Anno ſecundo

Georgii III. Regis.

An Act for repairing and widening the Road from the *Loſtwithiel* Turnpike Road, in the Pariſh of *Creed*, in the County of *Cornwall*, through *Tregony*, to *Ruan Lanehorne*; and from *Dennis Water*, to Three hundred Yards on the South Side of *Trethim Mill*, in the Pariſh of *Saint Juſt*, in the ſaid County.

WHEREAS the Road leading from the Loſtwithiel Turnpike Road, on the Weſtern Side of Teages Gate, in the Pariſh of Creed, in the County of Cornwall, where the Tregony and Grampound Roads divide, through the Borough of Tregony, to the Pariſh Church of Ruan Lanehorne; and from the Truro Turnpike, at Dennis Water, in the Pariſh of Probus, in the ſaid County, to the Diſtance of Three hundred Yards on the South Side of Trethim Mill, in the Pariſh of Saint Juſt, in Roſeland, in the ſaid County; is in a ruinous Condition, narrow in many Places, and dangerous to Paſſengers, and cannot be effectually amended, widened, and kept in Repair, without the Aid of Parliament: May it therefore pleaſe Preamble.

your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That Sir John Saint Aubin Baronet, Sweet Nicholas Archer, the Honourable George Boſcawen, the Honourable John Boſcawen, the Honourable and Reverend Nicholas Boſcawen D. D. the Honourable Edward Hugh Boſcawen, the Honourable Charles Berkley, James Buller, John Buller, Francis Buller, Francis Beauchamp, John Derbiſhire Berkhead, John Beauchamp, Robert Bateman M. D. Walter Borlace D. L. John Borlace, Thomas Bedford, William Bedford, James Buckingham, John Bennet, Jonathan Baron, Clerks; Nicholas Blaney, Joſeph Broad, Samuel Ball, John Brabant, William Bone, Robert Bone, Peter Buckingham, John Buckingham, Thomas Coates, Philip Carlyon, Edward Cregoe, Dorrell Crabb, Penhallo Cumings, John Carlyon Clerk, Thomas Carlyon Clerk, William Carlyon, William Carkeet, William Carthew, Edmond Carthew, Stephen Doble, Henry Doble, John Doble, Dalby Clerk, Edward Elliott, John Elliott, John Edeveau, John Forteſcue, Foot, Francis Gregor, Francis Gregor junior, Edward Gwatkin, Samuel Gurney, Gregory Gurney, John Gurney, Clerks; the Mayor of Grampound for the time being, Samuel Gully, Abraham Hume, Chriſtopher Hawkins, Thomas Hawkins, Thomas Hext, George Hunt, Thomas Hunt, Richard Huſſey, David Haweis, Thomas Hearle, Clerk Francis Henſhman, Walter Hart, Richard Hennah, Henry Hext, Clerks; Samuel Hext, Edward Hoblyn, John Hennah, Thomas Hennah, Humphry Hext, Thomas Hearle, Stephen Johns, Stephen Johns junior, Thomas Jones, Richard Jewell, Robert James, Nicholas Kempe, Charles Kempe Clerk, Nicholas Kendall, Charles Kempe, John Kempe, Samuel Kempe, Nathaniel Kerkeek, James Leroche, John Luke, John Moleſworth, William Moleſworth, Robert Lovell, William Moreſhed, Thomas Mitchell Clerk, Anthony More Clerk, John Mitchell, Richard Mitchell, Robert Nugent, Edmond Nugent, Humphry Prideaux, Charles Prideaux, Joſeph Peters M. B. Charles Pye, Jonathan Peters, John Pomeroy, Clerks; Richard Pearce, George Pearce, Richard Pearce junior, Richard Peters, James Paſco, Henry Paſco, Francis Polkinghorne, John Paſco, Philip Raſhleigh, Francis Rodd, Stephen Rice, John Rundle, Thomas Scawen, Scawen, John Sawle, John Stephens, Samuel Stephens, Richard Spry, William

Truſtees Names.

William Stackhouſe D. D. William Stackhouſe, John Stackhouſe, William Sutton, Samuel Seccombe, John Sibly, John Sibly junior, William Slade, Simon Slade, William Trevanion, Charles Trelawny, Richard Thomas, Humphry Thomas, Lewis Tremain, Hawkins Tremain, Stephen Thomas, Stephen Thomas junior, Peter Thomas, the Mayor of Tregony for the time being, Robert Treweek, Sir Richard Vyvian Baronet, Wyne Serjeant at Law, Thomas Warrick, Thomas Vyvian, John Williams, John Williams, John Williams junior, Johnſon Vyvian, William Williams Clerk, John Wills, Edmond Wills, John Vercoe, William Warrick, Chriſtopher Warrick, Philip White, Jonathan White, Courtnay Williams, Joſeph Yonge, ſhall be, and they and their Succeſſors, to be elected in Manner herein after mentioned, are hereby appointed Truſtees for ſurveying, ordering, widening, amending, and keeping in Repair, the ſaid Road, and alſo for putting in Execution all other the Powers in and by this Act given.

Qualification of Truſtees.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be qualified or capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, above Reprizes, to his own Uſe; or poſſeſſed of or intitled unto Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount or Value of One thouſand Pounds: And if any Perſon or Perſons ſo unqualified or made incapable to act for the Cauſes aforeſaid, ſhall nevertheleſs preſume to act contrary to the true Intent and Meaning of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or 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, Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act.

Penalty on acting if not qualified.

Times and Place of Truſtees Meeting.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Eleven or more of them, ſhall

ſhall meet together at Tregony on the Tenth Day of April, on the Tenth Day of Auguſt, and on the Tenth Day of December, annually, unleſs ſuch Day ſhall happen on a Sunday, and then on the next Day, during the Continuance of this Act; which Meetings are hereby declared to be General Meetings of the ſaid Truſtees, for the Purpoſes directed to be carried into Execution at General Meetings; and the ſaid Truſtees, or the major Part of them then preſent, ſhall and may adjourn ſuch General Meetings, from time to time, as they ſhall think proper, for the Purpoſes aforeſaid; and the ſaid Truſtees, or any Five or more of them, may alſo meet at any other Time for putting this Act in Execution, as often as it ſhall be thought neceſſary and required by any Five or more of the ſaid Truſtees, by Writing under their Hands, to be affixed at ſome publick Place at Tregony, and on all the Turnpike-gates to be erected by virtue of this Act, at leaſt Seven Days before ſuch Meeting; and if there ſhall not appear at any Meeting which ſhall be appointed to be held by the ſaid Truſtees, a ſufficient Number of them to act, and to adjourn to any other Time, then, and in every ſuch Caſe, the Truſtees then preſent, or their Clerk or Clerks, Treaſurer or Treaſurers, for the time being, ſhall and may adjourn the ſaid Meeting; and by Notice in Writing ſigned by the ſaid Clerk or Clerks, Treaſurer or Treaſurers, to be fixed on ſome publick Place in Tregony, and on all the Turnpike-gates to be erected by virtue of this Act, at leaſt Ten Days before the next Meeting, appoint the ſaid Truſtees to meet at the Houſe or Place where the Meeting ſo adjourned was to have been held on that Day Three Weeks on which ſuch laſt Meeting of the Truſtees was appointed to have been held.

In Default of a ſufficient Number to act,

Notice to be given of another Meeting.

Truſtees not to act but at a publick Meeting.

Provided always, and be it further enacted by the Authority aforeſaid, That no Truſtee named or appointed, or which ſhall be named or appointed, in or by virtue of this Act, ſhall act, or be impowered to do any Act in the Execution of the Powers hereby given to them, or either of them, except only in appointing Meetings, unleſs it be at a Meeting to be by them held in purſuance of this Act; and that all the ſaid Truſtees ſhall, at all their Meetings, defray all their own Charges and Expences.

Truſtees to pay their own Expences.

Truſtees not to accept of a Place of Profit.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons appointed or to be appointed a Truſtee or Truſtees in or by virtue of this Act, ſhall have or accept of any Place of Profit ariſing

out of the Tolls and Money by this Act made payable, ſuch Perſon or Perſons, after his or their Acceptance of ſuch Place or Places of Profit, during his or their reſpective Enjoyment of the ſame, ſhall be incapable of acting as a Truſtee or Truſtees in, or under, or in Execution of, the Authorities and Powers to them hereby given.

Truſtees not to act where intereſted.

And be it further enacted by the Authority aforeſaid, That ſuch of the Truſtees appointed or to be appointed, in or by virtue of this Act, as ſhall be a Juſtice or Juſtices of the Peace, may, and is, and are hereby authorized and impowered to act as a Juſtice or Juſtices of the Peace, in the Execution of the Powers hereby given to any Juſtice or Juſtices of the Peace, notwithſtanding his or their being a Truſtee or Truſtees; except in ſuch Matters or Things in which he or they ſhall be perſonally intereſted, and in ſuch Caſes no Perſon or Perſons whatſoever, being ſo intereſted, ſhall be capable of acting either as a Truſtee or Juſtice.

On Death or Removal of Truſtees, others to be choſen.

And be it further enacted by the Authority aforeſaid, That when and as often as any of the Truſtees named in or appointed by virtue of this Act, ſhall die, remove, or refuſe to act, it ſhall and may be lawful to and for the ſurviving or remaining Truſtees, or any Five or more of them, by Writing or Writings under their Hands and Seals, from time to time, to elect, nominate, and appoint, One or more fit Perſon or Perſons, living or reſiding in the ſaid County of Cornwall, to be a Truſtee or Truſtees, in the Room of ſuch Truſtee or Truſtees ſo dying, removing, or refuſing to act; and Notice in Writing of the Time and Place of Meeting, for ſuch Election of new Truſtees, ſhall be given by the Clerk or Clerks to the ſaid Truſtees, by affixing the ſame on ſome publick Place in the Borough of Tregony, and at or on all the Turnpikes erected in purſuance of this Act, at leaſt Ten Days before the Meeting for ſuch Election: And all and every the Perſon and Perſons ſo choſen and appointed to be joined with the ſurviving or remaining Truſtees, ſhall and may, and is and are hereby authorized and impowered to act in the Execution of this Act, to all Intents and Purpoſes, in as full, large, and ample Manner as the ſaid Truſtees herein before named and appointed are by this Act impowered to do.

10 Days Notice to be given of ſuch Election.

Truſtees may erect Turnpikes and Toll-houſes.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall appoint, ſhall and may build and erect, or cauſe to be built and erected,

a Gate

a Gate or Gates, Turnpike or Turnpikes, upon, in, or acroſs any Part or Parts of the ſaid Road, and alſo a Toll-houſe or Toll-houſes in and upon the ſame; and ſhall and may demand and take at all the Turnpike or Turnpikes to be erected upon that Part of the ſaid Road lying between the Loſtwithiel Turnpike Road and the Pariſh Church of Ruan Lanehorne, and alſo at all the Turnpike or Turnpikes to be erected upon that Part of the ſaid Road lying between Dennis Water and Three hundred Yards on the South Side of Trethim Mill aforeſaid, the following Tolls, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; that is to ſay,

and take the following Tolls thereat.

The Tolls.

For every Horſe, Mare, Gelding, Mule, or other Cattle, drawing in any Carriage, the Sum of Two Pence.

For every Horſe, Mare, Gelding, Mule, or other Beaſt of Burthen, 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.

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five Pence per Score; and ſo in Proportion for any greater or leſs Number.

Which ſaid reſpective Sum or Sums of Money ſhall be demanded and taken in the Name of, or as a Toll or Duty; and the Money ſo to be raiſed and collected ſhall be and is hereby veſted in the ſaid Truſtees; and the ſame and every Part thereof ſhall be paid, applied, diſpoſed of, and aſſigned to and for the ſeveral Uſes, Intents, and Purpoſes, and in ſuch Manner as is herein after mentioned; and it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, under their Hands and Seals, from time to time, authorize and appoint, to demand and take the Tolls hereby granted and made payable, and to levy ſuch Tolls upon any Perſon or Perſons, who ſhall, after Demand made thereof refuſe or neglect to pay the ſame, by Diſtreſs of any Horſe or Horſes, or other Cattle or Carriages, upon which ſuch Tolls are by this Act impoſed, or by Diſtreſs of any of the Goods or Chattles, carried or drawn by or on ſuch Cattle or Carriage, or of any other Goods or Chattles of or belonging to the Perſon or Perſons who ought to pay the ſame, and to detain

Tolls veſted in the Truſtees.

Tolls may be levied by Diſtreſs and Sale.

tain and keep the ſame, until ſuch Tolls or Duties, with the reaſonable Charges of diſtraining, ſhall be paid; and ſuch Perſon or Perſons, after the Space of Four Days next after the Day on which ſuch Diſtreſs ſhall be taken, ſhall and may ſell the Cattle, Carriage, or Goods ſo diſtrained and taken, returning the Overplus (if any there be) upon Demand to the Owner thereof, after ſuch Tolls and the reaſonable Charges of diſtraining, keeping, and ſelling the ſame, ſhall be deducted and paid.

Diſtreſs may be ſold after 4 Days.

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, to erect or cauſe to be erected, One or more Gate or Gates, Turnpike or Turnpikes, and Toll-houſe or Toll-houſes, on the Side or Sides of any Part of the ſaid Road, and upon, in, or acroſs any Lane or Way leading into the ſame, and there to take and levy, or cauſe to be taken or levied, ſuch Tolls as are by this Act made payable, at any Turnpike to be erected by virtue hereof, ſo as the ſame do not extend to a double Charge upon any Perſon or Perſons paſſing through any other of the Gates or Turnpikes, erected by virtue of this Act upon the ſame Diviſion of the ſaid Road, on which ſuch Side Gate or Gates ſhall be erected.

Truſtees may erect Side-gates,

and take Toll thereat,

ſo as the ſam extend not to a double Charge.

Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, are hereby authorized and impowered, from time to time, if they ſhall think proper, to leſſen, vary, or alter all or any Part or Parts of the ſeveral Tolls hereby granted, and to raiſe the ſame again, ſo as the ſame do not exceed the Tolls by this Act granted; ſo as ſuch Reduction be with the Conſent of the ſeveral Perſons who ſhall have advanced any Money on the Credit of the ſaid Tolls, or who, at the Time of ſuch Reduction, ſhall have any Money ſecured thereon; but ſuch Reduction ſhall not be made, unleſs Notice in Writing be given for that Purpoſe, by affixing the ſame upon all the Turnpikes then erected upon the ſaid Road, at leaſt Twenty Days before making ſuch Reduction; and ſuch Tolls, ſo leſſened or altered, ſhall be collected, recovered, and applied, in the ſame Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

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

And be it further enacted by the Authority aforeſaid, That out of the firſt Money ariſing by the Tolls by this Act granted, or out of ſuch Money as ſhall be borrowed upon the Credit thereof, the ſaid Truſtees, or any Five

Charges of this Act to be firſt paid.

or more of them, ſhall in the firſt Place pay and diſcharge all the Expences and Charges of procuring and paſſing this Act, and the Remainder of the Money ſo raiſed, ſhall be from time to time applied in erecting Turnpikes and Toll-houſes, and repairing and widening the ſaid Road, and defraying the neceſſary Coſts, Charges, and Expences attending the ſame, and the Execution of this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall direct, and to no other Uſe or Purpoſe whatſoever.

Coaches, &c. of the Royal Family exempted from Toll.

Provided always, and be it enacted, That this Act, or any Thing herein contained, ſhall not extend or be conſtrued to extend, to charge any of the Coaches, Chariots, or other Carriages of Their Majeſties, or Her Royal Highneſs the Princeſs Dowager of Wales, or any of the Royal Family, or any of the Horſes of Their Majeſties Guards, Coaches, Chariots, or other Carriages attending Their Majeſties, or the Princeſs Dowager of Wales, or any of the Royal Family.

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

And be it further enacted by the Authority aforeſaid, That all the Gates and Turnpikes, and Toll-houſes, to be erected by virtue of this Act, and the Right and Property to and in the ſame, and the Materials of which the ſame ſhall conſiſt, ſhall be, and are hereby veſted in the ſaid Truſtees; and they, or any Five or more of them, are hereby authorized and impowered to bring or cauſe to be brought, any Action or Actions in their own Names, or in the Name or Names of any One or more of them, or of their Treaſurer or Treaſurers, Clerk or Clerks, for the time being, or to prefer and order and direct the preferring of Indictments, or other Proſecutions, againſt any Perſon or Perſons, who ſhall dig up, break, pull down, ſteal, take, carry away, deſtroy, ſpoil, or injure, any or any Part of the Gate or Gates, Turnpike or Turnpikes, Toll-houſe or Toll-houſes, which ſhall by virtue of this Act be erected upon, in, acroſs, or on the Sides of the ſaid Road, or any of the Materials of which the ſame ſhall be made, built, or conſiſt.

Penalty on Perſons permitting or going thro' private Paſſage, &c.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall forcibly or wilfully go or paſs with any Horſe, Beaſt, or Carriage, through any or either of the Turnpikes by virtue of this Act to be erected, without paying the Toll or Tolls by this Act directed or appointed to be paid for the ſame; or ſhall knowingly and deſignedly aſſault, interrupt, or obſtruct, any or either of the Collectors, or Perſons, in the collecting or receiving any or either of the ſaid Tolls, or any other-

wiſe

wiſe in the Execution of his or their Office or Offices of Collector or Collectors, or ſhall with any Horſe, Beaſt, or Carriage, on which a Toll is hereby laid, go or paſs through any Ground, Field, Gate, private Paſſage, or other Place, adjoining or lying near to any or either of the Gates or Turnpikes to be by virtue of this Act erected, the ſame not being a common Road; or if any Owner or Occupier of any Tenement, Land, or Ground, which ſhall adjoin or lie near to any or either of the ſaid Gates or Turnpikes, ſhall knowingly or willingly permit or ſuffer any Perſon or Perſons, with any ſuch Horſe, Beaſt, or Carriage, to go or paſs through the ſame Tenement, Land, or Ground, or any Field, Gate, or private Paſſage, or other Place belonging to ſuch Owner or Occupier; or if any Perſon or Perſons ſhall give to or receive of any other Perſon or Perſons, except the Perſon or Perſons appointed to collect or receive the Tolls hereby made payable, any Note or Ticket of the Day by this Act directed to be given by the Collectors or Receivers of the Tolls, or ſhall make uſe of any forged Note or Ticket; or if any Perſon or Perſons driving or owning any Carriage, ſhall at any Time or Times take off, or cauſe or ſuffer to be taken off, from ſuch Carriage, any Horſe, Aſs, Mule, Ox, or other Cattle, at or before the ſame ſhall come to any of the Gates or Turnpikes to be erected by virtue of this Act; or if any Perſon or Perſons ſhall leave, in any Houſe or Place upon or near the Road, any Carriage or Cattle chargeable with, or liable to pay, any or either of the Tolls by this Act impoſed, whereby, or by means whereof, or of either of the Offences aforeſaid, the Payment of any or either, or any Part of the ſaid Tolls, ſhall be evaded or leſſened, that then, and in either of the Caſes aforeſaid, every Perſon ſo offending, and being thereof convicted upon the Oath of One or more Witneſs or Witneſſes, before the ſaid Truſtees, or any Five or more of them, or before any One or more Juſtice or Juſtices of the Peace of and for the ſaid County of Cornwall; which Oath the ſaid Truſtees, or any Two or more of them, or the ſaid Juſtice or Juſtices, is and are hereby impowered and required to adminiſter gratis; ſhall, for every ſuch Offence, forfeit the Sum of Twenty Shillings, and pay the ſame to the ſaid Truſtees, or to their Treaſurer or Treaſurers for the time being; which Sum, in caſe the ſame be not forthwith paid, ſhall be levied and recovered in the Manner herein after directed, and when recovered, ſhall go and be applied, One Moiety thereof to the Uſe of the Informer, upon whoſe Oath ſuch

or giving or receiving Tickets;

or taking off Horſes, &c. to avoid paying the Tolls.

ſuch Offender or Offenders ſhall be convicted, and the other Moiety towards amending the ſaid Road.

Directing how far Cattle may go to Water or Paſture without paying Toll.

And be it further enacted by the Authority aforeſaid, That no Horſe, Beaſt, or Cattle, ſhall be exempted from paying the reſpective Tolls by this Act granted or made payable, which ſhall be going to or from Water or Paſture beyond the Diſtance of Three Miles from the firſt Turnpike Gate through which ſuch Horſe, Mare, Gelding, or Cattle, ſhall paſs; and that in caſe of any Horſe, Beaſt, or Cattle, going to or coming from ſuch Water or Paſture, the Perſon or Perſons going through any of the ſaid Gates or Turnpikes with or for the ſame, ſhall pay the uſual Tolls at the ſaid Gates or Turnpikes, and receive from the Collector there a particular Ticket, which ſhall be called a Water or Paſture Ticket, and ſhall ſpecify the particular Hour of the Day when ſuch Perſon or Perſons went through the ſaid Gate with or for ſuch Horſe, Beaſt, or other Cattle; which Ticket the reſpective Collectors are hereby required to give gratis on the Receipt of the Toll, and on ſuch Perſon or Perſons returning to the ſaid Gate, with the ſaid Horſe, Beaſt, or other Cattle, if from Water, within Two Hours, or if from Paſture, on the ſame Day, and within a reaſonable Time after he or they ſhall have ſo firſt gone through the ſame, ſuch Perſon or Perſons ſhall receive back again the Money ſo paid as a Toll; and that no Horſe, Beaſt, or other Cattle, ſhall be exempted from paying the reſpective Toll or Tolls of going to Water or Paſture, unleſs under theſe Circumſtances: And in caſe any Fraud ſhall be committed, or Diſputes ariſe concerning the ſame, ſuch Diſpute ſhall be determined by the Truſtees, or any Five of them, at their reſpective Meetings; whoſe Determinations thereupon reſpectively ſhall be final; any thing in this Act to the contrary notwithſtanding: And that all and every Perſon and Perſons, who ſhall at any Time evade the Payment of any of the Tolls granted by this Act, under Pretence of going to Water or Paſture, and ſhall be convicted thereof before the ſaid Truſtees, or any Five or more of them, or before any One Juſtice of the Peace for the ſaid County, by Confeſſion of the Parties, or by the Oath of One or more credible Witneſs or Witneſſes; which Oath the ſaid Truſtees, or any Two or more of them, or ſuch Juſtice, are and is reſpectively impowered to adminiſter; ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of Twenty Shillings; to be recovered and applied in Manner herein after directed,

And be it enacted by the Authority aforeſaid, That if any Perſon ſhall pay the reſpective Tolls by this Act granted, for the paſſing of any Carriage or Cattle at any Gate or Turnpike that ſhall be erected by virtue of this Act, upon, in, acroſs, or on the Side of that Part or Diviſion of the ſaid Road lying between Loſtwithiel Turnpike Road and the Pariſh Church of Ruan Lanehorne, ſuch Perſon, upon producing a Note or Ticket of the Day denoting ſuch Payment, and at what Gate the ſame was made, ſhall be permitted to paſs, return, and repaſs with the ſame Carriage or Cattle, Toll-free, through the ſame, or any other Gate or Turnpike upon that Diviſion of the ſaid Road, at any Time or Times during the ſame Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night: And ſo, in like Manner, if any Perſon ſhall pay the reſpective Tolls by this Act granted, for the paſſing of any Carriage or Cattle at any Gate or Turnpike which ſhall be erected by virtue of this Act, upon, in, acroſs, or on the Side of that Part or Diviſion of the ſaid Road lying between Dennis Water and Three hundred Yards on the South Side of Trethim Mill aforeſaid, ſuch Perſon, upon producing ſuch Note or Ticket as aforeſaid, ſhall be permitted to paſs and repaſs with the ſame Carriage or Cattle, Toll-free, through the ſame, and every or any other Gate or Turnpike on that Diviſion of the ſaid Road, at any Time or Times during the ſame Day, to be computed as aforeſaid; which ſaid Notes or Tickets the Collectors or Receivers of the ſaid Tolls, at the ſeveral Gates or Turnpikes to be erected by virtue of this Act, are hereby required to give gratis, if demanded. Tolls to be paid but Once a Day.

And be it further enacted by the Authority aforeſaid, That no Toll ſhall be demanded or taken for any Carriage or Cattle going for or returning unloaden, or loaden only with Stones, Gravel, or other Materials for the repairing of any Road or Highway; or in the Carriage of any Lime, Culm for burning Lime, Dung, Mould, Soil, Sand, or Compoſt of any Kind for the manuring of any Garden or other Land or Ground; or that ſhall be uſed or employed in the plowing, ſowing, tilling, or cultivating of any Land or Ground; or going for or returning unloaden, or only loaden with Hay, Straw, Corn in the Straw, or Wood, not ſold or diſpoſed of, but to be laid up in the Houſes, Outhouſes, Yards or Backſides of the Owner or Owners thereof; nor for any Plough, Harrow, Dray, or other Implement of Husbandry; nor for any Horſe, or other Beaſt or Cattle drawing or carrying Exemptions from Toll.

the ſame, in order for the repairing thereof, or uſing the ſame in Husbandry; nor for any Thing whatſoever that ſhall be uſed or employed in Husbandry, or manuring of Land; nor for any Horſe, or other Beaſt or Cattle going to or returning from Water or Paſture, except as herein before is excepted; nor for any Poſt-horſe carrying any Mail or Packet; nor for the Horſes of Soldiers upon their March, or Carriages or Horſes, or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; nor for any Carriage, Horſe, or other Beaſt employed in paſſing Vagrants travelling with lawful Paſſes: Nor ſhall any of the Tolls hereby laid be demanded or taken from any Inhabitant of any Pariſh, through which any Part of the Road hereby directed to be repaired doth lie, who ſhall paſs through any of the ſaid Turnpikes to or from his or their reſpective Pariſh Church, Chapel, or other Place of Religious Worſhip, on Sundays; or who ſhall attend the Funeral of any Perſon dying, and to be buried in any of the ſaid Pariſhes; or for any Coach or other Carriage, or Paſſengers on Horſeback, that ſhall be going to, or returning from, any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County of Cornwall, or of a Burgeſs or Burgeſſes to ſerve in Parliament for the Borough of Tregony, on the Days of ſuch Election or Elections, or on the Day before or Day after ſuch Elections ſhall begin and be concluded: And if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being intitled to the ſame, or ſhall make uſe of any Fraud whatſoever, whereby the Payment of the ſaid Tolls, or any Part thereof, ſhall be evaded, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of Twenty Shillings; whereof One Moiety ſhall go and be applied to the Uſe of the Informer, upon whoſe Oath ſuch Offender ſhall be convicted, and the other Moiety towards amending the ſaid Road.

Penalty on making illegal Claims.

Truſtees may borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall and may, from time to time, upon the Credit of the Tolls hereby made payable, or of either of them, borrow and take up, at ſuch Rate of Intereſt as ſhall be agreed on, not exceeding the Rate of Five Pounds for One hundred Pounds by the Year, any ſuch Sum or Sums of Money as they, or any Seven or more of them, ſhall think needful; and may, and they are hereby authorized, by Writing or Writings under their Hands and Seals, or the Hands and Seals of any Seven or more of them, to aſſign over the ſaid Tolls, or any Part or Parts thereof, for

Tolls may be aſſigned for Money borrowed.

for any Term or Number of Years not exceeding the Term for which this Act is to continue, unto any Perſon or Perſons, as a Security or Securities for the Repayment of ſuch Sum or Sums of Money as ſhall be ſo borrowed, and the Intereſt thereof as aforeſaid: All and every of which Aſſignments ſo to be made ſhall be copied and entered at Length in a Book or Books, to be kept for that Purpoſe by the Clerk or Clerks, Treaſurer or Treaſurers, to the ſaid Truſtees, to be ſeen and peruſed at all reaſonable Times by any Perſon or Perſons, without Fee or Reward; which ſaid Money ſo to be borrowed (the Charge of procuring and paſſing this Act, as aforeſaid, being thereout firſt paid) ſhall be laid out and applied in ſuch Manner as the ſaid Tolls are hereby directed to be laid out and applied, and to no other Uſe or Purpoſe whatſoever.

Aſſignments to be entered in a Book.

Provided always, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to ſubject or charge the Truſtees who ſhall execute the ſaid Aſſignments, or any or either of them, their, or any or either of their Lands or Tenements, Goods or Chattles, to or with the Payment of the Money thereby ſecured, or any Part thereof, by reaſon of their, or any or either of their ſigning or ſealing ſuch Aſſignments, or any or either of them.

Truſtees not ſubject to the Payment of Money borrowed.

Provided alſo, and be it enacted by the Authority aforeſaid, That no more than the Sum of Two thouſand Pounds ſhall be borrowed on the Credit of the ſaid Tolls, unleſs the Perſon or Perſons intitled to Four Fifths of the Money which ſhall at that Time be due and owing on the Credit thereof, ſhall conſent thereto, and ſhall ſignify ſuch Conſent under his, her, or their Hand or Hands, to the ſaid Truſtees, or any Five or more of them.

Limitation of the Sum to be borrowed.

And be it further enacted by the Authority aforeſaid, That no Preference ſhall be given to any Perſon or Perſons whatſoever advancing any Part or Parts of the groſs Sum ſo to be borrowed, in reſpect to the Priority of advancing his, her, or their Part or Parts thereof; but that all ſuch Lenders and Perſons to whom ſuch Aſſignments ſhall be made as aforeſaid, ſhall, ſo far as the ſaid groſs Sum ſhall extend, be, and are hereby declared to be, Creditors on the ſaid Tolls, in equal Degree one with another.

All Creditors to be deemed equal in Degree, &c.

Provided always, and it is hereby declared, That no Money ſhall be borrowed on the Credit of this Act, unleſs Notice for that Purpoſe in Writing, under the Hand or Hands of the Clerk or Clerks, or Treaſurer or Treaſurers,

10 Days Notice to be given of borrowing Money.

ſurers, to the ſaid Truſtees, be affixed at ſome publick Place at the Borough of Tregony aforeſaid, and likewiſe upon all the Turnpikes that ſhall be erected by virtue of this Act, at the Time or Times of borrowing ſuch Money, at leaſt Ten Days before borrowing the ſame.

Aſſignments may be tranſferred.

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, to whom any ſuch Aſſignment or Aſſignments of the Tolls ſhall be made by the ſaid Truſtees, or any Seven or more of them, as a Security or Securities for any Sum or Sums of Money lent by him, her, or them, on the Credit of the ſaid Tolls, and his or their Executors or Adminiſtrators, Aſſignee or Aſſignees, may, and are hereby impowered, from time to time, by proper Words of Aſſignment, to be indorſed on his, her, or their Security or Securities, or by any Deed or Deeds, Writing or Writings, under his, her, or their Hands and Seals, to be duly executed in the Preſence of Two credible Witneſſes, to aſſign and tranſfer ſuch Security and Securities, and all the Money that ſhall be due thereon, to any Perſon or Perſons whomſoever; and that all and every ſuch Tranſfer or Aſſignment of any Security of the ſaid Tolls, ſhall from time to time be produced or notified to the ſaid Clerk or Clerks, Treaſurer or Treaſurers, to the ſaid Truſtees for the time being, within the Space of Three Months after the reſpective Dates thereof, who ſhall make, or cauſe to be made, a proper Memorial or Entry of all and every ſuch Aſſignments or Tranſfers, containing the Date thereof, and the Names, Additions, and Places of Abode of the ſeveral Parties thereto, and the Sum or Sums of Money, and Term or Terms of Years therein mentioned and contained, and other the material Contents of the ſame, and the Names, Additions, and Places of Abode of the Witneſſes to the Execution thereof, in the Book or Books to be kept for entering the ſaid original Aſſignments made by the ſaid Truſtees as aforeſaid, for which the ſaid Clerk or Clerks, Treaſurer or Treaſurers, ſhall be paid the Sum of Two Shillings and Six Pence, and no more, by the reſpective Perſons to whom ſuch Aſſignments ſhall be tranſferred, for each and every ſuch Entry; and after ſuch Entry made, but not otherwiſe, ſuch Aſſignment ſhall intitle ſuch Aſſignee or Aſſignees, his, her, or their Executors or Adminiſtrators, to the Benefit thereof and Payment thereon, and it ſhall not be in the Power of the Perſon or Perſons making ſuch Aſſignment,

Entries to be made of all Aſſignments.

Clerk's Fee.

Aſſignment, to make void, releaſe, or diſcharge the ſame, or the Money due thereon, or any Part thereof.

Method preſcribed for borrowing and ſecuring Money.

Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Truſtees, or the major Part of them, ſuch major Part not being leſs than Seven, at their Firſt or other General Meeting or Meetings, ſhall and may, if they ſhall think fit, reſolve on and declare what groſs Sum of Money they ſhall think requiſite to be borrowed on the Security of the ſaid Tolls, and what Part of ſuch Sum ſhall be forthwith raiſed, and paid in, and into whoſe Hands, and what Rate of Intereſt ſhall be allowed for the ſame, not exceeding Five Pounds per Centum per Annum, and alſo in what Manner the Money to be forthwith raiſed, or any Part thereof, ſhall be applied; which Reſolution and Declaration ſhall, at the ſame Meeting, be entered by the Clerk to the ſaid Truſtees in a Book to be provided for that Purpoſe, and ſhall, at the ſame Meeting, be ſigned by the ſaid Truſtees, or any Seven or more of them, ſo concurring in ſuch Reſolution and Declaration; and the Perſon or Perſons to whom ſuch Part of the ſaid groſs Sum ſhall be appointed to be paid as aforeſaid, may, and is and are hereby authorized to receive the ſame Money from ſuch Perſon or Perſons as ſhall be willing to advance the ſame, and upon Receipt thereof, to execute the reſpective Deeds Poll unto the Perſon or Perſons ſo advancing ſuch Money, in the reſpective Sums of Twenty five Pounds each, according to the Amount of the Sums by them reſpectively advanced; each of which ſaid Deeds Poll ſhall purport, that the Principal Sum of Twenty five Pounds therein mentioned is Part of the Sum directed to be raiſed at ſuch General Meeting of the ſaid Truſtees, or the major Part of them (ſuch major Part not being leſs than Seven) on the Credit of the Tolls appointed to be collected for the Purpoſes of this Act, and that the ſaid Sum of Twenty five Pounds, with Intereſt for the ſame, not exceeding the Rate of Five Pounds per Centum per Annum, is payable out of the ſaid Tolls to the Perſons named in ſuch reſpective Deeds Poll, or the Bearer thereof; and the ſaid Perſon or Perſons ſo appointed to receive ſuch Part of the ſaid groſs Sum, ſhall, at the Time of iſſuing the ſaid Deeds Poll, or any of them, cauſe the ſame reſpectively to be ſealed with ſuch Seal as the ſaid Truſtees, or the major Part of them (ſuch major Part not being leſs than Seven) at ſuch General Meeting, ſhall direct; and the ſaid Truſtees, or any Seven of them, as afore-

ſaid, ſhall ſign their Names to each of the ſaid Deeds Poll; which Signing and Sealing ſhall be atteſted by the Clerk to the ſaid Truſtees, or in any other Manner as the ſaid Truſtees, or the major Part of them (ſuch major Part not being leſs than Seven) at ſuch Meeting, ſhall think neceſſary and direct; and that at the next General Meeting of the ſaid Truſtees, the ſaid Perſons appointed to receive ſuch Money as aforeſaid, ſhall produce or account for the ſame to the ſaid Truſtees then aſſembled, and ſuch Part thereof as ſhall not be accounted for, ſhall be diſpoſed of as they, or the major Part of them (ſuch major Part not being leſs than Seven) ſhall direct; at which Meeting the Perſons poſſeſſing the Deeds Poll, ſhall produce the ſame before the Truſtees then aſſembled, and thereupon the Clerk to the ſaid Truſtees ſhall make Entries in the ſaid Books, wherein ſuch Reſolution and Declaration ſhall be entered as aforeſaid, of the reſpective Dates of the ſaid Deeds Poll, and the Names of the Perſons to whom they purport to be iſſued, and by whom they are ſigned and atteſted, and ſhall mark the ſaid Deeds Poll in this Manner: Entered N° I. (and ſo on as they ſtand in Courſe in ſuch Book) A. B. Clerk to the Truſtees: And after ſuch Entries ſhall be made in the ſaid Book, in a Series one after another, the ſaid Truſtees at ſuch Meeting, or any Seven or more of them, ſhall ſubſcribe their Names thereto in the ſaid Book in Manner as before directed, and may, at the ſame or any other ſubſequent General Meeting or Meetings, direct the Reſidue of the ſaid groſs Sum, or ſuch Part or Parts thereof, as, from time to time, they ſhall think neceſſary to raiſe, to be borrowed and received by ſuch Perſons, as at ſuch Meeting or Meetings ſhall by the ſaid Truſtees, or the major Part of them (ſuch major Part not being leſs than Seven) then aſſembled, be appointed for that Purpoſe, who may and are hereby authorized accordingly to receive the ſame, and to execute reſpective Deeds Poll for the ſame, to the Purport, and in Manner, before directed; which Money, ſo from time to time received, ſhall be produced or accounted for at the next General Meeting of the ſaid Truſtees after the Receipt thereof, and ſuch Part thereof as ſhall not be accounted for, ſhall be diſpoſed of as the ſaid Truſtees ſhall direct in Manner before mentioned, and the ſaid laſt mentioned Deeds Poll ſhall be alſo then produced, and Entries ſhall be made in the ſaid Book of ſuch further Reſolution and Declaration, or Reſolutions and Declarations, of the ſaid Truſtees, and of the ſaid Deeds Poll, in Manner before mentioned, and the Number to

be marked as aforeſaid on the ſaid laſt mentioned Deeds Poll, ſhall go progreſſively from the laſt Number in the laſt preceding Entry.

And it is hereby declared and enacted, That there ſhall be no Preference given to the Perſons advancing any Part or Parts of the ſaid groſs Sum, in reſpect of the Priority of advancing his, her, or their Part or Parts thereof; but that all ſuch Lenders and Proprietors of the ſaid Deeds Poll, ſo far as the ſaid groſs Sum ſhall extend, ſhall be, and are hereby declared to be, Creditors on the ſaid Tolls in an equal Degree one with another: And in caſe the ſaid Truſtees, or the major Part of them (ſuch major Part not being leſs than Seven) ſhall purſue this Method of borrowing Money on the ſaid Tolls, then and in ſuch Caſe, for the Security of the Lenders or Perſons intitled to the ſaid Deeds Poll, it ſhall not be lawful to borrow any further Sum of Money on the Credit of the ſaid Tolls, beyond the groſs Sum ſo firſt reſolved to be raiſed, without the Conſent of the Proprietors of the ſaid Deeds Poll, to be ſignified by their Subſcription on the Face of the ſaid Deeds Poll, to be witneſſed by the Clerk to the Truſtees, and of a proper Entry for that Purpoſe in ſuch Book, wherein ſuch Entries ſhall be made as aforeſaid; or unleſs the Money due to the Proprietors of the ſaid Deeds Poll, or ſuch of them as will not give their Conſent, ſhall be firſt paid off and diſcharged; and that then and in ſuch Caſe, it ſhall be lawful for the ſaid Truſtees, or the major Part of them (ſuch major Part not being leſs than Seven) at a General Meeting or Meetings, to borrow ſuch Sums of Money on the Security of the ſaid Tolls, and to purſue the ſame Method therein, or any other Method they ſhall think more expedient; provided that nothing herein contained ſhall extend, or be conſtrued to extend, to charge or ſubject the ſaid 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 the ſaid Entries, or ſigning or ſealing the ſaid Deeds Poll, or any or either of them.

All Creditors to be deemed equal in Degree, &c.

Truſtees not ſubject to the Payment of Debts contracted upon this Act.

And it is hereby further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons who ſhall lend and advance Monies on the Credit of the ſaid Tolls, or the Poſſeſſors of any of the ſaid Deeds Poll or other Securities, ſhall at any Time be deſirous to be repaid the Money due to them, and ſhall deliver a Notice in Writing, ſigned by them, ſignifying ſuch their Deſire, to the Clerk or Clerks to the ſaid Truſtees, at any General Meeting of the ſaid Truſtees, then and in ſuch Caſe, unleſs

Clauſe for paying off the Creditors.

leſs the Principal and Intereſt due and to accrue due to them, on any of the Securities aforeſaid, ſhall be fully paid unto, or tendered unto, and refuſed to be accepted by, ſuch Creditors, ſo ſigning ſuch Notice, within Three Months after the Delivery thereof, as aforeſaid, it ſhall and may be lawful to and for the ſaid Creditors to receive and collect, or cauſe to be received and collected, the Tolls and Duties granted by this Act, in reſpect of the ſaid Roads, and to apply the ſame rateably and proportionably to the Payment of the Principal and Intereſt of their Debts.

Truſtees may appoint Officers;

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, may, and are hereby authorized and impowered, from time to time, to elect, and (by any Writing or Writings under their Hands and Seals) appoint fit and proper Perſons to be Collectors and Receivers of the Tolls hereby made payable; and alſo One or more fit and proper Perſon or Perſons to be Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, of the ſaid Road, and ſuch other Officer or Officers as they the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary; and ſuch Collectors, Receivers, Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, and other Officer or Officers, or any or either of them, from time to time to remove or diſplace, as they ſhall think fit, and to chooſe and appoint others, in the Room and Place of ſuch of them as ſhall be ſo removed, or ſhall die; Notice of ſuch Removal, or Death, and of the Time and Place of Meeting for the Purpoſe of filling up the Vacancy thereby occaſioned, being firſt given and fixed on the Market-houſe, or other public Place, within the Town of Tregony, and on all and every the Turnpike Gates to be erected by virtue of this Act, at leaſt Ten Days before ſuch Election: And may, and are hereby authorized and impowered, by and out of the Money which ſhall ariſe by and from the ſeveral Tolls aforeſaid, to contract for, allow, and pay, to the ſeveral Collectors, Receivers, Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, and other Officer or Officers, appointed as aforeſaid, and to ſuch other Perſon or Perſons as ſhall be aſſiſting to them, or either of them, in or about the Repair of the ſaid Road, or any Part thereof, ſuch Salaries, Rewards, and Allowances, for their Attendance, Care, and Services, in thoſe Reſpects, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem reaſonable.

and remove them, and appoint others.

Truſtees to allow Officers Salaries.

And

And be it further enacted by the Authority aforeſaid, That all and every the Collectors and Receivers of the ſaid Tolls, and all and every the Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, and other Officers, who ſhall be appointed as aforeſaid, and all and every Perſon and Perſons who ſhall have or receive any of the Money which ſhall be collected, borrowed, raiſed, or received, by virtue of this Act, ſhall, from time to time, when and as often as he or they ſhall be thereunto required by the ſaid Truſtees, or any Five or more of them, produce, render, and give up, to them the ſaid Truſtees, or any Five or more of them, or to whom they, or any Five or more of them, ſhall appoint, full, true, fair, and perfect Accounts in Writing, under their reſpective Hands, of all the Money which ſhall have been by them reſpectively had, collected, or received, and how, to whom, and for what, ſuch Money, and every Part thereof, hath or ſhall have been paid, diſpoſed of, or applied, together with proper Receipts and Vouchers for ſuch Payments; and ſhall and are hereby reſpectively required to pay all ſuch Money as, upon the Balance of ſuch Accounts, ſhall appear to be in their reſpective Hands, to the ſaid Truſtees, or any Five or more of them, or to whom they, or any Five or more of them, ſhall direct or appoint: And that all and every the ſaid Officers and Perſons ſo accounting or to account as aforeſaid, ſhall, if required, upon their ſeveral Oaths (which Oaths the ſaid Truſtees, or any Two or more of them, are hereby authorized and impowered to adminiſter) verify their Accounts, and the particular Items and Articles thereof, and the ſeveral Receipts and Payments which ſhall be therein contained: And if any or either of the Officers or Perſons aforeſaid ſhall refuſe or neglect to give a true Account or Accounts as aforeſaid, or ſhall knowingly deliver a falſe or imperfect Account, or ſhall refuſe or neglect to produce or deliver up the Receipts or Vouchers relating to the ſame, or to verify the Items and Articles thereof upon Oath, or ſhall refuſe or neglect to pay ſuch Money as, upon the Balance of any Account or Accounts, ſhall appear to be in his, her, or their reſpective Hands, to the ſaid Truſtees, or as they, or any Five or more of them, ſhall direct or appoint: And if any Clerk or other Officer to the ſaid Truſtees ſhall refuſe or neglect to deliver up to the ſaid Truſtees, or any Five or more of them, within Ten Days after being thereunto required by any Five or more of the ſaid Truſtees, all the Books, Papers, and Writings in his Cuſtody, or relating to the Execution of this Act; that then, and in either of the Caſes aforeſaid, ſuch Truſtees, or

Officers to account upon Oath.

Officers refuſing to account,

may be ſued; any Five or more of them, may, and are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions, in the Names of ſuch Truſtees, or in the Name or Names of any Two or more of them, againſt the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, as aforeſaid, in order for the Recovery of the Money, Books, Papers, or other Writings, as aforeſaid, 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 Two or more Juſtices of the Peace, at any Special Seſſions, or other Meeting of them, to be held for the County or Place where the Officer or Officers, Perſon or Perſons neglecting or refuſing, ſhall be or reſide, ſuch Juſtices may and are hereby authorized and required to make Enquiry of and concerning ſuch Default, in a ſummary Way, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtices are hereby impowered and required to adminiſter gratis): And if any Perſon ſhall be thereof convicted, ſuch Juſtices ſhall commit the Party to the Common Gaol of the ſaid County or Place, until he or they ſhall have made a true and perfect Account and Payment, or ſhall have compounded for the ſame, and paid ſuch Compoſition (which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make and receive) or until he or they 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.

or, if Complaint be made,

Juſtices may enquire into the Default;

and commit the Offender.

Gate-keepers to deliver Poſſeſſion of the Gates when required.

And be it further enacted by the Authority aforeſaid, That if any Toll-gatherer or Perſon appointed by the ſaid 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 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 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 ſaid County of Cornwall, either upon 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 to iſſue his or their Warrant or Warrants to the Conſtable, Tythingman, or other Officer or Officers of the Peace of the ſaid County,

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 Truſtees, or any Five or more of them, ſhall have directed and appointed, in Manner aforeſaid; and alſo to bring the Toll-gatherer or Toll-gatherers, or Collectors, before ſuch Juſtice or Juſtices, who is and are hereby impowered and required to commit ſuch Toll-gatherer or Toll-gatherers, Collector or Collectors, to the Houſe of Correction, there to be kept to hard Labour, for any Time not exceeding the Space of Thirty Days.

Truſtees may appoint Officers, tho' not at a publick Meeting.

Provided always, and be it further enacted by the Authority aforeſaid, That as often as any Collector of the Tolls ſhall die, or be incapable of performing his Duty, it ſhall be lawful for any Five or more of the ſaid Truſtees, though not aſſembled at a Meeting purſuant to this Act, by any Writing under their Hands, to appoint another Perſon to collect ſuch Tolls; and ſuch Perſon ſhall continue to collect the ſame until the Truſtees ſhall, at a Meeting to be held in purſuance of this Act, appoint a Collector of ſuch Tolls; any thing herein contained to contrary notwithſtanding.

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

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, or the Surveyor or Surveyors by them appointed, or any other Perſon or Perſons who ſhall be employed or appointed for that Purpoſe by the ſaid Truſtees, or any Five or more of them, or by the ſaid Surveyor or Surveyors, or either of them, may, and is, and are hereby authorized and impowered, from time to time, to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials proper for the Repair of Roads, in, upon, out of, or from any Waſte or Common, River or Brook, in any Pariſh, Town, Village, Hamlet, or Place adjoining to, or lying near the ſaid Road, or in any neighbouring Pariſh, Town, Village, Hamlet, or Place, to be uſed, diſpoſed of, and applied in repairing the ſaid Road, without paying any thing for the ſame, they the ſaid Truſtees, Surveyors, or other Perſons, filling up the Pits, and levelling the Ground from which ſuch Materials ſhall be taken, and may alſo carry the ſame Materials through any Field, Meadow, or private Way, making ſuch reaſonable Satisfaction to the Owners or Occupiers for the Damage done, as the ſaid Truſtees, or any Five or more of them, ſhall judge reaſonable; or in caſe it ſhall be judged more expedient by the ſaid Truſtees, or any Five or more of them, it ſhall and may be lawful for their Surveyor or Surveyors, and

without paying for the ſame; levelling the Pits.

ſuch

If ſufficient Materials cannot be had there, they may be taken from private Grounds;

ſuch Perſon or Perſons as he or they ſhall appoint, by Order of the ſaid Truſtees, or any Five or more of them, to cut, dig, gather, take, and carry away, any Quantity or Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials, proper and ſufficient for that Purpoſe, in, upon, out of, or from the Lands, Fields, or Grounds of any Perſon or Perſons where the ſame may be had or found, to be uſed, diſpoſed of and applied, in or towards repairing the ſaid Road; ſuch Lands, Fields, or Grounds, or either of them, not being the Site of any Houſe or Houſes, or a Yard, Garden, Orchard, Park, Paddock, Meadow, or planted with Trees, as an Avenue to or for the Ornament of any Houſe, or incloſed, ſet apart, and uſed as a Plantation or Nurſery for Trees;

Making Satisfaction to the Owners of the Grounds.

they the ſaid Truſtees, Surveyor or Surveyors, or other Perſon or Perſons, or ſome or One of them, paying, or offering to pay, ſuch Rates for ſuch Materials, and for the Damage done to the Owners or Occupiers of the Ground, where and from whence the ſame ſhall be digged, gathered, or carried away, or over which the ſame ſhall be carried, as the ſaid Truſtees, or any Five or more of them, ſhall

Juſtices to determine Differences.

judge 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 the ſaid County of Cornwall, or the Majority of them then preſent, on Ten Days Notice thereof to be given in Writing by the ſaid Surveyor or Surveyors, to the ſaid Owner or Occupier, Owners or Occupiers, or by the ſaid Owner or Occupier, Owners 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.

Surveyors may get Materials from Quarries.

Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Surveyor or Surveyors, and ſuch Perſon and Perſons as he and they ſhall direct and appoint, by an Order from the ſaid Truſtees, or any Five or more of them, from time to time, to enter into any Lime or Stone Quarry, and to take and carry away the Chipping and Rubbiſh thereof; and alſo to take and carry away any Attel, Henaways, and Rubbiſh, from the Burrows

rows of any Tin or Copper Mine, without paying or making any Satisfaction for the ſame, the Owner or Occupier of ſuch Lime or Stone Quarry, or ſome Perſon appointed by him, and the Adventurers in ſuch Tin or Copper Mine, or the Captain or Captains thereof, or ſome Perſon or Perſons appointed by him or them, being preſent, or Notice being given to ſuch Owner or Occupier of ſuch Lime or Stone Quarry, or his known Servant, and to ſuch Adventurers in ſuch Tin or Copper Mine, or the Captain or Captains thereof, or left at his or their uſual Place of Abode, at leaſt Twenty four Hours before ſuch taking and carrying away reſpectively.

Surveyors may remove Annoyances,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors, to be appointed as aforeſaid, or any other Perſon or Perſons by him or them appointed or employed, having a Warrant or Order from and under the Hands of the ſaid Truſtees, or any Five or more of them, for thoſe Purpoſes, from time to time to remove, or cauſe to be removed, all Annoyances, Filth, Dung, Aſhes, or Rubbiſh, and all other Nuiſances or Obſtructions whatſoever, which are or ſhall be in or upon any Part or Parts of the ſaid Road hereby intended to be repaired, and to cut down, top or lop, and carry away any Trees, Boughs of Trees, or Buſhes, growing in the ſaid Road, or in the Hedges or Banks adjoining thereto, and to open, ſcour, or cleanſe any Ditch, Drain, or Watercourſe lying, or which ſhall lie in, or leading, or which ſhall lead into or out of the ſaid Road, or any Part thereof, in caſe the Owners or Occupiers, or Perſon or Perſons occaſioning ſuch Annoyances, or who ought to remove the ſame, or to cut, top or lop, and carry away ſuch Trees, Boughs of Trees, or Buſhes, or to open, ſcour or cleanſe ſuch Ditch, Drain, or Watercourſe, ſhall refuſe or neglect ſo to do, for the Space of Ten Days after Notice in Writing to him, her, or them reſpectively given for that Purpoſe, or left at his, her, or their reſpective Place of Abode, under the Hand or Hands of the ſaid Surveyor or Surveyors, or of the ſaid Truſtees, or any Five or more of them, or of their Clerk or Clerks for the time being; the Charges whereof to be ſettled by the ſaid Truſtees, or any Five or more of them, by Writing under their Hands, ſhall be reimburſed and paid to the ſaid Surveyor or Surveyors, by the reſpective Perſon or Perſons ſo refuſing or neglecting as aforeſaid; and in caſe ſuch Perſon or Perſons, ſo refuſing or neglecting, ſhall not, upon Demand, pay and reimburſe to the ſaid

and cut down Trees, &c.

Owners neglecting to remove the ſame after Notice;

Charges to be reimburſed the Surveyor.

Surveyor or Surveyors, ſuch Charges as aforeſaid, it ſhall and may be lawful for ſuch Surveyor or Surveyors, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of One or more Juſtice or Juſtices of the Peace for the ſaid County, which Warrant or Warrants the ſaid Juſtice or Juſtices are hereby impowered and required to grant, from time to time to levy the ſaid Charges upon the Perſon or Perſons ſo offending as aforeſaid, by Diſtreſs and Sale of his and their reſpective Goods and Chattles, returning the Overplus, if any be, after all Charges paid, to the Owner or Owners thereof, upon Demand: And if, after the Removal of any of the ſaid Annoyances, any Perſon or Perſons ſhall again offend in the like Manner, every ſuch Perſon ſo offending, and being thereof convicted upon Oath before any Juſtice or Juſtices of the Peace for the ſaid County, ſhall, for every ſuch Offence, forfeit to the ſaid Truſtees, or to any Five or more of them, or to their Treaſurer or Treaſurers for the time being, the Sum of Twenty Shillings, to be levied and recovered in Manner aforeſaid.

Penalty of a Second Offence.

Truſtees may make Cauſeways,

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, to make, or cauſe to be made, any Cauſeway or Cauſeways, Ditches, Drains, or Trenches, in or along the Side or Sides of any Part or Parts of the ſaid Road hereby intended to be repaired; and to make, erect, or build, or cauſe to be made, erected, or built, any Bridge or Bridges, or Arch or Arches, of Stone, Brick, or Timber, upon, in, or acroſs the ſame Road, or any Part or Parts thereof; and to dig, cut, or make, or cauſe to be digged, cut, or made, any Ditches, Drains, or Watercourſes, in, through, or acroſs any Lands or Grounds, to prevent the ſaid Road, or any Part thereof, from being overflowed with Water; and to erect, or cauſe to be erected, Bridges over ſuch Watercourſes, if neceſſary; and alſo to make, or cauſe to be made, a Road or Way by, through, or over the Grounds adjoining to any narrow or ruinous Part or Parts of the Road hereby intended to be repaired, to be made uſe of by all Paſſengers with Horſes, Coaches, Carriages, or otherwiſe, as a publick Highway, whilſt the old narrow or ruinous Road is repairing, and until ſuch Time as it ſhall be ſafe and convenient for Paſſengers and Carriages to travel through the ſame, making ſuch Satisfaction to the Owners or Occupiers of ſuch Lands and Grounds as ſhall be ſo made uſe of, or through which

and erect Bridges, &c.

and make a temporary Road,

making Satisfaction to the Owners.

which any ſuch Ditches, Drains, or Watercourſes, ſhall be cut, or on which any ſuch Bridge or Bridges ſhall be erected, or through which ſuch Road or Roads ſhall be made, for the Damages they may thereby ſuſtain, as by the ſaid Truſtees, or any Five or more of them, ſhall be adjudged reaſonable: Which Satisfaction the ſaid Truſtees, or any Five or more of them, are hereby impowered to pay out of the Money which ſhall be borrowed, collected, or raiſed, by virtue of this Act; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or Perſon or Perſons by them appointed and imployed as aforeſaid, and the ſaid Owners or Occupiers, or any or either of them, concerning ſuch Damages, or the Satisfaction to be made therefore, the Juſtices of the Peace, at their next General Quarter Seſſions to be holden in and for the ſaid County, or the Majority of them preſent at ſuch Seſſions, on Ten Days Notice thereof to be given in Writing by the ſaid Surveyor or Surveyors, to the ſaid Owner or Occupier, Owners or Occupiers, or by the ſaid Owner or Occupier, Owners or Occupiers, to the ſaid Surveyor or Surveyors, or to be left at their reſpective Place or Places of Abode, with ſome or One of their reſpective Families, ſhall hear and finally determine the ſame.

Juſtices to determine Differences.

And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Truſtees, or any Five or more of them, ſhall, at any Time or Times during the Continuance of this Act, think proper to widen, turn, or alter, any Part or Parts of the ſaid Road, for the better Accommodation or Conveniency of Travellers, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and impowered, to cauſe the ſame to be widened, altered, turned, or diverted, as they ſhall think fit, ſo as ſuch Part or Parts of the ſaid Road as ſhall be ſo widened or diverted, be not thereby made wider than, or extended beyond, the Breadth of Fifty Feet; and for that Purpoſe, the ſaid Truſtees, or any Five or more of them, are hereby impowered to treat, contract, and agree, with the ſeveral Owners, Proprietors, or Occupiers of, and Perſons intereſted in, any Lands, Grounds, or Hereditaments, lying contiguous or near to the ſaid Road, for the abſolute Purchaſe of the ſame, or ſo much, or ſuch Part or Parts thereof, as they the ſaid Truſtees, or any Five or more of them, ſhall think neceſſary, or for the Loſs or Damage which the ſaid Owners, Proprietors, or Occupiers, or other Perſons, ſhall or may ſuſtain

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

ſuſtain by ſuch widening, altering, turning, or diverting, any Part or Parts of the ſaid Road; and out of the Money to be raiſed by virtue of this Act, to pay for ſuch Lands, Grounds, or Hereditaments, and for ſuch Loſs or Damage, ſuch Sum and Sums of Money as ſhall be agreed upon between ſuch Owners, Proprietors, Occupiers, and Perſons intereſted as aforeſaid, and the ſaid Truſtees, or any Five or more of them, and alſo the Coſts and Charges attending ſuch Agreement and Purchaſe.

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

And whereas it may happen that ſome Perſons, or Bodies Politick, Corporate, or Collegiate, Feoffees in Truſt, or others, ſeiſed or poſſeſſed of Lands, Grounds, or Hereditaments, which, according to the Powers by this Act given, may by the ſaid Truſtees be neceſſary or proper to be taken in and added to the ſaid Road, for turning, widening, altering, or amending the ſame, may be willing to ſell and convey the ſame for the Purpoſes aforeſaid, but are incapable of ſo doing, by reaſon of Infancy or other Diſability; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees of Ideots or Lunaticks, Husbands, or other Truſtees whatſoever, for or on Behalf of any Infants, Ideots, Lunaticks, Femes-covert, or Ceſtuique Truſts, and for all and every other Perſon and Perſons whatſoever, who are or ſhall be ſeized or poſſeſſed of, or intereſted in, any ſuch Lands or Grounds, to treat, contract, and agree, with the ſaid Truſtees, or any Five or more of them, for Sale of ſuch Lands, Grounds, or Hereditaments, or any Part or Parts thereof, for the Purpoſes aforeſaid, or for Satisfaction to be made them reſpectively therefore, or for their Intereſt therein, and to ſell and convey the ſame as Occaſion ſhall require; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, or Uſage, to the contrary notwithſtanding; and the Perſon or Perſons making the ſame, is and are, and ſhall be hereby indemnified for what he or they ſhall reſpectively do by virtue or in purſuance of this Act.

Where Perſons refuſe to treat, &c. for Sale of ſuch Lands, &c.

And be it further enacted by the Authority aforeſaid, That if any ſuch Owner, Occupier, Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Husband, Guardian, Truſtee, Committee, or other Perſon or Perſons intereſted in ſuch Lands, Grounds, or Hereditaments,

Hereditaments, upon Notice in Writing, deſcribing the Land, Ground, or Hereditament, intended to be purchaſed, and the Place or Places where the ſame ſhall lie, to him or them reſpectively given, or left at his or their Dwelling-houſe or Houſes, or Place or Places of Abode, or at the Dwelling-houſe or Place of Abode of the Tenant in Poſſeſſion of ſuch Land, Ground, or Hereditament, or affixed, in caſe ſuch Land, Ground, or Hereditament, ſhall be untenanted, on the Door of the Dwelling-houſe, if any, or ſome other moſt publick Place on the Tenement, to which ſuch Land, Ground, or Hereditament, ſo intended to be purchaſed ſhall belong, ſhall, for the Space of Thirty Days after ſuch Notice given, left, or affixed, as aforeſaid, refuſe or neglect to treat for ſuch Land, Ground, or Hereditament, or ſhall not agree as to the Price or Value thereof, or ſhall, by reaſon of Abſence, be prevented from treating; then, and in every ſuch Caſe, the ſaid Truſtees, or any Five or more of them, ſhall cauſe it to be enquired into, and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men reſiding near the ſaid Road, which Oaths the ſaid Truſtees, or any Five or more of them, are hereby authoriz-ed and impowered to adminiſter, what Damages ſhall be ſuſtained by, and what Satisfaction or Recompence ſhall be made to ſuch Owner, or other Perſon or Perſons intereſted, on account of the taking ſuch Land, Ground, or Hereditament, into the ſaid Road, according to their reſpective Intereſt therein; and in order thereto, the ſaid Truſtees, or any Five or more of them, are hereby impowered and required, from time to time, as Occaſion ſhall be and require, to ſummon and call before the ſaid Jury, all and every Perſon and Perſons whomſoever, who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes, concerning the Premiſſes, and ſhall examine all ſuch Witneſſes before the ſaid Jury upon Oath, which Oath the ſaid Truſtees, or any Two or more of them, are hereby impowered and required to adminiſter; and they ſhall alſo order and cauſe the ſaid Jury to view the Place in Queſtion, if there be Occaſion, and to uſe all other lawful Means, as well for their own, as the ſaid Jury's Information in the Premiſſes, as the ſaid Truſtees, or any Five or more of them, ſhall think fit; and after the ſaid Jury ſhall have ſo enquired of, aſcertained, and ſettled ſuch Damage and Recompence, they the ſaid Truſtees, or any Five or more of them, ſhall thereupon order, adjudge, and determine, the Sum or Sums of Mo-

Jury to ſettle the Recompence.

Witneſſes may be ſummoned, and examined upon Oath.

ney ſo aſſeſſed by the ſaid Jury, to be paid to the ſaid Owners, Occupiers, or Proprietors, or other Perſon or Perſons intereſted in the ſaid Lands, Grounds, or Hereditaments, according to ſuch Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgement, Order, or Determination ſo had and made, ſhall be final, binding, and concluſive, to all and every Perſon and Perſons whomſoever, to all Intents and Purpoſes; and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon and Perſons any ways intereſted in ſuch Lands, Grounds, or Hereditaments, ſhall, upon Payment or Tender of Payment of the Sum or Sums ſo aſſeſſed as aforeſaid, thereby be from thenceforth, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, and Property, of, in, to, or out of the ſame: And for ſummoning and returning ſuch Jury or Juries, the ſaid Truſtees, or any Five or more of them, are hereby impowered to iſſue out their Warrant or Warrants to the Sheriff of the ſaid County of Cornwall, thereby commanding and requiring him to impanel, ſummon, and return, an indifferent Jury of Twenty four Perſons, qualified by Law to ſerve on Juries, to appear before the ſaid Truſtees, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; which Sheriff, or his Deputy or Deputies, is and are hereby required thereupon to impanel, ſummon, and return, ſuch Twenty four Perſons accordingly; and out of the Perſons ſo impanelled and returned, or out of ſuch of them as ſhall appear according to and upon ſuch Summons, the ſaid Truſtees, or any Five or more of them, ſhall ſwear, or cauſe to be ſworn, Twelve Perſons, who ſhall be the Jury for the Purpoſe aforeſaid; and, in Default of a ſufficient Number of the Jurymen ſo returned, the ſaid Sheriff, or his Deputy or Deputies, ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured or ſummoned, qualified as aforeſaid, to attend the Service, to the Number of Twelve; to all or any of which Jurymen to be ſummoned in purſuance of this Act, all Perſons concerned ſhall, from time to time, and at all Times, have their lawful Challenges, in ſuch and the like Manner as any Party in any Action brought or to be brought, depending or to be depending in any of his Majeſty's Courts of Record at Weſtminſter, is or ſhall be by Law intitled to; and the ſaid Truſtees, or any Five or more of them, are hereby impowered, from time to time, to impoſe any reaſonable Fine or Fines, not exceeding the Sum of Ten Pounds, upon any One Perſon

Verdict of the Jury to be concluſive to all Parties.

Truſtees to iſſue their Warrants to the Sheriff, to impanel and ſummon a Jury.

Jurors may be challenged.

Penalty on Sheriff, &c. making Default.

Fine not to exceed 10 *l.*

ſon

ſon for One ſingle Offence, on ſuch Sheriff, his Deputy, or Bailiff, reſpectively, who ſhall make Default in the Premiſſes; and alſo on any of the Perſons who ſhall be ſummoned and returned to ſerve on ſuch Jury, and ſhall not appear, or, after having appeared, ſhall refuſe to be ſworn on the ſaid Jury, or, after having been ſworn, ſhall refuſe to give, or not giving his or their Verdict of and upon the Matter in Queſtion, or the Damages, he or they ſhall be ſworn to try or to enquire of, or in any other Manner, wilfully neglecting his or their Duty therein, contrary to the true Intent and Meaning of this Act, and on every or any of the Perſons who being required to give Evidence or Teſtimony before the ſaid Jury, touching the Premiſſes, ſhall refuſe or neglect to attend, or be ſworn, or examined, or give Evidence or Teſtimony touching the ſame.

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

And be it further enacted by the Authority aforeſaid, That from and after ſuch Verdict and Judgement, and after Payment or Tender of the Damages and Recompence therein and thereby found and directed to be given for the ſaid Lands, Grounds, or Hereditaments, to the reſpective Owners, Occupiers, or Proprietors thereof, or other Perſon or Perſons intereſted therein, or after the Execution of any Conveyance of the ſaid Lands, Grounds, or Hereditaments, to the ſaid Truſtees, or any Five or more of them, by the reſpective Owners, Occupiers, or Proprietors thereof, or by any other Perſon or Perſons by this Act impowered to ſell and convey the ſame, and Payment or Tender of the Money thereby ſtipulated to be paid as the Conſideration thereof; which Money, Damages, and Recompence, the ſaid Truſtees, or any Five or more of them, are hereby impowered to pay, or cauſe to be paid, out of the Money which ſhall be borrowed, raiſed, and collected, by virtue of this Act; the ſaid Lands, Grounds, and Hereditaments, and every Part thereof, and the Fee Simple and Inheritance thereof, and of every Part thereof, ſhall be and is hereby veſted in the ſaid Truſtees, without any Fine or Recovery; notwithſtanding the ſame ſhall or may be limited and ſettled to, for, or upon, any Uſe, Truſt, Limitation in Tail, Remainder, or otherwiſe, and notwithſtanding any Politic, Corporate, or other Intereſt therein: And that then, and from thenceforth, the ſaid Truſtees, or any Five or more of them, or any Perſon or Perſons by them, or any Five or more of them, for that Purpoſe impowered or employed, may, and is and are hereby authorized, to take and lay the ſaid Land, Ground, and Hereditament, and every Part thereof, into

Lands, &c. when purchaſed, to be made Part of the Road,

the

and kept in Repair as ſuch.

the ſaid Road; and then, and from thenceforth, for ever afterwards, ſuch Lands, Grounds, and Hereditaments, and every Part thereof, ſhall be deemed, taken, and uſed as, and the ſame are hereby declared to be, a Part or Parts of the ſaid Road, and a public and common Highway, and ſhall for ever be repaired, and kept in Repair, as ſuch; any Right, Title, Intereſt, Law, Cuſtom, or Uſage, to the contrary thereof in any wiſe notwithſtanding:

Old Road to be ſold.

And after ſuch new Road ſhall be completed, the Lands and Grounds comprized in and conſtituting the old Road, or that Part thereof in lieu of which ſuch new Road ſhall be purchaſed and made, is hereby declared to be veſted in the ſaid Truſtees, and ſhall or may be ſold or diſpoſed of for the beſt Price that can or may be gotten for the ſame, and the Money ariſing by ſuch Sale ſhall be applied to the Repairing of the Road hereby directed to be repaired; and the Conveyance or Conveyances to be made of ſuch Lands, Grounds, or Hereditaments, being executed by the ſaid Truſtees, or any Five or more of them, and inrolled with the Clerk of the Peace of the ſaid County of Cornwall, ſhall be good and effectual in the Law, to all Intents and Purpoſes whatſoever.

Proviſo.

Provided always, and be it further enacted by the Authority aforeſaid, That nothing ſhall be done in purſuance of this Act, either in widening, altering, turning, or diverting the ſaid Road, or otherwiſe howſoever, which ſhall or may in any wiſe injure or damage any Houſe, Yard, Park, Paddock, planted Walk, or Avenue to any Houſe.

Perſons chargeable to the Repairs of the Roads to continue ſo.

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, Towns, Pariſhes, Tills, Hamlets, Tythings, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, and the Members thereof, who, before the making of this Act, hath or have been uſed, or of Right ought, by reaſon of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Road hereby intended to be repaired, or any Bridge or Drain lying in or upon the ſame, ſhall, notwithſtanding this Act, be ſubject and liable to, and charged and chargeable with, the repairing and keeping in Repair the ſame Parts of the ſaid Road, Bridges, or Drains, in the ſame Manner as they, every, or any of them, have, or hath heretofore uſually done, or ought to do: And that the Inhabitants of the ſeveral Pariſhes, Hamlets, and Places, through which the ſaid Road leads, who by the Laws and Statutes of this Realm are or ſhall be obliged or

Inhabitants to do Statute-work.

liable

liable to work on the Highways, for the repairing thereof, commonly called Statute-work, ſhall ſtill be ſubject and liable thereto; and ſhall and are hereby required to do and perform ſuch and ſo many Days Work, in ſuch Parts of the ſaid Road by this Act directed to be repaired, lying within the ſaid Pariſhes, Hamlets, or Places, in which ſuch Inhabitants reſpectively ſhall live, and at ſuch Times, and in ſuch Manner, as the ſaid Truſtees, or any Five or more of them, their Surveyor or Surveyors, ſhall direct and appoint: And that every ſuch Inhabitant of the ſaid Pariſhes, Hamlets, and Places, who ſhall rent, hold, or occupy, any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, ſhall be deemed to keep a Team for every Fifty Pounds he or ſhe ſhall ſo rent, hold, or occupy; and ſhall do and perform ſuch Work in and towards the repairing the Highways of the ſeveral Pariſhes, Hamlets, and Places, in which they ſhall reſpectively live, as Perſons keeping Teams are by Law obliged or ought to do: And the Surveyors of the Highways for each of the ſaid Pariſhes, Hamlets, and Places, are hereby required, before the Twenty fifth Day of March in every Year, during the Continuance of this Act, to return and deliver in to the ſaid Truſtees, at their Meetings to be by them held, true and perfect Liſts in Writing, under their reſpective Hands, of the Names of all the Inhabitants of ſuch Pariſhes, Hamlets, and Places reſpectively, that are liable to do their Statute-duties in or upon the ſaid Highways; and ſhall in ſuch Liſts, and every of them, diſtinguiſh and ſet forth which of ſuch Inhabitants ſhall keep a Team or Teams, or by this Act ſhall be deemed ſo to do, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams: And if any ſuch Surveyor for any Pariſh, Hamlet, or Place, ſhall not deliver in ſuch Liſts of the Inhabitants of their ſeveral Pariſhes, Hamlets, or Places, or by ſuch Time, and in ſuch Manner, as by this Act are directed and required to be delivered, ſuch Surveyor or Surveyors, and every of them, ſhall forfeit and pay, for every ſuch Default, the Sum of Five Pounds: And if any Inhabitant of any ſuch Pariſh, Hamlet, or Place, liable by Law to do Statute-work upon the Highways, ſhall not do ſuch Statute-work in and upon the ſaid Road, at ſuch Times and Places, and in ſuch Manner, as they ſhall be reſpectively directed or appointed to do by the ſaid Truſtees, or any Five or more of them, or by the Surveyor or Surveyors by them authorized, every ſuch Inhabitant ſhall, for every ſuch Neglect or

Perſons renting 50*l. p r Ann* deemed Team-holders.

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

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

and on Perſons not performing Statute-work.

Default, forfeit and pay the ſeveral Sums herein after mentioned; that is to ſay, Every ſuch Inhabitant, or Perſon keeping, or who, by virtue of this Act, ſhall be deemed to keep, a Team, for every Day's Work for every ſuch Team, the Sum of Ten Shillings; and every Inhabitant keeping a Packhorſe or Packhorſes, or other Beaſts of Burthen, and no Team, nor by this Act deemed to keep a Team, for every Day's Work for every ſuch Horſe or Beaſt, and Driver, the Sum of Three Shillings; and every other Inhabitant, or Perſon liable to work on the ſaid Road as a Labourer only, for every Day's Work, the Sum of One Shilling and Six Pence; and if any Perſon or Perſons who ſhall come as a Labourer or Labourers, or be ſent with any Team or Draught, Packhorſe, or Beaſt of Burthen, to work on the ſaid Road, ſhall be found idle or negligent by the Turnpike Surveyor or Surveyors, ſuch Surveyor or Surveyors is and are hereby impowered to remove and turn off ſuch Perſon or Perſons; and in that Caſe the reſpective Forfeitures and Payments before mentioned ſhall be incurred, and payable, as if ſuch Perſon or Perſons had refuſed or neglected to come, or ſuch Team or Draught, Horſe, or Beaſt, had not been ſent.

Labourers found idle to be turned off.

And be it further enacted by the Authority aforeſaid, That if the Surveyor or Surveyors of the Highways, for the time being, of any of the Pariſhes, Hamlets, or Places, wherein the Road hereby intended to be repaired doth lie, ſhall think the ſaid Truſtees, or the Surveyor or Surveyors by them authorized, have at any Time directed or appointed too large a Proportion of the Statute-work in any Pariſh, Hamlet, or Place, to be done on the ſaid Road, it ſhall and may be lawful for ſuch Surveyor or Surveyors of the Highways aforeſaid, to appeal to the General Quarter Seſſions of the Peace next after ſuch Direction or Appointment, to be holden in and for the ſaid County; and the Juſtices in ſuch their Seſſions are hereby authorized and impowered to adjuſt and determine what Proportion of the Statute-work in any Pariſh, Hamlet, or Place, ſhall be done on the Road hereby intended to be repaired; ſuch Surveyor or Surveyors of the Highways as aforeſaid, having firſt given Ten Days Notice in Writing of ſuch Appeal, to the Surveyor or Surveyors authorized by the ſaid Truſtees, as aforeſaid, or to their Clerk or Clerks.

Truſtees to proportion the Statute-work to be done on the Roads.

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 authorized and impowered,

Truſtees may compound for Statute-work, &c.

impowered, from time to time, during the Continuance of this Act, to compound and agree with the Surveyor or Surveyors of all, any, or either of the Pariſhes, Hamlets, or Places through which the ſaid Road doth lead, or with the ſeveral Inhabitants of ſuch Pariſhes, Hamlets, and Places reſpectively, for a certain Sum or Sums of Money, by the Day, Year, or otherwiſe, as the ſaid Truſtees, or any Five or more of them, ſhall think reaſonable, in lieu of the Statute-work or other Work to be done by ſuch Pariſhes, Hamlets, or Places, reſpectively, or the ſeveral and reſpective Inhabitants thereof: And in caſe any ſuch Compoſition-money ſhall not be paid within Ten Days after the ſame ſhall become payable, according to ſuch Compoſition or Agreement, that then it ſhall and may be lawful to and for any One or more Juſtice or Juſtices of the Peace for the ſaid County, by Warrant under his or their Hand and Seal, or Hands and Seals, to impower the Perſon or Perſons authorized by the ſaid Truſtees, or any Five or more of them, to receive ſuch Compoſition-money, Oath being firſt made, that the ſame has been demanded, and remains unpaid (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter) to levy the ſame by Diſtreſs and Sale of the Goods of the Perſon or Perſons ſo having compounded for, or in lieu of, any Statute-work or other Work, or of the Surveyor or Surveyors of the Highways for the time being of the Pariſh, Hamlet, or Place, in reſpect of which ſuch Compoſition ſhall be made; returning the Overplus (if any be) after deducting the Charges of ſuch Diſtreſs and Sale, to the Owner or Owners thereof, upon Demand: And in caſe the Surveyor or Surveyors of the Highways of any Pariſh, Hamlet, or Place, for or in reſpect of which ſuch Compoſition ſhall be made as aforeſaid, ſhall pay the Compoſition-money, or if ſuch Compoſition-money ſhall be recovered and levied by Diſtreſs and Sale of his Goods and Chattles in Manner herein before directed; then, and in either of the ſaid Caſes, ſuch Surveyor or Surveyors ſhall be repaid and reimburſed the Compoſition-money which ſhall be ſo paid by, or recovered of, him or them as aforeſaid, in ſuch Manner as, by the Laws now in being, Surveyors of the Highways of this Kingdom are to be repaid and reimburſed the Money by them expended in buying Materials for amending the Highways.

Compoſition-money how to be recovered and applied.

And

Road 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 Mile-ſtones or Poſts to be fixed or ſet upon the Sides thereof, with Inſcriptions to be made thereon denoting the Number of Miles and Diſtance of Places, as they, or any Five or more of them, ſhall think fit: And if any Perſon or Perſons ſhall wilfully or deſignedly deſtroy, pull down, dig up, break, or injure any or either of the Stones or Poſts that ſhall be ſo fixed or ſet up, or eraſe, obliterate, or deface any of the Inſcriptions which ſhall be made thereon, or any Part thereof, or cauſe or procure the ſame to be done, every ſuch Perſon ſo offending, and being thereof convicted by his or her own Confeſſion, or by the Oath of One or more credible Witneſs or Witneſſes, before any One or more Juſtice or Juſtices of the Peace for the ſaid County (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter) ſhall forfeit the Sum of Forty Shillings for each Stone or Poſt ſo wilfully or deſignedly deſtroyed, pulled down, dug up, broken, injured, obliterated, or defaced; to be levied by Diſtreſs and Sale of the Goods and Chattles of every ſuch Offender, by Warrant under the Hand and Seal, or Hands and Seals, of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made; ſuch Forfeitures, or a ſufficient Part thereof, to be laid out and applied in repairing the Stones or Poſts ſo pulled down, broken, obliterated, or defaced, or in ſupplying new ones in their Stead, and the Reſidue thereof (if any) in repairing the ſaid Road: And in caſe the Perſon or Perſons ſo offending and convicted ſhall have no Goods or Chattles, then it ſhall and may be lawful for any One or more Juſtice or Juſtices of the Peace of the ſaid County, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Perſon or Perſons to the Houſe of Correction for the ſaid County, there to remain for the Space of One Calendar Month, to be reckoned from the Day of ſuch Commitment; and ſuch Perſon or Perſons ſhall not be diſcharged, until he, ſhe, or they, ſhall have paid the ſaid Forfeiture or Forfeitures, or until the Expiration of the ſaid Calendar Month.

Penalty on defacing Mile-ſtones, &c.

to be levied by Diſtreſs and Sale.

Penalty on haling Timber, &c. otherwiſe than on Wheel Carriages.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall hale or draw, or cauſe to be haled or drawn, upon, in, or along any Part of the ſaid Road hereby intended to be repaired, any Tree

Tree or Trees, or Piece or Peices of Timber, otherwiſe than and except upon Wheel Carriages, every ſuch Perſon or Perſons, for every ſuch Offence, ſhall forfeit the Sum of Twenty Shillings.

And be it further enacted by the Authority aforeſaid, That all the Penalties, Fines, and Forfeitures impoſed or made payable by this Act, or which ſhall be incurred thereby, or by reaſon of any Thing herein contained, and every Part thereof, ſhall, from time to time be paid (except ſuch the Payment whereof is otherwiſe herein before directed) to the ſaid Truſtees, or to any Five or more of them, or to their Treaſurer or Treaſurers for the time being; and ſhall be laid out and applied (except ſuch Parts thereof the Application of which is herein before particularly directed) in and towards the repairing, widening, and amending the ſaid Road, and other the general Purpoſes of this Act: And for the Recovery of the ſaid Penalties, Fines, and Forfeitures, or of ſuch of them for the Recovery whereof no other Method or Methods is or are herein before preſcribed, any Juſtice or Juſtices of the Peace of the County or Place where the Party or Parties incurring the ſame ſhall be and reſide, may, and is and are hereby authorized and required, from time to time, upon Proof thereof, and of the ſeveral Matters, Cauſes, or Things, for which ſuch Penalties or Forfeitures ſhall be incurred, either by the Confeſſion of the Party or Parties, or by the Oath of One or more Witneſs or Witneſſes, which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter gratis, by a Warrant or Warrants under his and their Hand and Seal, or Hands and Seals, to cauſe the ſame to be levied and raiſed by Diſtreſs and Sale of the Goods, Chattles, and Effects, of the Party or Parties ſo incurring: And if any more Money ſhall, at any Time or Times, be raiſed and levied by ſuch Diſtreſs and Sale than ſhall be ſufficient to pay the reſpective Penalties, Fines, or Forfeitures, for which the ſame ſhall be taken and made, and the reaſonable Charges of making and taking the ſame, ſuch Overplus ſhall, if demanded, be paid to the reſpective Owner or Owners of the Goods, Chattles, or Effects, which ſhall be ſo diſtrained and ſold; and if no Goods, Chattles, or Effects of the Perſon or Perſons who ſhall incur any of ſuch Penalties, Fines, or Forfeitures, can be found ſufficient to anſwer the ſame, and the Charges of ſuch Diſtreſs and Sale as aforeſaid, if any ſuch ſhall be taken or made; then, and in ſuch

Penalties and Forfeitures how to be recovered and applied.

Overplus of the Money to be returned to the Owner.

Caſes, any One or more Juſtice or Juſtices of the Peace for the ſaid County of Cornwall, may, and is and are hereby authorized and required, by a Warrant or Warrants under his and their Hand and Seal, or Hands and Seals, to cauſe ſuch Perſon or Perſons to be committed to the Common Gaol of the ſaid County, for any Time not exceeding Two Months for the Firſt Offence, or until ſuch Penalties, Fines, or Forfeitures, and the Charges of ſuch Diſtreſs and Sale, if any ſuch there be, ſhall be paid; and for the Second and every other Offence of the ſame Kind or Nature, for any Time not exceeding Four Months, nor leſs than One Month, or until ſuch Penalties, Fines, or Forfeitures, by him, her, or them incurred, and the Charges of the ſaid Diſtreſs and Sale, if any ſuch there be, ſhall be fully ſatisfied and paid.

For want of Diſtreſs, the Offender to be committed.

Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any thing done or to be done in purſuance of this Act, ſuch Perſon or Perſons may appeal to the Juſtices at the next General Quarter Seſſions of the Peace to be holden in and for the ſaid County, he, ſhe, or they giving, or cauſing to be given, Ten Days Notice in Writing of ſuch Appeal, and of the Cauſe and Matter thereof, to the ſaid Truſtees, or to their Clerk or Clerks, Treaſurer or Treaſurers, for the time being, and entering into a Recognizance within Five Days after ſuch Notice given, before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Securities to try ſuch Appeal at ſuch Seſſions; and in caſe the ſame ſhall be diſallowed, to pay ſuch Coſts and Charges as the Juſtices there ſhall direct in that Behalf; which ſaid Juſtices, at their ſaid Seſſions, upon due Proof of ſuch Notice being given, and ſuch Recognizance being entered into, as aforeſaid, ſhall and are hereby authorized and required to proceed in, hear, and determine the Matter of ſuch Appeal, and may, if they ſee Cauſe, mitigate or annul, at their Diſcretion, the Penalty or Penalties laid on or incurred by the Party or Parties appealing, or alter or vacate the ſame, and ſet the Party or Parties at Liberty, or otherwiſe may ratify and confirm the ſame, and give ſuch Coſts to the Appellant or Reſpondent as they ſhall think fit; and the Order, Judgement, and Determination of the ſaid Juſtices, at ſuch next General Quarter Seſſions, ſhall be final and concluſive to all Parties concerned or intereſted therein.

Perſons aggrieved may appeal to the Quarter Seſſions.

Notice of Appeal to be given.

Provided

Proceedings not to be quaſh'd for want of Form,

Provided alſo, and be it further enacted by the Authority aforeſaid, That no Conviction, Judgement, or Order, which ſhall be made in purſuance of this Act, or in Execution of the Powers hereby given, ſhall be quaſhed, vacated, or diſcharged for or on account of Form only, nor ſhall the ſame be removed or removeable by Certiorari, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at Weſtminſter.

nor be removeable by *Certiorari*.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforeſaid, That this Act and the ſeveral Authorities and Powers hereby given, and the ſeveral Tolls hereby made payable (ſubject to the Power herein before given to the ſaid Truſtees, to vary or alter the ſame) ſhall commence and have Continuance from the Day of paſſing hereof for and during the Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament.

If the Road ſhall be adjudged to be ſufficiently repaired before the Expiration of the ſaid Term, and the Money due be repaid, the Tolls, *&c.* to ceaſe.

Provided nevertheleſs, That if at any Time before the Expiration of the ſaid Term, the ſaid Road ſhall be ſufficiently amended and repaired, and ſhall be ſo adjudged by the Juſtices of the Peace for the ſaid County of Cornwall, at their General Quarter Seſſions, to be holden in and for the ſaid County; that then, and from and after ſuch Adjudication and Repayment of the Money borrowed, with Intereſt for the ſame, and the Coſts and Charges thereof, and what ſhall be due to any Perſon or Perſons on account of the ſaid Road, the Tolls hereby granted ſhall ceaſe and determine; any thing herein contained to the contrary notwithſtanding.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforeſaid, That full, true, and fair Accounts and Entries of all the Money that ſhall be borrowed, collected, and received, laid out, expended, and paid by virtue of this Act, and of all Orders, Compoſitions, Acts, Matters, Proceedings, and Things, which ſhall be made or done by the ſaid Truſtees in purſuance hereof, or in Execution of the Powers hereby to them given, ſhall from time to time be duly and regularly entered, and made in a Book or Books to be kept for thoſe Purpoſes, by the Clerk or Clerks, Treaſurer or Treaſurers to the ſaid Truſtees, for the time being; and ſuch Orders ſo entered ſhall be ſigned by the Clerk or Clerks, Treaſurer or Treaſurers, to the ſaid Truſtees, for the time being, at any Meeting of the ſaid Truſtees, or any Five or more of them, aſſembled as the Caſe ſhall require, and being ſo ſigned, ſhall be deemed and taken to be original Orders, as if the ſame were under the Hands and Seals of the ſaid

Books to be read in Evidence.

ſaid Truſtees; which ſaid Book or Books, and alſo the Book or Books herein before directed to be kept for entering and regiſtering the ſaid Aſſignments and Tranſfers, ſhall and may be produced and read in Evidence in all Caſes of Appeals, Suits, or Actions, touching any Thing done in purſuance and by the Authority of this Act.

No Victualler, &c. to have a Place of Profit.

And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons keeping an Inn or other Houſe of publick Entertainment, or who ſhall ſell Ale, Wine, Brandy, or other Spirituous Liquors by Retail, ſhall be capable of taking, holding, or enjoying, any Place or Places of Truſt or Profit, under this Act, during ſuch Time as he or they ſhall keep ſuch Inn, Alehouſe, or other publick Houſe of Entertainment, or ſhall ſell Ale, Wine, Brandy, or other Spirituous Liquors by Retail.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Deeds Poll, Aſſignment, Tranſfer, or other Security for the borrowing Money, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals of, or only ſigned by any Truſtee or Truſtees, for putting this Act in Execution, or any Juſtice or Juſtices of the Peace, or exhibited before them, or any of them, touching or concerning, or in Execution of any of the Powers or Authorities hereby given, ſhall be charged or chargeable with any Stamp or Duty whatſoever.

No Order to be repealed unleſs 9 Truſtees are preſent.

And be it further enacted by the Authority aforeſaid, That no Order made by the ſaid Truſtees, or any Five or more of them, in, for, or concerning the executing the Truſts, Powers, and Authorities of this Act, or any of them, ſhall be revoked, repealed, or ſet aſide, by any ſubſequent Order of the Truſtees, unleſs Nine Truſtees ſhall be then preſent.

Treaſurer to give Security.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, may, and are hereby authorized and required to take ſuch Security from the Treaſurer or Treaſurers to be appointed for the Purpoſes of this Act, for the due Execution of his or their ſaid Office or Offices, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem meet.

And

And be it further enacted by the Authority aforeſaid, That if any Action or Actions, Suit or Suits, ſhall be brought againſt any Perſon or Perſons, for any Thing done or to be done by virtue or in purſuance of this Act, or in relation to the Matters herein contained, ſuch Actions and Suits, and every of them, ſhall be commenced within the Space of Six Calendar Months, next after the doing the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, and not afterwards; and ſhall be brought, laid, and tried in the ſaid County of Cornwall, and not elſewhere: And that the Defendant or Defendants in ſuch Actions or Suits, and every of them, may plead the General Iſſue; and give this Act, and the Special Matter in Evidence, at any Trial or Trials which ſhall be had thereupon; and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance and by the Authority of this Act: And if the ſaid Matter or Thing ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County, then and in either of ſuch Caſes the Jury or Juries ſhall find for the Defendant or Defendants therein: And if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants; or if the Plaintiff or Plaintiffs in any ſuch Action or Actions, Suit or Suits, ſhall become Nonſuited, or ſuffer a Diſcontinuance after the Defendant or Defendants ſhall have appeared; or if, upon any Demurrer or Demurrers in any ſuch Action or Actions, Judgement ſhall be given for the Defendant or Defendants therein; then and in either of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, upon Affidavit made, or the Certificate of the Judge or Judges before whom ſuch Cauſes ſhall be tried, whereby it may appear that ſuch Action or Suit was proſecuted againſt the Defendant or Defendants for ſome Matters contained in, or done in purſuance of this preſent Act; and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for his and their Coſts in other Caſes by Law.

Limitation of Actions.

General Iſſue.

Treble Coſts.

Publick Act. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, 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.