, any Bridge or Bridges, Arch or Arches, upon any Part or Parts of the said Roads, and across 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 respective Trustees, or any Five or more of them; but that no such Satisfaction shall be made for doing or performing any

Surveyors to make Causeways, &c.

widen the narrow Parts of the Roads,

and erect Bridges, &c.

making Satisfaction to the Owners of the Ground.

of the Works aforesaid upon or through any Wood or waste Ground.

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

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Five or more of them, shall be, and are hereby impowered to divert, turn, or alter the Course or Path of any Part or Parts of the said Roads within their respective Districts, through any Wood or waste Grounds, 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 for the said respective Trustees, or any Five or more of them, to contract and agree 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 the diverting, turning, or altering the Course or Path of any Part or Parts of such Roads through such Lands or Hereditaments; and it shall be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, or Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees, whatsoever, 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 whatsoever, 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 and Persons whomsoever who are or shall be possessed of, or interested in any such Lands or Hereditaments, to contract with the said respective Trustees, or any Five or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey unto them, or any Five or more of them, all or any such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales and Conveyances, which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter whatsoever to the Contrary notwithstanding; and all such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, 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, Corporations Aggregate or Sole, Husbands,

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

Where Persons shall refuse or neglect to treat,

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 any 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 such Roads are intended to be diverted, turned or altered, shall, for the Space of Thirty Days next after such Notice given or left, 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 such Case, the said respective Trustees, or any Five or more of them, shall cause such Damage and Recompence to be inquired into, and ascertained by a Jury of Twelve indifferent Men of the County wherein such Lands and Hereditaments do lie; and in order thereto, the said respective Trustees, or any Five or more of them, are hereby impowered and required, from Time to Time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to be examined concerning the Premises, which Oath any One or more of the respective Trustees, are hereby impowered to administer; and such respective Trustees, or any Five or more of them, shall, by ordering a View, or otherwise, use all Ways and Means, as well for their own as the said Jury's Information in the Premises; and after the said Jury shall have inquired of, and assessed such Damages and Recompence, they the said respective Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners and Persons interested in the said Lands or Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and Judgement, Order or Determination thereupon, shall be final, binding, and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, Lunaticks, Ideots, and Persons under any other Disability whatsoever, Bodies Politick, Corporate and Collegiate, Corporation Aggregate or Sole, as well as all and every other Person and Per-

the Damage and Recompence to be settled by a Jury.

Witnesses to be summoned upon Oath.

Verdict of the Jury to be binding and conclusive.

Truſtees to iſſue Warrants to the Sheriff to impannel a Jury.

ſons whomſoever: And for ſummoning and returning ſuch Juries, the ſaid reſpective Truſtees, or any Five or more of them, are hereby impowered to iſſue their Warrant or Warrants to the Sheriff of the County wherein ſuch Lands or Hereditaments do lie, commanding him to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons, qualified to ſerve upon Juries, to appear before ſuch reſpective Truſtees, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, and ſuch Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, ſummon, and return ſuch Number of Perſons accordingly; and out of the Perſons ſo ſummoned, impannelled, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid reſpective Truſtees, or any Five or more of them, ſhall, and they are hereby impowered and required to ſwear, or cauſe to be ſworn, Twelve Men, who ſhall be a Jury for the Purpoſe 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 of ſuch that can ſpeedily be procured to attend that Service, to the Number of Twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen when they come to be ſworn: And the ſaid reſpective 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 upon 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 who ſhall not appear, or refuſe to be ſworn on the ſaid Jury, or being ſo ſworn, ſhall refuſe to give, or not giving their Verdict, or in any other Manner wilfully neglect 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, ſhall refuſe or neglect to appear, or appearing, ſhall refuſe to be examined or to give Evidence; and which Fine or Fines ſhall be levied and applied in ſuch Manner as the Penalties and Forfeitures are herein-after directed to be levied and applied, ſo that no ſuch Fine be more than Five Pounds, nor leſs than Forty Shillings, on any One Perſon for One Offence.

Jurors may be challenged.

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

Charges of the Jury how to be borne.

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 and Recompence than hath been by the ſaid

said respective Trustees, or any Five 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.

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

And be it further enacted by the Authority aforesaid, That every Sum of Money or Recompence to be agreed for or assessed as aforesaid, after deducting the Costs as aforesaid thereout, shall be paid out of the Tolls arising within or upon account of the respective District in which the Road is intended be diverted, turned, or altered, or out of the Monies to be borrowed upon the Credit of such respective Tolls, to the Parties or Persons respectively intitled to such Monies, or to their Agents; and upon Payment, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Clerk or Clerks to the said respective Trustees for the Use of such Parties or Persons, it shall be lawful for any Person or Persons, authorised by Writing under the Hands of the said respective Trustees, or any Five or more of them, to divert or turn such Road through such Lands or Hereditaments, and to do all and every such Act, Matter, and Thing, with relation to such Lands and Hereditaments, as the said respective Trustees, or any Five or more of them, shall think fit; and the said respective Trustees, or any Five or more of them, shall cause such Parts of the said Road as shall be diverted or turned through any private Grounds to be ditched or fenced from the adjoining Lands: And all Lands, and Hereditaments which shall be made a Part or Parts of the said Road by virtue of this Act, shall be for ever hereafter, to all Intents and Purposes, a common Highway, and shall be repaired and kept in Repair in such Manner as the Roads hereby appointed to be repaired are by this or any other Law to be amended; and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments, except to the Mines of Coal or other Minerals lying under any such private Grounds, which are hereby reserved to the said respective Land-owners, without Injury nevertheless to the said respective Roads: And after any such new Road shall be completed, the Lands constituting the former Road, unless leading over some Moor or waste Ground,

Lands, when purchased, to be made Part of the Road, and kept in repair.

Old Road may be sold.

Ground, or to some Village, Town, or Place, to which such new Road doth not lead, shall be vested in the said respective Trustees, and shall and may be sold and conveyed by them, or any Five or more of them, for the best Price that can be gotten for the same; saving nevertheless to the Person or Persons who was or were intitled to the Coals, and other Mines and Minerals under such old Road, his, her, and their full Right and Title to the same; and the Money arising by such Sale shall be applied to the Repair of that Part of the said Road so diverted and turned; 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,

Buildings not to be injured.

Provided always, That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands or Hereditaments wherein he shall be particularly concerned or interested.

Trustees not to act where interested.

Provided also, That if any new Road should be made as aforesaid, instead of any former Road, over any Moor or waste Ground, the Inhabitants of the Parish or Place shall not be obliged to repair such former Road, unless the same doth lead to some Town or Place with which such new Road doth not communicate.

Where new Road shall be made, Inhabitants not liable to Repair of former Road, &c.

And be it further enacted by the Authority aforesaid, That all the Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees of any Lands, Tenements, Rents, and Annuities, or any Sum or Sums of Money which have been given, or are liable to the amending or maintaining any Part or Parts of the said respective Roads, or any Bridge or Bridges therein, shall still remain liable and chargeable to the Repair thereof in such Manner as they were before the making of this Act; and that all the Inhabitants of the Townships, Parishes, and Places in which any Part of the said respective Roads lie, and all other Persons liable to perform the Work, commonly called Statute-work, upon the said Roads, shall remain subject to the Performance of such Work; and every Person who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds or upwards, shall be deemed to keep a Team for every Fifty Pounds per Annum so held and occupied, and shall be liable to perform such Statute-work as Persons keeping Teams are obliged by Law to do: And that the respective Surveyor or Surveyors of the Highways for the respective Townships, Parishes,

Persons liable to Repair of Roads to continue so.

and

and Places in which any Part of the said Roads lie, or, in case no such Surveyor is or shall be appointed, the Churchwardens or Overseers of the Poor of such Townships, Parishes, or Places, shall yearly, and every Year, within Fourteen Days after Demand made to him or them respectively, in Writing, by any Surveyor or Surveyors to be appointed by virtue of this Act for such respective Districts, deliver to such Turnpike Surveyor or Surveyors an exact Account, in Writing, underhis or their Hand or Hands, of the Christian and Surname of every Person who, within such respective Townships, Parishes, and Places, are liable to do Statute-work, and shall distinguish in such Lists which of such Persons shall, or by this Act shall be deemed to keep a Team or Teams; and the Statute-work shall be done by all such Persons, on such Parts of the said Roads hereby intended to be repaired as lie within the said respective Townships, Parishes, and Places, in such Manner, and at such Times, as the said Trustees for such respective District, or any Five or more of them, or the said Turnpike Surveyor or Surveyors for such District shall, from Time to Time, direct and appoint, so that no more than Three Days Work shall be done by any One Person or Team in any One Year.

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

Inhabitants to do Statute-work.

And the said Surveyor or Surveyors of the Highways, Churchwardens or Overseers of the Poor of such Townships, Parishes, or Places respectively, within Fourteen Days after Notice shall be given to him or them by such Turnpike Surveyor or Surveyors of the Time or Times when, where, and how many of such Persons are to do such Work upon any Part or Parts of the said Roads, within such Districts respectively, shall give publick Notice thereof to such Persons; and if any Surveyor, Churchwarden, or Overseer of the Poor for any such Township, Parish, or Place aforesaid, shall neglect or refuse to do as he is hereby directed and required, every such Surveyor, Churchwarden, or Overseer shall, for every such Neglect or Refusal, forfeit and pay any Sum not exceeding Five Pounds: And every Person who shall neglect or refuse to do such Work at such Time and Place, and in such Manner as shall be appointed by the said respective Trustees, or any Five or more of them, or by such Turnpike Surveyor or Surveyors, every such Person shall forfeit and pay the respective Sums herein after-mentioned; that is to say, Every Person who shall keep, or by virtue of this Act shall be deemed to keep a Team or Teams, for every Day's Default for each Team the Sum of Ten Shillings, and every other Inhabitant

Penalties on Surveyors not giving in such Lists,

Penalty on Persons not performing Statute-work.

or Person not keeping, or being by virtue of this Act not deemed to keep a Team, for every Day's Default the Sum of One Shilling; and every Person who shall, according to such publick Notice as aforesaid, come as a Labourer, or with a Team, to work on the said respective Roads, and be found idle or negligent by the said Turnpike Surveyor or Surveyors, where the Work is 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 such Labourer or Person, or the Owner of such Team, Draught, or Cart, shall be liable to the said respective Forfeitures before mentioned; and all Persons doing such Days Work on the said Roads, shall not be liable to any other Statute-work thereon.

Labourers found idle to be turned off.

Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for the said respective Trustees, or any Five or more of them, to compound or agree by the Year, or otherwise, with the Possessors or Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, and Hereditaments, which are, or shall be liable to, or chargeable with the Repair of any Part of the said Roads, within such District respectively, or with any Person or Persons for the Performance of his, her, or their Statute-work therein; and also that it shall be lawful for the Surveyor or Surveyors of the Highways of any of the said Townships, Parishes, or Places, or such Churchwardens or Overseers of the Poor respectively as aforesaid, by and with the Consent of the Majority of the Inhabitants of such Townships, Parishes, or Places, first had at a Vestry, or other publick Meeting of such Inhabitants, to compound and agree by the Year, or otherwise, with the said respective Trustees, or any Five or more of them, for and in lieu of the Statute-work to be performed by such Inhabitants upon any Part of the said Roads; all which Composition-monies shall, from Time to Time, be paid in Advance, and shall be applied in the Repair of the said Road, in respect whereof such Composition-monies are paid; and all such Surveyors, Churchwardens, or Overseers of the Poor, shall be reimbursed the Monies so by them paid, in such Manner as Surveyors of the Highways are by the Laws now in being to be reimbursed the Monies by them expended in buying Materials for repairing the Highways.

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

Charges to be reimburse i to the Surveyors.

And be it further enacted by the Authority aforesaid, That if any Person shall haul or draw, or cause to be hauled

hauled or drawn, upon any Part of the said respective Roads, any Tree or Piece of Timber, or any Stone, otherwise than on Wheel-carriages; or shall suffer any Part of any Tree, or Piece of Timber, or Stone, which shall be conveyed upon Wheel-carriages, to drag upon any Part of such Road, to the Prejudice thereof; or shall wilfully drive any loaden Waggon, Wain, or Cart, along any Foot or Horse Causeway, being Part of, or lying near, or adjoining to the said Roads; or shall shovel up, take, or carry away, any Stones, Gravel, Sand, or Soil, from off or on the Sides of the said respective Roads, or such Causeways as aforesaid; or shall wilfully lay any Timber, or Stone, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, on the said respective Roads or Causeways; every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings. Penalty on hauling Timber, &c otherwise than on Wheel-carriages.

And be it further enacted, That the said respective Trustees, or any Five or more of them, may, and they are hereby impowered and required to cause the said respective Roads 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 and Direction-posts, with such Inscriptions thereon, as the said respective 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 obliterate any Inscription that shall have been made thereon, or shall cause or procure the same to be done, and be thereof convicted upon Oath by One or more credible Witness or Witnesses, or by his or her own Confession, before any Justice of the Peace for the County or Place where such Offence shall be committed, (which Oath such Justice is hereby impowered and required to administer without Fee or Reward) every such Person so offending shall forfeit the Sum of Forty Shillings for every such Stone or Post so pulled down, broke, or damaged, or Inscription so obliterated; 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: And in case such Penalties shall not be forthwith paid, such Justice of the Peace shall commit such Person or Persons to the Common Gaol, or House of Correction, within the County wherein such Offence shall be committed, there to

Roads to be measured, and Milestones erected.

Penalty on defacing Milestones.

For want of Distress, Offender to be committed.

to remain without Bail or Mainprize, for any Space not exceeding Three Calendar Months, nor less than One Calendar Month, unless such Forfeiture and all reasonable Charges shall be sooner paid: And every such Offender, in either of the said Cases, shall and may, by the Authority of this Act, and without any other Warrant, be apprehended by any Person or Persons who shall see any such Offence committed, and shall be immediately delivered to a Constable, or other Peace Officer, who shall convey such Offender to some Justice of the Peace of the County where such Offence shall be committed, to be dealt with according to the Directions of this Act.

Penalties and Forfeitures, how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties, Forfeitures, and Fines, hereby inflicted or authorised to be imposed, if the Manner of levying and recovering thereof is not herein otherwise directed, upon Proof of the Offences respectively, before any 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 be the 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, 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 recovered, 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 respective Trustees, or to their Treasurer or Treasurers, and applied in Repair of that Part of the Road in relation whereunto, or in respect whereof such Offence shall be committed: And in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall and may 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, or House of Correction,

Sufficient Distress not being found, Offenders to be committed.

rection within the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Persons aggrieved may appeal to a General Meeting.

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 Calender Months after the Cause of such Complaint shall have arisen, such Appellant first giving, or causing to be given, Ten Days Notice at least, in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer of the said respective Trustees, and within Two 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 Orders of, and to pay such Cost as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at such Session, 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 to be deemed unlawful for Want of Form, nor the Party distraining be deemed a Trespasser *ab initio*.

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.

Not to recover Damages if Satisfaction be made or tendered.

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 Behalf of the Party or Parties who shall have committed, or caused 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 to and 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, Orders, and Judgments, 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 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.

Provided always, and it is hereby further enacted by the Authority aforesaid, That all Orders and Proceedings of the said respective 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 the Clerk or Clerks at any Meeting of Five or more of the said respective Trustees 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 the Registering the said Mortgages, Assignments and Transfers, 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 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.

Proceedings not to be quashed for

And be it further enacted by the Authority aforesaid, That no Proceedings 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.

want of Form only;

nor be removeable by *Certiorari*.

Provided always, and be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Persons for any Thing done in pursuance of this Act, unless Ten Days Notice shall be thereof given to the Clerk or Clerks to the said respective Trustees, or after sufficient Satisfaction or Tender 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 County of Stafford, and not elsewhere; and the Defendant and Defendants in every such Action or Suit shall and may, at his Election, plead specially, or the General Issue, Not Guilty; 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 Ten Days Notice shall be given thereof as aforesaid, 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 than as aforesaid, then 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, and have such other Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

And be it further 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.

Publick Act.

FINIS.