Anno quinto

Georgii III. Regis.

An Act for enlarging the Terms and Powers of ſeveral Acts of the Ninth and Twelfth Years of Queen *Anne*, and of the Thirteenth of King *George* the Firſt, and of the Fourteenth of His late Majeſty, for repairing the Highways leading from *Royſton*, in the County of *Hertford*, to *Wandsford Bridge*, in the County of *Huntingdon*, ſo far as relates to the Middle and South Diviſions of the Road comprized in the ſaid Acts; and for amending the Road from the Town of *Huntingdon* to the Cauſeway at or near the Weſt End of the Town of *Somerſham*, in the ſaid County of *Huntingdon*.

WHereas by Two Acts of Parliament, made in the Ninth and Twelfth Years of the Reign of Her late Majeſty Queen Anne, ſeveral Tolls and Duties were granted, and Powers given, for repairing the Highways leading from Royſton, in the County of Hertford, to Wandsford Bridge, in the County of Huntingdon; and by an Act made in the Thirteenth Year of the Reign of His late Majeſty King George the Firſt, for the more effectual amending the ſaid Highways, Preamble.

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such Highways were divided into Three distinct Divisions; (that is to say) The North Division, the Middle Division, and the South Division; and certain Tolls and Duties were granted for the Repair of the Roads in each of the said Divisions respectively, instead of the Tolls and Duties granted by the said former Acts; which said Act of the Thirteenth Year of His said Majesty's Reign, and also the Powers given by the said former Acts, except such as were thereby altered, were to have Continuance for and during the Term of Twenty one Years, to commence from the Twenty fourth Day of June, One thousand seven hundred and twenty seven: And whereas One other Act was made in the Fourteenth Year of the Reign of His late Majesty King George the Second, for enlarging the Term and Powers granted by the said Two former Acts, whereby the same were continued for the further Term of Twenty one Years: And whereas the Trustees appointed to put the said Acts in Execution within the said South and Middle Divisions, have, at different Times, borrowed considerable Sums of Money for the Purposes of repairing the said Roads in the said Divisions, and there are now due on the Credit of the respective Tolls arising within the South and Middle Divisions aforesaid, the several Sums of One thousand four hundred Pounds, and Eight hundred Pounds; which cannot be repaid, and the said Roads kept in Repair, unless the Term and Powers of the said Acts, so far as the same relate to the South and Middle Divisions, are enlarged, and the said Acts made more effectual: And whereas the Road leading out of the Town of Huntingdon through Pidley, over Somersham Lawn, by the Direction Post to the Causeway at or near the West End of the Town of Somersham, in the County of Huntingdon, is become very ruinous, and in some Parts narrow and incommodious, and cannot be sufficiently and immediately amended and widened by the ordinary Course of Law: 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 Three several herein before-recited Acts, and all and every the Clauses, Powers, Penalties, Forfeitures, Provisoes, Matters, and Things whatsoever therein contained, so far as the same relate to the said Roads in the Middle and South Divisions (except such Parts as are hereby varied or altered) shall be and the same are hereby further

The several Powers contained in the former Act, further continued for 21 Years.

ther continued, from the Expiration of the ſaid laſt-mentioned Term, and alſo of the additional Term granted by an Act made in the Twenty eighth Year of the Reign of His late Majeſty King George the Second, 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 publick 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; which ſaid additional Term hereby created, as well as the now ſubſiſting Term, ſhall be ſubject and liable to the Payment of the Money now due, and the Intereſt due or to grow due thereon, and alſo to the Payment of any Money hereafter to be borrowed on the Credit of the ſaid Acts and of this preſent Act, within the reſpective Diviſions aforeſaid.

Road from *Huntingdon* to *Somerſham* to be a ſeparate Diſtrict.

And be it further enacted by the Authority aforeſaid, That ſuch Part of the Roads aforeſaid as leads from the Town of Huntingdon through Pidley, over Somerſham Lawn, by the Direction Poſt to the Cauſeway at or near the Weſt End of the Town of Somerſham aforeſaid, ſhall be, and the ſame is hereby declared to be, a ſeparate Diſtrict of Road intended to be repaired by virtue of the ſaid recited Acts and of this Act.

Truſtees for the new Diſtrict.

And be it further enacted by the Authority aforeſaid, That the Right Honourable Sir John Cuſt Baronet, Speaker of the Honourable Houſe of Commons; the moſt Honourable John Manners, commonly called Marquis of Granby; the Right Honourable John Montagu, commonly called Lord Viſcount Hinchingbrook; the Honourable Charles Greville Montagu, commonly called Lord Charles Greville Montagu; the Right Honourable Lord Carysfort, in the Kingdom of Ireland; Sir John Barnard, Sir John Hynde Cotton, Sir Thomas Hatton, Sir Thomas Peyton, Baronets; Robert Bernard Eſquire, John Leman Eſquire, Nicholas Bonfoy Eſquire, John Cole Eſquire, John Cole junior Eſquire, William Cole, Chriſtopher Wood, Allen Cooper Clerk, William Wright, William Wright junior, Overman Smith, John Campion, the Mayor and Corporation of Huntingdon for the time being, Robert Jones Eſquire, Edward Montagu Eſquire, Coulſon Fellowes Eſquire, William Fellowes Eſquire, Fellowes Eſquire, Thomas Whiſton Clerk, Francis Overall, Abraham Banes, Edward Banes, Francis Wiſe, John Dixon,

John Dixon junior, Richard Lovell, Henry Poulter, Poulter, Peter Deſcow, Peter Deſcow junior, William Chandler, Abraham Staffurth, John Serjeant, Henry Brown, Richard Brown, Pedley Eſquire, Thomas Charter junior, Stephen Goſlin, William Goſlin, Leonard Wye, William Nettleton, the Honourable Robert Sherard Clerk, Thomas Pyke Clerk, Thomas Hempſtead, Joſeph Hempſtead, Robert Hodſon Clerk, John Maltman, William Pagett Eſquire, William Thompſon Eſquire, John Thompſon Eſquire, William Underwood Eſquire, John Kent, John Kent junior, Henry Kent, John Eden, James Maſon, Hubbard, Bartholomew Ibbat, John Kent of Woodhurſt, Peter Pickard Clerk, the Reverend Doctor Fountayne Dean of York, Edward Johnſon, Robert Hempſtead, James Favell D. D. John Allpreſs, Hart Eſquire, Ruſſell Eſquire, Charles Clarke Eſquire, Richard Oakley Clerk, Leonard Waller, Thomas Stracey Holder, William Peacock Eſquire, George Raitt M. D. Edward Ferrar, Robert Hardley, Owen Fann, Lawrence Deſborough, John Smith Clerk, Robert Slow, Trimnell Peacock Clerk, John Lawrence, Henry Grant, John Nodes, Robert Stafford, Thomas Saunders, John Edis, John Adaman, Thomas Adaman, Robert Hodſon Clerk, James Ruſt, Morley Unwin Clerk, William Unwin, Robert Godby junior, Daniel Hopkins, Thomas Pattiſon, Robert Leman, Hugh Palmer Clerk, Kidman, Thomas Rogers Clerk, Thomas Palmer, Littlebury Eſquire, John Watkins Eſquire, Hale Wortham Eſquire, John Hull, Herbert Wakeman Clerk, William Whitworth Clerk, William South, Longland, George Cornelius Swan Eſquire, Alexander Eſquire, John Davis Clerk, Peter Stanley Eſquire, George Reynolds L L. D. Richard Reynolds Eſquire, Anthony Reynolds Clerk, Charles Greene Eſquire, Charles Greene junior Eſquire, William Mitchell Eſquire, Charles Dickens Clerk, Thomas Clarke Eſquire, John Clarke Eſquire, Alured Clarke Eſquire, John Jackſon Eſquire, Original Jackſon Eſquire, George Jackſon, John Hawkins, Thomas Bluckley, Thomas Dexter, Henry Gray Eſquire, Edward Higginſon, Hugh Ferrar, Richard Carryer Clerk, William Williams Clerk, John Wright, John Ellington, John Mehew, William Mehew, James Stocker, Thomas Stocker, William Fox, John Downs, Thomas Steele, Richard Beaumont, William Litchfield, Henry Hampſhire, John Hampſhire, Barnabas Brighty, Peter Brighty, Charles Jenner D. D. Charles Jenner Clerk, Robert Jenner, Charles Proby Eſquire, Baptiſt Proby Clerk, Dingley Aſkham Eſquire, Richard Aſtell, William Naylor Blundell, William Barnes, Joſeph Barnes, Philip

Philip Bull, William Berwick, James Brittin, John Bosquain, John Bosquain junior, Aaron Brown, John Brown, John Banister Clerk, John Brukeno, John Birt, Saville Cockayne Cust, Charles Cæsar, Richard Cust, Thomas Collyer Esquire, Gilbert Cordell, William Custance, John Cordell junior, Thomas Cox, John Cranwell Clerk, Jonathan Denne, William Denne, John Dexter, John Hagar Esquire, Thomas Houghton Esquire, Robert Harris, Richard Hatley, Theodore Hill, John Robert Throckmorton Huske Esquire, Bromsall Huske, Thomas Johnson, John Jennings, Adrian Johnson, Thomas Knightley, Samuel Knight Clerk, William King, Josiah King, John King, Charles Leeds, John Lankaster, Joseph Leversedge, John Rumbald Leeds, Edward Martin, Edward Martin Esquire, John Margetts, James Mann, William Mallison, Joseph Marshall, Maddox Clerk, Robert Pigott Esquire, Samuel Pratt Esquire, William Peace Esquire, John Peck Esquire, Walter Peck Esquire, Carter Poto Esquire, Carter Poto junior Esquire, John Pym Esquire, William Prentice, Rowland Rudgeley, Rowland Rudgeley junior, Joseph Redman, Robert Ridley junior, Thomas Rutherforth D. D. William Stephenson, Edward Stadderd, Thomas Skeeles, John South, John Stuart, Robert Tench Clerk, Edward Theed Esquire, John Wright, Daniel Welstead, Charles Marion Welstead, Thomas Want, John Whetham, shall be, and they and their Successors (to be elected in Manner prescribed by the said recited Acts for the Election of Trustees) are hereby appointed Trustees for surveying, ordering, altering, turning, widening, repairing, and keeping in Repair, the said Road leading out of the Town of Huntingdon through Pidley, over Somersham Lawn, by the Direction Post to the Causeway at or near the West End of the said Town of Somersham, and for putting in Execution all other the Powers by the said former Acts and this present Act given for repairing the said Road.

Qualification of Trustees.

Provided always, That no Person shall be capable of acting as a Trustee in the Execution of the said former Acts or of this Act, unless he shall be in his own Right, or in the 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 be Heir Apparent of a Person seised of an Estate in Lands of the yearly Value of One hundred Pounds, or shall be possessed of a Personal Estate to the Amount of Eight hundred Pounds: And if any Person not being so qualified shall presume to act, contrary to the Intent and Meaning hereof, every such Person

Penalty on acting if not qualified.

Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered and levied by the Ways and Means, and in the Manner prescribed by any of the former Acts or this Act, for Recovery of Penalties and Forfeitures thereby inflicted or incurred; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds 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; One Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety shall be applied for the Purposes of this 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 Crown in Huntingdon, on the Third Monday next after the passing of this Act, and proceed to the Execution of the said former Acts and this Act, for repairing the said Road, leading out of the Town of Huntingdon through Pidley, over Somersham Lawn by the Direction Post to the Causeway at or near the West End of the Town of Somersham, and shall then and from time to time afterwards adjourn themselves and meet there, or at any other Place in the Town of Huntingdon aforesaid, as often as the said Trustees, or any Five or more of them, shall think proper for putting the said former Acts and this Act in Execution; and the Trustees for the said Middle Division, or any Five or more of them, shall meet at the said House, known by the Sign of the Crown in Huntingdon aforesaid on the Day following; and the Trustees for the said South Division, or any Five or more of them, shall meet on the Third Thursday after the passing of this Act, at the House known by the Sign of the Tyger in Arrington, and proceed to the Execution of the said former Acts and this Act, within their respective Divisions, and shall then from time to time afterwards adjourn themselves to meet at the Places aforesaid, or at such other Place or Places within the said Divisions, as often as the said respective Trustees, or any Five or more of them, shall think proper for putting the said former Acts and this Act in Execution; and if there shall not appear at any such Meeting a sufficient Number of Trustees to act, and adjourn to another Day, or if the said respective Trustees, or any Five of them, at any such Meeting, shall omit to adjourn to another Day, that then and in either of the Cases afore-

In Default of a sufficient Number to act, Meeting to be adjourned, &c.

said, as often as it shall be necessary, the said Trustees, or any Five of them, or the Clerk to the said Trustees, shall appoint another Meeting of the Trustees, to be held at the House where the last Meeting was to have been held, by fixing publick Notice for that Purpose on all the Turnpikes within such Divisions or District, at least Ten Days before such Meeting; and the said respective Trustees at all their Meetings shall defray their own Expences; and that all Orders and Determinations of the said Trustees in Execution of this Act shall be at Meetings to be held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be made, unless the major Part of the Trustees present at such Meeting shall concur therein, nor shall any such Order or Determination be revoked or altered at any subsequent Meeting, unless Seven of such Trustees shall be present, and the Person or Persons applying to revoke or alter any such Order shall give Notice thereof in Writing to the Clerk of the said Trustees, to be by him affixed up at all the Gates or Turnpikes in the respective Divisions or District then standing upon the said Roads, at least Ten Days previous to any Meeting for such Purpose; nor shall any Trustee be capable of acting in the Execution of any of the Powers hereby granted during the Time he shall hold any Place of Profit under this Act; but all such Trustees as are Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Trustees to defray their own Expences.

Trustees not to accept of a Place of Profit under this Act.

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

And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, the said recited Acts, and the several Clauses, Provisions, Authorities, Penalties, Forfeitures, Exemptions, Matters, and Things, therein contained (except such Parts thereof as are hereby altered or varied) and also this present Act, shall, for and during the Continuance of the respective Terms aforesaid, extend to the said Road leading out of the Town of Huntingdon, through Pidley, to the Direction Post adjoining to the Causeway, at or near the West End of the Town of Somersham, in the said County of Huntingdon, for the Purposes of amending, widening, and keeping the said Road in Repair, as fully and effectually to all Intents and Purposes, as if the said Road had been particularly described in the said recited Acts, and thereby directed to be amended, widened, and kept in Repair.

For extending the Provisions of the former Acts to the new Road.

Truſtees may erect Turnpikes and Toll-houſes,

And be it further enacted by the Authority aforeſaid, That from and after the Firſt Day of June, One thouſand ſeven hundred and ſixty five, the ſaid Truſtees hereby appointed, or any Five or more of them, ſhall, and they are hereby authorized and impowered to erect or cauſe to be erected One or more Turnpike or Turnpikes on the ſaid Road between the Town of Huntingdon, and the Cauſeway at or near the Weſt End of the Town of Somerſham aforeſaid, and alſo a Toll-houſe or Toll-houſes; and the Tolls following ſhall be paid before any Horſe, or other Cattle or Beaſt, or any Carriage whatſoever, ſhall be permitted to paſs through any ſuch Turnpike or Turnpikes; that is to ſay,

and take Tolls thereat,

The Tolls.

For every Coach, Berlin, Chariot, Chaiſe, or Chair, drawn by more than Two Horſes, or Geldings, the Sum of One Shilling and Six Pence.

For every Coach, Berlin, Chariot, Calaſh, Chaiſe, or Chair, drawn by Two Horſes, Mares, or Geldings, Nine Pence.

For every Calaſh, Chaiſe, or Chair, drawn by One Horſe, Mare, or Gelding, Six Pence.

For every Waggon, Wain, Car, Cart, Caravan, or other Carriage, drawn by more than Four Horſes, Mares, or Geldings, One Shilling; and drawn by Four Horſes, Mares, or Geldings, Nine Pence; and drawn by Two Horſes, Mares, Geldings, or with Oxen, Six Pence; and drawn by One Horſe, Mare, Gelding, Mule, or Aſs only, Three Pence.

For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, Three Half Pence.

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Three Pence per Score, and ſo in Proportion for any greater or leſſer 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 leſſer Number.

Which ſaid Sums of Money ſhall be demanded and taken in the Name of and as a Toll, and ſhall be paid to ſuch Perſon or Perſons as the ſaid Truſtees for the ſaid Diſtrict of Road, or any Seven or more of them, ſhall appoint to receive the ſame; and ſhall be veſted in the ſaid Truſtees, and collected, levied, and recovered by ſuch Ways and Means, and in ſuch Manner, as any of the Tolls directed to be demanded and taken by virtue of the ſaid recited Acts are hereby directed to be collected, levied, and recovered, and ſhall be applied in

Tolls veſted in the Truſtees.

repairing the said Road leading out of the said Town of Huntingdon, through Pidley, over Somersham Lawn, by the Direction Post, to the Causeway at or near the West End of the Town of Somersham, and in defraying all incidental Charges relating thereto, according to the true Intent and Meaning of this Act.

No Gate to be erected within Two Miles of *Somersham*;

Provided always, and be it further enacted by the Authority aforesaid, That no Turnpike shall be erected by virtue of this Act within Two Miles of the Town of Somersham; any thing contained in this Act to the contrary notwithstanding.

or on that Part of the Road comprized in Act 28 *Geo.* II.

And be it further enacted by the Authority aforesaid, That no Turnpike shall be set up or erected, or permitted to remain, if already erected, upon that Part of the Road directed to be repaired by an Act passed in the Twenty eighth Year of the Reign of His late Majesty, intituled, An Act for repairing the Road from a certain Place in *Bury*, in the County of *Huntingdon*, through *Warboys*, *Old Hurst*, *Saint Ives*, *Hilton*, *Eltisley*, *Waresley*, *Gamlingay*, and *Potton*, to a House called the *Spread Eagle* in *Stratton*, within the several Counties of *Huntingdon*, *Cambridge*, and *Bedford*, so as to subject any Person to the Payment of any Toll by virtue of the said Act, for travelling the Road with any Horse, or other Cattle, Coach, Waggon, or other Carriage, in and upon that Part of the Road comprized within this present Act, which only crosses and leads over the said Road comprized within the said recited Act; any thing contained in the said recited Act to the contrary notwithstanding.

Proviso.

Provided always, That it shall not be lawful to set up or erect any Turnpike by virtue of this Act, upon that Part of the Road hereby directed to be repaired, which crosses, intersects, or leads over the Road from Bury, to Old Hurst, to Saint Ives; any thing in this present Act to the contrary notwithstanding.

Mile-stones to be erected.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and they are hereby impowered and required to cause Stones to be set up on the Side of the said Road leading from the Town of Huntingdon, over Somersham Lawn, by the Direction Post, to the Causeway at or near the West End of the Town of Somersham, at the Distance of One Mile from each other, with such Inscriptions thereon as they shall think fit: And if any Person or Persons shall wilfully break, pull down, or damage, any the said Stones, or any of the Stones which have been already erected in any of the aforesaid Roads, or any Part thereof, or obliterate or deface any

Penalty on defacing Mile-stones, &c.

of.

of the Words, Letters, Figures, or Marks, which are or shall be inscribed thereon, or cause or procure the same to be done, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings; One Moiety whereof shall be paid to the Informer, and the other Moiety (after Payment of the Charges of replacing or repairing the same) shall be applied in such Manner, and for such Purposes, as other the Forfeitures by this Act are hereby directed to be applied, and levied in the same Manner as the other Penalties are in this Act directed to be levied; and in case there shall not be a sufficient Distress to be found, that then it shall and may be lawful to and for any Person or Persons, by Order of Five or more of the said respective Trustees, to take the Offender or Offenders before any Justice of the Peace of the Place or County where the Offence shall be committed, and upon Proof of the Offence, such Justice shall commit such Offender or Offenders to the House of Correction for the said County of Huntingdon or Cambridge, for any Number of Days, not exceeding Twenty eight Days in the Whole.

Trustees may compound for the Tolls in *Huntingdon*, &c.

And be it further enacted by the Authority aforesaid, That the said respective Trustees for the said Middle Division, and for the District aforesaid, or any Seven or more of them, at any of their publick Meetings, may and they are hereby impowered to compound by the Year, or otherwise, with all or any of the Inhabitants of the several Towns of Huntingdon and Godmanchester for themselves, their Servants, and Carriages, or Cattle, passing through the Turnpikes erected within the said Town of Godmanchester, and also with all or any the Inhabitants of Huntingdon, Hertford, and Houghton cum Whitton, for passing through any Turnpike or Turnpikes to be erected pursuant to this Act, between the Town of Huntingdon, and the Causeway at or near the West End of the Town of Somersham aforesaid; which Composition-money shall be immediately paid to the said Trustees, on their Appointment, and shall be applied in the same Manner as the Tolls by the said former Acts or this Act granted are directed to be applied, and an Entry thereof shall be made in a Book or Books to be kept for that Purpose.

Trustees may lease, &c. the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Seven or more of them, upon Ten Days Notice to be given thereof upon all the Turnpikes within their respective Divisions or District aforesaid, from time to time, by Writing under their Hands

and

and Seals, to lease, demise, let to farm, or let out, the Tolls by the said former Acts, or by this present 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 the Term of Three Years, upon publick Bidding to the highest Bidder, and for the best Price the said 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 Seven or more of them, shall think fit, and to be paid to their Treasurer or Treasurers for the time being; and the Monies arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied.

Trustees may compound with Parishes, &c.

Provided always, and be it further enacted by the Authority aforesaid, That the Trustees, or any Seven or more of them, are hereby authorized and impowered to compound by the Year or otherwise with any of the Inhabitants of the several Parishes through which the Road in the said South Division doth lead, for the passing of their Cattle and Carriages through any of the Gates which are or shall be erected within the said Division.

Trustees may compound with Parishes for Statute-work.

Provided always, and be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, may and are hereby impowered to compound with the several Inhabitants of the several Parishes, Hamlets, and Places, through which the Roads by the said recited Acts and this Act intended to be repaired do lead, for the Statute-work and Labour to be by them respectively done in the said respective Roads in every Year; which Composition-money shall be paid at the respective Times of making such Composition.

Accounts to be taken yearly.

And be it further enacted by the Authority aforesaid, That the Accounts relating to the repairing the said Highways within the said Divisions and District aforesaid, shall be taken every Year at such Times and Places as the respective Trustees, or any Five or more of them, shall at their Meetings from time to time direct and appoint.

Penalty of obstructing Officers in their Duty, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully go or pass with any Horse, Beast, or Carriage, through any of the Turnpikes by virtue of this Act to be continued, erected, or set up, without paying the Toll or Tolls to be paid for the same, or shall pass over Redmarsh or Iron Leys Ditches, in order to evade the Payment of the

Tolls directed to be paid by the said recited Acts at the Turnpike at Kneesworth, in the County of Cambridge, or shall break any of the Gates, Polls, or Rails, erected or to be erected or set up on the Sides of the Road in the South Division between the South End of Kneesworth and Arrington aforesaid; or if any Person shall assault, interrupt, or obstruct, any of the Collectors or Persons in the collecting or receiving any of the said Tolls, or any otherwise in the Execution of his or their Office or Offices of Collector or Collectors, or shall forge, counterfeit, or alter, or shall deliver to, or receive of any other Person or Persons any Ticket or Tickets, with an Intent to avoid the Payment of any of the said Tolls, or any Part thereof, or shall unload or cause to be unladen any Cattle or Carriage, at or near any of the said Turnpikes, or having passed through any of them, shall afterwards add or put any Horse or other Beast to any such Carriage, and draw therewith upon any Part of the said Roads, so as to increase the Number of Horses or other Beasts drawing the said Carriage, after the same shall have passed through any of the said Turnpikes, with Intent to evade, or having thereby evaded, the Payment of any of the said Tolls, or any Part thereof, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Property of Turnpikes and Toll-houses vested in Trustees.

And be it further enacted by the Authority aforesaid, That the Property of the several Gates or Turnpikes and Toll-houses, Bridges and other Works already erected, or which shall be erected or built by virtue of the said former Acts or this 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 several Roads, shall be, and are hereby vested in the respective Trustees for the said respective Divisions and District of Roads aforesaid; and they, or any Five or more of them, are hereby impowered to dispose of the same as they shall think proper, and 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 One or more of them, or in the Name or Names of their respective Treasurers or Clerks, 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 any Person or Persons employed by the said Trustees, or any Five or more of them, in the Execution of the said former Acts or of this Act.

And

And be it further enacted by the Authority aforesaid, That the Charges of procuring and passing this Act, shall, as soon as may, 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 raised, by or upon the Credit of the said former Acts or this present Act. Charges of passing this Act to be first paid.

And, in order the better to carry this Act into Execution, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Trustees hereby appointed, or any Seven or more of them, from time to time, by any Writing or Writings under their Hands and Seals, to assign over the Tolls to be taken by virtue of this Act at any Turnpike or Turnpikes to be erected upon the said Road leading from the Town of Huntingdon over Somersham Lawn by the Direction Post, to the Causeway at or near the West End of the Town of Somersham aforesaid (the Costs and Charges of assigning the same to be paid out of the said Tolls) for any Time or Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums to be borrowed upon the Credit of the said Tolls to such Person or Persons, or their Trustee or Trustees, who shall advance and lend the same, to secure the Repayment thereof, with Interest for the same; which Assignments shall be transferrable by Indorsement thereon, and entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer of the said Trustees, and after the said First Meeting, Twenty Days Notice at least shall be given of the borrowing any Money on the Credit of the said Tolls, and fixed up in Writing at all the Turnpike-gates which shall be erected by virtue of this Act: And the Money so to be borrowed, shall, together with the Tolls to be collected at the Turnpike or Turnpikes, be applied and disposed of by the said Trustees, or any Seven or more of them, in repairing the said Road from Huntingdon, to the Causeway at or near the West End of the Town of Somersham aforesaid, and other the Purposes of this Act, relating to the said new additional Road, in such Manner as they shall think proper, and to no other Use or Purpose whatsoever. Tolls may be assigned for Money borrowed. Assignments may be transferred.

And be it further enacted by the Authority aforesaid, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of this Act, in respect to the Priority of advancing such Sum or Sums of Money; but that all Persons to whom such Mortgages or Assignments shall be made All Creditors to be deemed equal in Degree.

made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on this Act, and in equal Degrees one with another.

Writings to be without Stamps.

And be it further enacted by the Authority aforesaid, That no Nomination, Information, Appointment, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, Indorsement, Transfer, or other Security, for the borrowing of Money, or other Writings whatsoever, relating to the Execution or in pursuance of this Act, shall be charged or chargeable with any Stamp Duty whatsoever.

Treasurer, &c. to give Security.

And be it further enacted by the Authority aforesaid, That the said Trustees for the said Divisions and District, or any Five or more of them, are hereby required to take Security from the Collectors, Receivers, Clerks, Treasurers, and other Officers by them appointed in pursuance of this Act, for the due Execution of their respective Offices, as the said Trustees, or any Five or more of them, shall think fit.

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

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

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures in and by the said former Acts and this present Act incurred, the Manner of levying and recovering whereof is not otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Goods and Chattles of the Offender or Offenders, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the County or Place where the Offence shall be committed; which Warrant or Warrants the said Justice or Justices is and are hereby impowered and required to grant, upon Information of One or more credible Witness or Witnesses upon Oath (which Oath the said Justice or Justices is and are hereby impowered and required to administer without Fee or Reward) and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whose Goods and Chattles shall be so distrained and sold (the Charges of such Distress and Sale being first deducted) shall go, be applied, and laid out, if not otherwise applied and disposed of by this Act, for and towards amending the said Roads within the Division or District where such Penalties and Forfeitures shall have been incurred.

And

And, in order to render the said Roads more safe and commodious for Travellers, Horses, and Carriages in Times of Floods or High Water; be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, within their respective Divisions or District of Roads aforesaid, or their Surveyor or Surveyors, or any Person or Persons by them, or any Five or more of them, employed for that Purpose, and they are hereby authorized and impowered to amend, widen, enlarge, and repair, any Causeway or Causeways, or any Bridge or Bridges, upon or on the Side or Sides of any Part of the said Roads, and to build, or cause to be built, any other Bridge or Bridges in, upon, or on the Sides of, the said Roads, or any of them, for all Travellers, Horses, and Carriages, to pass over in Time of Flood or High Water only; and that at all other Times during the Continuance of this Act, it shall and may be lawful for the said Trustees respectively, or any Five or more of them, to put up a Bar or Chain at each End of such Bridges, as hath been usually done, to prevent Travellers, Cattle, and Carriages, passing over them; and also that the Trustees of the said several Divisions and District of Roads respectively, shall and may cut, or cause to be cut, any Watercourses in, through, or cross, any Lands or Ground, to prevent the said Roads, or any Part or Parts thereof, from being overflowed, and erect Bridges over such Drains or Watercourses, if necessary, making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds, for the Damage they shall thereby sustain, as to the said Trustees respectively, or any Five or more of them, shall seem reasonable. Trustees may amend Causeways, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said respective Trustees, within their respective Divisions and District, or any Seven or more of them, to erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, on the Side or Sides of the said Highways and Roads aforesaid, or cross any Lane or Way leading into or out of the same, and there to take and receive such Tolls as are by the said recited Act and this Act made payable. Trustees may erect Sidegates, &c.

And it is hereby further enacted by the Authority aforesaid, That all and every Person and Persons, and all Lands, Tenements, and Hereditaments, which by any Law, Custom, Usage, or otherwise, are or shall be liable and chargeable towards amending any Highways or Bridges in or upon any Part or Parts of the Roads Lands, &c. chargeable to the Repair of the Roads, to continue so.

by the said recited or this present Act intended to be repaired and amended, shall still remain liable and chargeable to repair the same; and the Tenants and Occupiers of such Lands and Tenements are hereby required and directed to pay the Rents and Profits thereof to the Treasurer of the Trustees for such Part of the Roads aforesaid, where such Highways or Bridges do lie; and upon Default of Payment thereof for the Space of Ten Days after the same ought to be paid (being demanded) it shall and may be lawful for any One or more Justice or Justices of the Peace for the Place or County wherein such Highways or Bridges do lie, and he and they are hereby directed to levy such Rents and Profits by Distress and Sale of the Goods of the Tenants or Occupiers who shall refuse to make such Payment as aforesaid, and such Rents and Profits, when recovered and received, shall be applied towards amending such Roads and Bridges to which the same are liable, and to no other Use or Purpose whatsoever.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That no Action at Law shall be brought against any Person or Persons for any thing done or to be done by virtue of this Act, till after Ten Days Notice thereof, in Writing, shall be given to the Person or Persons against whom such Action shall be intended to be so brought, thereby setting forth the Cause of such Action, or left at his or their last or usual Place of Abode; and that every Action brought for any thing done or to be done as aforesaid, shall be brought within the Space of Six Calendar Months next after the Cause thereof shall arise, and shall be laid and tried in the County where the Cause of such Action shall arise; and the Defendant or

General Issue.

Defendants therein may plead the General Issue thereto, and give this Act and the Special Matter in Evidence, and that the same was done by virtue hereof; and if, on the Trial of such Action, it shall appear that the same was brought before the Expiration of Ten Days next after such Notice shall have been so given or left as aforesaid, or after the End of Six Calendar Months next after the Cause thereof shall have arisen; or if such Action shall be brought or laid in any other County than as aforesaid; or after sufficient Tender of Amends shall have been made to the Party or Parties aggrieved, then, and in every the Cases aforesaid, the Jury on the Trial of such Action or Actions shall find for the Defendant or Defendants therein; and in all Cases where any Verdict shall be found for any Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs therein shall discontinue

diſcontinue the ſame after the Defendant or Defendants ſhall have appeared thereto, or ſhall be nonſuited; or if upon Demurrer Judgement ſhall be given againſt ſuch Plaintiff or Plaintiffs, the Defendant or Defendants in ſuch Action ſhall have Treble Coſts, and ſhall have the like Remedies for recovering the ſame, as Defendants have for recovering their Coſts in other Caſes by Law. Treble Coſts.

And be it further enacted by the Authority aforeſaid, That in caſe any Action or Proſecution ſhall be commenced or proſecuted in purſuance of this Act, or by the Direction of the ſaid Truſtees, or any Five or more of them, in every ſuch Caſe the ſaid Truſtees, or any Five or more of them, ſhall, out of the Monies ariſing by virtue of this Act, allow and pay to the Proſecutor, or ſuch Perſon or Perſons in whoſe Name or Names ſuch Action or Proſecution ſhall be commenced or proſecuted, all ſuch reaſonable Coſts and Charges as ſuch Perſon or Perſons ſhall be really and bona fide out of Pocket for or by reaſon of ſuch Action or Proſecution, or any Judgement or Determination therein, and likewiſe indemnify all ſuch Perſon and Perſons as ſhall be proſecuted, or have any Action or Actions brought againſt him or them for or by reaſon of any thing done in purſuance of this Act, under the Authority, and by the Direction, of the ſaid Truſtees, or any Five or more of them. Proſecutors to be paid their Coſts, and indemnified.

Provided always, and be it further enacted by the Authority aforeſaid, That no Act, Order, Conviction, Judgement, Determination, and other Proceedings that ſhall be done, made, or had, by the ſaid Truſtees, or by any Juſtice or Juſtices of the Peace, or by the Seſſions, by virtue of this Act, ſhall be quaſhed, vacated, or diſcharged, for want of Form only; or ſhall be removed by Certiorari, or otherwiſe, into any Court of Record at Weſtminſter. Proceedings not to be quaſh'd for want of Form, nor removeable by *Certiorari*.

Provided always, and be it further enacted, That if any Action at Law ſhall be brought againſt any Perſon for any thing done in purſuance of any Summons, Notice, Act, Order, Judgement, Conviction, Determination, or other Proceedings of or from the ſaid Truſtees, or of or from any Juſtice of the Peace, or of the Quarter Seſſions, the Defendant or Defendants in ſuch Action ſhall not be deemed a Treſpaſſer or Treſpaſſers on account of any Irregularity of or in any ſuch Summons, Notice, Act, Order, Judgement, Conviction, Determination, Warrant, or Proceeding; nor ſhall the ſaid Defendant or Defendants be deemed a Treſpaſſer or Treſpaſſers ab initio, for or on account of any Irregularity which ſhall afterwards be done by him, them, or either of them; Diſtreſs not unlawful for want of Form; nor the Parties diſtraining deemed Treſpaſſers *ab initio*.

but

but the Person or Persons aggrieved by such Irregularity shall recover Satisfaction only for the Special Damages in an Action or Actions on the Case.

Publick Act. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be, a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. 7

FINIS.