Anno quarto

Georgii III. Regis.

An Act for repairing and widening the Road from *Shillingford*, in the County of *Oxford*, through *Wallingford* and *Pangborne*, to *Reading*, in the County of *Berks*; and for building a Bridge over the River *Thames*, at or near *Shillingford Ferry*.



WHEREAS the High Road leading from Shillingford, in the Parish of Warborough, in the County of Oxford, to a Place called Shillingford Ferry, and from thence, on the opposite Side of the River Thames, to Wallingford, Moulsford, Streatley, Basilden, Pangborne, and thence to Reading, in the County of Berks, is in a ruinous Condition, and narrow in many Places, and incommodious to Passengers: And whereas, in the Time of Floods, it is dangerous for Persons Preamble.

to pass at the said Ferry, and it would be more commodious for the Inhabitants of that Part of the Country, and all Persons travelling the said Road, if a Bridge ~~was built over the River Thames, at~~ or near the said Ferry; but, as the said Road cannot be effectually repaired, widened, and rendered commodious, nor a Bridge be built at or near the said Ferry, unless some Provisions are made by Parliament for those Purposes; 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 Right Honourable Charles Lord Viscount Fane in the Kingdom of Ireland, the Right Honourable Charles Spencer Esquire, commonly called Lord Charles Spencer; the Honourable Peregrine Bertie, the Honourable William Sloane Cadogan, Sir John Stonhouse, Sir John Read, Sir James Dashwood, Sir Thomas Stapleton, Sir John Guise, Sir Cecil Bishop, Sir Francis Knollys, Sir George Oxenden, Sir John Mordaunt Cope, Sir John Gibbons, Baronets; Sir Thomas Head Knight, John Abery, George Amyand, Benjamin Armstronge, Francis Annesley, Robert Baker, Willmot Baker, Henry Barker, Joseph Bennett Clerk, Benwell, Walter Bigg Clerk, Lovelace Bigg, John Bishop, Thomas Bishop, Thomas Blackall of Berrick, George Blagrave, John Blagrave of Southcut, Thomas Blagrave, Henry Blackstone, William Blackstone, William Blandy, William Bowles, John Breedon, Cudworth Bruch, Benjamin Buckler D. D. William Buller Clerk, Jonathan Bush, Benjamin Child, James Edward Colleton, William Wiseman Clark, Samuel Collett, Thomas Dalby, George Deacon, Harry Austin Deane, John Dean, John Dodd, John Dodd junior, George Dobson, John Dredge, John Meggot Elweys, Charles Eyre, Richard Fisher, Joseph Fuller senior, John Fuller, William Fludger senior, William Fludger junior, Henry Fludger, John Goodenough, John Gabriel Clerk, Thomas Gill, Charles Greenwood, John Greenwood, Richard Hatton, Francis Hawes, John Head of Hodcot, John Hervey, John Hippesley, John Hocker, Joseph Hopkins, Richard Hunter, Robert Hucks, Greenway Jacques, William Jennens, John Jones, William Jones, Francis Lernoult Clerk, Liebenroed, Robert Lovegrove senior, Robert Lovegrove junior, Robert

Trustees Names.

bert Lever, John Lydall, Robert Mayne, James May of Englefield, William May, Daniel May, John Morton, Jeremiah Murrell, George Nedham, Lawrence Head Offgood, William Pennington Clerk, Thomas Powell senior, Thomas Powell junior, Philip Powys, Philip Lybbe Powys, James Porter, Henry Pye, Francis Randolph D.D. John Read, Seymour Richmond, John Richards, Samuel Rush, George Ruck, Robert Sayer, Clement Saxton, John Sexton, John Shipway, James Stonhouse LL.D. James Stracey, John Spicer senior, John Spicer Clerk, Adam Smith, Richard Simeon, John Talbot Clerk, Richard Tilleard, John Toovey, Richard Toovey, William Toovey senior, William Toovey junior, Thomas Tower, Joseph Tuckwell, William Vachell, Arthur Vansittart, James Warner of Hagborn, the Reverend Walker of Tilehurst, the Reverend Walker of Whitchurch, Richard Westbrook, Edward Wells, Job Wells, John Whistler, Francis Whitchurch, Edward Skeate White, Thomas Wilbats, John Willmot, John Wise of Fifield, John Wilder, Charles Wymondesold, together with the Mayor and Recorder for the time being of the Boroughs of Wallingford and Reading respectively, and their Successors, to be appointed in Manner herein after-mentioned, shall be, and they are hereby appointed Trustees for putting in Execution all the Powers in and by this Act given and granted.

Qualification of Trustees.

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 this Act, unless at the Time of his acting therein, he shall have or be seised in his own Right, or in the Right of his Wife, and shall be in the actual Possession, Enjoyment, or Receipt, of the Rents and Profits of a Real Estate in Lands, Tenements, or Hereditaments, either in Law or Equity, within the Counties of Berks and Oxford, or One of them, which shall be of the clear yearly Value of Fifty Pounds above all Reprizes; and which Estate shall be assessed to the Land Tax of this or any future Year in the Proportion of Fifty Shillings for every Shilling in the Pound imposed by such Land Tax Aid; and if any Person, so made incapable to act, shall nevertheless presume to act in the Trust aforesaid, every such Person, for such Offence, shall forfeit and pay the Sum of Fifty Pounds to any Person or Persons that will inform and sue for the same, to be recovered in any

Penalty on acting if not qualified.

of His Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and the Person so prosecuted shall prove that he is so qualified, 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 the Execution of this Act.

Trustees may erect Turnpikes and Toll-houses,

And be it further enacted, That the said Trustees, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall authorize and appoint, shall and may erect or cause to be erected a Gate or Gates, Turnpike or Turnpikes, in or cross any Part or Parts of the said Road between Wallingford and Reading aforesaid, and also a Toll-house or Toll-houses in or upon the same; and shall demand and take the several and respective Tolls or Duties herein after-mentioned, before any Horse or other Cattle, Coach, Waggon, or other Carriage whatsoever, shall be permitted to pass through the same, or any of them; that is to say,

and take the following Tolls thereat.

The Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Chair, Hearse, or Litter, with Four Wheels, the Sum of Six Pence; and less than Four Wheels, the Sum of Two Pence.

For every Waggon, Wain, Cart, or other Carriage whatsoever, with Four Wheels, the Sum of Four Pence; and with less than Four Wheels, the Sum of Two Pence.

For every Horse, Mare, Gelding, Mule, or Ass, drawing or not drawing, laden or unladen, 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 greater or less Number.

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

Trustees may purchase *Shillingford Ferry*.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, at any Time during the Continuance of this Act, to treat, contract, and agree with

with any Person or Persons, or Bodies Politick, Corporate or Collegiate, interested in the said Ferry called Shillingford Ferry, or his, her, or their Trustee or Trustees, Husband or Husbands, Guardian or Guardians, for the Purchase of his, her, or their Right, Interest, and Property in the said Ferry, and to pay for the same such Sum or Sums of Money as the said Trustees, or any Nine or more of them, and such Person or Persons, or his, her, or their Trustee or Trustees, Husband or Husbands, Guardian or Guardians, shall agree upon, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit thereof; and the said Trustee or Trustees, Husband or Husbands, and Guardian or Guardians, shall and may and they are hereby impowered to treat, contract, and agree with the said Trustees, or any Nine or more of them, for the Purchase of such Right, Interest, and Property in the said Ferry, and to sell and convey the same to the said Trustees, or any Nine or more of them; and the Sale or Conveyance so made shall be good and effectual in the Law to all Intents and Purposes whatsoever; and such Trustee or Trustees, Husband or Husbands, Guardian or Guardians, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act: And in case any Person or Persons, Bodies Politick, Corporate or Collegiate, interested in the said Ferry, or his, her, or their Trustee or Trustees, Husband or Husbands, Guardian or Guardians, shall refuse or neglect to treat as aforesaid with the said Trustees, or any Nine or more of them (after Twenty one Days Notice shall have been given to him, her, or them, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode of him, her, them, or of the Head Officer or Officers of such Bodies Politick, Corporate or Collegiate) or shall not agree with the said Trustees, or any Nine or more of them, what Recompence or Satisfaction shall be made to him, her, or them, for his, her, or their Right, Interest, or Property in the said Ferry; then the said Trustees shall proceed to assess the same by a Jury of the County of Berks, in the same Manner, with the same Powers, and subject to the same Provisoes as are herein after prescribed and mentioned for assessing the Value of Lands or Grounds to be taken in and added to the said Road; and the Verdict of the said Jury, and the Judgement of the said Trustees

Truſtees thereupon, ſhall be final and concluſive to all Parties: And the ſaid Truſtees, or any Nine or more of them, ſhall, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit thereof, pay ſuch Sum or Sums of Money ſo aſſeſſed as aforeſaid to the Perſon or Perſons reſpectively intitled to the ſame, or to their Truſtee or Truſtees, Husband or Husbands, Guardian or Guardians, or their Agent or Agents; and upon Payment thereof, or in caſe of Tender thereof, and Refuſal to accept the ſame, then, upon leaving the ſame in the Hands of the Treaſurer to the ſaid Truſtees, for the Uſe of ſuch Perſon or Perſons, or his, her, or their Truſtee or Truſtees, Husband or Husbands, Guardian or Guardians, the Right, Intereſt, and Property of ſuch Perſon or Perſons, and his, her, or their Truſtee or Truſtees, Huſband or Husbands, Guardian or Guardians, in the ſaid Ferry, ſhall from thenceforth be veſted in, and the ſame is hereby veſted in the Truſtees for putting this Act in Execution for the Uſes and Purpoſes of this Act: And from thenceforth it ſhall and may be lawful to and for the ſaid Truſtees, or any Perſon or Perſons whom the ſaid Truſtees, or any Five or more of them, ſhall from time to time appoint for that Purpoſe, to enter upon and occupy the ſaid Ferry, and to demand and take the reſpective Tolls following, before any Perſon or Perſons, Horſe or other Cattle, Coach, Waggon, or any other Carriage, ſhall be permitted to paſs over the ſaid Ferry; that is to ſay,

The Tolls following to be taken at the Ferry.

The Tolls.

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Chair, Hearſe, Litter, Waggon, Wain, Cart, or other Carriage whatſoever, with Four Wheels, the Sum of Four Pence; and with leſs than Four Wheels, the Sum of Two Pence.

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

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

For every Drove of Sheep or Lambs, Two Pence Halfpenny per Score; and ſo in Proportion for any greater or leſs Number.

For

For every Foot Passenger (other than such as shall bona fide belong to any Carriage, Beast, or Cattle, chargeable with the Tolls or Duties herein before mentioned and made payable at the said Ferry or the said intended Bridge) the Sum of One Halfpenny.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall and may, and they are hereby impowered to cause a Bridge to be erected or built over the River Thames, at or near the said Place called Shillingford Ferry, and to design, assign, and lay out, how and in what Manner the said intended Bridge shall be erected or built, and completed (leaving sufficient Water-way for Boats, Barges, and other Vessels, commodiously to pass and repass up and down the said River) and to make, contract for, and do, all Matters and Things necessary for carrying on and effecting the Purposes aforesaid, and to pay for the same out of the Tolls or Duties by this Act granted, or out of any Money to be borrowed on the Credit thereof: And when the said Bridge shall be completed and made passable for Persons, Cattle, and Carriages, the said Ferry shall be disused, except at such Time as the said Trustees, or any Five or more of them, shall think proper; and from thenceforth it shall and may be lawful to and for the said Trustees, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall appoint for that Purpose, to erect, or cause to be erected, a Gate or Gates, Turnpike or Turnpikes, and also a Toll-house or Toll-houses, at, near, or upon, the said Bridge; and there to demand and take, before any Person or Persons, Horse, or other Cattle, Coach, Waggon, or other Carriage whatsoever, shall be permitted to pass through the same, or any of them, the same and the like Tolls and Duties as are herein before directed to be taken at the said Ferry during the Time that the same shall subsist and remain in Use.

Trustees impowered to build a Bridge at or near *Shillingford Ferry*.

Trustees may erect Turnpikes and Toll-houses,

and take Tolls thereat.

And be it further enacted by the Authority aforesaid, That the said respective Sum and Sums of Money hereby directed to be taken, as well at the said Gates or Turnpikes to be erected on the said Road leading from Wallingford to Reading aforesaid, as also at the said Ferry called Shillingford Ferry, and at the said Gates or Turnpikes to be erected at, near, or upon, the said intended

Bridge, shall be demanded and taken in the Name of or as a Toll or Duty; and the Money so to be raised shall be and is hereby vested in the said Trustees; and the same, and every Part thereof, shall be paid and applied in such Manner as is herein after mentioned and directed: And that 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, nominate and appoint, to demand and take the Tolls or Duties hereby granted and made payable; and also to levy the same upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay such Tolls or Duties as aforesaid, by Distress of any Horse or Horses, Carriage or Carriages, or other Cattle, or Goods, upon which such Tolls or Duties are by this Act imposed, or by Distress of any other of the Goods and Chattles of the Person or Persons who ought to pay the same; and to detain and keep such Goods and Chattles so distrained, until such Tolls or Duties, with the reasonable Charges of such detaining and keeping, shall be paid; and such Person or Persons so distraining, after the Space of Four Days after such Distress made and taken, shall and may sell the Goods or Chattles so distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Tolls and Duties, and the reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid.

Tolls vested in Trustees.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

Application of the Tolls.

And be it further enacted by the Authority aforesaid, That out of the First Money arising by the Tolls or Duties which shall be collected by virtue of this Act, or out of the Money which shall be borrowed on the Credit thereof, the said Trustees, or any Five or more of them, shall, in the first Place, pay and discharge all the Expences and Charges of procuring and passing this Act; and shall apply the Remainder of the Money so raised in erecting Gates or Turnpikes and Toll-houses, and repairing and widening the said Road, and purchasing the said Ferry, and building the said intended Bridge, and defraying the necessary Costs, Charges, and Expences attending the same, and the Execution of this Act, and to no other Use or Purpose whatsoever.

40 *s.* Penalty on clandestinely conveying Persons over the River.

And be it further enacted by the Authority aforesaid, That if any Person shall, for Gain or Reward, convey any Person or Persons, or any Carriage or Cattle, over

over the River Thames, within Half a Mile of the said Ferry, after the said Ferry shall have been purchased by virtue of this Act, or after the said Bridge shall be built, except by Order of the said Trustees, or any Five or more of them; every such Person shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, to be recovered, levied, and applied, in the Manner herein after directed.

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

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, owning, renting, or occupying, any Lands or other Premisses, near any Turnpike which shall be erected in pursuance of this Act, shall knowingly or wittingly permit or suffer any Person or Persons to pass over the same, or through any Gate, Passage, or Way, with any Coach, Chariot, Landau, Berlin, Calash, Chaise, Chair, Litter, Waggon, Wain, Cart, Carriage, Horse, Ass, Mule, or any other Sort of Carriage or Cattle, whereby the Payment of the Toll or Duty by this Act laid is or shall be avoided; every such Person or Persons so offending, and the Person or Persons riding in, driving, or owning, such Coach, Chariot, Landau, Berlin, Chaise, Calash, Waggon, Wain, Cart, Carriage, or Cattle, or owning, riding, or driving such Horse, Mule, or Ass, shall, for every such Offence respectively, forfeit and pay the Sum of Twenty Shillings; to be recovered, levied, and applied, in the Manner herein after directed.

Exemptions from Tolls.

Provided always, and be it further enacted, That no Person or Persons shall be charged with any of the Tolls or Duties aforesaid, for passing through any of the Turnpikes to be erected by virtue of this Act on that Part of the said Road which leads from Wallingford to Reading aforesaid, with any Cattle or Carriages, drawing or carrying any Quantity of Stones, Brick, Lime, Timber, Wood, Gravel, or other Materials, for repairing the said Road, or for erecting or building the said intended Bridge, or for amending any of the said Highways in the Parishes or Townships in which the Road directed by this Act to be repaired doth lie, or going for or returning through any of the said Turnpikes with any Lime, Dung, Mould, Manure, or Compost of any Nature or Kind whatsoever, to be laid upon Grounds Arable, Meadow, or Pasture, or Gardens; nor shall any Toll or Duty be demanded or taken by virtue of this Act on that Part of the said Road which leads from Wallingford to Reading

Reading aforesaid, for any Carts, Wains, Waggons, or other Carriages, carrying any Hay or Corn in the Straw, to be laid up in the Houses, Out-houses, Barns, or Yards, belonging to the respective Inhabitants of the several Parishes, Townships, or Places, through which the said Road hereby intended to be repaired leads; or for any Ploughs, Harrows, or other Implements of Husbandry, or any other Things whatsoever, belonging to or employed by such Inhabitants respectively only in Husbandry, Manuring, or Stocking of Lands lying within such Parishes, Townships, or Places, adjoining to the said Road; or from any Person or Persons residing in the said Parishes, Townships, or Places, in which the said Road hereby directed to be repaired doth lie, who shall pass through the said Turnpikes or Sidegates to or from their own Parish Church, Chapel, or other nearest Place of religious Worship, on Sundays; or for any Horses, Geldings, Mares, or other Cattle, going to or returning from Pasture or Watering-places belonging to such Parishes, Townships, or Places, or going to be shod or farried, or returning therefrom; or for any Post-horses carrying the Mail or Packet; or for the Horses of Soldiers passing who are upon their March, or for Carts, Carriages, or Waggons, attending them, or laden with their Arms or Baggage; or for Horses, Carts, or Carriages, travelling with Vagrants sent by legal Passes; or for any Horses or Carriages going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of Berks, on the Day or Days of such Election: And if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, each Person, for every such Offence, shall forfeit and pay the Sum of Twenty Shillings.

Not to extend to *Shillingford Bridge*.

Provided nevertheless, That nothing herein contained shall extend, or be construed to extend, to exempt any Person or Persons, Cattle or Carriages whatsoever, from paying the said Tolls and Duties herein before directed to be paid for passing over Shillingford Ferry, or through any Gate or Turnpike that shall be erected in pursuance of this Act at, near, or upon the Bridge intended to be built at or near the said Shillingford Ferry.

Tolls to be paid but Once a Day.

And be it further enacted by the Authority aforesaid, That no Person or Persons having Occasion to pass through any Turnpike or Turnpikes which shall be erect-

ed

ed on the said Road leading from Wallingford to Reading, and who shall go or return the same Day through the same or any other Turnpike or Turnpikes on any Part of the same Road before Twelve of the Clock at Night, with the same Coach, Berlin, Chariot, Landau, Calash, Chaise, Chair, Hearse, Litter, Waggon, Wain, Cart, or other Carriage, Horse, Gelding, Mare, Mule, Ass, or any other Sort of Cattle, shall be liable or compelled to pay the said Tolls or Duties more than Once, such Person or Persons producing a Note or Ticket denoting such Payment.

Exemptions not to extend to *Shillingford Ferry*.

Provided always, That the said Exemptions shall not extend to any Gate or Turnpike to be erected upon, at, or near the Bridge intended to be erected or built at or near Shillingford Ferry; but that the said Tolls or Duties, herein before directed to be there demanded and taken, shall be taken for the passing of Carriages, Cattle, and Persons, for every Time, and as often as they shall pass through the same.

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

And, for preventing the committing of Frauds and Abuses in the Tolls or Duties hereby granted; be it further enacted by the Authority aforesaid, That if any Person or Persons, having a Note or Ticket, Notes or Tickets, signifying the Payment of such Tolls or Duties, shall give or dispose of the same to any Person or Persons, in order to avoid the Payment of the said Tolls or Duties, every such Person giving or disposing of such Note or Ticket, Notes or Tickets, and the Person receiving the same, shall respectively forfeit and pay the Sum of Twenty Shillings, to be recovered, levied, and applied, as any other Penalty or Forfeiture is hereby directed to be recovered, levied, and applied.

Trustees may erect Side-gates, &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, to erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, and Toll-house or Toll-houses, on the Side or Sides of the said Road leading from Wallingford to Reading aforesaid, and cross any Lane or Way leading out of the same, and there to take and levy, or cause to be taken and levied, such Tolls as are by this Act granted and made payable, so as the same do not extend to a double Charge, in case of passing through any other of the Turnpikes which shall be erected on the same Road by virtue of this Act.

and take Tolls thereat,

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

Tolls may be varied.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall and may, and they are hereby authorized and impowered, with the Consent of the Person or Persons who shall have advanced any Money on the Credit of the said respective Tolls or Duties, from time to time to vary or alter the several Tolls or Duties hereby granted and made payable, as well at the Gates or Turnpikes to be erected on the said Road leading from Wallingford to Reading aforesaid, as also at the said Ferry, when purchased, and at the Gates or Turnpikes to be erected at, near, or upon the said Bridge intended to be built at or near the said Ferry, and to order and direct the same to be collected, received, and taken, in such Manner, Parts, and Proportions, as they shall think fit, so that the said Tolls or Duties, so from time to time varied and altered, shall never exceed the Tolls or Duties granted in and by this Act; any thing herein contained to the contrary notwithstanding.

Trustees may appoint Officers;

and remove them, and appoint others.

Officers to account upon Oath.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, present at their First or any succeeding Meeting, by any Writing or Writings under their Hands and Seals, shall and may appoint One or more fit Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls or Duties aforesaid, and One or more fit Person or Persons to be Surveyor or Surveyors of the said Road, and also such other Officer or Officers as the said Trustees, or any Five or more of them, shall think necessary; and from time to time to remove such Clerks, Treasurers, Collectors, Receivers, and Surveyors, and other Officers, or any of them, as they shall see Occasion, and appoint new ones in case of Death, or such Removal: And all and every such Officer and Officers, so appointed as aforesaid, shall (upon Oath, if thereunto required by the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of the Peace residing near to the said Road; which Oath such Trustees, or any Two or more of them, or such Justice or Justices of the Peace, is and are hereby impowered and required to administer or tender; for which Oath no Fee or Reward shall be taken) on the First Monday in every Month, or oftener if required, give in to the said Trustees, or any Five or more of them, or

to their ſaid Treaſurer or Treaſurers for the time being, a true, exact, and perfect Account in Writing under their reſpective Hands, of all Monies which he, ſhe, or they, and every or any of them, ſhall to ſuch Time have received, paid, and diſburſed by virtue of this Act, or by reaſon of their reſpective Offices: And in caſe any Money ſo received ſhall remain in his, her, or their or any of their Hands, the ſame ſhall be paid to the ſaid Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons as they, or any Five or more of them, ſhall, by any Writing or Writings under their Hands, authorize and impower to receive the ſame; and ſhall be diſburſed and laid out in the Execution of this Act, and not otherwiſe. And in caſe any ſuch Officers ſhall not give in and make ſuch Account and Payment as aforeſaid, that then any One or more Juſtice or Juſtices of the Peace for the County where ſuch Officer ſhall dwell, ſhall and may make Inquiry of and concerning ſuch Default as aforeſaid in a ſummary Way, as well by Confeſſion of the Party, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtice or Juſtices is and hereby impowered and required to adminiſter without Fee or Reward) and if any ſuch Officer ſhall be convicted of all or any the Offences aforeſaid, ſuch Juſtice or Juſtices ſhall, upon ſuch Conviction, commit the Party to the common Gaol of the ſaid County, there to remain, without Bail or Mainprize, until he ſhall have made a perfect Account and Payment as aforeſaid, or until he ſhall have compounded and agreed with the ſaid Truſtees, or any Five or more of them, and have paid ſuch Compoſition-money; which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby authorized and impowered to make; and the ſaid Truſtees, or any Five or more of them, ſhall and may, out of the Money ariſing by the ſaid Tolls or Duties, make ſuch Allowance to the ſaid Treaſurer or Treaſurers, Receiver or Receivers, Collector or Collectors, and the Surveyor or Surveyors, Clerk or Clerks, and other Officer or Officers, for and in Conſideration of his and their Care and Pains reſpectively taken in the Execution of his and their ſaid Office or Offices, and to ſuch other Perſon or Perſons as ſhall have been employed in the Execution of this Act, as to the ſaid Truſtees, or any Five or more of them, ſhall ſeem reaſonable; but no Perſon ſhall be capable of

Officers refuſing to account,

Juſtices to enquire into the Default,

and commit the Offender,

until he ſhall conform, or compound.

Truſtees to allow Officers Salaries.

holding

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

holding any Place of Profit under the said Trustees, who shall sell any Wine, Ale, or Spirituous Liquors by Retail.

Treasurer to give Security.

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

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

Provided always, and be it further enacted and declared, That no Person shall be capable of acting as a Trustee, under the Authority of this Act, who shall hold any Place of Profit arising out of the Tolls or Duties hereby granted.

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

And be it further enacted, That the said Bridge, to be erected or built at or near Shillingford Ferry, and the said Gates or Turnpikes and Toll-houses, and the Materials of which the same shall consist, and all Materials which shall be provided by the said Trustees, or by the Person or Persons employed by them to erect or build the said Bridge, or by their Surveyor or Surveyors for repairing the said Road, shall be and they are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby authorized and impowered to bring, or cause any Action or Actions to be brought, in the Name of any One of them, or of their Treasurer or Clerk, or to prefer and order and direct the preferring of Indictments against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy the said Bridge, or any Gate, Turnpike, or Toll-house, which shall be erected by virue of this Act, or any Part thereof, or any of the Materials of which the same shall be built or consist, or any of the Materials which shall be provided for erecting or building the said Bridge, or for the repairing of the said Road.

Trustees may lease, &c. the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them, to lease or demise all or any the Tolls or Duties granted by this Act for any Term of Years not exceeding Three Years, at and under such Rent, payable at such Times, and under such Covenants, as the said Trustees, or any Nine or more of them, shall think fit; the said Trustees taking such sufficient Security from such Person or Persons, to whom

such Tolls or Duties shall be leased or demised, for Payment of such Rents, or Performance of the said Covenants, as the said Trustees, or any Nine or more of them, shall think fit.

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 laid and made payable as aforesaid, will not at present be sufficient for the speedy repairing of the said Road, and other the Purposes of this Act; be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall, may, and are hereby impowered, from time to time, by any Writing or Writings under their Hands and Seals, to assign over the said Ferry, Gates, Turnpikes, Toll-houses, Tolls and Duties arising by virtue of this Act, or any of them, or any Part of them or any of them (the Costs and Charges of assigning the same to be borne and paid out of such Tolls and Duties) for any Time or Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money so to be borrowed by the said Trustees for that Purpose, to such Person or Persons, or their Trustees, who shall advance and lend the same, to secure the Payment thereof, with such Interest for the same as shall be agreed on by the Parties, not exceeding the legal Rate of Interest; which said Money so to be borrowed (the Charges of procuring and passing of this Act in Manner aforesaid being thereout first deducted) shall be applied and disposed of as the said Tolls or Duties are by this Act directed to be applied and disposed of, and to no other Use or Purpose whatsoever.

Notice to be given of borrowing Money.

Provided always, and be it further enacted, That no Money shall be borrowed by the said Trustees, on the Credit of any of the said Tolls or Duties, after their First Meeting, unless Notice be for that Purpose fixed in Writing, under the Hand of the Clerk or Clerks to the said Trustees, upon all the Turnpike-gates then erected by virtue of this Act, at least Fourteen Days before the borrowing such Money.

Assignments to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all and every the Assignment and Assignments, so to be made and granted by the said Trustees as aforesaid, shall be entered at Length in a Book or Books to be kept for that Purpose by the said Clerk or Clerks, Treasurer or Treasurers, to the said Trustees; which said Book or Books shall and may be seen and perused by any Person or Persons whomsoever, without Fee or Reward.

Assignments may be transferred.

And be it further enacted by the Authority aforesaid, That all and every Person or Persons, to whom any Assignment or Assignments shall be made by the said Trustees, or any Nine or more of them, as a Security for any Sum or Sums of Money by him, her, or them, lent and advanced on the Credit and for the Purposes mentioned in this Act, or who shall be intitled to the Money thereby secured, shall and may, from time to time, by proper Words of Assignment to be indorsed on the Back of his, her, or their Security or Securities, or by any other Writings under his, her, or their Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, and Benefit to the Principal and Interest Money thereby secured, or any Part thereof, to any other Person or Persons whomsoever; which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, appointed or to be appointed by the said Trustees, or any Five or more of them, within Three Months after the Date thereof, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Date, Parties, and Sum of Money therein mentioned to be transferred, in the said Book or Books to be kept for entering the said original Assignments; for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Two Shillings, and no more; and after such Entry made, such Assignment shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign again, and so toties quoties; and it shall not be in the Power of such Person or Persons, who shall make such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Entries to be of all Assignments.

Clerk's Fee.

Surveyors may dig Gravel, &c. in waste Grounds.

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, to dig, gather, take, and carry away any Gravel, Furze, Heath, Sand, Stones, or other Materials proper for repairing the said Road, in and out of any River or Brook, Waste, or Common, of any Parish, Town, Village, or Hamlet, in or within Three Miles of which any Part of the said Road doth lie,

lie, without paying any thing for the same, and to land or carry the same upon, over, or through the private Lands or Grounds of any Person or Persons whatsoever; such Surveyor or Surveyors fencing or levelling, or causing to be fenced or levelled, all such Holes and Pits where any such Materials as aforesaid shall be digged, gathered, and taken, so as to prevent any Mischief or Accident happening; and also it shall and may be lawful for such Surveyor and Surveyors, by Order of the said Trustees, or any Five or more of them, to dig and gather such Materials in, and carry the same out of, the several Grounds of any Person or Persons (not being the Ground whereon any Houses or Buildings stand, or a Garden, Orchard, Yard, Park, planted Walk or Walks, or Avenue to any House, or any Piece or Parcel of inclosed Ground, planted, set apart, and used as a Plantation or Nursery for Trees) where such Materials are or may be found; and from time to time to carry away the same, or so much thereof as the said Surveyor or Surveyors shall judge necessary for repairing and amending the Road aforesaid; paying such Sum or Sums of Money for the Damage done to the Owners and Occupiers respectively of the Grounds where and from whence the same shall be digged, gathered, or carried away, or upon, over, or through which the same, or any other Materials so dug and gathered as aforesaid shall be carried, landed, or drawn, as the said Trustees, or Five or more of them, shall adjudge reasonable: And in case of any Difference concerning the same between such Owners or Occupiers and the said Trustees touching such Damages as aforesaid, the Justices of the Peace, at their next General Quarter Sessions, or at the Second General Quarter Sessions at the farthest, to be holden in and for the County where such Damage shall be done as aforesaid, or the major Part of them then present, shall and may adjudge, assess, and finally determine the same.

without paying for the same;

levelling the Pits.

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

making Satisfaction to the Owners.

Justices to determine Differences.

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, by Order of the said Trustees, or any Five or more of them, from time to time to remove and prevent all Annoyances on or in any Part of the Road aforesaid, by Filth, Dung, Ashes, Rubbish, or otherwise, and to turn any Watercourses, Sinks, or Drains, running into, along, or out of the said Road, to

Surveyors may remove Annoyances, &c.

to the Prejudice thereof; and to open, scour, or cleanse any Watercourse or Watercourses, Ditch or Ditches, adjoining to the said Road, and make the same as deep and large as they shall think proper and necessary, and

and cut down Bushes, &c.

to cut down, lop, or top any Trees, Shrubs, or Bushes (Timber Trees excepted) growing in the said Road, or in Hedges or Banks adjoining thereto, and to take and

the Owners neglecting to remove the same after Notice;

carry away the same, in case the Owners or Occupiers of the Premisses where such Annoyances shall happen to be, or such Person or Persons as shall have occasioned the same, shall neglect to remove the same, or to cut down and carry away such Trees (except as before excepted) Shrubs or Bushes as aforesaid, or to open, scour, and cleanse their Watercourse or Watercourses, Ditch or Ditches as aforesaid, within the Space of Four Days next after Notice in Writing given for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, or of the said Trustees, or any Five or

Charges to be reimbursed the Surveyor.

more of them; the Charges whereof, to be settled by the said Trustees, or any Five or more of them, by Writing under their Hands, shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers or other Persons neglecting or refusing to remedy or remove such Annoyances; the same to be recovered and levied in such Manner as other Penalties and Forfeitures are herein after

Penalty on a Second Offence.

directed to be recovered and levied: And if, after Removal of the said Annoyances, any Person or Persons shall again offend in the like Kind, every such Person or Persons so offending shall, for every such subsequent Offence, forfeit and pay the Sum of Forty Shillings, unto the said Trustees, or to their Treasurer or Treasurers for the time being; to be recovered, levied, and applied as other Forfeitures incurred by this Act are herein after directed to be recovered, levied, and applied.

Surveyors may make Causeways, &c.

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, by Order of the said Trustees, or any Five or more of them, to make or cause to be made a Causeway or Causeways, and to cut and make Ditches and Drains through any Grounds lying contiguous to

and erect Bridges, &c.

the said Road, and to make or erect Bridges or Arches of Brick, Timber, or Stone upon the said Road, in such Manner as such Surveyor or Surveyors shall adjudge necessary for the better amending and keeping the

the Road aforesaid in good Repair; and also to make or cause to be made a Road or Way, through, over, and along the adjoining Grounds of any narrow or ruinous Part or Parts of the said Road hereby intended to be repaired (not being the Grounds whereon any Houses or Buildings stand, or a Garden, Orchard, Yard, Park, or planted Walk or Walks, or Avenue to any House, or any Piece or Parcel of inclosed Ground, planted, set apart, and used as a Plantation or Nursery of Trees) to be made use of by all Passengers with Horses, Coaches, Carriages, or otherwise, as a publick Highway, whilst the old, narrow, or ruinous Road is repairing, and till such Time as it shall be convenient and safe for Passengers and Carriages to travel and go along the said Road intended to be repaired; making such reasonable Satisfaction to the Owners or Occupiers of such Ground respectively through which any such Drains shall be cut, or on which any such Arch or Arches, Bridge or Bridges shall be made, or through, over, or along which such Road or Roads shall be made, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged by the said Trustees, or any Five or more of them: And in case any Differences shall happen between such Owners or Occupiers, and the said Trustees, touching such Damages, that then it shall and may be lawful to and for the Justices of the Peace, at their next General Quarter Sessions of the Peace, or at their Second General Quarter Sessions at the farthest, to be holden for the County wherein such Damage shall be done, to hear, settle, adjudge, and finally determine the same.

and make a temporary Road,

making Satisfaction to the Owners of the Ground.

Justices to determine Differences.

And be it further enacted by the Authority aforesaid, That in case the said Trustees, or any Nine or more of them, shall, at any Time or Times during the Continuance of this Act, think proper to widen, turn, or alter any Part or Parts of the said Road, for the better Accommodation of Passengers, and particularly that Part of the said Road which lies between Shillingford Ferry and the High Road from Benfington to Oxford, that then the said Trustees, or any Nine or more of them, shall have full Power and Authority to treat, contract, and agree with the several Owners, Proprietors, Occupiers of, and Persons interested in, any Lands, Grounds, or Hereditaments, for the Purchase of any such Lands, Grounds, or Hereditaments, or for the Loss or Da-

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

mage such Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall or may any ways sustain by such widening, turning, or altering any Part of such Road; and out of the Tolls by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss or Damage, such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid, and the said Trustees, or any Nine or more of them, and also the Costs and Charges attending such Agreement and Purchase: And it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Executors, Administrators, Husbands, Guardians, or other Trustees whatsoever, for or on behalf of any Infants, Femes-covert, or Cestuique Trusts, and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any such Lands, Grounds, or Hereditaments, to treat, contract, and agree with the said Trustees, or any Nine or more of them, for the Purchase of such Lands, Grounds, or Hereditaments, or for their Interest therein, for the Purposes aforesaid, and to sell and convey the same as Occasion shall be and require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding: And all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Executors, Administrators, Husbands, Guardians, and Trustees, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

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

And be it further enacted by the Authority aforesaid, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Executors, Administrators, Husbands, Guardians, Trustees, or other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to him, her, 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 Bodies Politick, Corporate,

Persons neglecting to treat, &c.

or

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 Road, or into or through which such Road is to be turned or altered as aforesaid, shall, by the Space of Twenty one Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premisses, or by reason of Absence shall be prevented from treating; then, and in every or any such Case, the said Trustees, or any Five or more of them, shall cause to be enquired into, ascertained, and assessed, by and upon the Oaths of a Jury of Twelve indifferent Men of the County wherein such Lands, Grounds, or Hereditaments shall lie (which Oath any Two or more of the Trustees are hereby impowered and required to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to, such Owners, Proprietors, Occupiers, or other Person or Persons interested, for or upon account of the taking such Lands, Grounds, or Hereditaments, into the said Road, or of turning such Road into or through any such Lands, Grounds, or Hereditaments; and in order thereto, the said Trustees, or any Five or more of them, are hereby impowered and required, from time to time, as Occasion shall be, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to be examined as a Witness or Witnesses touching or concerning the Premisses (which Oath any Two or more of the said Trustees are hereby impowered to administer); and they shall also order and cause the said Jury to view the said Places in Question, if there be Occasion, and use all lawful Ways and Means, as well for their own as for the said Jury's Information in the Premisses, as they the said Trustees, or any Five or more of them, shall think fit; and after the said Jury shall have enquired of, ascertained, and assessed such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine, the said Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners, Proprietors, or Occupiers of, or other Persons interested in, the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination,

Jury to settle the Damage and Recompence.

Witnesses may be summoned, and examined upon Oath.

Verdict of the Jury to be final.

nation, ſo had and made, ſhall be final, binding, and concluſive, to all Intents and Purpoſes, againſt all Parties and Perſons 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 Diſability whatſoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, as well as all other Perſon or Perſons whomſoever; and all and every ſuch Owners, Proprietors, and Occupiers, and all and every Perſon and Perſons intereſted in ſuch Lands, Grounds, or Hereditaments, ſhall, upon Payment or Tender of the Sum or Sums of Money ſo aſſeſſed as aforeſaid, be thereby and from thenceforth, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, and Property, of, in, to, or out of the ſame: And for the ſummoning and returning ſuch Jury or Juries, the ſaid Truſtees, or any Five or more of them, are hereby impowered to iſſue out their Warrant or Warrants to the Sheriff of the County wherein ſuch Lands, Grounds, or Hereditaments ſhall lie, thereby commanding him to impanel, ſummon, and return, an indifferent Jury of Twenty four Perſons, to appear before the ſaid Truſtees, or any Five or more of them, at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and the ſaid Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, ſummon, and return, ſuch Number accordingly; and out of the Perſons ſo impanelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Truſtees, or any Two or more of them, ſhall ſwear, or cauſe to be ſworn, Twelve, to be drawn by Ballot out of the ſaid Twenty four; 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, who ſhall be ſworn in like Manner, till the Number of Twelve be completed, which Twelve ſhall be the Jury for the Purpoſes aforeſaid; and 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 Five or more of them, acting in the Premiſſes, ſhall have full Power, from time to time, to impoſe any reaſonable Fine or Fines on ſuch Sheriff, his Deputy or Deputies,

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

Jurors may be challenged.

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

Deputies, Bailiffs or Agents, making Default in the Premisses, and on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall refuse to be sworn on the said Jury, or being so sworn, shall refuse to give or not 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, shall refuse to be sworn and give Evidence; and from time to time to recover, levy, and apply, such Fine or Fines in the same Manner as any other Forfeiture or Penalty is by this Act directed to be recovered, levied, and applied, so as that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence. Fine not to exceed 10 *l.*

And be it further enacted, That in case any Jury or Juries, to be summoned and sworn pursuant to the Authority of this Act, shall give in and deliver a Verdict or Assessment for more Monies, as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons in the said Ferry called Shillingford Ferry, or in any such Lands, Grounds or Hereditaments, or for any such Loss or Damage, than what shall have been agreed to, and offered by, the said Trustees, or any Nine or more of them, before the summoning or returning the said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property in the said Ferry, or in any such Lands, Grounds, or Hereditaments, or Loss or Damage as aforesaid; that then, and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses, concerning the ascertaining and determining the Value of any such Right, Property, or Interest in the said Ferry, or any such Lands, Grounds, or Hereditaments, or Losses or Damages sustained as aforesaid, shall be borne and paid by the said Trustees, or any Five or more of them, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit thereof: But if any Jury or Juries, so to be summoned and sworn as aforesaid, shall give in and deliver a Verdict or Assessment for no more or for less Monies than shall have been agreed to, and offered by, the said Trustees, or any Nine or more of them, before the summoning and returning the Expences of the Jury how to be borne.

said Jury or Juries, as a Recompence or Satisfaction for any such Right, Interest, or Property in the said Ferry, or in any such Lands, Grounds, or Hereditaments, or Losses or Damages as aforesaid, that then the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute.

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

And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money, so assessed as aforesaid, is and are hereby charged upon the Monies which shall be raised by virtue of this Act, and shall be paid thereout accordingly by the said Trustees, or any Five or more of them, or their Treasurer, to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof, or Tender thereof, to such Persons or their Agents, and in case of Refusal to accept the same, then upon leaving the same in the Hands of the Treasurer to the said Trustees, for the Use of such Persons, such Lands, Grounds, or Hereditaments, shall by the said Trustees, their Surveyors, Workmen, or Agents, be laid into, and made Part of, the said Road, and shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be, a publick and common Highway, and be from thenceforth Part of the said Road for ever after, and shall be repaired, and kept in Repair, by such Ways and Methods, and in all Respects in such Manner, as the old Road so widened, altered, or turned, was and ought to have been kept in Repair: And after such new Road shall be completed, the Lands and Grounds comprised in, or constituting, the old or former Road, or such Parts thereof as shall become useless and unnecessary for the Purpose of a common or publick Highway, shall be vested in, and shall and may be sold by, the said Trustees, or any Five or more of them, to such Person or Persons as shall be willing to become the Purchaser or Purchasers thereof, for the best Price that can be gotten for the same: And the Money arising by such Sale shall be applied and disposed of for the repairing of the said Road, and other the Purposes of this Act; and the Sale or Conveyance and Conveyances to be made of such Lands or Grounds, being executed by the said Trustees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County wherein such Lands, Grounds, or Hereditaments

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

and esteemed a publick Highway,

and kept in Repair as such.

Old Road may be sold.

ments lie, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Buildings, &c. not to be injured.

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

Trustees not to act where interested.

Provided also, That no Person shall act as a Trustee in any Case, relating to the contracting for or purchasing any Lands or Hereditaments, wherein he shall be concerned in Interest.

Persons liable to repair Bridges, &c. to continue so.

And be it further enacted by the Authority aforesaid, That where any particular Part or Parts of the said Road, or any Bridges, Drains, or Sewers, being in and upon the said Road hereby intended to be repaired, which have been accustomed, or ought, to be repaired and maintained by any particular Person or Persons, Body Politick or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or by either of the said Counties, or any Township therein, or otherwise howsoever, all and every such Part or Parts of the said Road, Bridges, Drains, or Sewers, so lying in and upon the said Road, shall from time to time be maintained and kept in Repair by such Person or Persons, Body Corporate or Politick, County or Counties, Township or Townships, and in such Manner as the same were respectively maintained and kept in Repair before the passing of this Act.

Justices to determine the Repairs to be done on the Road.

And, for preventing Differences which may arise between the said Trustees and the Person or Persons, Body Politick or Corporate, County, Township, or Place therein, touching where, how, and in what Manner such particular Part or Parts of the said Road, or the Bridges, Drains, or Sewers, lying in and upon the same, are or ought to be repaired and maintained as aforesaid; be it further enacted by the Authority aforesaid, That in case any such Difference shall arise as aforesaid, it shall and may be lawful for the Justices of the Peace for the County wherein the same shall arise, and they are hereby required and impowered, at their Petty or Special Sessions, upon Application to them made by the said Trustees, or any Five or more of them, or their Clerk or Clerks for the time being, to adjudge

adjudge and determine where, how, and in what Manner such particular Part or Parts of the said Road, Bridges, Drains, and Sewers aforesaid shall from time to time be repaired and maintained by such Person or Persons, Body Politick or Corporate, County or Township therein, who are or shall be chargeable or liable to repair the same, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise howsoever.

Trustees may compound for Statute-work.

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, from time to time during the Continuance of this Act, to compound and agree with all or any of the said Person or Persons, Bodies Politick or Corporate, County or Counties, Township or Townships, who is, are, or shall be liable or chargeable for or towards repairing of any particular Part or Parts of the said Road, Bridges (except the Bridges liable to be repaired by the County, which shall continue to be respectively repaired as aforesaid) Drains, or Sewers aforesaid, lying in and upon the same, for a certain Sum of Money, by the Year or otherwise, as the said Trustees, or any Five or more of them, shall think fit, in lieu of such particular Works or Repairs to be done by such particular Person or Persons, Body Politick or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or otherwise howsoever, as aforesaid.

Rents, &c. chargeable to the Highway, to continue so.

And be it further enacted, That if any Rents, Profits, or Sum or Sums of Money, issuing out of any Lands, Tenements, or Hereditaments, now are, or hereafter shall be, liable or chargeable towards the repairing or amending any Part of the said Road, such Rents, Profits, Sum or Sums of Money, issuing as aforesaid, shall remain liable and chargeable; and the Possessors and Occupiers of such Lands, Tenements, and Hereditaments, are hereby directed and required to pay such Rents and Profits to such Person or Persons as the said Trustees, or any Five or more of them, shall appoint to receive the Tolls and Duties granted by this Act; and upon Default of Payment thereof, it shall and may be lawful to and for any One or more Justice or Justices of the Peace of the County wherein such Lands, Tenements, or Hereditaments shall lie, by Warrant under his or their Hand and Seal or Hands and Seals, to levy the same by Distress and Sale of the Goods of such Person

Perſon or Perſons as ſhall neglect or refuſe to make ſuch Payment as aforeſaid, together with the Coſts and Charges of ſuch Diſtreſs and Sale; and ſuch Rents, Profits, Sum or Sums of Money, when recovered, ſhall be applied from time to time for and towards the amending the Road to the Repairs of which ſuch Rents, Profits, Sum or Sums of Money, are or ſhall be ſo chargeable, and to no other Uſe or Purpoſe whatſoever.

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

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who by Law are chargeable towards the repairing and amending the ſaid Road hereby intended to be repaired, ſhall ſtill remain chargeable, and do their reſpective Works in the Townſhips, Pariſhes, Places, and Diviſions in which the ſaid Road lies, in ſuch Manner as he, ſhe, or they ought to have done before the paſſing of this Act.

Inhabitants to do Statute-work.

And, for preventing Differences which may ariſe touching what Part of the Statute-work ought to be done on the ſaid Road by the ſeveral Inhabitants of the Townſhips, Pariſhes, Places, and Diviſions, from, to, and through which the ſaid Road leads; be it further enacted by the Authority aforeſaid, That the ſaid ſeveral and reſpective Inhabitants of the ſaid Townſhips, Pariſhes, Places, and Diviſions, ſhall yearly and every year (if thereunto required by the ſaid Truſtees, or any Five or more of them) do and perform ſuch Proportion of their Statute or Days Work (not exceeding Three Days) on ſuch Part of the ſaid Road within their reſpective Townſhips, Pariſhes, Places, and Diviſions, and in ſuch Manner as the ſaid Truſtees, or any Five or more of them, or the Surveyor or Surveyors of the ſaid Road, by them appointed, ſhall appoint and require; and that every Inhabitant of the ſaid Townſhips, Pariſhes, Places, and Diviſions reſpectively, who ſhall rent, hold, or occupy, any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, ſhall be deemed and taken to keep a Team, and ſhall do and perform ſuch Work in and towards the repairing the ſaid Road, as Perſons keeping Teams are obliged by Law and ought to do; that is to ſay, Three Days Work with their Teams on the ſaid Road, for every Fifty Pounds, if thereunto required, in Manner and Form aforeſaid.

Perſons renting 50 *l. per Ann* deemed Team-holders.

And to the end that the ſaid Truſtees may know the Inhabitants of all the Townſhips, Pariſhes, Places, and Diviſions, wherein the Road by this Act directed to be repaired doth lie, who are liable to do Statute-work

in their Highways, and what Sort of Duty they ought respectively to do; be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, to summon the Surveyors of the Highways for the time being for the respective Townships, Parishes, Places, and Divisions, wherein any Part of the said Road doth lie, to appear before the said Trustees, or any Five or more of them, at some publick Meeting, to be holden at the Distance at least of Ten Days from and after the Time of such Summons, and then and there to bring in and deliver upon Oath (which Oath the said Trustees, or any Two or more of them, are hereby impowered to administer) true and perfect Lists in Writing of the Names of all the Inhabitants of such Townships, Parishes, Places, and Divisions respectively, who are liable by this Act to do their Statute Duties in and upon the said Road, with Teams or otherwise.

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

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors of the said Highways, for the time being, of all and every the Townships, Parishes, Places, and Divisions, in which the said Road intended to be repaired by this Act doth lie, shall, within Ten Days after Notice shall be given them or either of them, by the Turnpike Surveyor or Surveyors, of the Time when and how many of the Persons so chargeable as aforesaid he or they would have to do such their respective Statute or Days Work in or upon any Part or Parts of the said Road, summon or give publick Notice thereof to the Persons so chargeable as aforesaid: And if any Parish Surveyor or Surveyors aforesaid, shall neglect or refuse to do as he and they are hereby required and directed to do, he or they, for every such Neglect or Refusal, shall forfeit and pay the Sum of Five Pounds: And if any Person or Persons keeping a Team or Teams, Draught or Draughts, Cart or Carts, or otherwise by this Act chargeable towards repairing the said Road, shall, after such Summons or publick Notice, neglect or refuse to send their respective Teams, Draughts, or Carts (each Team or Cart not to contain less than Three good Horses with One Person to attend the same) to do and perform such their respective Days Work on the said Road, he, she, and they, so neglecting or refusing, shall respectively forfeit and pay the Sum of Ten Shillings for every Team, Draught, or Cart, making Default each of the respective Days:

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

Penalty on Persons not performing Statute-work.

And if any Labourer or other Person or Persons, so chargeable towards repairing the said Road, shall at any Time neglect or refuse, after such Summons or Publick Notice, to do and perform the said appointed Days Work on the said Road, he, she, and they shall respectively forfeit and pay the Sum of One Shilling for each of the said Days such Labourer or other Person or Persons shall make Default: And if any Person or Persons, who shall according to such Summons or publick Notice aforesaid come to work as Labourers, or be sent with any Team, Draught, or Cart, to work on the said Road, shall be found idle and negligent by the said Turnpike Surveyor or Surveyors, he and they is and are hereby impowered and required to remove and turn him or them off who shall be found idle and negligent as aforesaid; and it shall be esteemed and taken as if such Person or Persons had not come or sent any Team, Draught, or Cart, to work on the said Road; and he, she, and they, shall be subject or liable to the respective Forfeitures and Payments afore-mentioned, as if he, she, or they, had neglected to do or perform the said respective Days Work so ordered and appointed as aforesaid.

Persons found idle may be turned off.

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, from time to time to compound and agree with the Inhabitants of all or any of the said Townships, Parishes, Places, and Divisions, from, to, or through which the said Road leads, or with any of the Possessors or Occupiers of such Lands, Tenements, or Hereditaments, as are or shall be liable or chargeable to the Repair of any Part of the said Road, for a certain Sum of Money by the Year or otherwise, as the said Trustees, or any Five or more of them, shall think reasonable, in lieu of the Statute or other Work to be by them or any of them done on the said Road.

Trustees may compound for Statute-work.

And be it further enacted by the Authority aforesaid, That in case any Composition-money agreed to be paid in lieu of any Statute or Days Work to be done by the Inhabitants of any Township, Parish, Place, or Division, as aforesaid, or in respect of any Lands, Tenements, or Hereditaments, liable or chargeable by Tenure or otherwise as aforesaid, shall not be paid within Fifteen Days next after the same shall become payable according to such Composition or Agreement; that then it

Composition-money how to be recovered and applied.

it shall and may be lawful to and for any One or more Justice or Justices of the Peace of the County wherein such Township, Parish, Place, or Division, or such Lands, Tenements, or Hereditaments shall lie, by Warrant under his or their Hand and Seal or Hands and Seals, to impower the Person or Persons authorized by the said Trustees, or any Five or more of them, to receive the Composition-money (Oath being first made that the same has been demanded and remains unpaid; which Oath the said Justice or Justices, is and are hereby impowered to administer) to levy the same by Distress and Sale of the Goods of the Person or Persons so having compounded as aforesaid, or of the Surveyor or Surveyors of the Highways for the time being, of such Township, Parish, Place, or Division, in respect of whose Statute or Days Work such Composition shall be made; returning the Overplus (if any be) upon Demand, after the Charges of such Distress and Sale shall be thereout first deducted.

Surveyors paying the Composition-money, how to be reimbursed.

And be it further enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the Highways, for the time being, of any Township, Parish, Place, or Division, for or in lieu of whose Statute or Days Work such Composition shall be made as aforesaid, shall pay the Composition-money, or if such Composition-money shall be recovered and levied by Distress and Sale of his and their Goods and Chattles, in Manner herein before directed, then and in either of the said Cases such Surveyor or Surveyors shall be repaid or reimbursed the Composition-money which shall be so paid or recovered of him or them as aforesaid, together with the Costs and Charges of such Distress and Sale, in such Manner as, by the Laws now in being, Surveyors of the Highways of this Kingdom are to be repaid or reimbursed the Monies by them expended in buying Materials for amending the Highways.

Roads to be measured, and Mile-stones erected.

And be it further enacted, That the said Trustees, or any Five or more of them, shall and may order and direct the said Road to be measured; and cause Stones or Posts to be set up in or near the Sides of the said Road, with Inscriptions to be made thereon, denoting the Number of Miles and Distance of Places: And if any Person or Persons shall wilfully break, obliterate, deface, or pull up, any of the said Stones or Posts, and be thereof convicted before any One or more Justice or Justices of the Peace for the County wherein the Of-

Penalty on defacing Mile-stones;

fence,

fence shall be committed, by the Oath of One credible Witness (which Oath the said Justice and Justices is and are hereby impowered to administer) such Person or Persons so offending shall forfeit and pay the Sum of Forty Shillings for each Stone or Post so wilfully broken, obliterated, defaced, or pulled up, to be levied by Distress and Sale of the Goods and Chattles of every such Offender, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices before whom such Conviction shall be made, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in repairing the Stones or Posts so broken up or defaced, or of supplying of new ones in their Stead; and if there shall be any Overplus, the same shall be laid out in repairing the said Road: And in case the Person or Persons so offending and convicted shall have no Goods and Chattles sufficient for taking such Distress, then it shall and may be lawful for any One or more Justice or Justices of the Peace aforesaid, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Person or Persons to the House of Correction, there to remain for the Space of One Calendar Month, to be reckoned from the Day of Commitment, and the Person or Persons shall not be discharged until he, she, or they, shall have paid the said Sum of Forty Shillings, or until the Expiration of the said Calendar Month.

to be levied by Distress and Sale.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed or incurred (touching which no other Provision is herein before made) shall be recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace for the County wherein the Offender shall dwell; which Warrant or Warrants the said Justice or Justices of the Peace is and are hereby impowered and required to grant upon Summons of the Offender or Offenders, and Conviction of him, her, or them, upon the Oath of One or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered and required to administer without Fee or Reward) and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) to the Party or Parties whose Goods and Chattles shall be so distrained

Penalties and Forfeitures how to be recovered and applied.

ed and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted, ſhall be paid to the ſaid Truſtees, or any Five or more of them, or to their Treaſurer or Treaſurers for the time being, and ſhall by them be applied and laid out, if not otherwiſe applied and diſpoſed of by this Act, for and towards the amending the ſaid Road.

Truſtees who are in the Commiſſion of the Peace to act as Juſtices.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any or either of the ſaid Truſtee or Truſtees appointed or to be appointed to put this Act in Execution, who is, are, or ſhall be in the Commiſſion of the Peace for the ſaid Counties of Oxford or Berks, to act as a Juſtice or Juſtices of the Peace, in all Caſes, Matters, and Things, as may be neceſſary for the more ſpeedy and effectual putting in Execution the ſeveral Authorities and Powers in this Act mentioned and contained.

Perſons aggrieved may appeal to the Quarter Seſſions.

And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any thing done in purſuance of this Act, and for which no particular Remedy or Method of Relief hath been already hereby directed and appointed (other than and except the Verdict or Verdicts which ſhall be given by the Jury or Juries aforeſaid) it ſhall and may be lawful to and 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 County wherein ſuch Cauſe of Complaint ſhall ariſe: And in caſe the ſaid Cauſe of Complaint ſhall ariſe within Fifteen Days next before ſuch General Quarter Seſſions of the Peace, then ſuch Appeal may be made to the ſaid Juſtices at the Second General Quarter Seſſions of the Peace to be held for the ſaid County, who are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint or Complaints of any Perſon or Perſons ſo aggrieved; and the ſaid Juſtices, if they ſhall ſee Cauſe, ſhall and may, by Order of ſuch Seſſions, mitigate at their Diſcretion all or any of the Penalties and Forfeitures laid or incurred by the Party or Parties complaining, or vacate or ſet aſide the Conviction or Convictions, and ſet the Parties at Liberty, or otherwiſe may ratify and confirm the ſame, with ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable, and ſhall and may levy,

by their Order or Warrants, such Costs so awarded, by Distress and Sale of the Goods and Chattles of any Person or Persons who shall refuse to obey the same; and for want of sufficient Distress, to commit the Party to the common Gaol of the said County for any Time not exceeding Three Months, or until Payment of such Costs shall be made; but the Person or Persons so appealing as aforesaid, shall, and are hereby directed to give Notice in Writing to the Treasurer or Treasurers for the time being of the Tolls or Duties granted by this Act, where the Offence was committed, of such their Intention of bringing or prosecuting any Appeal, Fifteen Days before the said Quarter Sessions; and shall, within Five Days after such Notice given, enter into a Recognizance before some Justice of the Peace of the said County, with Two sufficient Sureties, with Condition to try such Appeal at the Quarter Sessions of the Peace which shall be held for the said County next and immediately after bringing such Appeal, and also, in case such Appeal shall be disallowed, to pay such Costs and Charges as the said Justices shall direct in that Behalf; and every such Appeal shall, at the then next General Quarter Sessions, be there heard and finally determined.

Notice of Appeal to be given.

Recognizance to be entered into.

And be it further enacted by the Authority aforesaid, That no Order, Assessment, Judgement, or other Proceeding, made touching or concerning any of the Matters aforesaid, or touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster; any Law or Statute to the contrary thereof in any wise notwithstanding.

Proceedings not to be quashed for want of Form; nor removeable by *Certiorari*.

And be it further enacted by the Authority aforesaid, That this Act, and the Tolls or Duties, and the several Powers and Authorities hereby made payable and granted, shall commence and have Continuance, from and after the passing of this Act, for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

Commencement and Continuance of this Act.

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 of James Tree, known by the Sign of The George, in Wallingford, on the Monday Fortnight next after the Day of the passing of this

Time and Place of Trustees Meeting.

this Act, and shall proceed to the Execution of this Act, and shall and may then adjourn themselves from time to time, and afterwards meet at the same or any other Place or Places near the said Road, as the said Trustees, or any Two or more of them, shall think proper; and if it shall happen that there shall not appear at any Meeting appointed to be held by the said Trustees, a sufficient Number of Trustees to act at such Meeting, or to adjourn to any other Day, then the Clerk to the said Trustees shall, by Notice affixed 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 same or some other convenient Place on that Day Three Weeks on which such last-mentioned Meeting was appointed to be held; and that the said Trustees, at their First and all their subsequent Meetings, shall defray their own Charges and Expences.

In Default of a sufficient Number of Trustees to act,

Notice to be given of another Meeting.

Trustees to defray their own Expences.

And, for continuing a sufficient Number of Trustees to put this Act in Execution, be it further enacted by the Authority aforesaid, That when and as often as any Trustee or Trustees shall die, remove, or refuse to act, it shall and may be lawful for such of the said Trustees as shall survive and remain, or any Nine or more of them, by Writing or Writings under their Hands and Seals, from time to time to appoint One or more fit Person or Persons (qualified to act as a Trustee or Trustees according to the Directions of this Act) in the room or Place of such Trustee or Trustees so dying, removing, or refusing to act; and such Person or Persons so appointed shall be joined with such surviving and remaining Trustees in the Execution of all and every the Powers in them reposed by virtue of this Act; and Notice of the Time and Place of Meeting for the Election of such new Trustee or Trustees, shall be given by the Clerk or Clerks to the said Trustees for the time being, who is and are hereby required to fix or cause to be fixed such Notice in Writing at or on all the Turnpike Gates which shall be erected by virtue of this Act, at least Ten Days before the Meeting for such Election; and all and every such Person or Persons as shall be appointed to be joined with such surviving or remaining Trustees shall and may 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 herein before nominated and appointed.

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

10 Days Notice of Election to be given.

And

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

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 any other Writing whatsoever, under the Hand and Seal or Hands and Seals of, or only signed by, any Trustee or Trustees for putting this Act in Execution, or any Owner or Owners of any of the Securities aforesaid, or any Justice or Justices of the Peace, or exhibited before them or any of them, touching, concerning, or in Execution of any Power or Authority 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 or Duty whatsoever. Writings to be without Stamps.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any thing done in pursuance of this Act, every such Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and 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 same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be so brought after the Time before limited for bringing the same, or shall be brought in any other County or Place, then the Jury shall find for the Defendant or Defendants; and upon a Verdict for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become Nonsuited, or suffer a Discon- Limitation of Actions. General Issue.

tinuance of his, her, or their Action or Actions, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or De-
Treble Costs. fendants shall have Treble Costs, upon Affidavit made, or the Certificate of the Judge or Judges before whom such Cause shall be tried, whereby it may appear that such Suit was prosecuted against such Defendant or Defendants for Matters contained in this Act, and shall have such Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in any other Case by Law.

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

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FINIS.