Anno ſecundo

Georgii III. Regis.

An Act for repairing and widening the Roads from *Kirkby-Steven High-Lane Head*, in the County of *Weſtmorland*, through *Sedbergh*, to *Greeta Bridge*, in the County Palatine of *Lancaſter*; and from *Bracken-Bar-Gate*, near *Askrigg*, in the County of *York*, through *Sedberg*, to *Kirkby-Kendal*; and alſo the Road from the *Four Lane Ends*, in *Marthwaite*, to the Turnpike Road on *Grayrigg Hauſe*, leading from *Appleby* to *Kirkby-Kendal*, in the ſaid County of *Weſtmorland*.

WHEREAS the High Roads leading from Kirkby Steven High Lane Head, in the County of Weſtmorland, through Sedberg, in the Weſt Riding of the County of York, to Greeta Bridge, in the County Palatine of Lancaſter; and alſo the Road from Bracken Bar Gate, near Askrigg, in the North Riding of the County of York, through Sedberg aforeſaid, to the Town of Kirkby-Kendal, in the ſaid County of Weſtmorland; and alſo the Road from the Four Lane Ends, in Marthwaite, in the Pariſh of Sedberg aforeſaid, to the Turnpike Road on Grayrigg Hauſe, leading from the Borough of Appleby to Kirkby Kendal aforeſaid, are ruinous, and in many Places too narrow, and cannot be amended and widened by the ordinary

Courſe of Law: May it therefore pleaſe your moſt Excellent 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 Right Honourable James Smith Stanley, commonly called Lord Strange; the Honourable Thomas Howard, the Honourable Edward Clifford, the Honourable Francis Charteris, Sir George Warren Knight of the Bath, Sir James Lowther, Sir George Savile, Sir Philip Muſgrave, Sir Rowland Winn, Sir George Dalſton, Sir William Robinſon, Sir John Ramſden, Sir Ralph Milbank, Sir George Armytage, Sir Michael Le Fleming, Baronets; Sir William Dalſton, Sir Fletcher Norton, Knights; James Aſhton, Alan Chambre the younger, Miles Burket, James Burket, Miles Barber, Thomas Carleton, Henry Dennifon, James Renton, Thomas Fenwick, Fletcher Fleming, Edward Foxcroft, Marmaduke Fothergill, William Gilliſon, Miles Harriſon, William Herbert, Hugh Holme, Edward Johnſon, Michael Jones, Edwin Laſcelles, Daniel Laſcelles, Robert Lowther, Robert Lawſon, Monkhouſe of Winton, Henry Marſden, William Matſon, John Moore, Jacob Morland, Stanwix Nevinſon, John Pratt, Francis Reynolds, William Robinſon, John Robinſon, Abraham Rawlinſon, Charles Ratcliffe, Thomas Hutton Rawlinſon, Charles Strickland, James Shuttleworth, John Sunderland, Strawbenzie, Miles Strickland, Thomas Strickland, Walter Shepherd, William Sympſon, Thomas Satterthwaite, John Thompſon, Richard Trotter, William Tatham, John Upton, John Upton the younger, Andrew Wilkinſon, Edward Wilſon, George Wilſon, Henry White, James Wemyſs, Forth Winter, Edward Wilſon, Roger Wilſon, Robert Welch, Woodier, James Whaley, Richard Whinfield, Eſquires; the Mayor, Recorder, and Aldermen of Kirkby Kendal for the time being, Adam Askew, John Atkinſon, Anthony Askew, John Heyes M. D. Hugh Robinſon, Chriſtopher Muſgrave D. D. James Fenton, Richard Burn LL. D. Oliver Marton, LL. B. Wynne Bateman, Henry Chator, Gilbert Crackenthorp, James Cock, Tobias Croft, William Garnet, William Hutton, William Langhorn, John Meryett, John Moore, Robert Revald, William Slater, Thomas Symonds, Sandford Tatham, Robert Tomlinſon, John Tatham, William Todhunter, Stephen Teaſdale, Charles Udale, Robert Vanbrugh, John Waſtel, George Williamſon, Daniel Wilſon, John Wilſon, William Wray, Clerks; Francis Atkinſon, Richard Alderſon,

ſon, Anthony Atkinſon, Thomas Aſhburner, James Atkinſon, Thomas Atkinſon, William Atkinſon, Thomas Atkinſon, John Atkinſon, Thomas Adamthwaite, William Adamthwaite, John Airey, James Allen, Leonard Barnet, John Benſon, Arthur Bousfield, John Bowneſs, John Burn, Michael Branthwaite, John Bracken, James Burton of Gibſhall, John Bowman, James Burton of Cage, William Boadley, Robert Beetham, Matthew Bell, Barrow, William Bracken, John Bownaſs, John Braithwaite, James Braithwaithe, Anthony Battersby, Richard Branthwaite, Thomas Batty, Matthew Barrow, John Batty of Kirkby Lonſdale, John Blades, John Bowman, John Batty of Barbon, William Turner Carus, Thomas Chamney, George Calvert, John Cragg, James Calvert, John Comings, Edward Comings, Edward Cook, James Croxton, John Colliſon, Leonard Croft, Richard Dawſon, Thomas Dodgſon, James Dowker, Thomas Davis, Anthony Davis, John Dent, George Dinſdale, Robert Dickinſon, John Dent of Hallbeck, John Dent of Endmoor, John Ecroyde, Dodgſon Forſter, Richard Fothergill, Thomas Fothergill, Thomas Fothergill the younger, James Fawcett, Richard Fell, James Fawcett the younger, Chriſtopher Fenton, John Fawcet, Thomas Garnet, William Gawthrop, Thomas Gibſon, John Gawthrop, Robert Greenwood, Edmund Gawthrop, Thomas Garnet, John Glover, Chriſtopher Gawthrop, William Gurnel, Richard Greenbank, Joſeph Gough, John Gibſon, Jonathan Gibſon, James Gibſon, Joſeph Gibſon, Thomas Garnet, Zachary Hubberſty, John Holme, Robert Hunter, James Harriſon, Peter Hammond, Henry Holme, John Hamond, Joſeph Hodgſon, James Harriſon the younger, John Harriſon, Thomas Harriſon, George Harriſon, John Harriſon the younger, James Harriſon, William Haygarth, John Hugill, Francis Hanham, Richard Hoggart, George Hammond, John Haygarth, Iſaac Hillary, Roger Hodgſon of Holehouſe, Thomas Holme, Lancelot Hutchinſon, John Hadwen, James Hutchinſon, Thomas Herd, John Holme, John Jackſon, William Jackſon, William Inman, Samuel Linſey, Charles Lambert, Thomas Law, Thomas Lamb, Thomas Lamb the younger, James Lightfoot, Giles Moore, Giles Moore of Overtown, William Moorhouſe, James Metcalfe, John Milner, George Metcalfe, John Miller, Thomas Metcalfe, Milton, Robert Metcalfe, John Maſon, John Moore, John Nicholſon, Thomas Nicholſon, Thomas Nicholſon of Caton, Henry North, Miles North, Thomas North, Thomas Pearſon, James Parkin, Samuel Parrot, John Pearſon, Leonard Pearſon, Joſeph Robinſon, Giles Redmaine, James Redhead, Henry Remington,

mington, Reginald Remington, Reginald Remington the younger, William Rutſon, James Robinſon, Iſaac Rigge, Thomas Rigg, Chriſtopher Redman, John Schutt, Arthur Shepherd, Joſeph Sympſon, John Slater, Cuthbert Stuart, William Stuart, James Spicer, Edward Shepherd, Chriſtopher Skirrow, Charles Shepherd, James Simm, Anthony Strickland, William Simm, John Thompſon, Edward Tatham, George Turner, Nicholas Thompſon, Edward Tatham, James Thwaite, Richard Terry, John Thompſon, George Turner, Robert Thiſtlethwaite, Joſeph Thompſon, Francis Tatham, John Tatham, Thomas Torver, Joſeph Vipond, Thomas Wilſon, John Watſon, James Wadeſon, James Wadeſon the younger, Richard Ward, Thomas Winn, Chriſtopher Wilſon, Robert Willan, James Wilſon, Henry Waſhington, Richard Wilſon, John Wilkinſon, John Wakefield, Iſaac Wilſon, Iſaac Wilſon of Lambrigg, Iſaac Wilſon the younger, Robert Whitehead, Robert Whitehead the younger, Samuel Wallis, John Wilſon, Richard Ward, Richard Woof, John Ward, Alexander Whaley, and William Yeates, Gentlemen; ſhall be, and they and their Succeſſors are hereby declared to be, Truſtees for putting this Act in Execution.

Qualifications of Truſtees.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon ſhall be deemed qualified or capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall have, or ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion, or Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds above Reprizes; or is poſſeſſed of, or intitled to, a Perſonal Eſtate alone, of Eight hundred Pounds, or a Real and Perſonal Eſtate together, to the Amount or Value of Eight hundred Pounds, or ſhall be Heir Apparent to ſome Perſon who ſhall be in the actual Poſſeſſion, Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Eighty Pounds: And if any Perſon hereby deemed incapable of acting, ſhall nevertheleſs preſume to act, every ſuch Perſon ſhall for every ſuch Offence forfeit the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at Weſtminſter, by Action of Debt, or on the Caſe, Bill, Suit, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than One Imparlance, ſhall be allowed; One Moiety of which ſaid Forfeiture

Penalty on acting if not qualified.

feiture shall be paid to the Prosecutor, and the other Moiety thereof shall be applied in repairing the said Roads.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees and their Successors, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall authorize and appoint, to erect or cause to be erected One or more Gate or Gates, Turnpike or Turnpikes, in, upon, or across the said Roads, or any Part or Parts thereof; and also a Toll-house or Toll-houses, in, upon, or near the same, or in the Lands adjoining thereto; and to demand, receive, and take, the Tolls and Duties following, before any Horse, or other Cattle or Carriage, shall be permitted to pass through the same; that is to say, Trustees may erect Turnpikes and Toll houses, and take the following Tolls thereat.

The Tolls.

For every Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Chaise Marine, Car, or Hearse, drawn by Six Horses, or other Beasts of Draught, the Sum of Two Shillings and Six Pence; and drawn by Four Horses, or other Beasts of Draught, the Sum of Two Shillings; and drawn by less than Four Horses, or other Beasts of Draught, the Sum of One Shilling.

For every Waggon, Wain, Cart, Frame, Dray, or other Carriage, drawn by Four or more Horses, or other Beasts of Draught, the Sum of Four Shillings; and drawn by Three Horses, or other Beasts of Draught, the Sum of Two Shillings and Six Pence; and drawn by Two Horses, or other Beasts of Draught, the Sum of One Shilling and Six Pence; and drawn by One Horse, or other Beast of Draught, the Sum of Six Pence.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burden, laden or unladen, and not drawing, the Sum of Two Pence.

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

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

Which said respective Sum or Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty; and the Money so to be raised and collected, shall be and is hereby vested in the said Trustees for the time being; and the same, and every Part thereof, shall be paid, Tolls vested in Trustees.

paid, applied, disposed of, and assigned, to and for the repairing of the Roads hereby directed to be repaired; and to and for the several Uses and Purposes, and in such Manner as is herein after mentioned (the reasonable Charges expended, or to be expended, in or about or by reason of passing this Act of Parliament, being first deducted and paid): And it shall and may be lawful to and for the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, under their Hands and Seals, shall from time to time appoint, to demand and take the Tolls or Duties hereby required to be paid; and to levy the same upon any such Person or Persons who shall (after Demand thereof made) neglect or refuse to pay the same, as aforesaid, by Distress of any Horse or Horses, or other Cattle, or of any Carriage or Goods upon which any Toll or Duty is by this Act imposed, or by Distress of any other Goods and Chattles of such Person or Persons who ought to pay the same; and to detain and keep the same until such Tolls or Duties, with the reasonable Charges of such Distress, detaining and keeping the same, shall be fully paid and satisfied; and after the Space of Four Days, such Person or Persons distraining (in case such Tolls, with the reasonable Charges incident to such Distress as aforesaid, shall remain unpaid or unsatisfied) shall and lawfully may sell the said Horse or Horses, Cattle, Carriage, or other Goods so distrained, for Payment thereof; returning the Overplus (if any) upon Demand, to the Owner thereof, after such Tolls, Duties, and all reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

No Turnpike between *Greeta Bridge* and *Middleton Head*;

Provided always, That nothing in this Act contained shall extend to impower the said Trustees to erect any Gate or Turnpike between Greta Bridge aforesaid and Middleton Head, in the County of Westmorland.

nor nearer *Kendal* than *Barny Hills*.

And be it further enacted by the Authority aforesaid, That no Turnpike-gate shall be fixed by virtue of this Act nearer to the Town of Kirkby in Kendal, than a Place called Barny Hills, lying within the Lands called Kendal Park and Castle Lands; any thing in this Act contained to the contrary notwithstanding.

No Bar to be put up till 1000 *l.* be subscribed.

And be it further enacted by the Authority aforesaid, That no Bar or Turnpike shall be erected by virtue of this Act, till the Sum of One thousand Pounds, and also such Sum as shall be expended for the passing this Act, shall be subscribed upon the Credit of this Act.

Provided

Provided always, and be it further enacted by the Authority aforesaid, That the Sum of One Penny, and no more, shall be paid for each and every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, passing between the Towns of Kirkby in Kendal and Sedborough; any thing in this Act contained to the contrary notwithstanding. One Penny *per* Horse to be paid between *Kendal* and *Sedberg*.

And provided also, and be it further enacted by the Authority aforesaid, That no Side-gate or Toll-bar shall be erected or set upon or across the said Road hereby intended to be repaired, by the Trustees of Keighley and Kirkby Kendal Turnpike Road; nor shall any Side-gate or Toll-bar be erected or set up on or across the Road by this Act intended to be repaired, at the Meeting or Junction of the Kirkby Steven and Burrow Bridge Turnpike Road at Kirkby Steven High Lane Head aforesaid; nor at the Junction or Meeting of the East Division of the Richmond and Lancaster Turnpike Road at Bracken Bar Gate near Askrigg aforesaid. Where Side-gates may not be erected.

Provided always, and be it further enacted by the Authority aforesaid, That the Tolls or Duties granted by this Act shall not be demanded or taken at any more than Two Gates in the Road from Kirkby Steven High Lane Head to Greeta Bridge; nor at any more than Three Gates on the Road from Bracken Bar Gate to Kirkby Kendal; and that no Person or Persons having Occasion to pass through any Gate or Turnpike, erected or to be erected by virtue of this Act, and who shall return the same Day before Twelve of the Clock at Night, with the same Horse, Ass, Mule, or other Cattle, or the same Coach, Berlin, Landau, Chariot, Chaise Marine, Chair, Car, Calash, Caravan, Hearse, Waggon, Wain, Frame, Dray, Cart, or other Carriage, shall be liable or compellable the same Day to pay the said Toll or Duty more than Once; in order to which the Gate-keeper is required to deliver to each Person requiring it, a Note or Ticket, on producing whereof he shall be permitted to pass on the same Day Toll-free, with the same Horse, Beast, Cattle, and Carriage. Tolls to be paid but Once a Day.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, having paid any of the said Tolls or Duties by this Act granted, and having such Note or Ticket, Notes or Tickets, shall offer, give, or dispose of the same to any Person or Persons (except the Person or Persons appointed to collect and receive the Tolls hereby made payable) or if any Person or Persons shall with any Horse, Mare, Gelding, Ox, Mule, or Ass, Penalty on giving or receiving Tickets;

Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Cart, Frame, Dray, or other Carriage, go or pass through any Ground, Parcel of Land, or other Place adjoining to or lying near any of the Gates or Turnpikes to be by virtue of this Act erected, the same not being a common Road; or if any Owner or Occupier of any Ground, Land, or Hereditaments, which shall adjoin or lie near to any of the said Gates or Turnpikes, shall knowingly or wilfully permit or suffer any Person or Persons with any Horse, Mare, Gelding, Ox, Mule, Ass, Cattle, Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Caravan, Hearse, Waggon, Wain, Frame, Cart, Dray, or other Carriage, to go or pass through the same Grounds, Land, or Hereditaments; or if any Person or Persons shall at any Time or Times take off, or cause to be taken off, any Horse, Ass, Mule, or other Beast, from any Coach, Berlin, Landau, Chariot, Chaise, Calash, Chair, Car, Chaise Marine, Caravan, Hearse, Waggon, Wain, Frame, Cart, Dray, or Carriage as afore-said, whereby the Payment of any of the said Tolls shall be evaded; that then, and in any of the aforesaid Cases, every Person so offending, and being thereof convicted upon the Oath of One or more Witness or Witnesses, before One or more Justice or Justices of the Peace in and for the County, Riding, or Division, where such Offence shall be committed, shall, for every such Offence forfeit and pay the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer or Informers of such Offence or Offences respectively, upon whose Oath or Oaths the said Offender or Offenders shall be convicted, to and for his and their own Use or Uses, and the other Moiety shall go and be applied towards the amending the said Roads.

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

Trustees may reduce the Tolls, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Seven or more of them, and they are hereby authorized and impowered from time to time, with the Consent of such Persons as shall have advanced Money on the Credit of the said Tolls and Duties, at any Times hereafter, as often and for such Time as they shall think proper, to lessen all or any of the Tolls and Duties by this Act made payable at any Turnpike or Toll-bar; and so again, as often and for such Time as the said Trustees shall find it necessary, to raise and increase all or any of the said Tolls or Duties, so that the same do not exceed the Tolls and Duties made payable by virtue of this Act.

and raise them again.

Pro-

Provided always, That Twenty Days Notice shall be given of every Meeting to be held by the Trustees for the Purposes last mentioned, by affixing such Notice upon every Turnpike to be erected by virtue of this Act. Proviso.

And be it further enacted by the Authority aforesaid, That the Right and Property of the Gates, Turnpikes, and Toll-houses, which shall be erected by virtue of this Act, and of the Materials of which the same shall consist, shall be and are hereby vested in the Trustees, appointed or to be appointed by or in pursuance of this Act; and they, or any Five or more of them, are hereby impowered to dispose thereof as they shall think proper, and to bring and to cause any Action to be brought in the Names of any Five or more of them, or in the Name of their Clerk or Treasurer for the time being; or to prefer or cause Bills of Indictment, or other Prosecutions, to be preferred against any Person or Persons who shall keep Possession of any Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, 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 so keeping Possession, to quit the same; or against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy, any such Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, or any Part thereof. Property of the Turnpikes and Toll-houses, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may and are hereby authorized and impowered to chuse a Clerk or Clerk, Treasurer or Treasurers, and appoint a Collector or Collectors of the Tolls or Duties aforesaid, and also a Surveyor or Surveyors to view the Condition of the said Roads, and to see that the same be repaired, and such other Officers as they, or any Seven or more of them, shall think necessary for the Execution of this Act; and from to time to remove such Clerks, Treasurers, Collectors, Surveyors, and other Officers, as they shall see Occasion, and to appoint new ones on their Death or Removal; and all Persons who shall be appointed as aforesaid to receive the said Tolls or Duties, or any Monies which shall be raised, collected, or received, by virtue of this Act, shall upon Oath, when thereunto required by by the said Trustees, or any Three or more of them (which Oath the said Trustees are hereby impowered to administer) on the Twenty fourth Day of June in every Year, or oftener, if the said Trustees, or any Three or more of them, shall so require, give in a true, exact, and perfect Ac- Trustees to appoint Officers; and remove them and appoint others,

Account in Writing to the ſaid Truſtees, or any Three or more of them, of all Monies which ſuch Perſons ſhall to ſuch Time reſpectively have received by virtue of this Act; and how, and to whom, and for what Uſes ſuch Monies, and every Part thereof, hath or ſhall have been paid, diſpoſed of, or applied, together with proper Receipts and Vouchers for ſuch Payment; and in caſe any Money ſo received ſhall remain in their reſpective Hands, the ſame ſhall be paid to the ſaid Truſtees, or any Three or more of them, or to ſuch Perſon or Perſons as they, or any Three or more of them, ſhall impower to receive the ſame, and ſhall be laid out and diſpoſed of according to the true Intent and Meaning of this Act: And the ſaid Truſtees, or any Five or more of them, may and ſhall, out of the ſaid Tolls or Duties, make ſuch Allowance to the ſaid Collectors, Receivers, Clerks, Treaſurers, Surveyors, and other Officers, and to ſuch other Perſons as ſhall be aſſiſtant to them, or any of them, in or about repairing or widening the ſaid Roads, or any Part thereof, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem reaſonable; And in caſe ſuch Collectors, Receivers, Clerks, Treaſurers, or other Officers, or any of them, ſhall not give in ſuch Account, and make ſuch Payment, or produce and deliver up ſuch Receipts and Vouchers relating to the ſame, or verify the Articles thereof on Oath, when required ſo to do; then, and in either of the Caſes aforeſaid, any One or more Juſtice or Juſtices of the Peace for the County, Riding, or Diviſion, where the Offence ſhall be committed, ſhall make Enquiry concerning ſuch Default in a ſummary Way, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath; and if ſuch Perſon or Perſons ſhall be thereof convicted, ſuch Juſtice or Juſtices ſhall commit the Party to the Common Gaol of the County or Liberty where the Offence ſhall be committed, there to remain without Bail or Mainprize, until he ſhall have given and made a true and perfect Account and Payment as aforeſaid, or until he ſhall have compounded and agreed with ſuch Truſtees, or any Three or more of them, and have paid ſuch Compoſition to the ſaid Treaſurer or Treaſurers, or other Officer or Officers, to be by them appointed to receive the ſame; which Compoſition the ſaid Truſtees, or any Seven or more of them, at any Meeting, are hereby impowered to make.

Truſtees to allow Officers Salaries.

Officers to account upon Oath.

Juſtices may inquire into the Default;

and commit the Offender, until Payment or Compoſition made.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors, or ſuch Perſons as he or any Five or more of the ſaid Truſtees, ſhall appoint, to dig, gather, take, and carry away, or cauſe to be dug, gathered,

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

thereof, or taken and carried away, any Gravel, Sand, Stones, or other Materials for repairing the ſaid Roads, out of any River, Brook, Waſte or Common Ground, in any Pariſh, Town, Village, or Hamlet, wherein or near which the ſaid Roads, or any Part thereof, do lie, without paying any thing for ſuch Materials: And where there are not ſufficient Quantities of Gravel, Sand, Stones, or other Materials proper for that Purpoſe, to be had or found in, upon, out of, or from, ſuch River, Brook, Waſte or Common Grounds, it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, or the ſaid Surveyor or Surveyors, or any other Perſon or Perſons by them employed, having an Order from the ſaid Truſtees, or any Five or more of them, to dig, gather, take, and carry away, or cauſe to be dug, gathered, taken, or carried away, any Quantity or Quantities of Gravel, Sand, Stones, or other Materials proper and ſufficient for that Purpoſe, in, upon, out of, or from, the Lands, Fields, or Grounds, of any Perſon or Perſons where the ſame may be had or found, to be uſed, diſpoſed, and applied, in and towards the repairing the ſaid Roads (ſuch Lands, Fields, or Grounds, not being the Site of any Houſe or Houſes, or a Yard, Garden, Orchard, planted Walk, or Avenue to any Houſe, or any Piece or Parcel of incloſed Ground ſet apart or uſed as a Plantation or Nurſery of Trees) they the ſaid Truſtees, Surveyor or Surveyors, or other Perſon or Perſons, paying, or offering to pay, to the reſpective Owners or Occupiers of ſuch Lands, Fields, or Grounds, in, from, or over which ſuch Materials ſhall be digged, cut, taken, and carried away, ſuch Sum and Sums of Money for the ſame, and the Damage they ſhall reſpectively ſuſtain thereby, as the ſaid Truſtees, or any Five or more of them, ſhall judge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor or Surveyors, or other Perſon or Perſons appointed and employed as aforeſaid, and the ſaid Owners or Occupiers, or any or either of them, concerning ſuch Damage as aforeſaid, the Juſtices of the Peace at the next General Quarter Seſſions to be holden for the County, Riding, or Diviſion, where ſuch Difference ariſes, or the major Part of them preſent, on Ten Days Notice thereof being given in Writing by the Surveyor or Surveyors to the ſaid Owner or Occupier, Owners or Occupiers, or by the ſaid Owner or Occupier, Owners or Occupiers, to the ſaid Surveyor or Surveyors, or left at their reſpective Places of Abode with ſome one of their reſpective Families, ſhall hear, ſettle, and determine the Matter of ſuch Damage, and the Judgement

without paying for the ſame;

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

making Satisfaction to the Owners of the Grounds.

Juſtices to determine Differences.

or Order of such Justices therein shall be final and conclusive to all Parties.

Trustees, &c. may gather Materials from Quarries.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Three or more of them, or their Surveyor or Surveyors, or any other Person or Persons employed or directed so to do by the said Trustees, or any Three or more of them, or by the said Surveyor or Surveyors, may, and they are hereby authorized to enter into any Quarry, and to take and carry away the Chipping, Rubbish, and Refuse therein, without paying any thing for the same, the Owner or Occupier of such Quarry being present, or Notice being given to such Owner or Occupier, or to some or One of his Family, at least Twenty four Hours before such taking and carrying away as aforesaid.

Trustees may make Causeways,

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Three or more of them, or the Surveyor or Surveyors by them appointed as aforesaid, or any other Person or Persons by them or either of them appointed or employed, may, and is and are hereby authorized and impowered (they the said Surveyor or Surveyors, or other Persons, having a Warrant or Order under the Hands of the said Trustees, or any Three or more of them, for those Purposes respectively) to make or cause to be made any Causeway or Causeways in or along the Side or Sides of any Part or Parts of the said Roads; and shall or may erect or build, or cause to be erected or built, any Bridges or Arches of Stone, Brick, or Timber, upon, in, or across the said Roads, or any Part thereof; and may and shall make, raise, or erect, any Mounds or Banks, or dig or cut, or cause to be digged or cut, any Drains or Watercourses, in, through, or across, any Lands or Grounds, to prevent the said Roads or any Part or Parts thereof 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 may thereby sustain, as to the said Trustees, or any Three or more of them, shall seem meet.

erect Bridges, &c.

making Satisfaction to the Owners of the Ground.

Surveyors may remove Annoyances,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he and they shall appoint, from time to time to remove and carry away all Annoyances on any Part of the Roads aforesaid, by Filth, Dung, Ashes, Rubbish, or otherwise; and to turn any Watercourses, Sinks, or Drains, running into, along, across, or out of, the said Roads, to the Prejudice thereof; and to open, scour, cleanse, or enlarge,

turn Watercourses, &c.

and cleanse Ditches;

large, any Watercourſes or Ditches adjoining to the ſaid Roads, and make the ſame as deep and large as he or they ſhall think proper or neceſſary; and to make any new Drains adjoining to the ſaid Roads, ſo as the ſame be not made through any Garden, Orchard, Yard, planted Walk, or Avenue to a Houſe, or any Plantation or Nurſery for Trees; and to grub up, or cut down, lop, or top, any Trees or Buſhes growing in the ſaid Roads, or in the Hedges or Banks adjacent thereto, and to take and carry away the ſame; in caſe the Owners or Occupiers of the Premiſſes ſhall neglect to remove ſuch Annoyances, or to grub up, cut down, lop, or top, and carry away, ſuch Trees or Buſhes as aforeſaid, or to open, ſcour, or cleanſe, ſuch Watercourſes or Ditches, or to make ſuch Drains as may be neceſſary, for the Space of Ten Days next after Notice in Writing given for that Purpoſe, under the Hand or Hands of the Surveyor or Surveyors, or of the ſaid Truſtees, or any Three or more of them; the Charges whereof ſhall be ſettled by the ſaid Truſtees, or any Three or more of them, and reimburſed to the ſaid Surveyor or Surveyors by ſuch Owners or Occupiers, ſo neglecting to grub up, cut down, lop, top, and carry away, ſuch Trees or Buſhes, or to open, ſcour, or cleanſe, ſuch Watercourſes or Ditches, or to make ſuch Drains, or to remove ſuch other Annoyances, as aforeſaid; ſuch Charges to be recovered, levied, and diſpoſed of, in ſuch Manner as the Penalties and Forfeitures by this Act impoſed are herein after directed to be recovered, levied, and diſpoſed of: And if, after Removal of any of the ſaid Annoyances, any Perſon ſhall again offend in the like Kind, every ſuch Perſon ſo offending, and being thereof convicted on Oath before One or more Juſtice or Juſtices of the Peace for the County, Riding, or Diviſion, where ſuch Offence was committed, ſhall, for every ſuch Offence, forfeit unto the ſaid Truſtees the Sum of Twenty Shillings, to be diſpoſed of and applied in repairing the ſaid Roads.

and cut down Buſhes, &c.

the Owners neglecting to remove the ſame after Notice;

Surveyors to be reimburſed the Charges.

Penalty of a Second Offence.

And whereas it may be proper in ſome Caſes to widen the ſaid Roads, or to divert and turn the Courſe thereof, in order to render the ſaid Roads more proper or convenient for Travellers and Carriages than the preſent Roads are; be it therefore further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, are hereby authorized and impowered, at any Time or Times during the Continuance of this Act, in caſe they ſhall think proper, to widen, turn, or alter, the Courſe of any of the reſpective Roads, or any Part or Parts thereof,

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

thereof, and to make any new and additional Road or Roads contiguous or near to any of the respective Roads by this Act directed to be amended and repaired, for the better Accommodation of Coaches, Carriages, and Travellers; and for that Purpose they the said Trustees, or any Three or more of them, shall have full Power and Authority, from time to time, during the Continuance of this Act, to treat, contract, or agree with the several Owners, Proprietors, Occupiers of, and Persons interested in, any Lands, Grounds, or Hereditaments, lying contiguous or near to any Road or Roads so to be widened, turned, or altered, or through or over which any new Road or Roads shall or may be made, for the Purchase of any such Lands, Grounds, or Hereditaments, or for the Loss or Damage any such Owners, Proprietors, Occupiers of, and Persons so interested in, or any of them, shall or may in any wise sustain, by such widening, turning, or altering, any such Road or Roads, or any Part or Parts thereof, or by making any such new additional Road or Roads as aforesaid; and out of the Tolls or Duties by this Act granted, and out of any Monies borrowed, and to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss and Damage, such Sum and Sums of Money as shall be agreed upon between the Owners, Proprietors, Occupiers, and Persons interested as aforesaid, and the said Trustees, or any Three or more of them, and also the Costs and Charges attending such Agreement and Purchase.

Bodies Politic, &c. to contract for Sale of such Lands.

And whereas it may happen that some Persons or Bodies Politic, Corporate, or Collegiate, Feoffees in Trust, or others, are or may be seised or possessed of Lands, Grounds, or Hereditaments, which may by the said Trustees be thought necessary or proper to be taken in, and added to the said respective Roads, for turning, widening, altering, or amending the same, or for making any new Road or Roads as aforesaid, and may be incapable of granting or conveying such Lands, Grounds, and Hereditaments, by reason of Infancy or other Disability; be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees whatsoever, for and 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 Three or more of them, for the Purchaſe of ſuch Lands, Grounds, or Hereditaments, or any Part or Parts thereof, and for their Intereſt 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 and effectual in the Law 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 Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, Corporations Aggregate and Sole, 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 by the Authority aforeſaid, That if any ſuch Owner, Proprietor, Occupier, Body Politick, Corporate, or Collegiate, Truſtee, or other Perſon intereſted in any Lands, Grounds, or Hereditaments, upon Notice to him or them given, or left in Writing at the Dwelling-houſe or Houſes, or Place or Places of Abode, of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Body Politick, Corporate or Collegiate, 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 reſpective Roads or any of them, or into which ſuch Road or Roads is to be turned or altered, or through or over which ſuch new and additional Road or Roads ſhall be made as aforeſaid, ſhall, by the Space of Fourteen 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 ſuch Caſe, the ſaid Truſtees, or any Three 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 where ſuch Lands, Grounds, or Hereditaments, ſhall reſpectively lie (which Oaths the ſaid Truſtees, or any Three or more of them, are hereby impowered and required to adminiſter) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to, ſuch Owners, Occupiers, or Proprietors, or other Perſon or Perſons intereſted as aforeſaid, for or upon the account of taking of ſuch Lands, Grounds, or Hereditaments, into the ſaid Road or Roads, or of turning ſuch Road or Roads into, or of making ſuch new Road or Roads over the ſame; and in order thereto,

Jury to aſſeſs the Damages.

Witnesses may be summoned, and examined upon Oath.

the said Trustees, or any Three 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 or Persons who shall be thought necessary or proper to be examined as a Witness or Witnesses touching or concerning the Premisses (which Oath any Three or more of the said Trustees are hereby impowered and directed to administer) and shall order and cause the said Jury to view the Places in Question, if there be Occasion, and use all other 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 Three or more of them, shall think fit; and after the said Jury shall have enquired of, ascertained, and settled, such Damage and Recompence, they the said Trustees, or any Three 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, Occupiers, or Proprietors of, or other Persons interested in, the said Lands, Grounds, or Hereditaments, according to

Verdict of the Jury to be binding.

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 Persons and Parties whatsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, and Persons under any other Disabilities whatsoever, Bodies Politick, Corporate, or Collegiate, as well as all and every other Person and Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons any ways interested in such Lands, Grounds, or Hereditaments, shall thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of, the same: And for the

Trustees may issue a Warrant to the Sheriff, to impanel a Jury.

summoning such Jury or Juries, the said Trustees, or any Three or more of them, are hereby impowered to issue out a Warrant or Warrants to the Sheriff of the County where such Lands, Grounds, or Hereditaments, do lie, thereby commanding and requiring him to impanel, summon, and return, an indifferent Jury of Twenty four Persons, to appear before the said Trustees, or any Three 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 Three 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.

Jurors may be challenged.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons concerned shall have their lawful Challenges against any of the said Jurymen, when they come to be sworn; and the said Trustees, or any Three or more of them, acting in the Premisses, shall have 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 Person or Persons who shall be summoned on such Jury, and shall not appear, or who shall refuse to be sworn on such Jury; or being so sworn, shall refuse or neglect to give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who being required to give Evidence before the said Jury touching the Premisses, shall refuse or neglect to appear, or appearing, who shall refuse to be examined, and give Evidence; and from time to time to levy such Fine or Fines in the same Manner as any other Forfeiture or Penalty is herein after directed to be levied; so as no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and that all such Fines shall be applied for such Uses, and in such Manner, as the Tolls and Duties hereby granted are to be applied.

Trustees may impose a Fine on Sheriff, &c. making Default in the Premisses.

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

And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, ascertained, or assessed, as aforesaid, shall be, and is hereby charged and chargeable upon the Monies which shall be raised, received, or borrowed, by virtue of this Act; and shall be paid thereout accordingly to the Persons respectively intitled thereto, or to their Agents; and that upon Payment 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 Clerk to the said Trustees, for the Use of such Persons, and after Ten Days Notice thereof given to such Persons,

Lands when purchaſed to be made Part of the Roads,

or their Agents, to receive ſuch Money, Conſideration, Recompence, or Satisfaction, it ſhall and may be lawful for the ſaid Truſtees, or any Three or more of them, their Surveyor, Workmen, or Agents, to take into and add ſuch Grounds, Lands, and Hereditaments, to the ſaid Road or Roads, or to make any new or additional Road or Roads, over and through ſuch Grounds, Lands, and Hereditaments, and to do all and every ſuch Act, Matter, or Thing, with relation to ſuch Lands, Grounds, or Hereditaments, as the ſaid Truſtees, or any Seven or more of them, ſhall think fit and proper: And after the Purchaſe of the ſaid Lands, Grounds, or Hereditaments, or Adjudication of the Value thereof made, and Tender of Payment, and Notice thereof given as aforeſaid, ſuch Lands, Grounds, and Hereditaments, ſhall be laid into, or added to, and made Part of, the ſaid Road or Roads, in ſuch Manner as the ſaid Truſtees, or any Seven or more of them, ſhall order and direct; and ſhall be by them, or ſuch Perſon or Perſons as they, or any Three or more of them, ſhall appoint, ſufficiently drained, ditched, fenced, and ſet out for that Purpoſe; and after ſuch draining, ditching, fencing, and ſetting out, the ſaid Lands, Grounds, or Hereditaments, ſhall, to all Intents whatſoever, become and be, and be deemed and taken to be, a public and common Highway, and be from thenceforth deemed and taken to be Part of the ſaid Road or Roads for ever after; and ſhall be repaired, and kept in Repair, by ſuch Ways and Methods, in all Reſpects, as the reſpective old Roads lying near or adjoining to any ſuch new or additional Road or Roads are and ought to be kept in Repair.

and deemed a public Highway.

Buildings, &c. not to be injured.

Provided always, and be it further enacted by the Authority aforeſaid, That in widening, turning, or diverting any Part or Parts of the ſaid Roads, or making ſuch new or additional Road or Roads, as aforeſaid, nothing ſhall be done which ſhall or may in any wiſe injure or damage any Houſe or Building, or any Yard, Garden, Orchard, Plantation, or Nurſery of Trees, or any planted Walk, or Avenue to any Houſe.

Truſtees may borrow Money upon the Credit of the Tolls.

And, foraſmuch as the Money to be collected by the Receipt of the Tolls or Duties by this Act impoſed or granted, will not be ſufficient for the ſpeedy amending of the Roads hereby directed to be repaired, be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall, and they are hereby impowered from time to time, by any Writing under their Hands and Seals, without any Stamp to be impreſſed thereon, to aſſign over the ſaid Tolls or Duties,

Duties, or any Part thereof (the Costs and Charges of such Assignment to be borne and paid out of the said Tolls or Duties) for the whole Time or Term for which the same are hereby made payable, or any Part of such Time or Term, as a Security for any Sum or Sums of Money so to be borrowed by the said Trustees to such Person or Persons, or his, her, or their Trustee or Trustees, as shall advance or lend such Money, to secure the Repayment thereof by and out of the Money arising or to be collected by the said Tolls or Duties, with such Interest for the same, as the said Trustees, or any Seven or more of them, shall think fit and agree to give, not exceeding legal Interest; which said Money so borrowed shall (after paying the Expences of obtaining this present Act) be applied and disposed of as the said Tolls or Duties are to be applied and disposed of by virtue hereof, and to no other Use or Purpose whatsoever; and no Preference shall be given to any Person or Persons advancing any Part or Parts of the Sum so borrowed, in respect to the Priority of advancing his, her, or their Part or Parts thereof; but that all such Lenders, and Persons to whom such Assignments shall be made as aforesaid, shall (so far as the said gross Sum shall extend) be, and are hereby declared to be, Creditors on the said Tolls or Duties in in an equal Degree one with another; and that all and every the original Assignment or Assignments so to be made by the said Trustees for securing such Sum or Sums of Money, shall be entered at Length in a Book, to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers; which said Book shall and may be perused at all seasonable Times by any Person or Persons whatsoever, without Fee or Reward: But no Money shall be borrowed by the said Trustees upon the Credit of the said Tolls after any Turnpike Gate shall be erected by virtue of this Act, unless Fourteen Days Notice be previously given thereof, by Writing under the Hand of the Clerk to the said Trustees, to be by Order of the said Trustees, or any Three or more of them, affixed on all the Turnpikes erected by virtue of this Act.

All Creditors to be deemed equal in Degree.

Entries to be made of all Assignments.

Notice to be given of borrowing Money.

And be it further enacted, That all and every Person or Persons to whom any such Assignment or Assignments shall be made by the said Trustees, or any Seven or more of them, or who shall be intitled to the Money thereby secured, may, and they are hereby impowered from time to time, by Words of Assignment to be indorsed on his, her, or their Security or Securities, to assign or transfer such Security or Securities, and all Benefit and Advantage thereof, and all his, her, and their Right, Title, and Interest to the Principal and Interest Money thereby

Assignments may be transferred.

thereby ſecured, or any Part thereof, to any other Perſon or Perſons whatſoever; and ſuch Aſſignment 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 the ſame again, and ſo toties quoties.

Aſſignments of Securities exceeding 100 *l.* to be regiſter'd with the Clerk.

Sums under 100 *l.* may be transferred by Indorſement, without ſuch Entry.

Provided always, That all ſuch Aſſignments or Indorſements of ſuch Securities as exceed the Sum of One hundred Pounds, ſhall be entered in a Book to be kept for that Purpoſe by the reſpective Clerk or Clerks, Treaſurer or Treaſurers for the time being; and in caſe any Security ſo aſſigned ſhall not exceed the Sum of One hundred Pounds, it ſhall and may be lawful to and for the reſpective Perſon or Perſons then intitled to ſuch Security or Securities, or Aſſignment reſpectively, by an Indorſement of his, her, or their proper Name, without Witneſs, to transfer his, her, or their Property in ſuch Security, Aſſignment or Aſſignments, to any other Perſon or Perſons, without any Entry to be made with the Clerk or Treaſurer, and ſo toties quoties as often as they ſhall think fit.

Exemptions from Tolls.

Provided always, and it is hereby declared and enacted, That no Tolls or Duties ſhall be demanded or taken at any Turnpike to be erected by virtue of this Act, for any Perſon going to, or returning from, any Election of a Knight or Knights of the Shire for the ſaid Counties of York, Weſtmorland, and Lancaſter, on the Day of ſuch Election, and One Day next before and after the ſame; nor for any Waggon, Wain, Cart, or other Carriage, or for any Horſe or other Beaſt drawing or carrying any Materials for repairing any Road or Highways, or any Dung, Lime, Mould, Soil, or Compoſt, for manuring any Lands or Grounds, or any Graſs, Hay, Corn in the Straw, or Coals, Wood, Heath, Furze, Ling, Turf, or Peat for Fuel, or any Ploughs, Harrows, or other Implements of Husbandry, to be uſed for tilling or manuring of Lands, or any Materials to be uſed in erecting or building new Houſes or Edifices, or repairing old Ones, within the reſpective Pariſhes, Townſhips, or Places, wherein the ſaid Roads do lie; or any Corn or Grain to be ground at any Mill, within any of the Pariſhes or Places aforeſaid, to be uſed in the Houſes only of the ſeveral Families inhabiting or reſiding within ſuch Pariſhes or Places reſpectively; or for any Horſe or other Beaſt laden with Milk; or for any Perſon reſiding in any of the reſpective Pariſhes or Townſhips, who ſhall paſs to and from Church or Chapel, or

other

other lawful Place of Religious Worſhip on Sunday, or who ſhall attend the Funeral of any Perſon who ſhall die or be buried in any of the Pariſhes or Places in which any of the ſaid Roads do lie; or for any Horſe or other Cattle going to or from Water or Paſture, or for the Purpoſe only of being ſhoed at any Smith's Shop, within the Pariſhes, Townſhips, or Places, where the ſaid Roads intended to be repaired by this Act do reſpectively lie, not being above Two Miles diſtant from ſuch Turnpike-gate or Gates reſpectively; or for any Poſt-horſe carrying or drawing the Mail or Packet; or for the Horſes of any Officers or Soldiers paſſing on their March; or for Horſes or Carriages belonging to or paſſing with them, or carrying their Baggage; or any Horſes or Carriages carrying Vagrants ſent by Paſſes.

Penalty on making illegal Claims.

Provided alſo, That if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being intitled to the ſame, ſuch Perſon ſhall forfeit and pay the Sum of Twenty Shillings, to be recovered and applied in manner herein after directed.

Perſons liable to repair any Part of the Road, to continue ſo.

Provided alſo, and it is hereby enacted, That all Perſons who by Law are obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, or chargeable towards amending the ſame, ſhall ſtill remain liable and chargeable, and do their reſpective Works in the Pariſhes or Townſhips reſpectively in which the ſaid Roads do lie, in ſuch Manner as ſuch Perſons ought to have done before the paſſing of this Act; and ſhall and are hereby required to do and perform ſuch and ſo many Days Work in ſuch Parts of the ſaid Roads by this Act directed to be repaired, and lying within the Pariſhes, Townſhips, or Places, in which ſuch Inhabitants reſpectively ſhall live, and at ſuch Times, and in ſuch Manner, as the ſaid Truſtees, or any Three or more of them, or the Surveyor or Surveyors by them authorized ſhall direct and appoint; and that every Inhabitant of the ſaid Towns, Pariſhes, and Places reſpectively, who ſhall keep a Horſe, Mare, or Gelding, and Cart, ſhall ſend the ſame with able Perſons to work therewith, according to the Laws now in being, for and towards the repairing the ſaid Highways, on ſuch Days, and under the like Penalties for Default, as are now by Law appointed; and the ſaid Turnpike Surveyors ſhall attend the reſpective Days and Places of the Statute-work to be done, and lay out the Road, and direct the Manner in which ſuch Road reſpectively ſhall be formed and made; and the Surveyors of the ſeveral Pariſhes, Townſhips, and Places, reſpectively, and the Workmen under

Inhabitants to do Statute-work.

under their Charge, ſhall be ſubject in the repairing of ſuch Roads to the Orders of ſuch Turnpike Surveyor: Provided, That if any ſuch Surveyor of any Pariſh or Townſhip, or any Labourer under his Charge, or other Inhabitant, ſhall think himſelf aggrieved by any thing done by the ſaid Turnpike Surveyor, or by the ſaid Truſtees, or any Three or more of them, in the Premiſſes, he may (on giving Fourteen Days Notice in Writing) appeal to the next General Quarter Seſſions of the Peace to be holden for the County, Riding, or Diviſion, where ſuch Default ſhall be made; and the Juſtices then and there ſhall finally hear and determine the ſame, whoſe Order therein ſhall be final.

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

And be it enacted by the Authority aforeſaid, That the Surveyor or Surveyors of the Highways for the reſpective Townſhips, Pariſhes, or Places, wherein any Part of the ſaid Roads do lie, ſhall, and are hereby required at the Firſt Meeting of the ſaid Truſtees after the Firſt Day of January in every Year during the Continuance of this Act, Ten Days Notice of ſuch Meeting being fixed on all the Turnpikes erected by virtue of this Act) to deliver in to the ſaid Truſtees true and perfect Liſts in Writing before ſuch Truſtees, or any Three or more of them, upon Oath (which Oath the ſaid Truſtees, or any Three or more of them, are hereby impowered to adminiſter) of the Names of the ſeveral Perſons who within each Townſhip, Pariſh, or Hamlet, reſpectively, are obliged by this Act, or by any other Law to do their Statute-work for that Year: And in caſe any of the ſaid Surveyors of the Highways ſhall refuſe or neglect to deliver in true and perfect Liſts as aforeſaid, then every ſuch Surveyor ſhall for every ſuch Neglect or Refuſal forfeit the Sum of Five Pounds.

Surveyors of the Highways to give in Liſts of Perſons who are chargeable to do Statute-work.

Penalty on Surveyors neglecting to deliver in ſuch Liſts.

Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Surveyor or Surveyors of the Highways of any of the ſaid Pariſhes or Townſhips (by and with the Conſent of the Inhabitants of ſuch Pariſhes or Townſhips, firſt had at a Veſtry, or other publick Meeting of ſuch Inhabitants) to compound and agree by the Year or otherwiſe, with the Truſtees, or any Five or more of them, for or in lieu of the Statute-work to be performed by the Inhabitants of ſuch Pariſhes or Townſhips, upon any Part of the ſaid Roads; and if ſuch, or any future Surveyor or Surveyors ſhall pay ſuch Compoſition-money, or the ſame ſhall be levied on him or them, he or they ſhall be reimburſed the Monies ſo by him or them paid or levied on him or them, in ſuch Manner as Surveyors of Highways are, by

Surveyors with Conſent of Inhabitants may compound for Statute-work.

the Law now in being, to be reimburſed the Monies by them expended in buying Materials for repairing the Highways: And in caſe ſuch Compoſition-money ſhall not be paid to the ſaid Truſtees, or any Three or more of them, or to ſuch Perſons as they ſhall appoint to receive the ſame, within Fifteen Days after the ſame ſhall be demanded; it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace, within the Counties and Ridings aforeſaid, upon Oath made before him or them of ſuch Default; and he and they is and are hereby required to iſſue a Warrant under his Hand and Seal, or under their Hands and Seals, impowering ſuch Perſon ſo by the ſaid Truſtees, or any Three or more of them, appointed to receive ſuch Compoſition-money, to levy the ſame by Diſtreſs of the Goods and Chattles of the Surveyor or Surveyors of the Highways for the time being, of the ſaid Pariſh or Pariſhes, Townſhip or Townſhips, Hamlet or Hamlets reſpectively; and ſuch Goods and Chattles ſo diſtrained, after the Space of Four Days (ſuch Compoſition-money, and the reaſonable Charges of diſtraining and keeping the ſame, not being paid) to ſell; returning the Overplus (if any be) to the Owner or Owners thereof upon Demand, after the ſaid Compoſition-money and the reaſonable Charges of diſtraining, keeping, and ſelling, the ſame, ſhall be deducted and paid; which Compoſition-money ſhall be by the ſaid Truſtees, or any Three or more of them, applied towards amending the ſaid Roads, and to no other Uſe or Purpoſe whatſoever.

Compoſition-money, how to be recovered and applied.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Turnpike Surveyor or Surveyors, by Order of the ſaid Truſtees for the time being, 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 (not being the Ground whereon any Houſe or Building ſtands, or a Garden, Orchard, Park, or planted Walk or Walks, or Avenue to any Houſe already planted, or any Piece or Parcel of incloſed Ground planted or ſet apart for a Plantation or Nurſery of Trees) to be made uſe of for any Paſſengers with Horſes, Coaches, or Carriages, or otherwiſe, as a publick Highway, whilſt the old, narrow, or ruinous Road is repairing, and until ſuch Time as it ſhall be convenient and ſafe for Paſſengers and Carriages to travel and go along the ſaid Roads intended to be repaired, and no longer; making ſuch reaſonable Satisfaction to the Owners or

Surveyors may make a temporary Road,

making Satisfaction to the Owners.

Occupiers of ſuch Ground reſpectively, for the Damage ſuch Owners or Occupiers reſpectively ſhall or may ſuſtain thereby, as ſhall be adjudged by the ſaid Truſtees for the time being, or any Five or more of them: And in caſe any Difference ſhall happen between ſuch Owner or Owners, Occupier or Occupiers, and the ſaid Truſtees, touching or concerning ſuch Damages, that then it ſhall and may be lawful to and for the Juſtices of the Peace, or the major Part of them, at their next General Quarter Seſſions, to be holden for the reſpective Counties or Ridings aforeſaid, to hear, ſettle, adjudge, and finally determine the ſame.

Juſtices to determine Differences.

Juſtices to appoint Perſons to inſpect the Roads, and to enquire concerning the Application of the Tolls, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices of the Peace for the ſaid ſeveral Counties and Ridings, at any of their reſpective General Quarter Seſſions, to be holden for the Counties and Ridings aforeſaid, after Chriſtmas in each Year, if they think fit, to appoint One or more Perſon or Perſons of the ſaid Counties and Ridings, to ſurvey and view the ſaid Roads by this Act directed to be amended, and to enquire of and concerning the Application of the Tolls and Duties taken and received in purſuance of this Act: And in caſe ſuch Perſon or Perſons ſo appointed, ſhall find any Miſapplication of the Monies collected, levied, or raiſed by virtue of this Act, or any other Abuſes of the Powers or Authorities hereby given, ſuch Perſon or Perſons ſhall thereupon certify the ſame to the ſaid Juſtices of the Peace, at any of their Quarter Seſſions to be held for the reſpective Counties or Ridings aforeſaid, who are hereby authorized, impowered, and required, to hear, examine, and fully determine the ſame, without any further or other Appeal: And all and every ſuch Sum or Sums of Money, or other Satisfaction as the ſaid Juſtices at any of their Quarter Seſſions to be holden as aforeſaid, or the major Part of them then preſent, ſhall think fit to order and direct to be paid or given, ſhall, by the Perſon or Perſons making ſuch Miſapplication or committing ſuch Abuſes, and ſo ordered to pay, be paid to the Treaſurer of the ſaid Turnpike or Turnpikes for the time being, within Ten Days next after ſuch Determination and Demand thereof made; and in Default thereof, it ſhall be lawful for the ſaid Juſtices, at their next General Quarter Seſſions, or the major Part of them then preſent, from time to time, after ſuch Determination made, by Warrant to levy the ſame by Diſtreſs and Sale of the Offender's Goods, returning the Overplus (if any) after deducting the Coſts and Charges of ſuch Diſtreſs and

Sale, to the Perſon or Perſons ſo neglecting to make ſuch Payment or Satisfaction; and for want of ſufficient Diſtreſs to be found for that Purpoſe, to commit the Perſon or Perſons to the Common Gaol or Houſe of Correction of the County or Place where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize, until Payment or Satisfaction ſhall be made as aforeſaid.

Truſtees may compound for Tolls.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall and may, and they are hereby impowered to compound or agree with any Perſon or Perſons, whoſe Dwelling ſhall be within the Diſtance of One Mile of any Turnpike-gate to be erected by virtue of this Act, for paſſing through ſuch Gate only (and with no other Perſon) for any Sum or Sums of Money, to be paid annually or otherwiſe, in lieu of the ſaid Tolls or Duties granted by this Act.

Roads to be meaſured, and Mile-ſtones erected.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Three or more of them, ſhall direct, and they are hereby required to cauſe the ſaid Roads to be meaſured, and Stones or Poſts to be ſet up in or near the Sides of the ſaid Roads, at the Diſtance of One Mile from each other, denoting the Diſtance of every ſuch Stone or Poſt from London, or any other Place, as to the ſaid Truſtees, or any Three or more of them, ſhall ſeem meet: And if any Perſon ſhall wilfully and maliciouſly break, pull up, injure, or deſtroy, any of ſuch Stones or Poſts as ſhall be ſo erected, or ſhall obliterate or deface any of the Letters, Figures, or Marks, which ſhall be inſcribed thereon, every ſuch Perſon ſo offending, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence; One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be laid out and applied in repairing ſuch Stones or Poſts, or in ſupplying of new Ones in their ſtead; and if there ſhall be any Overplus, the ſame ſhall be laid out in repairing the Roads directed to be repaired by this Act; And in caſe ſuch Offender ſhall have no Goods or Chattles, then it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace for the County or Riding where ſuch Offence ſhall be committed, by Warrant under his or their Hand and Seal, or Hands and Seals reſpectively, to commit ſuch Offender to the Common Gaol or Houſe of Correction of the County, Riding, Diviſion, or Place, where the Offender ſhall be convicted, for any Time not exceeding One Calendar Month, or until he or they ſhall have paid the ſaid Sum of Forty Shillings.

Penalty on defacing Mile-ſtones, &c.

For want of Diſtreſs, Offender to be committed.

And

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of Two or more Justices of the Peace for the Counties and Ridings aforesaid where the Offence shall be committed; which Warrant the said Justices are hereby impowered and required to grant, upon the Confession of the Party or Parties, or upon the Testimony of One or more credible Witness or Witnesses, upon Oath; and the 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 Charge of such Distress and Sale being first deducted, shall be paid to the said Trustees, or any Three or more of them, or to their Treasurer or Treasurers, and shall by them respectively be applied, if not otherwise directed to be applied by this Act, for and towards amending the said Roads.

Persons aggrieved may appeal to the Quarter Sessions.

Provided always, and be it further enacted by the Authority aforesaid, That in case any Person shall think himself, herself, or themselves, aggrieved by any Act, Order, or Judgement, done, made, or awarded, in pursuance of this Act, and for which no particular Method of Relief hath been already hereby appointed, it shall and may be lawful for him, her, or them, to appeal to the Justices of the Peace at their next General Quarter Sessions of the Peace, to be held for the Counties or Ridings aforesaid; he, she, or they, causing Fourteen Days Notice in Writing of such Appeal, and of the Cause or Matter thereof, to be given to the Person or Persons, on whose Evidence such Act, Order, or Judgement, shall be so done, made, or awarded, and to some or One of the Collectors or Receivers of the said Tolls; which said Justices so assembled, are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint of any such Person in a summary Way; and the Orders and Judgements of the said Justices shall be final and conclusive to all Parties concerned or interested therein.

14 Days Notice of Appeal to be given.

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

or removeable by *Certiorari*.

Provided also, and be it further enacted by the Authority aforesaid, That no Conviction, Judgement, or Order, of the said Justices, to be had touching the Conviction of any Offenders against this Act, shall be quashed or vacated for want of Form, or be removeable by Certiorari,

or

or any other Process, into any of His Majesty's Courts of Record at Westminster.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforesaid, That this Act, and the several Authorities and Powers hereby given, shall take Place and have Continuance from and after the Day Three Weeks after the passing this Act, for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

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

And be it further enacted by the Authority aforesaid, That when and as often as any of the said Trustees shall die or refuse to act, it shall be lawful for the surviving Trustees, or any Seven or more of them, from time to time, to elect and appoint One or more fit Person or Persons to be a Trustee or Trustees, in the Room of such Trustee or Trustees so deceased or refusing to act; and Notice in Writing of the Time and Place of Meeting for the Election of every such new Trustee, shall be fixed at all the Turnpikes to be erected by virtue of this Act, at least Ten Days before the Meeting for such Election; and all such Persons as shall, from time to time, be so chosen and appointed, being duly qualified as herein before directed, shall be joined with such surviving Trustees, and they are hereby authorized and impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees hereby appointed are impowered to act.

10 Days Notice of Election to be given.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the Trustees hereby appointed, or any Seven or more of them, shall meet together at the House of Robert Thistlethwaite, the Old King's Arms in Sedbergh aforesaid, upon the First Tuesday after the Commencement of this Act, and shall proceed to the Execution of this Act, and shall then adjourn themselves, and afterwards meet at the House of the said Robert Thistlethwaite, or at any other convenient Place within the said Town of Sedbergh, or elsewhere upon the said Roads, as the said Trustees, or the major Part of them, shall think proper, as often as it shall be necessary for putting this Act in Execution: And if it shall happen there shall not appear at any such Meeting a sufficient Number of Trustees to act at any such Meeting, and to adjourn themselves, the Clerk to the said Trustees shall, by publick Notice in Writing to be affixed at or on all the Turnpikes which shall be erected by virtue of this Act, at least Ten Days before the next Meeting, appoint the said Trustees to meet at the House where the last Meeting was appointed to be held, on that Day Three Weeks from the Day on which such Meeting was appointed

In Default of a sufficient Number of Trustees to act,

Notice to be given of another Meeting.

Trustees to bear their own Expences.

ed to be held; and that the said Trustees shall, at all their Meetings, defray their own Charges and Expences.

Treasurer to give Security.

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

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

Provided always, and be it further enacted by the Authority aforesaid, That if any Person appointed a Trustee by virtue of this Act, shall have or hold any Place of Profit arising out of the Tolls or Duties hereby made payable, such Person shall be incapable of acting as a Trustee, during his Enjoyment of such Place of Profit: And that

No Victualler, &c. to hold any Place of Profit.

no Innholder, Victualler, or Person who shall sell any Spirituous or Fermented Liquors by Retail; or any Person or Persons who shall carry any Goods for Hire; or have, use, or exercise, the Occupation of a Common Carrier; shall be capable of holding or enjoying any Office or Place of Trust or Profit under this Act.

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

Provided also, and be it further enacted by the Authority aforesaid, That such of the said Trustees as are or shall be in the Commission of the Peace for the several Counties and Ridings aforesaid, or any of them, may and are hereby authorized and impowered to act as Justices of the Peace, in the Execution of the several Powers hereby given to any Justice or Justices of the Peace, notwithstanding his or their being such Trustee or Trustees.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That full, true, and fair Accounts and Entries of all the Monies that shall be collected and received, laid out, expended and paid, by virtue of this Act, and of all Orders, Acts, Matters, Proceedings, and Things, which shall be done by the said Trustees in the Execution of the Powers hereby to them given, shall from time to time be duly and regularly entered in Books which shall be kept for those Purposes; and the said Accounts of all Receipts and Disbursements shall be settled and audited Twice in each Year at least; that is to say, At the First Meeting of the said Trustees which shall be held after the Feast of Saint John the Baptist, and likewise at the First Meeting to be held after the Feast of the Nativity of our Saviour; and Copies of all the said Accounts of Receipts and Disbursements of all the Money arising by virtue of this Act, when so audited and passed by the said Trustees, or any Three or more of them, shall be filed in the Office of the Clerk of the Peace for the said County of Westmorland,

to be ſeen and peruſed at all ſeaſonable Times by any Perſon or Perſons gratis; And all and every Perſon and Perſons who ſhall demand the ſame, ſhall be intitled to a Copy thereof, paying for the ſame at the Rate of Four Pence a Sheet, each Sheet to conſiſt of Seventy two Words.

Writings to be without Stamps.

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

No Order to be repealed unleſs Seven Truſtees are preſent.

And be it enacted by the Authority aforeſaid, That no Order made by the ſaid Truſtees, or any Three or more of them, in, for, or concerning the executing the Truſts, Powers, and Authorities, of this Act, or any of them, ſhall be revoked, repealed, or ſet aſide, by any ſubſequent Order of the ſaid Truſtees, unleſs Seven Truſtees ſhall be then preſent, and Five of them at leaſt ſhall concur in revoking or repealing the ſame; or if more than Seven be preſent, then at leaſt Two Thirds of the whole Number to concur as aforeſaid in revoking or repealing the ſame.

Limitation of Actions.

And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, the ſame ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid, brought, and tried, within ſuch of the Counties aforeſaid where the Fact ſhall be committed, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the Matter or Thing for which ſuch Action or Suit ſhall be ſo brought, was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to be done; or if any ſuch Action or Suit ſhall be commenced after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid; then the Jury ſhall find for the Defendant or Defendants; and upon

General Iſſue.

upon a Verdict for the Defendant, 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, the De-
Treble Coſts. fendant or Defendants ſhall have Treble Coſts, and have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

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

FINIS.