Anno ſecundo

Georgii III. Regis.

An Act for amending, widening, and keeping in Repair, ſeveral Roads therein mentioned, lying in the Counties of *Leiceſter* and *Warwick*, and in the County of the City of *Coventry*.

WHEREAS the Roads leading from the New Inn in the Pariſh of Burbach in the County of Leiceſter, at the Croſs Roads at the End of Sketchley Heath Lane, commonly called Three Potts, along the Watling Street, to the Turnpike Road between Leiceſter and Coventry; and from the Turnpike-gate at Nuneaton Gap, along the Watling Street, to Witherley Bridge in the County of Leiceſter; and from Witherley Bridge through Atherſtone and Wilnecote, to the End of Faſeley Bridge; and from Feildon Bridge, near Atherſtone, through Atherſtone, to the End of Bourne Bridge in Over Whitacre; and from the Croſs Lanes, near Whitacre Furnace End in Over Whitacre, through Anſley, to the Guide Poſt on Nuneaton Common; and from the Arbour Houſes at Manceſter Lane End, through Manceſter, to the ſaid Guide Poſt, and from thence to the South Eaſt End of a Street called The Preamble.

Abby End in Nuneaton, in the County of Warwick; and from the City of Coventry, through Radford and Carſley, in the County of the ſaid City, by Corley Church and Fillongley Church End, to New Bridge in the Parish of Arley, and from thence by Sloley Hill, to the Croſs Roads in Over Whitacre Field; and from Bentley Lane End to and over Baddeſley Common, by the Coal Pits on the ſaid Common, into the ſaid Watling Street Road, in the ſaid County of Warwick; and from the North Weſt End of the Church Street in Nuneaton, through Attleborough and Bramcote Lanes, to Wolvey Heath in the ſaid County of Warwick; are in a ruinous Condition, and in ſeveral Parts narrow and incommodious, and there are ſeveral large Collieries and Lime Works near the ſaid Roads, and if the ſaid Roads were repaired, the Perſons reſiding upon and near the ſame, might be ſupplied with Coals and Lime at all Times at a reaſonable Price, which would be very advantageous to them and the Country adjacent; and the ſaid Roads cannot be effectually repaired, widened, and kept in Repair, by the preſent Means provided by Law: For Remedy whereof, and to the Intent that the ſaid ſeveral Roads may be well and ſufficiently amended, widened, and kept in good Repair, May it pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Honourable Andrew Archer, Sir John Aſtley Baronet, Robert Whadcock Avery, Chriſtopher Aſtley, William Aſtley, Eſquires; Richard Aſhby Clerk, Richard Aikin, Thomas Alexander, the Right Honourable Robert Bertie, commonly called Lord Robert Bertie; Sir Robert Burdett Baronet, Philip Bracebridge D. D. Samuel Bracebridge, Thomas Boothby, William Burleton, Thomas Boothby junior, George Bird, Dudley Baxter, Joſeph Boultbee, James Gramar Biker, Abraham Bracebridge, Eſquires; Thomas Billio, John Brailsford, William Biddle, Thomas Baker, Clerks; Michael Baxter, Robert Baxter, Stafford Squire Baxter, John Beardſley, John Barber of Camphill, Francis Burgeſs, Joſeph Boultbee junior, Gentlemen; Gilbert Bradgate, Edward Ball, Robert Burton, John Burton, Gilbert Burton, Joſeph Barratt, Thomas Buſwell, Thomas Booth, Henry Burton, John Barber, William Binley, Benjamin Bindley, Richard Biddle, William Blower, Jeremiah Brierley, John Brown, Henry Billington, John

Truſtees Names.

Brown of Hartſhill, Sir Thomas Cave Baronet, William Craven Eſquire, the Honourable John Chicheſter, Thomas Cave, Edward Croxall, John Churchill, Eſquires; John Churchill Gentleman, Edward Croxall junior Gentleman, Thomas Clare, James Chambers, Simon Collins, Clerks; Samuel Croſsland, Thomas Clare, William Chapman, Thomas Cheſhire, Henry Croxall, Humphry Clark, John Clark of Attleborough, Thomas Copſon, John Capenhurſt, Benjamin Croſhaw, Walter Coleman, the Right Honourable Arthur Earl of Donegall in the Kingdom of Ireland, William Dilke Eſquire, Thomas Dabbs, Thomas Dabbs junior, William Dabbs, Edward Dudley, William Dickenſon, Robert Doubleday, Thomas Ebdell Clerk, William Eborall Gentleman, Allen England, Joſeph England, Allen England junior, Henry Enſor, the Reverend Richard Fawcett D. D. Edward Farmer, John Fletcher, Eſquires; John Fletcher Clerk, Richard Farmer, John Foſter, Phillips Farmer, Gentlemen; William Freer, William Fowler, Thomas Farmer of Atherſtone, Luke Faux, Richard Faux, William Fox, John French, John Farmer of Caldwell, John Farmer of Statfold, Richard Geaſt, Jonathan Grundy, Joſhua Grundy, Thomas Grace, Eſquires; George Geary, John Grundy, Keeling Greenway, Joſeph Grew, John Grew, George Geary junior, James Hewitt Eſquire, One of his Majeſty's Serjeants at Law; Charles Hutchinſon D. D. Brooke Hector M. D. Thomas Strong Hall, Fleetwood Hinton, James Hinton, Joſeph Harper, John Holden, Eſquires; William Huddesford, Thomas Hall, Richard Harriſon, Clerks; Thomas Holled, Edward Halford, William Harcourt, Thomas Hurſt, Charles Hurſt, Thomas Harris, Edward Healey, Abijah Hill, Abijah Hill junior, Thomas Hill, John Hill, Richard Harriſon, Charles Jennings Eſquire, Richard Jackſon Clerk, Richard Jee, George Jee, Richard Jee junior, John Ludford, Thomas Ludford, Eſquires; Edward Taylor Ludford Clerk, Thomas Liptrott, John Liptrott, Clerks; Edward Lythall, Henry Lakin, Samuel Lythall, Robert Lingard, Sir Charles Mordaunt Baronet, Wrightſon Mundy, Hugo Meynell, Francis Noel Clarke Mundy, Eſquires; Hans Winthrop Mortimer Eſquire, Arthur Miller Clerk, Humphry Millner, John Moſely, Samuel Mallaby, William Moggs, Sir Roger Newdigate Baronet, the Reverend Cleobury Noell, Thomas Noble, Clerks; Joſeph Nutt, Samuel Nutt, William Norris, William Nicholls, Stephen Newton, Rowland Farmer Okeover Eſquire, Sir Thomas Palmer Baronet, Thomas Princep Eſquire, Richard Parrott, Samuel Steel Perkins, Eſquires; Chriſtopher

ſtopher Preſton **Clerk**, Joſeph Peters, Samuel Princep, John Powell, John Power of Poleſworth, Nathaniel Ryder, Charles Repington, **Eſquires**; Edward Ruſs, William Radford, **Sir** Francis Skypwith **Baronet**, Thomas Skipwith, James Shuttleworth, Charles Boothby Skrymſher, Francis Stratford, Miller Sadler, Samuel Swinfen, **Eſquires**; William Sawrey **Clerk**, Thomas Seward **Clerk**, Edmund Seager, Robert Smith, Nicholas Smith, William Smart, John Sharman, Samuel Stratton, William Sant, William Seal, John Smith, William Smith, Richard Smith, Thomas Storer, **the Honourable** Henry Frederick Thynne, Edward Taylor **Eſquire**, Nathaniel Troughton **Clerk**, Robert Thompſon, Joſeph Thompſon, **the Right Honourable** George Buſſy Villiers **commonly called Lord** Villiers, George Venables Vernon, George Vernon, Henry Vernon, **Eſquires**; Francis Vincent **Eſquire**, John Vaughton, Timothy Vaughton, John Underwood, John Villiers, Thomas Winchester **D. D.** James Wigley, Francis Wheeler, **Eſquires**; Joſeph Wight, Iſaac Whyley, Richard Wilſon **Clerks**; William Waterman, Edward Wolferſtan, John Woodcock, David Wells, John Willington, John Waterſon, Joſeph Willday, John Willday, William Watſon, Joſeph Warden, Richard Woolley, William Weetman, John Weetman, Richard Warner, George Warner, John Wilkins, Edward Weſton, John Weightman, John Ward, William Wyatt, William Wyatt **junior**, William Wood, Richard Worthington, Benjamin Willetts, Jonathan Wilkins, Henry Archer **Eſquire**, Robert Abney, Robert Arnold, Abraham Awſon, Daniel Ayres, Mathew Aſton, Edward Bowater **Eſquire**, Walter Biddulph **Eſquire**, **the Reverend** Samuel Brookes, John Beynon, Thomas Bennet, William Belcher, Charles Belcher, James Birch **Eſquire**, George Birch **Eſquire**, Francis Blick, James Boydall, Thomas Burgh **M. D.** John Bird **Eſquire**, Robert Bird **Eſquire**, Benjamin Brockhurſt, Samuel Brockhurſt, John Caſhmore, Thomas Chapman **ſenior**, Thomas Chapman **junior**, William Cleeve, Nathaniel Cox, Humphrey Crayner, Joſeph Crayner, Thomas Cobb **ſenior**, Thomas Cobb **junior**, John Carr, William Dadley, Thomas Eaves, **Gentlemen**; Thomas Elliot, Charles Elliot, Joſeph Eld, Charles England, **the Reverend** Fletcher, Joſeph Freeth, Arthur Gregory **Eſquire**, **the Reverend** Nathaniel Gerrard, **the Reverend** Thomas Edwards, Thomas Green **Eſquire**, Richard Hopkins **Eſquire**, John Hewit **Eſquire**, Robert Hughes, Thomas Hill **Eſquire**, Hugh Holbech **Eſquire**, George Huddesford, Chriſtopher Hooke, Edward Harper, Joſeph Hewitt, Henry Garratt, John Gammage, William Grove

Grove Eſquire, Edward Inge Eſquire, John Joice, Edward King Gentleman, William Kettle, Jeremiah Lowe, Thomas Little, Cater Love Gentleman, John Lucas Apothecary, John Minſter, William Muſton, John Lowke, the Mayor and Aldermen of the City of Coventry for the time being; Thomas Mander, Thomas Nutt, Samuel Oldham, John Pickering, Simon Pickering, the Reverend William Parker, Shuttleworth Prieſt, George Porter, Thomas Lander Smith, Francis Soden, John Smith M. D. Robert Simſon M. D. John Secker, Lilley Smith, Thomas Shakeſpear junior, the Reverend Richard Rothwell, Robert Reeve, John Remington, William Oſborn, Robert Whadcocke Eſquire, Edward Weſton Gentleman, Edward Villars, Thomas Vernon, John Blair D. D. Ambroſe Sanders, John Ludford the younger, Eſquires; Thomas Powell, Ambroſe Saliſbury, Clement Betteridge and Mathias Baker, ſhall be, and they and their Succeſſors, to be elected in manner herein after mentioned, are hereby appointed Truſtees for the amending, widening, and keeping in Repair the ſaid ſeveral Roads, and alſo for putting all the Powers in this Act given and granted in Execution.

Truſtees may erect Turnpikes and Toll-houſes,

And be it further enacted, That the ſaid Truſtees, or any Five or more of them, ſhall and may cauſe to be erected and ſet up, One or more Turnpike or Turnpikes, Toll-houſe or Toll-houſes, in, upon, and acroſs, any Part or Parts of the ſaid ſeveral Roads.

and take the following Tolls thereat.

And be it further enacted by the Authority aforeſaid, That the reſpective Tolls following ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall, from time to time, appoint for that Purpoſe, before any Horſe or other Cattle, Coach, Waggon, or other Carriage, ſhall be permitted to paſs through any Turnpike to be erected in purſuance of this Act; that is to ſay,

The Tolls.

For every Horſe, Mare, Gelding, Mule, Aſs, Bullock, or other Beaſt of Draught, drawing in any Carriage, the Sum of Three Pence (except thoſe drawing in Waggons with Wheels full Nine Inches Broad, and for every ſuch Horſe, Mare, Gelding, or other Beaſt of Draught, drawing in ſuch Waggon, the Sum of Two Pence.)

For every Pair of Mill-ſtones, Two Shillings and Six Pence.

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

For every Drove of Oxen, Cows, or Neat Cattle, Ten Pence per Score, and ſo in Proportion for any leſs Number.

For

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

Which said respective Sums of Money shall be demanded and taken in the Name of, and as a Toll; and if any Person or Persons subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for such Person or Persons appointed to demand and take the said Tolls as aforesaid, to levy the same by Distress of any Horse or Horses, or other Cattle, together with their Furniture, or of any Carriage, upon which any Toll is by this Act imposed, or by Distress of any of the Goods and Chattles carried or drawn by or on such Cattle or Carriage, or of any of the Goods and Chattles of such Person and Persons who ought to pay the said Tolls respectively; and if such Tolls, and the reasonable Charges of such Distress, shall not be paid within the Space of Four Days, such Person and Persons so distraining, may sell the Horses, Cattle, Furniture, Carriages, and Goods, so distrained, returning the Overplus, if any, upon Demand, to the Owner thereof, after such Toll and reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid; and that all the Tolls and Money so to be collected or levied, and the Monies borrowed on the Credit thereof, or of any Part thereof, shall be, and are hereby vested in the said Trustees, and shall be paid, applied, and disposed of, to and for the several Uses, Intents, and Purposes, and in such Manner as is herein after mentioned.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Fifteen or more of them, shall, and they are hereby empowered to order such Part and Proportion of the Tolls hereby made payable to be collected at such and so many Gates or Turnpikes to be erected in pursuance of this Act, as they shall think proper; and that no such Order or Apportionment of the said Tolls shall be vacated or altered at any subsequent Meeting, unless by the Order of Fifteen Trustees at the least, being the major Part of the Trustees then present.

Trustees may apportion the Tolls.

No Order, &c. to be repealed, unless a Majority be present.

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 cause to be erected and set up One or more Turnpike or Turnpikes, Toll-house or Toll-houses, on the Side or Sides of any of the said

Trustees may erect Side-gates,

ſaid Roads, croſs any Lane or Way leading into the ſame; and to cauſe ſuch Tolls to be collected and levied at ſuch reſpective Side-turnpikes, as are by this Act made payable upon the ſaid reſpective Roads, ſo as that the ſame do not extend to a Double Charge, or ſubject any Perſon to the Payment of a larger Toll than is herein before appointed to be paid, for afterwards paſſing or repaſſing the ſame Day, through all or any of the Turnpikes herein before authorized to be erected croſs the ſaid reſpective Roads.

ſo as the ſame do not extend to a Double Charge.

Provided always, and be it enacted, That no Turnpike, Side-bar, or Gate, ſhall be erected by virtue of this Act, between Nuneaton and Mancheſter Church, or upon any Part of Nuneaton Common.

No Bar to be ſet up between *Nuneaton* and *Mancheſter* Church, *&c.*

Provided always, and be it enacted, That if any Turnpike or Side gate be erected by virtue of this Act on any Part of the ſaid Roads between Nuneaton and Coal-pits in Anſley, or the Coal-pits in Oldbury, in the County of Warwick, One Half Part and no more of the Tolls aforeſaid ſhall be demanded or taken at ſuch Turnpike or Side-gate, in reſpect of any Cattle or Carriage going for, or returning loaded with, Coals only.

Coal Carriages, *&c.* to pay only half Tolls between *Nuneaton* and the Pits.

Provided always, and be it enacted, That no Turnpike or Side-gate, except the Turnpike-gate or Turnpike-gates intended to be erected by virtue of this Act at the Croſs Lanes near Whitacre Furnace, ſhall be erected by virtue of this Act, or any of the ſaid Roads within One Half Mile of Over Whitacre Church.

No Bar to be erected within Half a Mile of *Over Whitacre* Church;

Provided alſo, and be it enacted, That no Turnpike or Gate ſhall be erected by virtue of this Act, between Coventry and the Croſs Roads in Over Whitacre Field, or between Bentley Lane End and the Watling Street Road, in the Way to the Coal-works, until a Sum of Six hundred Pounds, or ſeveral Sums making together Six hundred Pounds, be ſubſcribed and ſecured to be lent, or actually advanced, on the Credit of the Tolls to be collected at the Gates between thoſe Places.

nor between *Coventry* and the Croſs Roads in *Whitacre Field*, or between *Bentley Lane End* and the *Watling Street* Road, until 600 *l.* be advanced on the Credit of the Tolls thereat;

Provided alſo, and be it enacted, That no Turnpike or Gate ſhall be erected by virtue of this Act, at or between the End of Faſely Bridge and Wilnecote, or at or between the End of Sucklegreen Lane and Baddeſley Coal-pits, Birch Coppice Coal-pits, or Poleſworth Common Coal-pits; and that if any Turnpike be erected in any Part of the Town of Wilnecote, by virtue of this Act, no Toll ſhall be demanded or taken at any ſuch Turnpike of any of the Inhabitants of Wilnecote.

nor between *Faſely Bridge* and *Wilnecote*; nor between *Sucklegreen Lane* and the Coal-pits.

Inhabitants of *Wilnecote* exempted from Toll.

Provided always, and be it enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be ſubject or liable

Tolls to be paid but Once a Day.

liable to the Payment of any Toll hereby made payable, more than Once in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, for passing with the same Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected in pursuance of this Act, on such Part of the said Road, or on the Side or Sides thereof, cross any Lane or Way leading into any Part or Parts of the said Road, lying between the said New Inn in the Parish of Burbach and Atherstone aforesaid; and also that no Person or Persons shall be subject or liable to the Payment of any Toll hereby made payable, more than Once in any One Day, to be computed as aforesaid, for passing with the same Horse, Mare, Gelding, or any other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected on the said Road, or on the Side or Sides thereof, cross any Street, Lane, or Way, leading into any Part of the said Roads lying between Atherstone aforesaid and Fazely Bridge aforesaid; and also that no Person shall be subject or liable to the Payment of any Toll hereby made payable, more than Once in any One Day, to be computed as aforesaid, for passing with the same Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected on the said Road, or on the Side or Sides thereof, cross any Street, Lane, or Way, leading into any Part of the said Road lying between Feildon Bridge aforesaid, and Bourne Bridge aforesaid; and also that no Person shall be subject or liable to the Payment of any Toll hereby made payable, more than Once in any One Day, to be computed as aforesaid, for passing with the same Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected on the said Roads, or on the Side or Sides thereof, cross any Street, Lane, or Way, leading into any Part of the said Roads lying between the said Cross Lanes in Over Whitacre and Ansley, and between Ansley aforesaid and the South East End of the said Street called the Abby End, in Nuneaton aforesaid; and also that no Person shall be subject or liable to the Payment of any Toll hereby made payable more than Once in any One Day, to be computed as aforesaid, for passing with the same Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected on the said Road, or on the Side or Sides thereof, cross any Street, Lane, or Way, leading into any

any Part or Parts of the said Roads lying between Atherstone aforesaid and the said Arbour Houses, and between the said Arbour Houses at Manchester Lane End, and the South East End of the said Street called The Abby End, in Nuneaton aforesaid; and also that no Person shall be subject or liable to the Payment of any Toll hereby made payable, more than Once in any One Day, to be computed as aforesaid, for passing with the same Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected on the said Roads, or on the Side or Sides thereof, cross any Street, Lane, or Way, leading into any Part or Parts of the said Roads lying between the City of Coventry and the Cross Roads in Over Whitacre Field, and between the End of Bentley Lane, nearest Atherstone, and the Watling Street Road; and also that no Person shall be subject or liable to the Payment of any Toll hereby made payable, more than Once in any One Day, to be computed as aforesaid, for passing with the same Horse, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, through all or any of the Turnpikes to be erected on the said Roads, or on the Side or Sides thereof, cross any Street, Lane, or Way, leading into any Part or Parts of the said Roads, lying between the North West End of the Church Street in Nuneaton and Wolvey Heath aforesaid, such Person or Persons producing a Ticket of the Day, denoting the Payment of such Toll and the Turnpike at which the same was paid; which Tickets the Collectors of the said Tolls at the several Turnpikes to be erected in pursuance of this Act, are, on the Receipt of the respective Tolls, hereby required to give gratis, if demanded, to the Person who shall have paid such Tolls.

Provided always, and be it enacted by the Authority aforesaid, That no Person who shall have paid the Tolls hereby granted, for the passing of any Waggon, Cart, or Carriage, or Cattle drawing the same, going to any Coal-works for Coals, unladen, or laden only with necessary Fodder and Provision for the Cattle drawing the same on the same Journey, returning empty, or immediately after having been loaded, and loaded with Coals only, and producing and delivering to the respective Collectors of such Tolls a Ticket or Tickets, denoting such Payment or Payments, shall be liable to pay any further or other Toll or Tolls, for such Waggon, Cart, or Carriage, or such Cattle drawing the same, at any Turnpike or Turnpikes to be erected on the said Roads, by virtue of this Act, for so returning, notwithstanding such returning

Proviso for Carriages going to Coal-works.

ing shall not be within the Space of Twenty four Hours from the Time of making such Payment or Payments.

Penalty on Persons giving or receiving Tickets, to avoid Payment of the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person shall offer or dispose of any such Ticket to any Person, in order to evade the Payment of any of the said Tolls, every such Person so offering or disposing of such Ticket, and the Person receiving and making use of the same, shall respectively forfeit the Sum of Twenty Shillings, whereof One Half shall be to the Informer, and the other Half applied in such Manner as the Penalties and Forfeitures are herein after directed to be applied.

Exemptions from Tolls.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That no Toll shall be demanded or taken for any Cattle or Carriage going empty or unloaden for, or returning loaden only with Stones, Bricks, Gravel, or other Materials, for repairing any of the said Roads, or for repairing the Highways in any Parish through which any of the said Roads directed by this Act to be repaired do lead, or in any of the adjoining Parishes, or for any Cattle or Carriage used or employed only in the drawing or carrying of any Dung, Mould, Compost, or other Manure, of what Nature or Kind soever, to be used in manuring or improving of Lands (Lime only excepted) or for any Cattle or Carriage used or employed in the drawing or carrying of any Hay, Straw, or Corn in the Straw, to be laid up in the Houses, Outhouses, Barns, Yards, or other Places, belonging to the respective Inhabitants in the several Townships in which any of the said Roads hereby intended to be repaired do lie (but not to exempt any Cattle or Carriages laden with any Hay or Straw for Sale); nor shall any Toll be demanded or taken for any Cattle drawing Ploughs, Harrows, or other Implements of Husbandry, belonging to any of the said Inhabitants passing, in order to the using or repairing the same, or for manuring or working of Land in the several Parishes and Townships in which any of the said Roads do lie; nor shall any of the said Tolls be demanded or taken at any of the Turnpikes to be erected by virtue of this Act, from any Person or Persons residing in any Parish or Place in which any Turnpike shall be erected by virtue of this Act, or passing through such Turnpike in his, her, or their Way to or from Church, or any other Place of religious Worship tolerated by Law, which he, she, or they usually attend, for any Cattle or Carriage used on such Occasion; nor shall any Toll be demanded or taken for any Cattle belonging to any of the said Inhabitants which shall be only going to or returning

ing from Paſture or Water, or for any Cattle or Carriage belonging to any ſuch Inhabitant only, paſſing to the Smith's Shop in order to be ſhoed or repaired, or for the Return of any ſuch Cattle or Carriage unladen, or for any Poſt-horſe carrying the Mail or Packet, or for the Horſes of Soldiers upon their March, or for Cattle or Carriages attending them, or loaden only with their Arms or Baggage, or Cattle or Carriages travelling with Vagrants ſent by Paſſes; nor for any Carriage or Cattle drawing the ſame with or carrying Paſſengers going to or returning from any Election of a Knight or Knights of the Shire, or of any Burgeſs or Burgeſſes to ſerve in Parliament for the Counties of Leiceſter, Warwick, and Stafford reſpectively, on the Day or Days of ſuch Election, or on the Day before or Day after any ſuch Election ſhall begin or be concluded: And if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being thereunto intitled, ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay the Sum of Twenty Shillings. Penalty on Perſons making illegal Claims.

And be it further enacted and declared by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, at any Meeting to be held for that Purpoſe (whereof Fourteen Days Notice in Writing ſhall be given by affixing ſuch Notice upon the ſeveral Turnpikes which ſhall be erected in purſuance of this Act) may and they are hereby impowered from time to time to reduce all or any of the Tolls hereby granted, and to order ſuch Tolls ſo reduced to be collected and received in ſuch Manner, Parts, and Proportions, as they ſhall think fit; ſo as ſuch Reduction be no Prejudice to, or be with the Conſent of, the ſeveral Perſons who ſhall have advanced any Money on the Credit of the ſaid Tolls, or of any Part or Parts thereof, or to any Perſon or Perſons who, at the Time of ſuch Reduction, ſhall have any Money ſecured thereby, and to raiſe ſuch Tolls again, or any Part thereof, ſo as the ſame do not exceed the reſpective Tolls herein before granted; and ſuch Tolls ſo reduced or raiſed again, ſhall be collected, recovered, and applied, in the ſame Manner as the Tolls herein before granted are directed to be collected, recovered, and applied. Truſtees may reduce the Tolls, &c. and raiſe them again.

And be it further enacted by the Authority aforeſaid, That the Right and Property of the ſaid Turnpikes and Toll-houſes, to be erected by virtue of this Act, and of the Materials for building the ſame, and for repairing the ſaid Roads, ſhall be veſted in the ſaid Truſtees, and they, or any Five or more of them, are hereby authorized and impowered to bring any Action or Actions, in the Name or Names of any One or more of them, or of their Clerk Turnpikes and Toll-houſes veſted in the Truſtees.

or

or Clerks, Treasurer or Treasurers, or to prefer a Bill or Bills of Indictment against any Person or Persons who shall keep Possession of any Turnpike or Toll-house, after Notice given by the said Trustees, or any Five or more of them, or by their Clerk or Treasurer for the time being, to such Person or Persons to quit the same, or who shall steal, take away, break down, or damage any such Turnpikes, Toll-houses, or Materials, or disturb the said Trustees, or their Officer or Officers, Agent or Agents, in the Possession thereof.

Application for the Money.

Tolls may be assigned for Money borrowed.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, at any Meeting to be held for that Purpose (whereof Fourteen Days Notice shall be given in Writing, and affixed upon the Gate-house called Bishopgate in Coventry, the Cross in Nuneaton, and the Cross or Market-House in Atherstone) may, and they are hereby authorized and impowered, from time to time, by any Writing or Instrument, under their Hands and Seals, to assign over, or mortgage the Tolls, to be collected and levied at the said Turnpikes, or any Part or Parts thereof (the Charges of assigning and mortgaging the same to be paid out of such Tolls) together with the Turnpikes and Toll-houses to be erected in pursuance of this Act, or any of them, when erected, for any Term or Terms during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money so to be borrowed by the said Trustees, or any Seven or more of them, upon the Credit of such Tolls, to such Person or Persons, or his, her, or their, Trustee or Trustees, who shall advance and lend the same, to secure the Repayment thereof, with Interest for the same, which said Money so borrowed, shall (after paying the Expences of obtaining and passing this Act) be applied and disposed of in such Manner as the said Tolls are herein after directed to be applied and disposed of, and to no other Use or Purpose whatsoever; and that the said Mortgages or Assignments shall be registered or entered in a Book or Books, by the Clerk of the said Trustees, and such Mortgages, or the Sum or Sums thereby secured, or any Part thereof, may be, from time to time, assigned over by the Person or Persons to whom the same shall be respectively made, or be due, his, her, or their Executors, Administrators, or Assigns, to any other Person or Persons whomsoever: And such Assignee may in like Manner assign again, and so toties quoties, and such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators, or Assigns, to the Benefit thereof, and Payment thereon, provided that such Assignment be produced to, and an Entry

Assignments to be entered in a Book.

try of the Date, Parties Names, and Sums allowed, to be made, in a Book or Books to be kept for that Purpose, by the Clerk of the said Trustees, within Ten Days after the Date thereof, for which the Clerk shall be paid a Fee of Two Shillings and Six Pence, and no more.

Application of the Monies.

And be it further enacted by the Authority aforesaid, That out of the first Tolls to be collected, at the several Turnpikes to be erected by virtue of this Act, or out of the first Money which shall be borrowed on the Credit of the Tolls by this Act granted, the said Trustees, or any Five or more of them, shall pay and discharge all the Expences of procuring and passing this Act, and of erecting and setting up such Turnpikes and Toll-houses as aforesaid, and from and after such Charges and Expences shall be fully paid and satisfied, then and from thenceforth the said Tolls shall be applied and disposed of in the repairing, widening, and keeping in Repair, the said several Roads, in such Manner as the said Trustees, or any Five or more of them, shall, from time to time, direct, or appoint.

Trustees to appoint Officers;

And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, by Writing under their Hands and Seals, appoint One or more fit Person or Persons, to be Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, of the Tolls aforesaid, Surveyor or Surveyors of the Roads aforesaid, or any Part or Parts thereof, and such other Officers as they shall think necessary to employ in the Execution of this Act, and such Officers, and other Persons, or any of either of them, from time to time, to remove, and to appoint others in case of Death or such Removal; and may, out of the Monies which shall arise by the Tolls aforesaid, make such Allowances to such Officers, and other Persons for their Services, as to the said Trustees, or any Five or more of them, shall seem reasonable.

and remove them, and appoint others.

Officers to account upon Oath.

And be it further enacted, That all and every such Officers and other Persons shall from time to time (when thereunto required by the said Trustees, or any Five or more of them) make and render to the said Trustees, or any Five or more of them, a true, exact, and perfect Account in Writing, under their respective Hands, upon Oath, to be taken before Two or more of the said Trustees (which Oath any Two Trustees are hereby impowered to administer) of all Monies which he, they, and every of them respectively, shall to that Time have received, paid, and disbursed, by virtue of this Act, or by reason of their respective Offices: And in case any Money so received shall remain in his, their, or any of their Hands, the same shall be paid to the said Trustees, or any Five

or more of them, or to such Person as they shall appoint to receive the same: And in case any such Officer, or other Person, shall not make and render, or shall refuse to verify upon Oath any such Account, or to make such Payment as aforesaid, then any One or more Justice or Justices of the Peace, for the County wherein such Offender shall dwell, shall make Enquiry concerning such Default, in a summary Way, as well by Confession of the Party or Parties themselves, as by the Testimony of One or more credible Witness or Witnesses, upon Oath: And if any such Officer, or other Person, shall be convicted of all or any of the Offences or Defaults aforesaid, such Justice or Justices shall commit the Offender to the Common Gaol of the County, there to remain without Bail or Mainprize, until he or they shall make and render a full, true, and perfect Account and Payment as aforesaid, or until he or they shall have compounded and agreed with the said Trustees, or any Five or more of them, and shall have paid such Composition to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same, which Composition the said Trustees, or any Five or more of them, are hereby impowered to make.

Officers refusing to account,

Justices may enquire into the Default;

and commit the Offender,

until he shall conform, &c.

And be it further enacted, That the said Trustees, or any Five or more of them, 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 and their said Office and Offices, as to the said Trustees, or any Five or more of them, shall seem meet.

Treasurer to give Security.

And be it further enacted, That the said Trustees, or any Five or more of them, may from time to time, at any of their Meetings, compound for any Time not exceeding One Year, with any Person or Persons using to travel through all or any of the Gates or Turnpikes to be erected by virtue of this Act, for any Sum or Sums of Money, for and in lieu of the Payment of the said Tolls (Regard being had to the Length of Passage on, and to the Statute-work done, or to be done, by such Compounders on the said Roads) which Composition shall be instantly paid to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint, and shall be applied towards the Repairs of the said Roads.

Trustees may compound with Travellers.

And be it further enacted, That the said Trustees, or any Seven or more of them, may at any Time, during the Continuance of this Act, lett the Tolls hereby granted, or any Part or Parts thereof, on Lease, to any Person

Trustees may lease, &c. the Tolls.

Person or Persons, by the Year, for such Sum or Sums of Money as the said Trustees, or any Seven or more of them, shall think reasonable; which Sums of Money shall be paid to the said Trustees, or any Seven or more of them, or to such Person or Persons as they shall appoint to receive the same, and shall be applied as the Tolls hereby granted are to be applied, and to no other Use or Purpose whatsoever.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors to be appointed by virtue of this Act, and such Person or Persons as he or they shall appoint, to search for, dig, gather, and take away any Gravel, Furze, Heath, Sand, Stones, or other Materials, for repairing the said Roads, in and out of any River or Brook, Waste or Common, of or in any Parish, Village, Hamlet, or Place, in or near which any Part of the said Roads do lie, without paying any Thing for such Materials; such Surveyor or Surveyors causing to be levelled all such Holes and Pits as shall be made on that Occasion, or causing the same to be fenced or railed about, so as that the same be not dangerous to Travellers or Cattle; and also, that it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person and Persons as he or they shall appoint (such Surveyor first having an Order for that Purpose from any Five or more of the said Trustees) to search for, dig, gather, and take away, any such Materials, in and out of the several Grounds of any Person or Persons (not being the Ground whereon any House or Houses stand, or Garden, Orchard, Yard, Court, Park, or Paddock, planted Walk, or Avenue to any House or Parcel of Ground, set apart and used as a Plantation or Nursery for Trees) paying such Rates for such Materials, and for the Damages done to the Owners or Occupiers of such Lands and Grounds where and from whence the same shall be digged, gathered, and carried away, or over which the same, or any other Materials for the Repair of the said Roads, shall be carried, as the said Trustees, or any Seven or more of them, shall adjudge reasonable; and in case of any Difference concerning the same, the Justices of the Peace, or the major Part of them, at the next General Quarter Session of the Peace, to be holden for the County where such Materials shall be digged or gathered, and from whence the same shall be carried away, shall and may hear, adjudge, assess, and finally determine the same.

Surveyors may dig Gravel, &c. out of Waste Grounds, &c.

without paying for the same;

levelling the Pits.

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

making Satisfaction to the Owners of the Ground.

Justices to determine Differences.

Penalty on Persons going thro' or permitting private Passage,

And be it further enacted, That if any Person or Persons owning or occupying any Land near to any of the Turnpikes or Gates to be erected in pursuance of this Act, shall permit or suffer any Person or Persons to pass through any Gate, Passage, Inclosure, or private Way, with any Cattle or Carriage whatsoever; or if any Person or Persons shall pass through any such Gate, Passage, Inclosure, or private Way, with any Cattle or Carriage, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse or other Cattle from any such Carriage, with an Intent to avoid paying any of the said Tolls, or any Part thereof, or shall leave or cause to be left upon or near to any of the said Roads, any Cattle or Carriage used upon the said Roads, or any Part thereof, with Intent to avoid paying of any of the said Tolls, or any Part thereof; or if the Owner or Driver of any Carriage or Beast of Burthen shall unload, or cause to be unloaded, such Carriage or Beast of Burthen, either in the Whole or in Part, on either Side of any Gate or Turnpike erected by virtue of this Act, in order to avoid the Payment of any of the Tolls hereby granted; or if any Person or Persons shall forcibly pass through any such Gate or Turnpike, with any Cattle or Carriage, whereby the Payment of any of the Tolls by this Act granted shall be avoided; every Person so offending, in each of the Cases aforesaid, shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

or taking off Horses, &c.

Penalty on unloading, &c. to avoid paying the Tolls.

Surveyors may make Causeways,

And be it further enacted, That the said Surveyor or Surveyors, or any other Person or Persons by them, or either of them, appointed or employed, may, and is and are hereby authorized and impowered to make, or cause to be made, any Causeways in or along the Sides of any Part or Parts of the said Roads, and shall and may build, or cause to be built, any Bridges upon, in, or across the said Roads, or any Part thereof, and to cut, or cause to be cut, any Watercourses, in, through, or cross, any Lands or Grounds, to prevent the said Roads, or any Part or Parts thereof, from being overflowed, and erect Bridges over such Drains or Watercourses, if necessary, making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds, for the Damages they shall thereby sustain, as to the said Trustees, or any Seven or more of them, shall seem reasonable.

erect Bridges, &c.

making Satisfaction to the Owners of the Grounds.

Surveyors may make a temporary Road;

And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors, to be appointed

pointed in pursuance of this Act, by Order of the said Trustees, or any Seven or more of them, to make, or cause to be made, a Road or Way, through, over, or along, any Grounds adjoining to any narrow or ruinous Part or Parts of the said Roads, hereby intended to be repaired respectively (not being the Ground whereon any House or Houses stand, or Garden, Orchard, Yard, Court, Park, Paddock, planted Walk, or Avenue to any House or Parcel of Ground, set apart and used as a Plantation or Nursery of Trees) to be made use of by all Passengers with Horses, Coaches, Carriages, or otherwise, as a publick Highway, whilst the old, narrow, or ruious Road is repairing, and till such Time as it shall be convenient and safe for Passengers and Carriages to travel and go along the said Road intended to be repaired, and no longer; and also to cause Ditches or Trenches to be made in such Places, and in such manner, as such Surveyor or Surveyors, by Order of the said Trustees, or any Seven or more of them, shall adjudge necessary for the better amending and keeping the said Roads in good Repair; making such reasonable Satisfaction to the Owners or Occupiers of such Grounds respectively, through, over, or along, which any such temporary Road or Roads shall be made, or in which such Drain or Drains shall be cut, for the Damages which such Owners or Occupiers respectively shall or may sustain thereby, as shall be assessed and adjudged by the said Trustees, or any Seven or more of them; and in case any Difference shall happen between such Owners or Occupiers, and the said Trustees, touching any such Damages as aforesaid, then it shall and may be lawful to and for the Justices of the Peace, at the next General Quarter Session to be holden for the County wherein the Matter in Dispute shall lie, to hear, settle, adjudge, and finally determine the same.

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences.

And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to remove all Annoyances on the said Roads, and by Order of Three or more Trustees, having viewed the same, to cut down Trees or Bushes, growing in the said Roads, or in the Hedges or Banks adjacent thereto; the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances, for the Space of Ten Days next after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors; the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down such Trees or Bushes,

Surveyors may remove Annoyances,

and cut down Bushes, &c.

the Owners neglecting to remove the same after Notice;

Surveyors to be reimbursed the Charges.

or

or to remove such Annoyances as aforesaid; and in case such Owners or Occupiers shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the County wherein the Offence shall be committed, from time to time, to levy the Charge thereof upon such Owners or Occupiers, by Distress and Sale of his and their Goods and Chattles, rendering the Overplus (if any be) to the Owners or Occupiers thereof, upon Demand, after all Charges paid; and if, after 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 One or more Justice or Justices of the Peace for the said County, shall, for every such Offence, forfeit and pay to the said Trustees, or any Five or more of them, the Sum of Forty Shillings.

to be levied by Distress and Sale.

Penalty of a Second Offence.

And be it further enacted, That if any Person or Persons, who of Right ought to scour or cleanse any Ditch, Drain, or Watercourse, which shall lead into, or out of, any Part or Parts of the said Roads, shall not in a proper Manner cause the same to be scoured and cleansed, within the Space of Ten Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his, her, or their respective Place or Places of Abode, by the said Surveyor or Surveyors; then the said Surveyor or Surveyors may cause such Ditches, Drains, and Watercourses to be scoured and cleansed, and pay for the scouring and cleansing the same; and if the said Person or Persons shall not repay the Money so paid by such Surveyor or Surveyors, upon Demand thereof upon him, her, or them respectively made, either in Person, or by Writing to be left at his, her, or their respective Place or Places of Abode, the same Money, and every Part thereof, upon Proof of the cleansing and scouring the said Ditches, Drains, and Watercourses, and Payment of the said Money, and Demand thereof made, and Non-payment thereof as aforesaid, by the Oath of One or more Witness or Witnesses before any Justice of the Peace of the County or Place where such Person or Persons shall respectively live, shall and may, by a Warrant or Warrants under the Hand and Seal of such Justice, be raised and levied by Distress and Sale

Owners neglecting to scour their Watercourses, &c. after Notice given for that Purpose,

the Surveyors may set Men to work thereon, and levy the Charges.

of

of the Goods and Chattles of ſuch Perſon or Perſons, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid.

Truſtees may contract with Perſons for the Purchaſe of Lands, &c. to be laid into the Road, &c.

And be it further enacted, That in caſe the ſaid Truſtees, or any Seven 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 Roads, for the better Accommodation of Paſſengers, that then the ſaid Truſtees, or any Seven or more of them, ſhall have full Power and Authority, to treat, contract, and agree, with the ſeveral Owners, Proprietors, Occupiers of, and Perſons intereſted in, any Lands, Grounds, or Hereditaments, for the Purchaſe of any ſuch Lands, Grounds, or Hereditaments, or for the Loſs or Damage ſuch Owners, Proprietors, Occupiers, and Perſons intereſted, or any of them, ſhall or may any ways ſuſtain by ſuch widening, turning, or altering, any Part of ſuch Roads; and out of the Tolls or Duties by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for ſuch Lands, Grounds, or Hereditaments, and for ſuch Loſs or Damage, ſuch Sum or Sums of Money as ſhall be agreed upon between ſuch Owners, Proprietors, Occupiers, and Perſons intereſted as aforeſaid, and the ſaid Truſtees, or any Seven or more of them, and alſo the Tolls and Charges attending ſuch Agreement and Purchaſe.

Bodies Politick, &c. impowered to treat for the Sale of ſuch Lands.

And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch Lands, Grounds, or Hereditaments, to treat, contract, and agree, with the ſaid Truſtees, or any Seven or more of them, for the Purchaſe of ſuch Lands, Grounds, or Hereditaments, or for their Intereſts therein, for the Purpoſes aforeſaid, and to ſell and convey the ſame as Occaſion ſhall be or require; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding; and all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons, are and ſhall be hereby

indemnified for what they shall 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, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, or other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to them given, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode, of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands, Grounds, or Hereditaments, so to be taken in, and added to, the said Roads, or into or through which such Road is to be turned or altered as aforesaid, shall, by the Space of Twenty one Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premisses, or, by reason of Absence, shall be prevented from treating; then, and in every or any such Case, the said Trustees, or any Five or more of them, shall cause it to be enquired into, and ascertained, by and upon the Oath of a Jury of Twelve indifferent Men of the County wherein such Lands, Grounds, or Hereditaments, shall lie (which Oath any Two or more of the Trustees are hereby impowered and required to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Proprietors, Occupiers, or other Person or Persons interested, for or upon account of the taking such Lands, Grounds, or Hereditaments, into the said Roads, or of turning such Roads into or through any such Lands, Grounds, or Hereditaments; and, in order thereto, the said Trustees, or any Five or more of them, are hereby impowered and required, from time to time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to be examined as a Witness or Witnesses touching or concerning the Premisses (which Oath any Two or more of the said Trustees are hereby impowered to administer) and they shall also order and cause the said Jury to view the said Places in Question, if there be Occasion, and use all lawful Ways and Means, as well for their own, as for the said Jury's better Information in the Premisses, as they the said Trustees, or any Five or more of them, shall think fit:

Jury to assess the Damages.

Witnesses may be summoned, and examined upon Oath.

fit: And after the said Jury shall have 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 said Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners, Proprietors, or Occupiers of, or other Persons interested in, the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Person or Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and all and every Person and Persons any ways interested in such Lands, Grounds, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby 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 the summoning and returning such Jury or Juries, the said Trustees, or any Five or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the County wherein such Lands, Grounds, or Hereditaments, shall lie, thereby commanding and requiring him to impanel, summon, and return, an indifferent Jury of Twenty four Persons, to appear before the Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return, such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Two or more of them, shall swear, or cause to be sworn, Twelve, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come

Verdict of the Jury to be binding.

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

Jurors may be challenged.

to

Penalty on Sheriff, &c. making Default.

to be sworn; and the said Trustees, or any Five or more of them, acting in the Premisses, shall have full Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premisses, and on any of the Persons that shall be summoned and returned on such Jury, and shall not appear, or that shall refuse to be sworn on the said Jury, or being so sworn, refusing to give, or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury, touching the Premisses, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence; and, from time to time, to levy such Fine or Fines in the same Manner as any other Forfeiture or Penalty herein before-mentioned is hereby directed to be levied, so as that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Fine not to exceed 10 l.

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

And be it further enacted, That all and every Sum and Sums of Money to assessed as aforesaid, is and are hereby charged upon the Monies which shall be raised by virtue of this Act, and shall be paid thereout accordingly by the said Trustees, or any Five or more of them, or their Treasurer, to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof, or Tender thereof to such Persons or their Agents, and in case of Refusal to accept the same; then, upon leaving the same in the Hands of the Treasurer to the said Trustees, for the Use of such Persons; such Lands, Grounds, or Hereditaments, shall be laid into, and made Part of, the said Roads, and shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the said Roads for ever after, and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner, as the old Road so widened, altered, or turned, was and ought to have been kept in Repair; and after such new Road shall be completed, the Lands and Grounds comprised in, or constituting the old or former Road, shall be, and they are hereby vested in the said Trustees, and shall and may be sold by them, any Seven or more of them, to such Person or Persons as shall be willing to become the Purchaser or Purchasers of;

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

and deemed a publick Highway,

and kept in Repair as such.

Old Roads may be sold.

thereof; and the Money arising by such Sale, shall be applied and disposed of for the repairing the said Roads; and the Sale or Conveyance and Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Seven or more of them, and inrolled with the Clerk of the Peace for the County wherein such Lands, Grounds, or Hereditaments, shall lie, shall be good and effectual in the Law to all Intents and Purposes whatsoever.

Buildings, &c. not to be damaged.

Provided always, and be it enacted, That in widening, turning, or diverting, any Part or Parts of the said Roads, nothing shall be done which shall or may in any wise injure or damage any House or Building, or any Yard, Garden, Orchard, Park, Plantation, or Nursery of Trees, or any Walk of Trees, or Avenue to any House, unless the Owner or Proprietor thereof shall consent thereto.

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

And be it further enacted, That all and every Person or Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, and the Members thereof, who, before the making of this Act, hath or have 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 Roads hereby intended to be repaired, shall, notwithstanding this Act, be subjected and liable to, and charged and chargeable with, the repairing and keeping in Repair the same Parts of the same Roads, in the same Manner as they or every of them hath or have heretofore usually done, or ought to do; and that if it shall appear to the said Trustees, or any Seven or more of them, that any Lands, or any Rents or Profits issuing out of any Lands, Tenements, or Hereditaments, are given or settled for, or are liable or chargeable towards the repairing of any Part of the said Roads intended to be repaired by virtue of this Act, such Lands, Tenements, and Hereditaments, shall still remain liable and chargeable, and the said Trustees, or any Seven or more of them, may demand, and if not paid on Demand, sue by Bill or Information for the Recovery thereof; and the Possessors and Occupiers of such Lands, Tenements, and Hereditaments, are hereby directed and required to pay such Rents and Profits to such Person or Persons as the said Trustees, or any Seven or more of them, shall appoint to receive the same; which Rents and Profits, when received or recovered, shall be applied, from time to time, for repairing the said Roads, and to no other Use or Purpose whatsoever: And that the Inhabitants of

Lands, &c. chargeable to the Highways to continue so.

Inhabitants to do Statute-work.

the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired do lie, who by the Laws and Statutes of this Realm are or shall be obliged or liable to perform the Work in the Highways, for the repairing thereof, commonly called Statute-work, shall still be subject and liable to do and perform the same Work, and shall and are hereby required to do and perform such and so many Days Work, not exceeding Three Days Work in each Year, in such Parts of the said Roads by this Act directed to be repaired, and lying within the said Parishes, Hamlets, or Places, in which such Inhabitants respectively shall live, as the said Trustees, or any Five or more of them, shall direct or appoint, and at such Time and in such Manner as the Surveyor or Surveyors by them authorized shall direct or appoint: and that every Inhabitant of the said Towns, Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, shall be deemed and taken to keep a Team, and shall do and perform such Work in and towards the repairing the Highways of the several Towns, Parishes, Hamlets, and Places, in which they respectively live, as Persons keeping Teams are obliged by Law and ought to do.

Persons renting 50 *l. per Annum*, to be deemed Team-holders.

Inhabitants of the *Holy Trinity* to do One Day's Statute-work only.

Provided always, and be it enacted, That the Inhabitants of the Parish of The Holy Trinity in the City of Coventry, shall not be liable, charged or chargeable, to perform more than One Day's Statute-work on the Roads lying in the said Parish intended to be repaired by virtue of this Act, in regard that the Inhabitants are now liable to perform Three Days Statute-work on the Turnpike Road between Coventry and Hinckley, and have other Roads in the said Parish which want Repair.

And, to the end that the said Trustees may know the Inhabitants of all the Towns, Parishes, Hamlets, and Places, wherein the Roads by this Act intended to be repaired do lie, who are liable to do Statute-work in their Highways, and what Sort of Duty they ought respectively to do; be it further enacted, That the Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, and Places, wherein any Part of the said Roads do lie, or in case no Surveyors of the Highways are appointed for any such Towns, Parishes, Hamlets, or Places, then the Churchwardens or Overseers of the Poor for such Towns, Hamlets, or Places, shall, and they are hereby required, before the Twenty fifth Day of March in every Year (or oftener, if thereunto required by the said Trustees, or any Five or more of them) during the Continuance

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

ance of this Act, to return and deliver in to the said Trustees at some of their Meetings, or to the Surveyor or Surveyors of the said Roads, to be appointed by virtue of this Act, true and perfect Lists in Writing under their respective Hands of the Names of all the Inhabitants of such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute-work in and upon the said Highways, and shall, in such Lists, and every of them, distinguish and set forth which of such Inhabitants shall, and by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams;

Inhabitants to deliver Lists of their Statute-work

And be it further enacted, That if the Surveyor or Surveyors of the several Towns, Parishes, Hamlets, or Places, in which the said Roads, or any Part of them, do lie, or Churchwardens or Overseers of the Poor, as aforesaid, shall not deliver in Lists of the Inhabitants of their said several Towns, Parishes, Hamlets, or Places, at such Times, and in such Manner, to the said Trustees or their Surveyor or Surveyors, as by this Act is directed, and required to be delivered, such Surveyor or Surveyors of the Highways, and Churchwardens or Overseers of the Poor, and every of them, shall forfeit and pay, for every such Default, the Sum of Five Pounds: And if any or either of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-work in and upon the Highways, shall not do such Statute-work in and upon the said Roads, at such Times and Places, and in such Manner, as they shall, by the Surveyor or Surveyors appointed by the said Trustees, be directed or appointed to do, such Inhabitants, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums hereinafter mentioned; that is to say, Every such Inhabitant or Person who shall keep, or by virtue of this Act shall be deemed to keep, a Team or Teams, for every Day's Work for each Team, the Sum of Ten Shillings; and every other Inhabitant or Person not keeping, or being by virtue of this Act not deemed to keep, a Team, for every Day's Work, the Sum of One Shilling and Six Pence; and if any Person or Persons who shall come to work as a Labourer or Labourers, or be sent with any Team, Draught, or Cart, to work on the said Roads for the Repairs thereof, commonly called Statute-work, are found idle and negligent, or shall not properly perform such Statute-work, the Turnpike Surveyor or Surveyors may, and is and are hereby impowered and required to remove and discharge

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

Penalty on Persons not performing Statute-work only.

Parish Surveyors to deliver in Lists

Persons found idle may be discharged

such Person or Persons; and it shall be deemed and taken as if such Person and Persons had not come, or sent any Team, Draught, or Cart, to work on the said Roads; and he, she, or they, shall be subject and liable to the respective Forfeitures, as if he, she, or they, had neglected or refused to do or perform the said respective Day's Work.

Trustees may compound for Statute-work, &c.

And be it further enacted, That the said Trustees, or any Seven or more of them, may and they are hereby authorized and impowered to compound with the several Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired, or any Part or Parts thereof, do or doth lie, for the several Days Statute-work to be by them respectively done upon the said Roads, at and for such Sum and Sums of Money, by the Year or otherwise, as they the said Trustees, or any Seven or more of them, and the said Inhabitants respectively, shall agree upon; which said Money shall be instantly paid to the said Trustees, or any Seven or more of them, or to their Appointment;

Surveyors may appeal to the Quarter Sessions to proportion the Statute-work.

Provided always, and be it further enacted, That if the Surveyor or Surveyors of the Highways for the time being, of any of the Towns, Parishes, Hamlets, or Places, wherein the said Roads directed by this Act to be repaired do lie, shall think the said Trustees have directed or appointed too large a Proportion of the Statute-work in any Town, Parish, Hamlet, or Place, to be done on the said Roads, it shall and may be lawful for such Surveyor or Surveyors of the Highways, to appeal to the Quarter Session of the Peace next after such Direction or Appointment (unless the same shall be made within Ten Days preceeding such Quarter Session, and then to the Second Quarter Session next after such Direction or Appointment) and the Justices, in their said Quarter Session, are hereby authorized and impowered finally to adjust and determine what Proportion of the Statute-work in any Town, Parish, Hamlet, or Place, shall be done on the Roads by this Act directed to be repaired, such Surveyor or Surveyors of the Highways having first given Eight Days Notice of such Appeal to the Surveyor or Surveyors appointed by the said Trustees.

Roads to be measured, and Mile-stones erected.

And be it further enacted, That the said Trustees, or any Five or more of them, may cause the said Roads to be measured, and Stones to be set up, in, upon, or near the Sides thereof, at the Distance of One Mile from each other, with Inscriptions thereon, denoting the Number of Miles and Distance of Places; and also Posts at the several Roads, leading out of the Roads hereby

hereby directed to be repaired, with Inscriptions thereon, denoting to what Place or Places the said Roads respectively lead, if they shall think fit: And if any Person or Persons shall wilfully pull down, break, or damage any such Stone or Post, or obliterate any Inscription, which shall have been made thereon, or shall cause or procure the same to be done, and be thereof convicted, upon Oath, by One or more credible Witness or Witnesses, or by his or her own Confession, before any Justice of the Peace for the County or Place wherein such Offence shall be committed; every such Person so offending, shall forfeit the Sum of Forty Shillings for every such Post or Stone so pulled down, broke, or damaged, or Inscription so obliterated; whereof One Moiety shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the Penalties are herein after directed to be applied; and in case such Penalty shall not be forthwith paid, such Justice of the Peace shall commit such Person or Persons to the House of Correction, for such County or Place, there to remain without Bail or Mainprize for One Month; and every such Offender in either of the said Cases shall and may, by the Authority of this Act, and without any other Warrant, be apprehended by any Person or Persons, who shall see any such Offence committed, and shall be immediately delivered to a Constable or other Peace Officer, who shall convey such Offender to be dealt with according to the Directions of this Act.

Penalty on defacing Milestones, &c.

And be it further enacted, That no Person shall be capable of acting as a Trustee, in the Execution of this Act, unless he shall be, in his own Right, or in the Right of his Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, and Hereditaments, of the clear yearly Value of Forty Pounds, or shall be Heir Apparent of some Person having such Estate of the clear Value of Eighty Pounds, or possessed of, or intitled unto, a Personal Estate alone, or Real and Personal Estate together, to the Amount or Value of One thousand Pounds: And if any Person hereby declared incapable to act, shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall inform and 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; 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, or otherwise shall pay the said Penalty, without any other Proof or Evidence on

Qualifications of Trustees.

Penalty on acting if not qualified.

the Part of the Prosecutor, than that such Person had acted as a Trustee in the Execution of the said Act.

Time and Place of Trustees Meeting.

And be it further enacted, That the said Trustees, or any Five or more of them, shall meet together at the Black Bull Inn in Nuneaton, in the County of Warwick aforesaid, on the First Day of June, One thousand seven hundred and sixty two, at Eleven of the Clock in the Forenoon, and shall proceed to the Execution of this Act, and shall then adjourn themselves, from time to time, to the Place aforesaid, or any other Place or Places near the said Roads, as the said Trustees, or any Five or more of them, shall think proper for putting this Act in Execution; and if it shall happen that there shall not appear at any such Meeting, a sufficient Number of Trustees to act or to adjourn to any other Time and Place, then the Clerk to the said Trustees shall adjourn the said Meeting to, and appoint the Trustees to meet at, the Place where the last Meeting was appointed to be held; and shall cause Notice thereof to be given in One of the Coventry News Papers, at least Six Days before such Meeting: And the said Trustees at all their Meetings shall defray their own Charges and Expences.

In Default of a sufficient Number to act, Notice to be given of another Meeting.

Trustees to defray their own Expences.

Proviso.

Provided always, That Two Trustees shall be sufficient for the Purpose of Adjournment.

No Turnpike to be removed but by Order of the Trustees.

And be it further enacted, That no Gate, Turnpike, or Toll-house, erected by virtue of this Act, shall be taken down and removed to any other Place, except by Order under the Hands and Seals of the said Trustees, or Nine of them at the least, at some of their publick Meetings by Adjournment.

No Order to be repealed unless Nine Trustees are present.

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

No Trustee to accept a Place of Profit arising from the Tolls.

And be it further enacted, That no Trustee shall have any Office or Place of Profit arising out of or by reason of the Tolls hereby granted; and that every Person shall be incapable of acting as a Trustee during his Enjoyment of any such Office or Place of Profit.

Trustees in the Commission of the Peace may act as Justices.

And be it further enacted, That a Trustee or Trustees nominated or appointed in or by virtue of this Act, who 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 and Authorities hereby given to any Justice or Justices

fices of the Peace, notwithstanding his or their being a Trustee or Trustees.

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

And be it further enacted, That as often as any of the said Trustees shall die, or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Seven or more of them, under their Hands and Seals, to appoint another Trustee in the Room of each Trustee so dying, or refusing to act; and Notice of the Time and Place of Meeting for the Election of such Trustee or Trustees shall be given by the Clerk to the Trustees, by affixing the same in Writing on all the Turnpikes which shall be erected by virtue of this Act, at least Fourteen Days before the Meeting for such Election: And every Person so appointed shall and may act in the Execution of this Act, as fully as the Trustees hereby nominated are impowered to do.

Notice to be given of such Election.

Penalty on hauling Timber, otherwise than on Wheel Carriages.

And be it further enacted, That if any Person or Persons during the Continuance of this Act, shall haul or draw, or cause to be hauled or drawn, upon, in, or along any Part of the said Roads hereby intended to be repaired, any Tree or Trees, or Piece or Pieces of Timber, otherwise than upon Wheel Carriages, every such Person or Persons for every such Offence shall forfeit and pay the Sum of Forty Shillings.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted, That all Penalties and Forfeitures by this Act imposed (the Manner of recovering or levying whereof is not otherwise particularly directed) shall be levied by Distress and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the County wherein the Offence shall be committed, which Warrant the said Justice or Justices is and are hereby impowered and required to grant, upon the Information of One or more credible Witness or Witnesses upon Oath (which Oath the said Justice or Justices is and are hereby impowered and required to administer without Fee or Reward), and the said Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whose Goods and Chattles shall be so distrained and sold (the Charges of such Distress and Sale being first deducted) shall be paid the said Trustees, or any Five or more of them, or their Treasurer or Treasurers, and shall be applied, if not otherwise directed to be applied by this Act, for and towards the amending the said Roads: And in case sufficient Distress cannot be found, and such Penalties or Forfeitures shall not be paid, it shall and may be lawful for such Justice or Justices, and he and they

they is and are hereby authorized and required, by Warrant under his or their Hands and Seals, to commit ſuch Offender or Offenders to the Houſe of Correction for any Time not exceeding Two Months.

Perſons aggrieved may appeal.

And be it further enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace at any General Quarter Seſſion of the Peace to be held for the County or Place wherein the Cauſe of ſuch Complaint ſhall ariſe, within Four Months after the Cauſe of ſuch Complaint ſhall have ariſen, ſuch Appellant firſt giving or cauſing to be given Ten Days Notice at leaſt in Writing of his or her Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof, to the Clerk or Treaſurer to the ſaid Truſtees, and within Two Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for ſuch County or Place, with Two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſion; and the ſaid Juſtices, at the ſaid Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſt to the Parties appealing or appealed againſt as they the ſaid Juſtices ſhall think proper; and by their Warrant levy ſuch Coſts: And the Determination of ſuch Quarter Seſſion ſhall be binding and concluſive to all Intents and Purpoſes.

Diſtreſs not to be deemed unlawful for want of Form only;

And be it further enacted, That no Conviction or other Proceeding, in or relating to the Execution of this Act, ſhall be quaſhed or vacated for want of Form only, or be removed or removeable by Certiorari, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at Weſtminſter; any Law or Statute to the contrary notwithſtanding.

nor the Party diſtraining be deemed a Treſpaſſer *ab initio*.

And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money, to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers ab initio, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity, may recover full Satisfaction for the ſpecial Damages in an Action upon the Caſe.

Pro-

Writings to be without Stamps.

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

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the Trustees shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered and signed by the Clerk or Clerks at any Meeting of Five or more of the said Trustees, as the Case shall require, shall be deemed and taken to be original Orders, as if the same were under the Hands and Seals of the said Trustees; which said Book or Books, and also the said Books directed to be kept for registering such Mortgages and Assignments as aforesaid, shall and may be read in Evidence in all Cases of Appeal, and in all Suits or Actions, in any Court or Courts whatsoever, touching any thing done in pursuance of this Act.

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

And be it further enacted, That no Person shall be capable of holding any Place of Profit under this Act, who shall sell any Ale, Wine, or Spirituous Liquors, by Retail.

Commencement and Continuance of this Act.

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

Limitation of Actions.

and that no Action or Suit shall be commenced against any Person or Persons, for any Thing which shall be done in pursuance of this Act, until Twenty one Days Notice shall be thereof given to the Clerk or Clerks to the said Trustees, or after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact complained of committed; and every Action or Suit shall be laid or brought in the County where the Cause thereof shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may, at his or their 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 virtue of this Act; And if the same shall appear to be so done,

General Issue.

or that ſuch Action or Suit ſhall be brought before the End of Twenty one Days after Notice thereof given as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County, 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 Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

Treble Coſts.

Publick Act. And be it further enacted, 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.