Anno tertio

Georgii III. Regis.

An Act to enlarge the Term and Powers granted by an Act made in the Eighteenth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act to repair and widen the Road leading from* Godmanchester *in the County of* Huntingdon, *through* Fen Stanton *and* Cambridge, *to the first Rubbing House on* Newmarket Heath, *in the County of* Cambridge.

WHEREAS by an Act made in the Eighteenth Year of the Reign of His late Majesty King George the Second, intituled, An Act to repair and widen the Road leading from *Godmanchester* in the County of *Huntingdon*, through *Fen Stanton* and *Cambridge*, to the first Rubbing House on *Newmarket Heath*, in the County of *Cambridge*, several Tolls and Powers were granted for repairing the said Road, and were to have Continuance from the Twenty fourth Day of June, One thousand seven hundred and forty five, for and during Preamble.

during the Term of Twenty one Years: And whereas a conſiderable Sum of Money has been taken up at Intereſt upon the Credit of the ſaid Act, which, together with the Tolls, have been duly applied, and great Progreſs hath been made in repairing the ſaid Road, yet the ſame cannot be effectually repaired and kept in Repair, and the Money now owing repaid, unleſs the Term and Powers by the ſaid Act granted be enlarged: May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, and all and every the Clauſes, Powers, Penalties, Forfeitures, Proviſoes, Matters, and Things, whatſoever, therein contained, ſhall be, and the ſame are hereby further continued from the Expiration thereof, and alſo of the additional Term granted by an Act made in the Twenty eighth Year of the Reign of His ſaid late Majeſty, intituled, An Act to amend an Act made in the Twenty ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the Public Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto,* for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament; ſubject to the Amendments, Alterations, Variations, and Additions, herein after contained.

The recited Act further continued for 21 Years.

And be it further enacted by the Authority aforeſaid, That the Truſtees appointed by or in Purſuance of the ſaid former Act, ſhall be, and they are hereby authorized and impowered to put this Act in Execution.

Truſtees for the former Act to put this Act in Execution.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Nine or more of them, ſhall and may, from time to time, cauſe One or more Turnpike or Turnpikes to be erected, upon or croſs any Part or Parts of the ſaid Road, and on the Side or Sides of the ſaid Road, and croſs any Lane or Way leading into or out of the ſame (except croſs the Turnpike Road leading from Saint Ives to Hilton in the ſaid County of Huntingdon) and alſo a Toll-houſe or Toll-houſes in, upon, or on the Side or Sides of the ſaid Road, and may cauſe any ſuch Turnpikes or Toll-houſes to be from time to time taken down, removed, or altered, and to receive the Tolls granted and made payable by the ſaid former Act, at ſuch Turnpike and Turnpikes.

Truſtees may erect Side-gates, &c.

Provided nevertheless, and be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in any Case in the Execution of the said former Act or of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds above Reprizes; or possessed of a Personal Estate alone, or Real and Personal Estate together, to the Amount of Eight hundred Pounds; or shall be Heir Apparent of a Person possessed of an Estate in Lands, Tenements, or Hereditaments, of the clear yearly Value of Three hundred Pounds: And if any Person not being so qualified, shall presume to act contrary to the Intent and Meaning hereof, every such Person shall, for every such Offence, forfeit the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered by an Action of Debt, or on the Case, or by Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Protection, or Wager at Law, or more than One Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in Execution of the said former Act or of this Act.

Qualification of Trustees.

Penalty on acting if not qualified.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Nine or more of them, at any Meeting or Meetings to be held for that Purpose, with the Consent of the major Part of the Creditors of the said Tolls, to lessen or alter all or any, or either of the Tolls by the said former Act granted, and afterwards to raise the same again, so as not to exceed the Sums thereby granted; and that no such Reduction shall be made, unless Twenty one Days previous Notice at the least shall be given in Writing upon all the Turnpikes then erected upon the said Road of the Intention to make such Reduction; and the Tolls so lessened or raised again, shall and may be collected and levied in such Manner, and applied for such Purposes only, as are directed by the said former or this present Act to be collected, levied, and applied.

Trustees may reduce the Tolls, &c.

and raise them again.

Charges of passing this Act to be first paid.

And be it further enacted by the Authority aforesaid, That the Charges of procuring and passing this Act shall, as soon as may be, be discharged and paid out of the Monies already borrowed, collected, or raised, or out of the first Monies that shall be borrowed, collected, or received, by or upon the Credit of the said former Act, or this present Act.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet together at the House known by the Sign of The Valiant Trooper, in Fen Stanton aforesaid, on the Third Tuesday after the Day of passing this Act, and proceed to the Execution of the said former Act and this Act; and shall then, and from time to time afterwards, adjourn themselves to meet there, or at any other Place, in Fen Stanton aforesaid, as the said Trustees, or any Five or more of them, shall, from time to time, think proper and convenient for putting the said Acts in Execution, so far as relates to that Part of the said Road which leads from the Horse-Shoe in Godmanchester aforesaid, to Cambridge aforesaid; and that the said Trustees, or any Five or more of them, shall meet together at the House known by the Name of The Rose Tavern in Cambridge aforesaid, on the Third Wednesday after the Day of passing this Act, and proceed to the Execution of the said former Act and this Act, and shall then, and from time to time afterwards, adjourn themselves to meet there, or at any other Place in Cambridge aforesaid, as the said Trustees, or any Five or more of them, shall, from time to time, think proper and convenient for putting the said Acts in Execution, so far as relates to that Part of the said Road which leads from Cambridge to the First Rubbing House on Newmarket Heath; and if there shall not appear at any Meeting a sufficient Number of Trustees to act and to adjourn to another Day, that then, and in every such Case, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall, by publick Notice in Writing, to be fixed on all the Turnpikes within the Division where the Meeting was to have been held, at least Ten Days before the next Meeting, appoint the Trustees to meet at the House where the last Meeting was appointed to be held, on the Twenty first Day after the Day on which such last Meeting was appointed.

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

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

And be it further enacted by the Authority aforesaid, That the Property of the several Gates or Turnpikes, and Toll-houses and Bridges, and other Works already erected, or which shall be erected or built, by virtue of

the said former Act or this present Act, and of the Materials of which the same shall consist, and also all Materials which shall be actually got or collected for repairing the said Road, shall be, and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby impowered to dispose of the same as they shall thing proper, or to bring, or cause to be brought, any Action or Actions, or prefer, or cause to be preferred, any Bill or Bills of Indictment, in the Name or Names of any Five or more of them, or in the Name of their Treasurer or Clerk, against any Person or Persons who shall break down or spoil any such Gates, Turnpikes, or Toll-houses, or steal or take away any such Materials, or do any Act to hinder or obstruct them or any of their Agents or Workmen in the due Execution of the said former Act and this present Act.

Trustees may lease, &c. the Tolls.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees, or any Nine or more of them, upon Ten Days Notice to be given thereof upon all the said Turnpikes, from time to time, by Writing under their Hands and Seals, without any Stamp thereupon, to lease, demise, let to farm, or set out the Tolls, by the said former Act granted, or any Part or Parts thereof, to any Person or Persons who shall be willing to take or farm the same, from Year to Year, not exceeding Three Years, upon publick Bidding, to the highest Bidder, and for the best Price the Trustees can get for the same, payable at such Times, and in such Manner, and under such Covenants, and with such Sureties for the Payment thereof, as they the said Trustees, or any Nine or more of them, shall think fit, and to be paid to the Treasurer or Treasurers, appointed by the said Trustees to receive the same, and the Monies arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied.

And whereas the Trustees to the said former Act did, soon after the passing thereof, by Permission of the Commoners of Fen Stanton aforesaid, cause to be erected divers Gates, Rails, and Fences, on the Side or Sides of their Common, called Fen Stanton Common, to prevent Travellers with Cattle and Carriages, evading Payment of Toll at the Turnpike erected in the said Parish of Fen Stanton, on the Side of that Part of the said Road which leads from the Turnpike at Fen Stanton to the River Ouze, and provided Locks, and a sufficient Number of Keys to such Gates, for the Commoners of Fen Stanton aforesaid, that they might have free Passage

sage for themselves, their Servants, Cattle, and Carriages, to pass and repass, to, from, and over the said Common, at their Will and Pleasure: Be it therefore further enacted by the Authority aforesaid, That it shall be lawful for the said Trustees to continue such Gates, Locks, Rails, and Fences, and to keep the same in Repair, and make and provide such other Gates, Locks, Rails, and Fences, on the Side or Sides of any Part of the said Common, in such Manner as they the said Trustees, or any Five or more of them, shall, at any General Meeting, to be holden at Fen Stanton aforesaid, think proper and appoint, in order to prevent the evading the Payment of the said Tolls, or any Part thereof: And if any Person or Persons shall steal, take away, damage, or destroy, any of the said Gates, Rails, or Fences, or steal, damage, or break any Lock or Locks of such Gate or Gates, or open any Passage through the said Gates or Fences, whereby the Payment of Toll shall be evaded, every such Person shall pay to the said Trustees, or according to the Order of any Five or more of them, the Expence of repairing and restoring such Gates, Locks, Rails, and Fences, such Expence to be ascertained by the said Trustees, or any Five or more of them; and shall also forfeit for every such Offence, any Sum not exceeding Five Pounds, as the said Trustees, or any Five or more of them, shall order and appoint, to be recovered in such Manner as the Penalties and Forfeitures are herein after appointed to be recovered.

The Gates, Locks, Rails, and Fences, on the Side of *Fen Stanton Common* to be continued; and such other as shall be judged necessary, to be made.

Penalty of destroying the same.

Provided always, That the said Trustees shall find and provide for each of the Commoners of Fen Stanton aforesaid for the Time being, One Key, gratis, which will open any of the said Locks belonging to such Gate or Gates, so erected, or to be erected, on the Side or Sides of any Part of the said Common, so that such Commoners may have a free and convenient Passage for themselves, their Servants, Cattle, and Carriages, to pass and repass through the same, to, from, and over the said Common, at their Will and Pleasure; but that if any such Commoner, as aforesaid, shall lose his or her Key to such Lock or Locks as aforesaid, that then such Commoner shall, at his or her own Expence, find and provide another Key in its stead, in order to have such free Passage as aforesaid.

Keys at the first, to be found *gratis* for the Commoners;

if any lost, the Commoners to provide them at their own Expence.

And be it further enacted by the Authority aforesaid, That if any such Commoner, as aforesaid, or his or her Servant or Servants, shall wilfully leave any such Gate

Penalty on Persons evading the Tolls.

or

by Gates open or unlocked, or permit any Person or Persons not intitled to such free Passage, as aforesaid, to pass through any such Gate or Gates, or Fences, as aforesaid, with any Horse or Horses, or any Sort of Cattle or Carriages, to evade the Payment of the Tolls, each Commoner, so offending, shall forfeit for every such Offence, any Sum not exceeding Forty Shillings, as the said Trustees, or any Five or more of them, shall order and appoint; to be recovered in such Manner as the Penalties and Forfeitures are herein after appointed to be recovered.

Writings to be without Stamps.

And be it further enacted by the Authority aforesaid, That no Writing or Writings whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by, any Trustee or Trustees, or Justice or Justices of the Peace, or exhibited before them, or under the Hands and Seals, or Hand and Seal of, or only signed by, any other Person or Persons whatsoever, relating to the Execution of this Act, shall be chargeable with any Stamp Duty whatsoever.

Treasurer to give Security.

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

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

And be it further enacted by the Authority aforesaid, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, or any Menial Servant of any Trustee, shall be capable of holding any Place of Profit under this Act.

Officers not to gain a Settlement under this Act.

And be it further enacted by the Authority aforesaid, That no Collector, Surveyor, or other Officer, or Person, shall gain a Settlement in any Parish, or Place, by reason of his being appointed to, or serving under this Act.

Penalties and Forfeitures to be levied by Distress and Sale;

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures in and by the said former Act, and this present Act, incurred, shall, upon Proof of the Offences respectively, before any Justice or Justices of the Peace, of the County, or Place, wherein the respective Offender or Offenders shall reside, or the Offence be committed, either by the Confession of the Party or Parties offending, or by the Oath of One credible Witness, be levied by Distress and Sale of the Goods and Chattles of the Party or Parties offending, by a Warrant or Warrants, under the Hand and Seal,

or Hands and Seals, of the said Justice or Justices; which Warrant or Warrants, such Justice or Justices is and are hereby impowered to grant for those Purposes, and to administer such Oath; and the Overplus, after such Penalties and Forfeitures, and the Charges of the Distress and Sale are recovered and deducted, shall be returned, upon Demand, to the Owner or Owners of such Goods and Chattles; and the Penalties and Forfeitures, when paid or levied, shall, if not otherwise directed to be applied by the said former Act, or this present Act, be, from time to time, paid to the said Trustees, or their Treasurer, and be laid out and applied in the Repair of that Part of the said Road where such Offence or Offences was or were committed. And in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall and may be lawful for any such Justice or Justices of the Peace, and he and they is and are hereby authorised and required, by a Warrant or Warrants, under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Goal of the County where such Offence or Offences was or were committed, there to remain without Bail or Mainprize, until he, she, or they, shall have paid such Penalties and Forfeitures, or compounded for the same, and paid such Composition-money to the said Trustees, or their Treasurer; which Composition the said Trustees, or any Five or more of them, are hereby impowered to make.

And to be applied in Repair of the Road, where the Offence was committed.

For want of Distress, Offender to be committed.

Persons aggrieved may appeal to the Quarter Sessions.

Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of the said former Act, or this present Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace for the County where the Cause of Complaint shall arise; or, in case the Cause of Complaint shall arise within Fourteen Days next before such General Quarter Sessions, then such Appeal may be made to the Justices of the Peace at the Second General Quarter Sessions of the Peace for such County; such Appellant first giving, or causing to be given, Ten Days Notice at the 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 Five Days after such Notice, entering into Recognizance before some Justice of the Peace for such County, with Two sufficient Sure-

Notice of Appeal to be given.

Recognizance to be entered into.

ties, conditioned to try such Appeal at, and abide the Order of, the said Quarter Sessions; and the said Justices, at their said Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine such Appeal in a summary Way, and, if they see Cause, may, by Order of such Sessions, mitigate at their Discretion all or any of the said Penalties, or vacate and set aside any Conviction or Convictions of any of the said Trustees, or any Justice or Justices of the Peace, or otherwise may ratify and confirm the same, and award such Costs as they shall think proper; and the Determinations of such Quarter Sessions shall be binding and conclusive to all Intents and Purposes.

Trustees may fence off the Common Fields from *Howes's Lane* to the Town of *Cambridge*, &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 Five or more of them, at any Time hereafter, during the Continuanre of the said former Act, and this present Act, to dike and fence out, or cause to be diked and fenced out, the Common Fields lying on each Side of the said Road, leading from a certain Lane called Howe's Lane, to the said Town of Cambridge; and also to dike and fence out a certain Lane commonly called Horne Lane, or by what other Name the same may be called, lying on the Back of certain Closes called Howes's Closes, and from thence to and along the Mear Way, which parts the Common Fields of Cambridge and Girton, to the Bottom of a certain Close in the said Parish of Girton, now in the Occupation of John Mail, and from thence along the Mear Way which parts the Parishes of Maddingley and Girton, to certain Closes or Inclosures called Moor Barns, or The Hay Fields, within the Parishes of Maddingley or Girton, in the said County of Cambridge; and also to cause such other Dikes and Fences to be made and erected on the Side or Sides of any Part of the said Road, as they shall think proper, to prevent the evading the Payment of the said Tolls, or any Part thereof; and if any Person or Persons shall damage or destroy, or open any Passage through such Dikes or Fences, every such Person or Persons shall forfeit to the said Trustees any Sum not exceeding Five Pounds, as the said Trustees, or any Five or more of them, shall order and appoint; to be recovered in such Manner as the Penalties and Forfeitures are herein before appointed to be recovered.

Provided

Trustees may erect a Turnpike in the *Mear Way*.

Provided always, and be it further enacted, That the said Trustees shall, and they are hereby required to build or erect One Gate or Bar, in any the most convenient Place of the said Dike or Fence, along the said Mear Way, for the Use of the Owner and Occupier of the Lands adjoining, to pass and repass, with their Carriages, Cattle, and Servants; the said Trustees finding and providing for the said Owner and Occupier One Key gratis, to the said Gate or Bar; and if any Owner or Occupier, or their Servants, shall wilfully leave such Gate or Bar open, or unlocked, or if any Person or Persons shall steal, take away, damage, or destroy, such Gate or Bar, or Lock or Key, or open any Passage through such Gate or Bar, whereby the Payment of Toll shall be evaded, every such Person shall pay to the said Trustees, or according to the Order of any Five or more of them, the Expence of repairing and restoring such Gate, Bar, Lock, or Key; such Expence to be ascertained by the said Trustees, or any Five or more of them; and shall also forfeit, for any such Offence, any Sum not exceeding Forty Shillings, as the said Trustees, or any Five or more of them, shall order and appoint, to be recovered in such Manner as the Penalties and Forfeitures are herein appointed to be recovered.

Penalty on evading the Tolls.

Penalty on defacing Mile-stones, &c.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully, or through Negligence, pull up, break down, obliterate, deface, demolish, or otherwise spoil or damage, any of the Mile-stones already placed and set down, or hereafter to be placed or set down, on any Part of the said Road, or shall cause or procure the same to be done, and being thereof convicted upon Oath of One or more credible Witness or Witnesses, or by his or her own Confession, before One or more Justice or Justices of the Peace of the said respective Counties of Huntingdon and Cambridge (which Oath the said Justice and Justices is and are hereby required and authorised to administer) every such Person so offending shall forfeit and pay the Sum of Forty Shillings for every such Stone so pulled up, broke down, obliterated, defaced, or damaged, whereof one Moiety shall be paid to the Informer, and the other Moiety thereof shall be applied in repairing the said Road, and making good such Stone or Stones, so broken or defaced; and in case of Nonpayment, the same shall be levied by Distress and Sale of the Goods and Chattles of such Offender or Offenders, by a Warrant

to be levied by Distress and Sale.

rant or Warrants, under the Hand and Seal, or Hands and Seals, of such Justice or Justices, who is and are hereby impowered and required to issue the same; and in Default of such Distress as aforesaid, it shall be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorised and required, by Warrant or Warrants, under his or their Hand and Seal, or Hands and Seals, to commit the Party or Parties to the House of Correction of the County where such Offence was committed, there to remain and be kept to hard Labour for the Space of One Calendar Month; and every such Offender shall and may, by the Authority of this Act, 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 every such Offender before any such Justice or Justices of the Peace, to be dealt with according to Law.

For want of Distress, Offender to be committed.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, are hereby required at the next or other public Meeting or Meetings within their respective Divisions, from time to time, to make proper Rules and Orders for the more effectual putting the said former Act and this Act in Execution, and to appoint such Person or Persons as they shall think fit effectually to carry on Prosecutions for Offences committed against the said former Act or this present Act, within their respective Limits and Districts; and that in case any Action or Prosecution shall be commenced or prosecuted for any Offence committed against the said former Act or this present Act, under the Authority and by the Direction of the said Trustees, or any Five or more of them, as aforesaid, that then the said Trustees, or any Five or more of them, at some such public Meeting as aforesaid, shall, out of the Money arising by the Tolls upon that Part of such Turnpike Road where the Offence was committed, or out of the Money that shall be borrowed upon the Credit thereof, allow and pay to the Prosecutor so much as the Costs allowed by the Law shall fall short of reimbursing him his just and reasonable Expences: And that if any Action, Suit, or Prosecution, Rule or Order of Court, shall be brought, commenced, prosecuted, or obtained, against any of the said Trustees, or any of their Surveyors or other Officers, for any thing done or acted by the Direction of the said Trustees, or any Five or more of them, as aforesaid, in Pursuance of the said former Act or this Act with-

Trustees to make Rules at their public Meetings, for putting the Acts in Execution.

in the reſpective Diviſions of the ſaid Road, that then, in every ſuch Caſe, the ſaid Truſtees, or any Five or more of them, as aforeſaid, ſhall, out of the Profits ariſing by the Tolls of ſuch Turnpike Road within ſuch reſpective Diviſion, allow and pay to ſuch Truſtee or Truſtees, their Surveyors or other Officers, all ſuch reaſonable Coſts, Charges, and Expences, as they or any of them ſhall or may ſuſtain, or be put into by Reaſon or Means thereof.

Limitation of Actions. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in Purſuance of the ſaid former or this Act, until Twenty one Days Notice ſhall be thereof given to the Clerk or Clerks to the ſaid Truſtees, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed, and every ſuch Action or Suit ſhall be laid or brought in the Counties of Cambridge or Huntingdon, reſpectively, where the Cauſe of Action ſhall ariſe, and not elſewhere, and the Defendant and Defendants, in every ſuch Action or Suit, ſhall and

General Iſſue. may, at his Election, plead ſpecially, or the General Iſſue, Not Guilty; and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in Purſuance and by the Authority of the ſaid former Act or this Act; and if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before Twenty one Days Notice ſhall be 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 De-

Treble Coſts. fendants ſhall recover Treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law.

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

FINIS.