Anno ſecundo

Georgii III. Regis.

An Act for continuing the Term and Powers of an Act made in the Fourteenth Year of the Reign of His late Majeſty, intituled, *An Act for repairing the Road from* Doncaſter, *through the Pariſh of* Peniſton, *in the County of* York, *to* Salter's Brook, *in the County of* Cheſter; *and alſo the Road from* Rotherham, *in the ſaid County of* York, *to* Hartcliffe Hill, *in the ſaid Pariſh of* Peniſton, and for making the ſaid Act more effectual, ſo far as the ſame relates to the ſaid Road between *Doncaſter* and *Salter's Brook*.

WHEREAS by an Act made in the Fourteenth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for repairing the Road from *Doncaſter*, through the Pariſh of *Peniſton*, in the County of *York*, to *Salter's Brook*, in the County of *Cheſter*; and alſo the Road from *Rotherham*, in the ſaid County of *York*, to *Hartcliffe Hill*, in the ſaid Pariſh of *Peniſton*; certain Tolls and Powers were granted for amending, widening, and keeping in Repair, the ſaid Roads; Preamble, reciting Act 14 *Geo.* II.

Roads; which Act was to take Place, and be in Force, for the Term of Twenty one Years, from the Twelfth Day of May, One thouſand ſeven hundred and forty one; and the ſaid Roads are, by the ſaid Act, divided into Two Diſtricts; that is to ſay, The Road from Doncaſter to Salter's Brook is One Diſtrict, and the Road from Rotherham to Hartcliffe Hill is the other Diſtrict: And whereas the Truſtees appointed to put the ſaid Act in Execution, ſo far as the ſame relates to the ſaid Diſtrict of Road from Doncaſter to Salter's Brook, have, in purſuance of the Power to them by the ſaid Act given, borrowed a conſiderable Sum of Money upon the Credit of the Tolls authorized to be taken within ſuch Diſtrict; which Sum ſo borrowed, and ſtill remaining unpaid, has, together with the Tolls collected within the ſaid Diſtrict, been applied in repairing and widening the ſaid Road, and great Progreſs has been made therein; but it has not been poſſible effectually to repair and widen the ſaid Diſtrict of Road, nor can the ſame be done, and the Money ſo borrowed be repaid, unleſs the Term of the ſaid Act be, with reſpect to the ſaid Diſtrict, further continued, ſome further Tolls granted, and the ſaid Act in other Reſpects made more effectual: May it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and all and every the Clauſes, Powers, Penalties, Forfeitures, Proviſoes, Matters, and Things whatſoever, therein contained, ſhall, with reſpect to the Road from Doncaſter to Saler's Brook, be, and the ſame are hereby, further continued from the Expiration thereof, and alſo of the additional Term granted by an Act made in the Twenty eighth Year of his ſaid late Majeſty, intituled, An Act to amend an Act made in the Twenty ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the Public Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto*, for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, ſubject to the Amendments, Alterations, Variations, and Additions, herein after contained.

The recited Act further continued for 21 Years.

And be it further enacted by the Authority aforeſaid, That Sir George Armytage Baronet, the Reverend Bryan Allet, Bryan Allet junior, Thomas Aſkam, Henry Allet, William Boſville, William Brooke, Richard Beaumont, John Butterworth, John Burton Clerk, Philip Bray, William Beatſon, Thomas Beatſon of Chevet, Edmund Brown Clerk, John Cookſon M. D. Thomas Cotton, William Child, Robert Cheatham, John Cooke of Doncaſter, Brian Cooke, George Cooke of Doncaſter Clerk, Sir George Dalſton Baronet, Benjamin Dutton, Edward Dickinſon, James Eyre, George Eyre, Benjamin Eyre, Vincent Eyre, Samuel Fenton, Richard Fenton, Thomas Firth, Joſeph Firth, the Right Honourable William Lord Galway in the Kingdom of Ireland; Harpham Green, William Green, William Greame, Joſeph Greaves, John Greaves, John Green, Thomas Green, Richard Greaves, Joſeph Gill, John Hatfield, Francis Haigh Clerk, John Hatfield of Wakefield, John Hemmingway, Joſeph Hemmingway, Stanhope Harvey, Hall of Melton Clerk, Walter Joddrell, Sir Liſter Kaye Baronet, John Liſter, Edwin Laſcelles, Daniel Laſcelles, the Reverend Timothy Lee D. D. William Moſeley, John Melladew, Richard Matthewman, George Moorhouſe, James Maude, William Maude, Sir Lionel Pilkington Baronet, John Pilkington, Michael Pilkington, Harriſon Pilkington, Samuel Phipps Clerk, Joſeph Purſelove Clerk, Richard Perkins, John Parkin, Benjamin Roebuck, William Rooke, John Radclyffe Clerk, William Rowley Clerk, John Rowley, Jonas Rich, William Smith, Thomas Smith, Chriſtopher Sowermire Clerk, Sir George Savile Baronet, William Thorpe ſenior, William Thorpe junior, Edward Taylor junior, John Tinker, Uriah Tinker, Tedbar Tinker, Ebenezer Tinker, Caliſthenes Thomas, William Turbut, Thomas Wentworth, John Woollin Clerk, John Wordſworth junior, Jonathan Weſt, James Walton, John Walton, Thomas Woolfinden, William Wheatley, Joſiah Wordſworth, John Wilſon, Roland Winn, Anthony Wharton, John Wrightſon, Wood of Woodthorpe, Joſhua Wilſon, Benjamin Wilſon Clerk, Thomas Wilſon Clerk, Godfrey Woolley Clerk, the Reverend Henry Zouch, ſhall, from and immediately after the paſſing of this preſent Act, be added to, and joined with, the Truſtees appointed or to be appointed to put the ſaid former Act in Execution, with reſpect to the ſaid Diſtrict of Road from Doncaſter to Salter's Brook; and that the Truſtees hereby appointed, and the Survivors of them, being duly qualified according to the Direction

Additional Truſtees Names.

section of the said former Act, together with the Trustees appointed by or in pursuance of the said former Act for the Care of the District before mentioned, shall be, and they are hereby authorized and impowered to put the said former Act and this present Act in Execution, with respect to the said District of Road.

Any Tolls, not exceeding double the Tolls granted by the former Act, may be taken on the District of the Road between *Doncaster* and *Salter's Brook*.

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 by Writing under their Hands and Seals authorize and appoint, shall and may, from and after the Day of passing this Act, demand, receive, and take, in any One Day for the Passage of Horses, Mares, Geldings, Cattle, Mules, Beasts, Asses, Coaches, Berlins, Landaus, Chariots, Chaises, Calashes, Waggons, Wains, Carts, or other Carriages, Oxen, Cows, or Neat Cattle, Calves, Hogs, Sheep, or Lambs, through the several Turnpikes erected or to be erected upon the said District of Road between Doncaster and Salter's Brook, instead and in lieu of the Tolls authorized and directed by the said former Act, to be therein taken or levied, any Tolls not exceeding double the Tolls mentioned in the said Act, to be taken within the said District.

Tolls vested in Trustees.

And it is hereby further enacted by the Authority aforesaid, That the Tolls above mentioned, and hereby directed to be taken as aforesaid, are hereby vested in the said Trustees, and the same, and every Part thereof, shall and may be demanded, taken, levied, recovered, paid, applied, and disposed of, in the same Manner, and to and for the several Uses, Intents, and Purposes, as in and by the said Act is mentioned and declared, with respect to the Tolls thereby granted, subject nevertheless to the Payment of all Monies due and owing upon the Credit of the said former Tolls, and the Interest due and to grow due upon the same.

Application of the Monies.

And whereas, by a Clause in the said Act of the Fourteenth Year of His late Majesty's Reign, the Trustees, and Surveyors to the said Road, are restrained from digging, gathering, and taking and carrying away, Gravel, or other Materials for Repair thereof, out of any Meadow, which Restraint has by Experience been found to be very inconvenient; be it therefore further enacted by the Authority aforesaid, That so much of the said Clause as restrains the digging, gathering, taking, and carrying, away Gravel, or other Materials, out of any Meadow, shall,

Clause in the recited Act prohibiting the taking Gravel, *&c.* from Meadows, repealed with respect to the said District.

shall, so far as the same relates to the Road from Doncaster to Salter's Brook, be, and the same is hereby repealed.

Penalty of taking away any of the Materials provided for the Repair of the said Road;

And be it further enacted by the Authority aforesaid, That in case any Owner of the Soil, or Occupier of the Ground where any Materials shall be dug or gathered, for repairing or widening the said District of Road, according to the Directions of the said former Act, or any other Person or Persons, shall, at any Time during the Continuance of the said former Act and of this Act, load, take, or carry away, any Gravel, Furze, Heath, Sand, Stones, or other Materials, which any Surveyor acting under the said Trustees, or any Person or Persons by him appointed, shall have got, gathered, or digged, out of any Waste or Common, or Private Grounds, for the Purpose of repairing the said Road, or any Part thereof; or shall dig, gather, get, take, load, or carry away, any Gravel, Sand, Stones, or other Materials, out of any Pit, Hole, or Quarry, which such Surveyor, or any Person by him appointed, shall have made and opened for the Purpose of getting Materials for such Repairs as aforesaid, before such Time as the said Surveyor or his Workmen shall have discontinued getting any such Materials thereout, or working therein, for the Space of Twenty Days, other than and except the Owner or Occupier of such Private Ground for his own Private Use, and Persons by him lawfully authorized to get Materials therein, for the proper Use of such Owner or Occupier only, and not for Sale; every Person and Persons so offending, and being thereof convicted, by Confession of the Party, or Oath of One credible Witness, before One or more Justice or Justices of the Peace for the Division where the Offence shall be committed, shall for every such Offence forfeit and pay to the said Trustees, any Sum not exceeding the Sum of Five Pounds, nor less than Forty Shillings, which shall and may be recovered, levied, and applied, in such Manner as any Penalty or Forfeiture is directed by the said former Act to be recovered, levied, and applied.

or digging, &c. in the Pits opened by the Trustees Surveyor, till he shall have discontinued working therein, &c.

And whereas by another Clause in the said recited Act, it is declared, That no Gate or Turnpike shall be erected or set up by virtue of the said Act nearer to the Town of Doncaster than the South End of a Lane commonly called Scawsby Lane; nor at any Place between the Town of Mar and a Lane called Goldthorpe Lane; and that no Gate or Turnpike shall be erected or set up between the West End of the Town of Ardesley and the Town of Barnsley;

Barnſley; and that if any Gate or Turnpike ſhall be erected in or near the Town of Aldeſley, the ſame ſhall be ſo placed, as not to ſtop or oblige ſuch Paſſengers as ſhall paſs with Coaches, Carriages, Cattle, or on Horſe-back, through the Great Roads or Highways leading from Rotherham to Wakefield and Barnſley, to pay any of the Tolls and Duties by the ſaid Act granted, any thing in the ſaid Act contained to the contrary notwithſtanding; which Proviſion has been and may be attended with great Diſadvantages to the ſaid Diſtrict of Road; be it therefore further enacted by the Authority aforeſaid, That the ſaid Clauſe, except ſo much thereof as prohibits the erecting of any Gate or Turnpike nearer the Town of Doncaſter than the South Eaſt End of Scawsby Lane aforeſaid, ſhall be, and the ſame is hereby repealed.

Clauſe in the recited Act reſpecting the erecting Turnpikes at particular Places, repealed, except as to the Gate at *Scawsby Lane*.

And whereas by a Clauſe in the ſaid former Act, it is enacted and declared, That if there ſhall be Two or more Turnpikes or Toll-bars erected in, croſs, or on the Sides of either of the ſaid Roads; then, and in ſuch Caſe, the Tolls and Duties hereby ſeverally granted and made payable, ſhall be divided and allotted into ſo many equal Parts, Shares, and Proportions, as there ſhall be Turnpikes or Toll-bars erected on the ſeveral Roads aforeſaid; and One Part thereof ſhall be paid, taken, and received, at each and every of the ſaid Turnpikes or Toll-bars, and not otherwiſe; which ſaid Clauſe, ſo far as is above-recited, hath been found to be very improper and inconvenient; be it therefore enacted by the Authority aforeſaid, That ſo much of the ſaid Clauſe as is herein above-recited, ſo far as the ſame relates to the ſaid Road leading from Doncaſter to Salter's Brook, ſhall be, and the ſame is hereby repealed.

Clauſe in the former Act, reſpecting the apportioning the Tolls among the ſeveral Gates, ſo far as relates to the Road from *Doncaſter* to *Salter's Brook*, repealed;

Provided always, That no more than One Fourth Part of the whole Tolls or Duties hereby directed to be taken and made payable, ſhall be demanded, taken, or paid, at any One Turnpike or Toll-bar which hath been, or ſhall be by virtue of the ſaid former Act or this preſent Act, erected in, croſs, or on the Side of, any Part of the ſaid laſt-mentioned Road; and ſo always provided, That no more than One Half of the ſaid Tolls or Duties hereby granted and made payable, ſhall be demanded, taken, or paid, betwixt the Town of Doncaſter and the Town of Barnſley; and no more than One Half betwixt the ſaid Town of Barnſley and Salter's Brook aforeſaid.

and One Fourth of the whole Tolls only to be taken at any One Gate on the ſaid Road;

nor more than One Half betwixt *Doncaſter* and *Barnſley*; nor betwixt *Barnſley* and *Salter's Brook*.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees, or any Seven or more of them, from time to time, at any Meeting or Meetings to be held for that Purpoſe, to leſſen or reduce all or any of the Tolls hereby granted, and for ſuch Time or Times as they the ſaid Truſtees, or any Seven or more of them, ſhall think proper; and may afterwards, from time to time, advance all or any of the Tolls ſo leſſened, to any Sum or Sums of Money not exceeding the Tolls hereby allowed to be taken; and to order and direct ſuch Tolls ſo leſſened and reduced, or advanced, to be collected, received, taken, and laid out and applied, for the Purpoſes of the ſaid former Act and this Act, in ſuch Manner as they ſhall think fit; but no ſuch Reduction ſhall be made at any Time, unleſs the Perſon or Perſons who ſhall be entitled to Two Thirds of the Money which ſhall have been lent upon the Credit of the Tolls intended to be reduced, ſhall be conſenting thereto; and that no ſuch Reduction ſhall be made, unleſs Twenty Days Notice at the leaſt ſhall be given in Writing, to be affixed upon all the Turnpikes which ſhall be then erected upon the ſaid Diſtrict of Road, of the Intention to make ſuch Reduction.

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

Provided always, That no Perſon ſhall be liable to pay Toll more than Once for paſſing at any Time or Times, with the ſame Horſes, Beaſts, Cattle, or Carriages, in the ſame Day, to be computed from Twelve of the Clock in one Night, to Twelve of the Clock in the ſucceeding Night, through any One Turnpike, which hath been, or ſhall be, erected by virtue of the ſaid former Act, or of this Act, upon the ſaid Diſtrict of Road; but all and every ſuch Perſon and Perſons, after having paid ſuch Toll as aforeſaid, ſhall, upon producing a Note or Ticket, denoting ſuch Payment, afterwards paſs with ſuch Horſes, Cattle, Beaſts, or Carriage, Toll-free, during ſuch Day, to be computed as aforeſaid, through the reſpective Gate where ſuch Payment was made; as alſo through all ſuch other Gate or Gates, Cheque Bar or Bars, through which ſuch Payment ſhall have intitled them to paſs; which Note or Ticket the Collectors of the Tolls are hereby required to give gratis, on the Receipt of the Toll; ſubject nevertheleſs to the Exemptions, Variations, Alterations, and Limitations, contained in the ſaid former Act, with reſpect to Waggons, Wains, Carts, or Carriages, paſſing laden with, or

Tolls to be paid but Once a Day.

unladen for Coals, Corn, Lime, Goods, or Merchandize.

No Toll to be taken for crossing the Roads only.

Provided always, and be it enacted by the Authority aforesaid, That no Toll shall be taken for any Coaches, Carriages, Horses, or other Cattle, for only crossing any Part of the Road, within the said District.

Exemptions from Toll with respect to the Horse on which any Waggoner, &c. rides, repealed.

And whereas it is provided by the said former Act, That no Toll or Duty shall be demanded or taken for such Horse, as is or shall be used only to ride on by the Owner or Driver of any Packhorses, Waggon, Wain, Cart, or Carriage; which Exemption has been productive of many Frauds; be it therefore enacted by the Authority aforesaid, That the said Exemption shall be, and the same is, with respect to the said District, repealed.

Coal Carriages to pay like Tolls between 31 *October* and 5 *April*, as other Carriages.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the same Toll shall be taken in every Year, between the Thirty first Day of October and the Fifth Day of April, for every Waggon, Wain, Cart, or Carriage, laden with Coals, as is by this Act authorized to be taken for every Waggon, Wain, Cart, or Carriage, laden with any Thing else, Corn excepted; any thing in the said former Act, or this Act, contained to the contrary notwithstanding.

Course of the Roads may be diverted over any Moor or Waste Ground, without making Satisfaction for the same.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall be, and they are hereby fully impowered, from time to time, as they shall think proper or convenient, to divert, turn, or alter, the Course or Path of any Part or Parts of the said District of Road over or through any Moor or Waste Ground, without making any Satisfaction for the same; and such new Road shall not be more than Forty Feet wide including the Ditches, and shall be deemed a publick Highway; and where any new Road shall be so made, the Inhabitants of the Parish or Place shall not be obliged to repair such former Road, unless the same leads to some Town or Place with which such new Road doth not communicate.

New Road not to exceed 40 Feet in Breadth.

Method prescribed for borrowing and securing Money.

And be it further enacted by the Authority aforesaid, That if the said Trustees shall think it necessary to borrow any further Sum or Sums of Money, upon the Credit of the said former Act and of this Act, for the Purpose of repairing the said District of Road, it shall and may be lawful for the said Trustees, or any Nine or more of them, and they are hereby impowered to assign and mortgage the Tolls by this Act granted, or any Part or Parts thereof

(subject to the Payment of all Monies as aforesaid) the Costs and Charges of such Assignments and Mortgages to be paid out of such Tolls, as a Security to any Person or Persons, or their Trustees, who shall advance the same, by the following Words of Assignment under their Hands, or by any other Words for that Purpose;

Form of Assignment.

BY virtue of an Act made in the Year of the Reign of His Majesty King *George* the Third, for we of the Trustees, do assign unto *A. B.* his Executors, Administrators, or Assigns, in consideration of the Sum from this Day of in the Year of our Lord until the said Sum of with Interest at the Rate of *per Centum per Annum*, shall be repaid, such Proportion of the Tolls arising by virtue of this Act, between as the said Sum of shall bear to the whole Sum advanced on the Credit of the same.

Entries to be made of all Assignments.

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

Notice to be given of borrowing Money.

Assignments may be transferred.

New Road not to exceed 40 feet.

Form of the Transfer.

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

Witness *J. K.* *G. H.*

Which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Trea-

Treasurers who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money therein transferred, in the said Book or Books to be kept for the entering the said original Assignments, for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid such Sum as the said Trustees, or any Seven or more of them, shall appoint, not exceeding the Sum of Two Shillings and Six Pence; and after such Entry made, but not till then, every such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may, in like Manner, assign again, and so toties quoties: And in case any Sum or Sums, so assigned, shall not exceed the Sum of Fifty Pounds, it shall and may be lawful to and for the respective Person or Persons, then intitled to such Assignment, respectively, by an Indorsement of his, her, or their proper Name, without Witness, to transfer his, her, or their Property in such Assignment or Assignments, to any other Person or Persons, without any Entry to be made thereof in the said Book or Books to be kept for entering the said original Mortgages or Assignments; and all such Transfers and Assignments shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign or transfer the same again, and so toties quoties: And it shall not be in the Power of such Person or Persons, who shall have made such Assignments respectively, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof: And all and every Person and Persons, to whom any such Mortgage or Assignment shall be made, as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such Tolls, on the Credit whereof such Sum or Sums are advanced, in equal Degree one with another, and shall have no Preference in respect of the Priority of any such Monies.

Clerk's Fee.

All Creditors to be deemed equal in Degree.

Charges of passing this Act to be first paid.

And be it further enacted by the Authority aforesaid, That the Charges of procuring and passing this Act shall, as soon as may be, be discharged and paid out of the Monies already borrowed, collected, and raised, or out of the first Monies that shall be borrowed, collected, and raised, by or upon the Credit of the Tolls, by the said former Act, or this present Act, granted and made payable upon the said District of Road, between Doncaster and Salter's Brook.

And

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall be, and they are hereby required to take ſuch Security from their Treaſurer or Treaſurers, for the due Execution of his and their ſaid Office, as the ſaid Truſtees, or any Five or more of them, ſhall think fit. Treaſurers to give Security.

And be it further enacted by the Authority aforeſaid, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, ſhall be capable of holding any Place of Profit under this Act. No Victualler, &c. to have a Place of Profit.

Provided always, and be it further enacted by the Authority aforeſaid, That no Collector, Surveyor, or other Officer or Perſon, ſhall gain any Settlement in any Pariſh or Place, by reaſon of his ſerving under the ſaid former Act, or this Act, with reſpect to the ſaid Diſtrict of Road. Officer, &c. not to gain a Place of Settlement.

And be it further enacted by the Authority aforeſaid, That no Mortgage, Aſſignment, Tranſfer, or other Security, for borrowing Money, or any Writing whatſoever, under the Hand and Seal, or Hands and Seals of, or only ſigned by, any Truſtee or Truſtees, or Juſtice or Juſtices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals, of any Perſon or Perſons whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp Duty whatſoever. Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of ſuch Part of the ſaid former Act, as relates to the ſaid Diſtrict of Road, or of this Act, until Twenty Days Notice ſhall be thereof given to the Clerk or Clerks to the ſaid Truſtees, or after ſufficient Satisfaction or Tender thereof hath been made, to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, and every ſuch Action or Suit ſhall be laid or brought in the County of York, and not elſewhere; and the Defendant and Defendants in every ſuch Action or Suit ſhall and may, at his Election, plead ſpecially, or the General Iſſue, Not Guilty, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon; and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before Twenty Days Notice ſhall be given thereof as aforeſaid, or after a Limitation of Actions.

ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants: And upon ſuch Verdict; or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs; then the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch other Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Treble Coſts.

Publick Act.

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

FINIS.