Anno quinto

Georgii III. Regis.

An Act for repairing and widening the Roads from *Bawtry Bridge*, in the County of *Nottingham*, to *Hainton*, in the County of *Lincoln*; and from *North Willingham* to the North End of the Lane betwixt *Dexthorpe* and *Langton*; and from *West-Raisin* to *Pilford Bridge*; and from the Great Road near *Bishop Bridge*, to *Bishop Norton Common*; and from the Hamlet of *Morton* to *Epworth*; and from *Haxey Field*, to the *Trent* at *Kinnald Ferry*, in the County of *Lincoln*.

WHEREAS the Road leading from Bawtry Bridge, in the County of Nottingham, through the Town of Seafforth, to Holling Hill, and through the Town of Everton, by Drake Holes, and through the Towns of Gringley and Walkeringham, and over Swine Marsh to Walkereth Ferry, and through Part of the Town of Walkereth, over Walkereth Common, and through the Town of Morton, and through the Hamlet of Northolme; and from thence by or near to the Parsonage Barn leading into the Road over Gainsborough Middle Field, through Towland Lane, and Preamble.

and over Great Corringham and Little Corringham Commons, and through the Town of Little Corringham, and over Little Corringham Fields, the Moor Leys, and Madging Moor, and through Harpswell Lane; and from the End of the said Lane in a strait Line over Anacock Springs, in Welldale, to the Gate leading to Harpswell; and from thence to the Top of Hemswell Hill, along Harpswell Hedge, to a Place called Creampoke Nook; and from thence along the Road by Glentworth Wall, across the old Street, to the Town of Glentham, over Bishop Bridge, and through the Towns of West Raisin, Middle Raisin, and Market Raisin, and over Market Raisin Moor or Common, Tevelby Moor or Common, to the New Bridge, into Willingham Lordship, late a Warren, and through the Town of North Willingham, and from the Great Road in the Village of North Willingham, through a Lane leading South to the Town of Six Hills; and from thence to the Black Smith's Shop in Hainton; and from North Willingham Lane, over Ludford North Field, Great Tows, Sheep Pastures, and Calsthorpe Sheep Pasture, and through Kelstern Lane, and over Kelstern Sheep Pasture, Elkington West Field, and through the Town of Elkington, and over Elkington East Field, and through Thorp Hall Lane to Thorp Hall Mill; and from thence through Westgate End, Break Neck Lane, and Goosepool, to the Blue Stone Inn Back Gate in Louth; and from thence over Louth South Field by Kennick Thorne through Manners Lane, through the Parish of Burwell over Lidcey Beck and Driby Warren, and Part of Ulceby West Field, to the North End of the Lane betwixt Deathorpe and Langton, in the County of Lincoln; and also the Road from the Town of West Raisin, through the Town of Toft; and from thence to Pilford Bridge, in the said County of Lincoln; and also from the Great Road about Six Furlongs West of Bishop Bridge aforesaid, through a Lane opposite to South Dales, through the Church Piece, to Bishop Norton Common, in the said County of Lincoln; and also the Road from the North End of a certain Pasture called Robin Hood, in the Hamlet of Morton, in the Parish of Gainsborough, upon Morton Common, over the Ferry at East Stockwith; and from thence over Haxey Common, and through the Towns of Crailsound and Burnham to Epworth, in the said County of Lincoln; and also the Road from the main Road, at the Cross Road in Haxey Field, leading directly Eastward over a Syeer called Gravel Pit Meer, by the Mill at East Lound; and from thence on the Backside of East

Lound, over Owston Field to the Church, through the Town of Owston, and from thence upon Haxey Common, to the Trent at West Kirkiald Ferry, in the said County of Lincoln; are ruinous, and in several Places very narrow and inconvenient, and cannot be properly amended, widened, and repaired, by the Laws now in being; 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 Brownlow Bertie, commonly called Lord Brownlow Bertie; the Right Honourable William Lord Viscount Galway, in the Kingdom of Ireland; the Right Honourable James Grenville, the Honourable Morgan Vane, Sir Henry Frankland, Sir Nevile George Hickman, Sir John Nelthorpe, Sir George Savile, Sir Charles Sheffield, Sir Cecil Wray, Sir Francis Whichcote, Baronets; Charles Amcotts, William Anderson Clerk, Joseph Anderson, Richard Anderson of Crowle, Barnard Atkinson, Jonathan Acklom, Jonathan Acklom, David Atkinson, William Allenby, George Acklom, John Acklom, Salmon Ashton, William Barber, William Booker senior, William Booker junior, Francis Banks, Aystough Boucherett, William Barnard, Thomas Brown, John Brown, Henry Booth, Anthony Bennett, Joseph Bankes, John Bennett, William Branston, Richard Branston Clerk, Peter Barnard, Brown of Butterwick, John Barker, William Brown senior, William Brown junior, Langhorne Burton, Robert Burton, Fitzwilliams Barrington, Barrington junior, Henry Broadhead, Thomas Browne, John Bright, Robert Banks, Thomas Brackenbury, Joseph Brackenbury Clerk, James Barker, Joseph Boot, John Bunker, John Bennett of Tows, Edward Bennett, Josiah Boot, John Bourne, George Barnard, John Cropton, Samuel Crompton, Robert Cracroft, Thomas Carter, Robert Carter Clerk, William Haggerston Constable, Thomas Cacey, John Christopher, John Coats, John Coggan, Clough Clerk, Robert Cowlam, Robert Cowlam junior, Thomas Cockshut Clerk, William Crampton, John Coringham, Robert Cross, James Cross, Thomas Colton, Charles Clarke, Nicholas Dealtry, Mary Madike Dixon, William Dixon, John Dickinson, Samuel Dashwood, Dashwood junior, Richard Dalton, George Donstan, John Dymock, Robert Dalziel, William Dawson Clerk, John Dawson, Robert Dawson, Robert Dawson, Zachary Ducket Clerk, John

Trustees named.

John Dixon, William Denison, Archibald Douglass, Samuel Dawson, Joshua Dunn, Dunston, Henry Downes, Edward Dymoke, Henry Etherington, Bartholomew Elliott, Anthony Eyre, Wharton Emerson, John Ella Clerk, John Elam Clerk, Freeman Flower, Walter Fletcher, Justice Finley Clerk, John Foss, Roger Fretwell, William Floyer, Robert Fretwell, John Fowler, William Gibson, John Gylby, Charles Gylby, Nathaniel Groombridge, Godfrey Clerk, William Gamston, Thomas Goody, Francis Gill, John Harrison senior, John Harrison junior, Eastland Hawksmore, Thomas Hutton, George Hutton Clerk, John Hutton, Joseph Hornby, William Hornby, George Heneage, William Hutton, John Holland Clerk, John Haley Clerk, Thomas Hall, Joseph Hunt, George Healey, Thomas Heron, Theodore Hornby, James Hawkesworth, John Hopkinson of Garthorpe, John Hewitt, Joseph Harrison, Thomas Hall, Thomas Hurst Clerk, Robert Hickson, Thomas Hickson, James Hickson, George Hartshorn, Anthony Hartshorn, John Harrison, Thomas Hardy of Dr. Thomas Hurst Clerk, John Hurst, Hallows Hamer, Charles Hall Clerk, Alan Johnson, Thomas Johnson senior, Thomas Johnson junior, Thomas Judson senior, Thomas Judson junior, John Ivett, George Jolland, John Judson, Ralph Knight, William Kirk, Henson Kirkby, William Kirke, Edmund Kirke, Gervase Laffells, William Levinz, John Lister, Thomas Lister, Matthew Lister, Dymoke Lister, Bennet Langton, Edwin Lascelles, Bennet Langton junior, Samuel Langton, Benjamin Laughton, John Laughton, Richard Lee, the Warden of the Town of Louth for the time being, Lawrence Monk, William Burwell Massingberd, Charles Burwell Massingberd, Meux Massingberd, Thomas Massingberd, Spencer Madan Clerk, John Maddison, Thomas Mainwaring, Robert Morehouse, the Reverend Doctor William Murray, John Maw, Robert Maw, Richard Maw senior, Richard Maw junior, John Morris senior, John Morris junior, Edmund Morley, Thomas Morris, John Morton Clerk, John Marshall, John Marshall junior, George Mason, William Mellish, Charles Mellish, George Mason, John Mason, George Moore, Richard Milner, William Martindale, Robert Morton Clerk, Samuel Maw, Robert Moody, Robert Newton, William Newton, William Newcombe, John Nettleship, Jonathan Nettleship, John Nelthorpe, Francis Otter, John Otter, Humphry Outwith, John Pindar, Robert Pindar Clerk, Thomas Pindar, John Parker, William Pemberton Clerk, Richard Phillipson, Robert Pritchard Clerk, Thomas Pearson, Edward Peart, Popplewell, Richard Pilkington, Gilbert Pilkington, Jonathan Ruddale,

dale, Henry Revill, Robert Ramsden, Francis Rockcliffe, Thomas Richardson Clerk, Robert Raven, Samuel Roycroft junior, Thomas Robinson Mercer, Thomas Robinson Tanner, Christopher Radley, Sibury Roebuck, Robert Sutton senior, Robert Sutton junior, Jonathan Stanesforth, William Smith, Francis Smith, Gervase Scrope, Edward Smith, John Scott, Daniel Scott, Robert Strear, Henry Shawe, Cornelius Stovin junior, James Stovin, George Stovin, Robert Sutton, Robert Sutton the younger, Augustus Steedman, Lucas Spilsbury, Charles Slater, Thomas Slater, Thomas Saundby, Cornelius Stovin, Thomas Southworth, George Sharpless, Jonathan Stovin, Erasmus Saunders D. D. John Sidwell Clerk, Theophilus Smith, William Smith of Thorpe in the Mire, Thomas Smith, Henry Smith D. D. John Spencer, Robert Spencer, John Smith Clerk, Leger Saint, Edmund Turner, John Turner, Robert Twelves, Thomas Tolfield, Ralph Turnicliffe, Robert Vyner, Robert Vyner junior, Thomas Whichcot, Hubbert Woodhouse, Thomas Woodhouse, John Wilberfoss, Burden Wells, Jonathan Wilson, Middlemore Ward Clerk, Christoper Whichcote, Gervase Woodhouse, James Ward, Matthew Wilson, Henry Waterland, Joshua Waddington Clerk, Francis Willoughby, John White, Robert Williamson, Robert Woodhouse, William Walton, William Williamson, Charles White, Henry Walsh, Nicholas Wrigglesworth, Richard Wharfe, John Wrightson, Francis Willoughby, William Woodyeat, Charles Wood, Willoughby Wood, Josiah Wordsworth, John White, John Whitaker, and their Successors, to be elected in Manner herein mentioned, shall be and are hereby appointed Trustees for repairing and widening the said Roads, and putting this present Act, and the Powers therein contained, into Execution;

First District of Roads.

And be it further enacted by the Authority aforesaid, That the Road leading from Bawtry Bridge, in the County of Nottingham, through the Town of Scafforth, to Holling Hill, and through the Town of Everton, by Drake Holes, and through the Towns of Gringely and Walkeringham, and over Swine Marsh, to Walkereth Ferry, and through Part of the Town of Walkereth, over Walkereth Common, and through the Town of Morton, and through the Hamlet of Northolme; and from thence by or near to the Parsonage Barn leading into the Road, over Gainsborough Middle Field, through Town Lane, and over Great Corringham and Little Corringham Commons, and through the Town of Little Corringham, and over Little Corringham Fields, the Moor Leys, and Madging Moor, and through Harpswell Lane, and from the End of the said Lane in a strait Line

Line over Anacock Springs, in Welldale, to the Gate leading to Harpſwell; and from thence to the Top of Hemſwell Hill, along Harpſwell Hedge, to a Place called Creampoke Nook; and from thence along the Road by Glentworth Wall, acroſs the old Street, to the Town of Glentham, over Biſhop Bridge, and through the Towns of Weſt Raiſin, Middle Raiſin, and Market Raiſin, and over Market Raiſin Wood or Common, Tevelby Wood or Common, to the New Bridge, into Willingham Lordſhip, late a Warren, and through the Town of Willingham, and from the Great Road in the Village of North Willingham, through a Lane leading South to the Town of Six Hills; and from thence to the Blackſmith's Shop in Hainton, and from Willingham Lane, and from the Town of Weſt Raiſin, through the Town of Toft, and from thence to Pilford Bridge; and alſo from the Great Road, about Six Furlongs Weſt of Biſhop Bridge aforeſaid, through a Lane oppoſite to South Dales, through the Church Piece, to Biſhop Norton Common, in the ſaid County of Lincoln, ſhall be and is herein after called the Firſt Diſtrict of the Roads hereby intended to be repaired and widened: And that the Road leading from Willingham Lane, over Ludford North Field, Great Tows Sheep Paſtures, and Calſthorpe Sheep Paſture, and through Kelſtern Lane, and over Kelſtern Sheep Paſture, Elkington Weſt Field, and through the Town of Elkington, and over Elkington Eaſt Field, and through Thorp Hall Lane to Thorp Hall Mill; and from thence through Weſtgate End, Break Neck Lane, and Gooſepool, to the Blue Stone Inn Back Gate, in Louth; and from thence over Louth South Field, by Kennick Thorne, through Manners Lane, through the Pariſh of Burwell, over Calcy Beck and Driby Warren, and Part of Ulceby Weſt Field, to the North End of the Lane betwixt Dexthorpe and Langton, in the ſaid County of Lincoln, ſhall be, and is herein after called the Second Diſtrict of the Roads hereby intended to be repaired and widened; and that the Road leading from the North End of a certain Paſture called Robin Hood, in the Hamlet of Morton, in the Pariſh of Gainſborough, upon Morton Common, over the Ferry at Eaſt Stockwith, and from thence over Haxey Common, and through the Towns of Caiſtound and Burnham to Epworth, and from the main Road at the Croſs Road in Haxey Field, leading directly Eaſtward over a Meer called Gravel Pit Meer, by the Mill at Eaſt Lound, and from thence on the Backſide of Eaſt Lound over Owſton Field to the Church, and through the Town of Owſton,

Second Diſtrict.

Third Diſtrict.

Owston, and from Snow Sewer, upon Haxey Common, to the Trent, at West Kinnald Ferry, in the said County of Lincoln, shall be and is herein after called the Third District of the Roads hereby intended to be repaired and widened.

Times and Places of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That a Meeting of the said Trustees, or any Five or more of them, shall be held for the said First District at Gainsborough, in the said County of Lincoln, within Thirty Days next after the Passing of this Act; and that a Meeting of the said Trustees, or any Five or more of them, shall be held for the said Second District at Louth, in the said County of Lincoln, within Thirty five Days next after the Passing of this Act; and that a Meeting of the said Trustees, or any Five or more of them, shall be held for the said Third District at Epworth, in the said County of Lincoln, within Forty Days next after the Passing of this Act; and they the said Trustees, or any Five or more of them, shall respectively proceed to the Execution of this Act, and shall and may then and from time to time afterwards adjourn themselves, to meet at such Place or Places within or near such respective Districts, as they the said Trustees, or any Five or more of them, shall from time to time think most convenient for putting this Act in Execution: And if, at any Meeting or Meetings appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Trustees to act or to adjourn to another Day, the Trustee or Trustees then present, or the Clerk or Clerks to the said Trustees respectively, shall, from time to time, as often as such Case shall so happen, by Notice in Writing to be affixed upon all the Turnpikes which shall then be erected, within the respective District where such Default shall be, at least Ten Days before the next Meeting, appoint such Trustees respectively to meet at the Place where the last Meeting was appointed to be held, on the Fourteenth Day after the Day for which such last Meeting was appointed; and the said 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 made 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 Majority of the Trustees present at a Meeting shall concur therein, such Majority not being less than the Number of Trustees by this Act authorized to make any such Order or Determination; nor shall

In Default of a sufficient Number to act,

Notice to be given of another Meeting.

Trustees to defray their own Expences.

No Order made to be repealed, &c. but at a publick Meeting.

any such Order or Determination be revoked or altered at any subsequent Meeting, unless Nine Trustees shall be present and concur therein; nor shall any Trustee be capable of acting in the Execution 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 Peace, may act as Justices of Peace in the Execution of this Act, notwithstanding their being Trustees.

No Trustee to accept of a Place of Profit.

Trustees may subdivide themselves.

And be it further enacted by the Authority aforesaid, That the said Trustees at their First or other subsequent Meeting, or the major Part of them then assembled, such major Part not being less than Nine, shall and may from time to time at their Discretion, subdivide themselves and the other Trustees, not then present, for the Care and Service of the several respective Roads hereby intended to be repaired.

General Meeting at *Epworth*.

Provided always, and be it further enacted, That in the Third District there shall be a General Meeting of Trustees in the Town of Epworth upon the Second Thursday in July in every Year, for passing Accounts and for appointing new Officers.

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

And be it further enacted by the Authority aforesaid, That upon the Death or Refusal to act of any Trustee hereby appointed, or hereafter to be chosen, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, from time to time to elect One other Person to be a Trustee in the Room of every Trustee so deceased or refusing to act; but Notice in Writing of the Time and Place of Meeting for every such Election shall be fixed upon all the Turnpikes at least Fourteen Days before every such Meeting; and all Persons who shall be so elected, are hereby vested with the same Powers for the putting this Act in Execution, as the Persons in whose Places they shall be respectively chosen were vested with.

Notice of Election to be given.

Qualification of Trustees.

Provided nevertheless, and be it enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, above Reprizes; or possessed of, or intitled unto, a Personal Estate of the Value of One thousand Pounds; or shall be Heir Apparent of a Person possessed of an Estate in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds: And if any Person

son not being so qualified, shall presume to act, contrary to the Intent and Meaning hereof, every such 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 in any of his Majesty's Courts of Record by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act. Penalty on acting if not qualified.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Five or more of them, or any such Person or Persons as they, or any Five or more of them shall appoint, shall and may erect One or more Gate or Gates, Turnpike or Turnpikes, upon, in, or across any Part or Parts of the said Road or Roads within their respective Districts; and also One or more Toll-house or Toll-houses, with suitable Out-buildings thereto, in and upon the same, in each of the said Districts; and also shall and may take in and inclose from the said Roads, or any Part or Parts thereof, as many Garden Spots as there shall be Toll-houses thereupon, suitable and convenient for each respective Toll-house or Toll-houses, and pull down and remove the same, as they the said respective Trustees, or any Five or more of them, shall judge proper; and the Tolls following shall be demanded and taken by such Person or Persons as the said respective Trustees, or any Five or more of them, shall, from time to time appoint to receive the same, at each of the said Turnpikes, before any Horse, Cattle, Beast, or Carriage, shall be permitted to pass through the same; that is to say, Trustees may erect Turnpikes and Toll-houses, &c. and take the following Tolls thereat.

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or Beast of Draught, drawing in any Carriage, Three Pence. The Tolls.

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or Beast, not drawing, One Penny Halfpenny.

For every Drove of Oxen, Cows, or Neat Cattle, 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.

Which

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll; and if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons, appointed as aforesaid, for collecting of such Tolls, to seize and distrain any Horse, or Cattle, Beast, or any Goods or Carriage, upon which any such Toll is by this Act imposed, or any of the Goods and Chattles of such Person or Persons so neglecting or refusing to pay the same; and if such Tolls, and the reasonable Charges of such Seizure and Distress, and of detaining and keeping the same, shall not be paid within the Space of Four Days after such Seizure and Distress made, the Person or Persons so distraining, shall and may sell the Horse, Cattle, Beast, Carriage, or Goods and Chattles, so distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Tolls, and all reasonable Charges, shall be deducted; and all the Tolls collected or levied by virtue of this Act, shall be, and are hereby vested in the said respective Trustees, and shall be applied, or may be assigned, in such Manner as is herein after-mentioned.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

Tolls vested in the Trustees.

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 respective Trustees, or any Five or more of them, within each of the said Districts, to erect or cause to be erected One or more Gate or Gates, Turnpike or Turnpikes, on the Side or Sides of the said Roads, and upon, in, or across any Lane or Bye-way that does or shall lead into or out of the same; and at such Gate or Gates, Turnpike or Turnpikes, to receive and take such Tolls as are by this Act granted and made payable at any Turnpike or Turnpikes to be erected by virtue thereof within such District; so as the same do not extend to a double Charge upon any Person or Persons passing the same Day through any other of the Gates or Turnpikes to be erected by virtue of this Act upon the same District of Road on which such Side Gate or Gates shall be erected.

Proviso.

Provided always, That no Toll shall be taken in respect of any Horse, Cattle, Beast, or Carriage, which shall not travel at least One hundred Yards upon the said Roads.

No Turnpike to be erected between the West End of *Towland Lane* and *Robin Hood Point*.

And be it further enacted by the Authority aforesaid, That no Toll-bar or Turnpike, or Side-bar shall be erected between the West End of Towland Lane, or within

One hundred yards thereof, and Robin Hood Point upon Morton Common.

Provided also, That no Toll-bar or Turnpike shall be erected nearer to Bawtry Bridge than at the full Distance of One hundred Yards on the Nottinghamshire or Scafforth Side of the Bridge. Proviso.

Provided always, and be it enacted, That no Toll-bar or Turnpike shall be erected on any District of the said Roads hereby intended to be repaired, until it shall appear to the said Trustees, or any Five or more of them respectively, that Two Thirds of the Money that shall be judged sufficient by the said Trustees, or any Five or more of them, for the Repair of the Roads in each District respectively, shall be actually subscribed. No Turnpike to be erected till Two Thirds of the Money shall be subscribed.

And be it further enacted by the Authority aforesaid, That the Great Road leading from Towland Lane, shall be carried towards Gainsborough as far as the Parsonage Barn, and from thence through the Hamlet of Northolme, into the Road leading from Gainsborough to Morton; but if it shall appear to the said Trustees, or any Five or more of them, acting for the said First District, that it subjects the Country to a Town Toll, then it shall and may be lawful to and for the said Trustees to make, repair, and widen, another Road from Towland Lane, down Thonock Lordship Side, to Morton; and both the said Roads shall be afterwards repaired and maintained in such Manner as the other Roads are in and by this Act directed to be repaired and maintained.

And be it further enacted by the Authority aforesaid, That the Right and Property of all the Turnpikes and Toll-houses, to be erected or provided by virtue of this Act, within the said respective Districts, and of the Materials for building the same, and also of all Materials which shall be actually got or collected for repairing the Roads within such Districts, shall be, and are hereby vested in the said Trustees for such Districts respectively; and they, or any Five or more of them, are hereby impowered to bring, or cause to be brought, any Action or Actions in the Name or Names of any One or more of them, or of their Treasurer or Clerk, or to prefer, or order the preferring, of Indictments against any Person or Persons who shall injure or disturb them in the Possession thereof. Turnpikes, Toll-houses, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That out of the Tolls collected and levied within the said Districts, or out of the Monies to be borrowed upon the Credit thereof, the said respective Trustees, or any Application of Monies.

Five or more of them, shall in the First Place pay all the Expences incurred in and in relation to the obtaining of this Act, and that Four Seventh Parts of such Expences shall be defrayed out of the Monies arising within or upon account of the said First District; and that Two Seventh Parts of such Expences shall be defrayed out of the Monies arising within or upon account of the said Second District; and that the remaining Seventh Part of such Expences shall be defrayed out of the Monies arising within or upon account of the said Third District; and afterwards all such Tolls and Monies shall be applied in defraying the Expences of erecting and providing the Turnpikes and Tollhouses, and of repairing, widening, altering, turning, and keeping in Repair, the respective Roads in the District wherein or on account whereof such Tolls are collected or levied, and for which such Monies are borrowed; and of executing the other Purposes of this Act, within and in relation to such Districts respectively, and to no other Use whatsoever.

Trustees not liable to repair Pavements.

Provided always, and be it enacted, That no Part of the Money arising from the said Tolls, or to be borrowed on the Credit thereof, shall be laid out or applied to the Paving or Repairing any Pavements or Causeways in any Town or Street through which any Part of the Roads by this Act directed to be widened and repaired shall lead; any thing herein contained to the contrary notwithstanding.

Trustees may lessen 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 Five or more of them, at their First Meeting, and from time to time assembled at any subsequent Meeting or Meetings to be held for that Purpose, to lessen or reduce, within such Districts respectively, all or any of the Tolls by this Act granted, and for such Time or Times as they the said respective Trustees, or any Five or more of them, shall think proper; and may afterwards, from time to time, advance all or any of the Tolls so lessened, to any Sum or Sums of Money, not exceeding the respective Rates herein before mentioned; and the said respective Trustees, or any Five or more of them, may from time to time direct the Tolls hereby granted, or so reduced as aforesaid, to be collected in such Parts and Proportions, at the Turnpikes in such Districts respectively, as they the said respective Trustees, or any Five or more of them, shall think fit; and such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be

and raise them again.

be collected, levied and applied, in such and the same Manner as the said respective Tolls are directed to be collected, levied, and applied; but no such Reduction shall be made at any Time after the said first Meeting for such District respectively, unless the Person or Persons who shall be intitled to Two Thirds of the Money which shall have been lent upon the Credit of the Tolls intended to be reduced, shall be consenting thereto; and that no such subsequent Meeting shall be held for any of the Purposes aforesaid, unless Fourteen Days previous Notice at the least shall be given thereof in Writing, to be affixed upon all the Turnpikes which shall be then erected by virtue of this Act within such District respectively.

Tolls to be paid but Once a Day.

Provided always, and be it further enacted by the Authority aforesaid, That no Person or Persons shall be liable to pay Toll more than Once at any Toll-gate or Turnpike to be erected upon the said Roads for passing or repassing at any Time or Times in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, with the same Horses, Cattle, Beasts, or Carriages, through the Toll-bar or Turnpike where they shall have already paid, on producing a Note or Ticket, denoting the Payment of the said Toll; which Note or Ticket the Collectors of the Tolls are hereby required to give gratis, on Receipt of the Toll.

Persons not liable to repair Pavements.

Trustees may compound with Travellers.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and are hereby impowered, from time to time, as they shall see convenient, to compound and agree for any Term not exceeding One Year at any One Time, with any Person or Persons, for any Carriages, Horses, Cattle, or Beasts, travelling upon the said respective Roads, or any Part thereof, for all or any of the Tolls to be paid for or in respect of such Carriages, Horses, Cattle, or Beasts, and all such Composition-money shall be paid quarterly in Advance; and in Default thereof, the Composition or Agreement with the Person or Persons making such Default shall from thenceforth be void; and all such Composition-monies shall be applied in such Manner as the Tolls, in respect whereof such Composition is made, are directed to be applied.

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 Trustees, or any Five or more of them, from time to time, by Writing under their Hands and Seals, to lease the Tolls arising within, or in relation to, such respective Districts, or any Part or Parts of such Tolls, unto any Person

or Persons, from Year to Year, or for any Term of Years not exceeding Four Years, for the best Rent that can be got for the same, payable at such Times, and under such Covenants, and to such Person or Persons, as they the said respective Trustees, or any Five or more of them, shall direct or appoint; and the Monies arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied.

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

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, with any Horse, Cattle, Beast, or Carriage, pass through any Land, Ground, or Hereditament, lying near any Turnpike which shall be erected by virtue of this Act (the same not being a publick Highway) or if any Owner or Occupier of any such Ground, Land, or Hereditament, shall knowingly permit or suffer any Person or Persons with any Horse, Cattle, Beast, or Carriage whatsoever, to pass through the same; or if any Person or Persons shall give to, or receive from, any Person or Persons, or forge or counterfeit any Ticket by this Act directed to be given, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall forcibly pass through any such Turnpike, with any Horse, or other Cattle or Beast, or shall take off, or cause to be taken off, any Horse, or other Cattle, from any Carriage, or shall leave, or cause to be left, upon or near to any Part of the said respective Roads, any Carriage, Horse, Cattle, or Beast, with Intent to avoid the Payment of any of the said Tolls, or of any Part thereof; or with such Intent shall unload any Goods from any Horse, Cattle, Beast, or Carriage, or secrete any Goods chargeable with any such Toll, every Person so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Two Pounds; whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties are herein after directed to be applied.

Exemptions from Tolls.

Provided always, and be it enacted by the Authority aforesaid, That no Toll shall be taken for any Carriage, or any Horse, Cattle, or Beast, laden only with, or going unladen for, or returning unladen, having been laden only with on the same Day, Gravel, Stone, or other Materials, for repairing any of the said Roads, or any of the Roads in the Townships or Parishes in which such Road doth lie, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Out-houses, or on the Lands

of

of the Owners thereof; or for any Ploughs, Harrows, or Implements of Husbandry, or Mould, Dung, Lime, Compost, or Manure employed in Husbandry for manuring and Brush-wood for Fencing, for the Farmer's own Use; or for any Person or Persons residing in any Township or Parish in which either of the said respective Roads do lie, going to or from their proper Parochial Church, Chapel, or other Place of Religious Worship on the Sabbath Day or Sunday, or attending the Funeral of any Person or Persons that shall die and be buried in any of the said Parishes; or for any Post-horse carrying the Mail or Packet; or for any Cattle going to or from Water or Pasture, in the same or any adjoining Parish; or for any Sheep going to, or returning from, any Washdike, River, or other Place, used for the Washing of Sheep in or near any Part of the said Roads; or for any Sheep going to, or returning from, any Place used for the Clipping of Sheep near the said Roads; or for the Horses of any Soldiers upon their March, or Carriages attending them with their Baggage; or for any Cattle or Carriage employed in the Conveyance of Vagrants sent by legal Passes; or for any Coach, Landau, Berlin, Chariot, Calash, Chaise, or Chair, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of Lincoln and Nottingham, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act granted, not being intitled to the same, such Person shall forfeit for every such Offence the Sum of Forty Shillings.

Penalty on making illeg Claims, &c.

Provided always, and be it enacted by the Authority aforesaid, That nothing herein contained shall tend to prejudice, defeat, extinguish, or interrupt, the Right or Claim of any Person or Persons, Bodies Politick or Corporate, to any Tolls or Duties as have by long Usage been had and lawfully taken upon any Part of the said Roads.

Customary Tolls not to be prejudiced.

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, at their First or any subsequent Meeting, upon the Credit of the Tolls arising within or in relation to the said respective Districts, in such Manner as they the said respective Trustees, or any Seven or more of them, shall think proper, to borrow and take up at legal or less Interest, such Sum and Sums of Money, as they, or any Seven or more of them,

Tolls may be assigned for Money borrowed.

them, shall think fit; and also they the said respective Trustees, or any Seven or more of them, may, and are hereby impowered, from time to time, by any Writing or Writings under their Hands and Seals, to mortgage or assign over the said Tolls, or any Part or Parts thereof (the Charges of such original Mortgages or Assignments to be paid out of such Tolls) to any Person or Persons, for any Time or Term during the Continuance of this Act, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof; and Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said respective Trustees; but no Money shall be borrowed upon the Credit of the said Tolls after such First Meeting, unless Notice be, for that Purpose, affixed in Writing upon all the Turnpikes erected within the District for which such Money shall be borrowed, at least Fourteen Days before the borrowing thereof; and all and every Person and Persons to whom any such Mortgage or Assignment shall be made, or who shall be intitled to the Money thereby secured, is and are hereby impowered, from time to time, by Assignment under his, her, or their Hand or Hands, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings to be executed under his, her, or their Hand and Seal, or Hands and Seals, in the Presence of Two or more credible Witnesses, to assign or transfer his, her, or their Right to the Principal and Interest Money thereby secured; all which Assignments or Transfers shall be produced and notified to the said Clerk or Treasurer within Three Calendar Months after the Date thereof, who shall cause an Entry to be made of such Assignments, containing the Date, Names of the Parties, and Sums of Money therein mentioned to be assigned or transferred, in the said Book or Books to be kept for entering the said original Mortgage or Mortgages; for which such Clerk or Treasurer shall be paid the Sum of Two Shillings and Six Pence, and no more; and which said Book or Books shall and may, at all seasonable Times, be perused and inspected, without Fee or Reward; and after such Entry made, such Assignment or Transfer shall entitle such Assignee, his, her, and their Executors and Administrators, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign or transfer again, and so toties quoties; and it shall not be in the Power of any Person who shall have made any such Assignment or Transfer, to make void, release, or discharge the same, or any

Notice to be given of borrowing Money.

Assignments may be transferred.

Entries to be made of all Assignments.

Clerk's Fee.

Monies

Monies thereon due: And all and every Person and Persons, to whom any such Mortgage or Assignment shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such respective Tolls in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing any such Monies. All Creditors to be deemed equal in Degree.

And be it further enacted by the Authority aforesaid, That the said Trustees for the said respective Districts, or any Seven or more of them, may, from time to time, appoint such Officers and other Persons as they shall think necessary to employ in the Execution of this Act, and from time to time to remove such Officers and other Persons, and appoint others in their Stead; and out of the Monies to arise by virtue of this Act, make such Allowances to the said Officers and Persons, as to them the said Trustees, or any Seven or more of them, shall seem reasonable: And all such Officers and Persons shall, under their Hands, at such Time and Times, and in such Manner as the said respective Trustees, or any Seven or more of them, shall direct, deliver to such Trustees, or such Person or Persons as they, or any Seven or more of them, shall appoint, true and perfect Accounts, in Writing, of all the Monies which shall have been, by such Officers and Persons respectively, received by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands, to the said Trustees, or any Seven or more of them, or to such Person or Persons as they shall appoint: And all the said Officers and Persons, so accounting as aforesaid, shall, upon Oath, if thereunto required by the said Trustees, or any Seven or more of them (which Oath the said Trustees, or any Two or more of them, are hereby impowered to administer) verify their said Accounts; and if any such Officer or Person shall not make and render, or refuse to verify upon Oath any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment, as aforesaid, or shall not deliver to the said respective Trustees, or any Seven or more of them, within Ten Days after being thereunto required, by any Seven or more of such Trustees, all the Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act; then in each, any, or either of the said Cases, any One or more Justice or Justices of the Peace for the County or Place wherein such

Trustees may appoint Officers;

and remove them, and appoint others.

Trustees to allow Officers Salaries.

Officers to account upon Oath.

Officers refusing to account,

Justices to enquire into the Default,

such Officer or Person shall be or reside, shall make Enquiry concerning such Default, either by Confession of the Party, or by the Testimony of any credible Witness or Witnesses, upon Oath (which Oath such Justice or Justices is and are hereby impowered and required to administer, without Fee or Reward) and if any such Officer or Person shall be convicted of any or either of the Offences aforesaid, such Justice or Justices shall commit every such Offender to the Common Gaol for such County or Place, there to remain without Bail or Mainprize, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said respective Trustees, or any Seven or more of them, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees, or any Seven or more of them, are hereby impowered to make) or until he shall have delivered up such Books, Papers, and Writings, as aforesaid, or given Satisfaction in respect thereof to the said Trustees, or any Seven or more of them.

and commit the Offender,

until he shall conform or compound for the same.

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Seven or more of them, in each of the said Districts, shall take such Security from their Treasurer or Treasurers, Receiver and Receivers, for the due Execution of his or their Office or Offices, as the said Trustees, or any Seven or more of them, shall think proper.

Trustees may appoint Officers, tho' not at a publick Meeting.

Provided also, That as often as any Collector of the Tolls shall die, or be incapable of performing his Duty, it shall be lawful for any Five or more of the Trustees for such District respectively, though not assembled at a Meeting in pursuance of this Act, by any Writing under their Hands, to appoint any other Person to collect such Tolls; and the Person so appointed shall have the same Authority for Recovery thereof, as the Person he shall succeed was vested with, until the Trustees for such District, or any Seven or more of them, shall, at a Meeting to be held by virtue of this Act, appoint a Collector of such Tolls.

Victuallers not to have a Place of Profit.

Provided also, and be it enacted, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant to any Trustee, shall be capable of holding any Place of Profit under this Act.

Surveyors may dig Gravel, &c.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors appointed by any Five or more of the said Trustees respectively, and such other Persons as shall be employed by such Surveyor or Surveyors, is and are hereby impowered to cut, dig, gather, take,

take, and carry away, any Furze, Heath, Stones, Chalk, Flint, Gravel, Sand, or other Materials, proper for the repairing of the said respective Roads, out of, and from, any Waste Grounds or Commons, Rivers or Brooks, in any Parish, Town, or Place in which any Part of the said respective Roads lie, or in any neighbouring Parish, Town, or Place, without paying any thing for the same, such Surveyors or other Persons filling up the Pitts, and levelling the Ground, from whence such Materials shall be taken, or railing or fencing of such Pitts, so that the same may not be dangerous to Passengers or Cattle; and also by Order of the said respective Trustees, or any Five or more of them, to dig, gather, take, and carry away, any such Materials as aforesaid, in, upon, or out of, from, and over the Lands of any Person or Persons (not being a Yard, Garden, Orchard, Park, Paddock, Planted Walk, or Avenue to any House, or any inclosed Grounds planted and set apart as a Nursery for Trees) paying or tendering Payment of such Rates for such Materials, and for the Damage done to the Owners or Occupiers of such Lands and Grounds where and from whence the same shall be digged, drawn, gathered, taken, and carried away, or over which the same or any other Materials gotten in any Waste Ground, Common, River, or Brook, or private Grounds, shall be conveyed, as the said respective Trustees, or any Five or more of them, shall adjudge reasonable,

without paying for the same.

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

making Satisfaction to the Owners.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors, and such Persons as he or they shall appoint from time to time (such Surveyor or Surveyors having an Order for that Purpose from the said respective Trustees, or any Five or more of them) to remove and prevent all Annoyances on any Part of the said respective Roads, by Filth, Dung, Ashes, Rubbish, Straw, or otherwise; and to turn any Water-courses, Sinks, or Drains, running into, along, or out of the said respective Roads, to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Water-courses or Ditches adjoining thereto, and make the same as deep and large as he or they shall think necessary; and to cut down, lop, or top, any Trees, Shrubs, or Bushes, growing in the said respective Roads, or in the Hedges or Banks adjacent thereto, and to take and carry away the same, in case the Owners or Occupiers of the Premisses shall neglect to lop or top, cut down and remove such Trees, Shrubs, or Bushes, or to open, scour, cleanse, widen, or deepen, such Water-courses or Ditches,

Surveyors may remove Annoyances, &c.

and cut down Trees,

the Owners neglecting to remove the same after Notice;

es, or remove such other Annoyances, in such Manner as the said respective Surveyor or Surveyors shall require, for the Space of Ten Days next after Notice in Writing given for that Purpose, under the Hand or Hands of such Surveyor or Surveyors; the Charges whereof (to be settled by the said respective Trustees, or any Five or more of them) shall be reimbursed to such Surveyor or Surveyors, by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures are herein after directed to be recovered and applied; and if, after Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings.

the Charges to be reimbursed the Surveyor.

Penalty of a Second Offence.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint (such Surveyor or Surveyors having an Order for that Purpose, from the said respective Trustees, or any Five or more of them) to make Causeways, and also Ditches or Drains in and upon the said respective Roads, and also through any Ground lying contiguous thereto; and to erect, rebuild, and keep in Repair, Bridges and Arches upon the said Roads, or cross any such Ditch or Drain where necessary; and also to widen any narrow Parts of the said Roads, by opening, clearing, and laying into the same, any Grounds of any Person or Persons lying contiguous thereto, so as to make such Parts of the said Roads Sixty Feet in width; and also to make a Road through the Grounds, adjoining or lying near to any hollow Way, narrow or ruinous Part of the said Roads (such Grounds respectively not being the Ground whereon any House stands, or a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees) to be made use of as a publick Highway, whilst the old Road is repairing or widening; making such Recompence to the Owners and Occupiers of the private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be judged reasonable by the said respective Trustees, or any Five or more of them; but no Satisfaction shall be made for doing or performing any of the Works aforesaid upon or through any Moor or Waste Ground.

Surveyors may make Causeways, &c.

erect Bridges,

and widen the narrow Parts of the Roads;

and make a temporary Road;

making Satisfaction to the Owners of the Ground.

Provided always, and be it enacted by the Authority aforesaid, That from and after the passing of this Act, it shall not be lawful for any Person or Persons to erect or cause to be erected any Arch or Arches, Bridge or Bridges, in, upon,

No Bridges to be erected without Consent.

or over, any Drains, within any Part of the Roads lying within the said Third District, unless with the Consent and Permission of any Seven or more of the said Trustees acting for the said Third District.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Seven or more of them, shall be, and are hereby fully impowered, to divert, turn, or alter, the Course or Path of any Part or Parts of the Road within their respective Districts, through any Moor or Waste Ground, without making any Satisfaction for the same, and also through any private Grounds or Hereditaments, making Satisfaction to the Owners thereof, and Persons interested therein, for the Damage they may thereby sustain; and for that Purpose it shall be lawful for the said Trustees, or any Seven or more of them, to contract and agree with the Owners of, and Persons interested in, any Lands or Hereditaments, for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by the diverting, turning, or altering, the Course or Path of any Part or Parts of such Road, through such Lands or Hereditaments: And it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and also for all Persons whatsoever, seised of, interested in, or intitled unto such Lands, Tenements, or Hereditaments, in Mortmain, or under any Ecclesiastical Right, and also for all Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Person or Persons whatsoever, and to and for all Femes-covert who are or shall be seised or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Lands or Hereditaments, under any Manner of Right or Title whatsoever, to contract with the said Trustees, or any Seven or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey unto them, or any Seven or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid; or to contract for and give in exchange any Part or Parts of the said new Roads or Paths, so to be made as aforesaid, for the said old Roads or Paths so to be diverted or altered as aforesaid, or for any Part or Parts thereof; and all Contracts, Exchanges, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes;

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

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

Persons, &c. neglecting to treat,

poses; any Law, Statute, Usage, or other Matter, whatsoever, to the contrary notwithstanding: And all such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Persons seised in Mortmain, or in Right of the Church, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act: And if any such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Persons seised or intitled in Mortmain, or in Right of the Church, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any other Person or Persons interested in any such Lands 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 Principal Officer or Officers of any such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the House of the Tenant in Possession of the Lands or Hereditaments through which any Part of such Road is intended to be diverted, turned, or altered, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premisses, or, by reason of Absence, shall be prevented from treating; then, and in every such Case, the said Trustees, or any Seven or more of them, shall cause such Damage and Recompence to be enquired into and ascertained by a Jury of Twelve indifferent Men of the County wherein such Lands or Hereditaments do lie: And in order thereto, the said Trustees, or any Seven or more of them, are hereby impowered and required, from time to time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons, whomsoever, who shall be thought necessary or proper to be examined concerning the Premisses (which Oath any Two or more of the said Trustees are hereby impowered to administer) and such Trustees, or any Seven or more of them, shall, by ordering a View, or otherwise, use all lawful Ways and Means, as well for their own as for the said Jury's Information in the Premisses; and after the said Jury shall have enquired of, and assessed such Damage and Recompence, they the said Trustees, or any Seven or more of them, shall thereupon order, adjudge, and determine, the Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners and other Persons interested in the said Lands or Hereditaments, according to the Verdict or Inquisition of such 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.

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tion thereupon, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming, or to claim, in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Coverts, Lunaticks, Ideots, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, and Collegiate, Corporations Aggregate or Sole, Persons seised or intitled in Mortmain, or in Right of the Church, as well as all other Person or Persons whomsoever: And, for summoning and returning such Juries, the said Trustees, or any Seven or more of them, are hereby impowered to issue their Warrant or Warrants to the Sheriff of the County wherein such Lands or Hereditaments do lie, commanding him to impanel, summon, and return, an indifferent Jury of Twenty four Persons qualified to serve upon Juries, to appear before the said Trustees, or any Seven or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return such Number of Persons accordingly: And out of the Persons so summoned, impanelled, 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, and they are hereby impowered and required to swear, or cause to be sworn, Twelve Men, who shall be the Jury for the Purposes aforesaid: And, in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men, of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn: And the said Trustees, or any Seven or more of them, acting in the Premisses, shall have Power, from time to time, to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses, and on any of the Persons that shall be summoned and returned on such Jury, and shall not appear, or that shall refuse to be sworn on the said Jury; or, being so sworn, shall refuse to give, or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before the said Jury, shall refuse

Verdict of the Jury to be final.

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

Jurors may be challenged.

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

or neglect to appear, or, appearing, shall refuse to be examined, or to give Evidence; and which Fine or Fines shall be levied and applied in such Manner as the Penalties and Forfeitures are herein after directed to be levied and applied; so that no such Fine be more than Five Pounds, nor less than Twenty Shillings, on any One Person for One Offence.

Fine not to exceed 5 *l.*

Trustees may purchase a Piece of Land belonging to *William Stowe.*

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, acting for the Third District, to contract and agree with William Stowe, for a certain Piece of Land or Ground belonging to him in the Parish of East Stockwith, or such Part or Portion thereof, as they the said Trustees, or any Seven or more of them, shall judge necessary for the Purpose of widening the Road from Morton Common, to the River Trent at East Stockwith aforesaid, under such Powers, Provisions, and Regulations, as are herein enacted for the Purchase of Lands; any thing to the contrary thereof notwithstanding.

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

And be it further enacted by the Authority aforesaid, That every Sum of Money or Recompence to be agreed for or assessed as aforesaid, shall be paid out of the Tolls arising within or upon account of the respective District wherein such Road is intended to be diverted, turned, or altered, or out of the Monies to be borrowed upon the Credit of such respective Tolls, to the Parties or Persons respectively intitled to such Monies, or to their Agents; and upon Payment thereof, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Clerk to the said respective Trustees, for the Use of such Parties or Persons, it shall be lawful for any Person or Persons authorized by Writing under the Hands of the said Trustees, or any Five or more of them, to divert or turn such Road through such Lands or Hereditaments, and to do all and every such Act, Matter, or Thing, with relation to such Lands or Hereditaments, as the said Trustees, or any Five or more of them, shall think fit; and the said Trustees, or any Five or more of them, shall cause such Parts of the said Roads, as shall be diverted or turned through any private Grounds, to be ditched and fenced from the adjoining Lands; and all Lands and Hereditaments which shall be made a Part or Parts of the said Roads by virtue of this Act, shall be for ever thereafter to all Intents and Purposes a common Highway, and shall be repaired and kept in Repair in such Manner as the Roads hereby appointed to be repaired within such respective

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

and esteemed a publick Highway.

respective District, are by this or any other Law to be amended; and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments; and after any such new Road shall be completed, the Lands constituting the former Road, unless leading over some Wood or Waste Ground, or to some Village, Town, or Place, to which such new Road does not lead, shall be vested in, and shall and may be sold and conveyed by the said Trustees, or any Five or more of them, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied to the Repair of the Road within such respective District, or the said respective Trustees, or any Five or more of them, may and are hereby impowered to give in Exchange any Part or Parts of the Lands so constituting the former Road, for any Part or Parts of such new Road: But this Act shall not extend to the taking down any Dwelling-house or other Building, or to take in any Garden, Orchard, Yard, Park, planted Walk, or Avenue to a House, without the Consent of the Owner or Proprietor thereof; any thing herein contained to the contrary notwithstanding.

Old Road may be sold.

Buildings, &c. not to be damaged.

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

Trustees not to act where interested.

And whereas that Part of the Road which leads through the Parish of North Willingham, in the County of Lincoln, might be made more convenient for Travellers than at present; be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and required to carry the said Road over Tevelby Wood, to a new Bridge cross the Brook into the Parish of North Willingham, over the Road lately thrown up through Two Fields or Pastures belonging to Ayscough Boucherett Esquire, to the End of the ancient Lane leading to and through the Village of North Willingham aforesaid.

The Road to be turned in *Willingham* Parish.

Provided always, That the said Road shall not be of less Breadth than Sixty Feet between and exclusive of the Ditches; and the said Road when made, shall be deemed the publick Highway, and repaired and kept in Repair, in the same Manner as the other Roads are by this Act directed to be repaired and kept in Repair.

Road to be 60 Feet wide.

Ayscouch Boucherett may exchange Lands, &c.

And whereas Ayscough Boucherett Esquire, is the Owner and Proprietor of the Lands and Grounds before-mentioned, through which the said Road is directed to be carried, and is willing to accept the present Road now in Use, leading from an old Bridge over the said Brook, and the said ancient Lane leading to and through the Village of North Willingham aforesaid, in lieu of and as a Recompence and Compensation for all his Right, Title, and Interest, in the said new Road hereby directed to be made; be it further enacted by the Authority aforesaid, That the said Ayscough Boucherett, his Heirs and Assigns, shall be divested of all Right, Title, Interest, and Property of, in, and to the Ground and Land so made use of for the Purpose of the said new Road; and when and as soon as the said new Road shall be completed, shall be seised of the Land and Ground constituting the old Road, and shall accept the same in lieu of, and as a Recompence and Compensation for all his, her, or their Right, Title, Interest, and Property, in the said new Road, and the Land and Ground constituting the old Road shall for ever thereafter be vested in him, his Heirs and Assigns accordingly; any thing to the contrary thereof in any wise notwithstanding.

Proviso.

Provided always, That no Hedges, Quickets, or Fences, shall be set or planted by the said Trustees in any Part of the said new Road, but the said Road shall be separated and parted off from the adjoining Lands by proper and convenient Ditches only,

Proviso.

Provided also, That nothing in this Act contained shall prevent or be construed to prevent the said Ayscough Boucherett, his Heirs and Assigns, from setting up any Gate or Gates, for the Purpose of keeping out Cattle, that he or they shall judge proper in any Part of the new Road hereby directed to be made in the said Parish of North Willingham.

Persons, &c. chargeable to the Repair of the Roads, to continue so.

And be it further enacted by the Authority aforesaid, That all the Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees, of any Lands, Tenements, Rents, and Annuities, or any Sum or Sums of Money which have been given, or are liable to the amending or maintaining any Part or Parts of the said Roads, or any Bridge or Bridges therein, shall still remain liable and chargeable to the Repair thereof, in such Manner as they were before the making of this Act; and that all the Inhabitants of the Townships, Parishes, and Places in which any Part of the said Roads lie, and all other Persons liable to perform the Work commonly called Statute-work upon the said Roads, shall remain subject

subject to the Performance of such Work; and every Person who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds or upwards, shall be deemed to keep a Team for every Fifty Pounds per Annum so held and occupied, and shall be liable to perform such Statute-work as Persons keeping Teams are obliged by Law to do: And that the respective Surveyor or Surveyors of the Highways for the respective Townships, Parishes, and Places, in which any Part of the said Roads doth lie, or in case no such Surveyor is or shall be appointed, the Churchwardens or Overseers of the Poor of such Townships, Parishes, and Places, shall yearly, and every Year, within Ten Days after Demand made to him or them respectively in Writing, by any Surveyor or Surveyors to be appointed by virtue of this Act for such respective Districts, deliver to such Turnpike Surveyor or Surveyors an exact Account in Writing, under his or their Hand or Hands, of the Christian and Surname of every Person who within such respective Townships, Parishes, and Places, are liable to do Statute-work; and shall distinguish in such Lists which of such Persons shall, or by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams; and the Statute-work shall be done by all such Persons, on such Parts of the said Roads hereby intended to be repaired, as lie within the said respective Townships, Parishes, and Places, in such Manner, and at such Times, as the Trustees for such respective District, or any Five or more of them, or the Surveyor or Surveyors for such District, shall, from time to time, direct and appoint; so that no more than Three Days Work shall be done by any One Person or Team on the said respective Roads in any One Year; and in the District called the Third District, such Statute-work shall be done on such Part of the said Roads lying within such Parishes, Hamlets, or Places respectively, or within any Common where such Persons have Right of Common or Pasture within the said District; and the said Surveyor or Surveyors of the Highways, Churchwardens, or Overseers of the Poor for such Townships, Parishes, and Places respectively, within Seven Days after Notice shall be given to him or them, by such Turnpike Surveyor or Surveyors, of the Time or Times when, and how many of such Persons are to do such Work upon any Part or Parts of the Road within such District respectively, shall give Notice thereof to such Persons; and

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

Surveyors to deliver in Lists of Persons liable to do Statute-work.

Inhabitants to do Statute-work.

if any Surveyor, Churchwarden, or Overseer of the Poor, for any such Town, Parish, or Place aforesaid, shall neglect or refuse to do as he is hereby required and directed, every such Surveyor, or Churchwarden, or Overseer, shall, for every such Neglect or Refusal, forfeit and pay the Sum of Five Pounds; and every Person who shall neglect or refuse to do such Work, at such Times and Places, and in such Manner as shall be appointed by the said respective Trustees, or any Five or more of them, or by such Turnpike Surveyor or Surveyors, every such Person shall forfeit and pay the respective Sums herein after mentioned; that is to say, Every Person who shall keep, or by virtue of this Act shall be deemed to keep, a Team or Teams, for every Day's Default for each Team the Sum of Ten Shillings; and every other Inhabitant or Person not keeping, or being by virtue of this Act not deemed to keep, a Team, for every Day's Default the Sum of One Shilling and Six Pence; and every Person who shall, according to such publick Notice as aforesaid, come as a Labourer, or with any Team, to work on the said Roads, and be found idle or negligent by the said Turnpike Surveyor or Surveyors, where the Work is to be done, such Surveyor or Surveyors may, and is and are hereby required to discharge such Person; and it shall be deemed as if such Person or such Team had not come, or been sent to do such Work; and every such Labourer or Person, or the Owner of such Team, Draught, or Cart, shall be liable to the respective Forfeitures before mentioned; and all Persons doing such Days Work on the said Road as aforesaid, shall not be liable to do any other Statute-work thereon.

Persons found idle to be turned off.

Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful for the said respective Trustees, or any Five or more of them, to compound or agree by the Year or otherwise, with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, or Hereditaments, which are or shall be liable to, or chargeable with, the Repair of any Part of the Road within such District respectively, or with any Person or Persons for the Performance of his, her, or their Statute-work thereon; and also, that it shall be lawful for the Surveyor or Surveyors of the Highways of any of the said Townships, Parishes, or Places, or such Churchwardens or Overseers of the Poor respectively as aforesaid (by and with the Consent of the Majority of the Inhabitants of such Townships, or Places, first had at any Vestry, or other publick Meeting

Trustees, with Consent of Inhabitants, may compound for Statute-work.

Meeting of such Inhabitants) to compound and agree by the Year or otherwise with the said respective Trustees, or any Five or more of them, for and in lieu of the Statute-work to be performed by such Inhabitants upon any Part of the said respective Roads; all which Composition-monies shall be, from time to time, paid in Advance, and shall be applied in the Repair of such Road respectively; and all such Surveyors, Churchwardens, or Overseers of the Poor, shall be reimbursed the Monies so by them paid, in such Manner as Surveyors of the Highways are, by the Laws now in being, to be reimbursed the Monies by them expended in buying Materials for repairing the Highways.

Surveyors, &c. paying the Composition-money, how to be reimburfed.

Provided always, and be it enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the Highways for the time being of any of the said Townships, Parishes, or Places, shall think the said Trustees, or the Surveyor or Surveyors by them authorized, have directed or appointed too large a Proportion of the Statute-work in any Township, Parish, or Place, to be done on the said Roads; it shall and may be lawful for such Surveyor or Surveyors of the Highways aforesaid, to appeal to the General Quarter Sessions of the Peace to be held for the County of Nottingham, or Parts of Lindsey in the County of Lincoln; and the Justices in their said Quarter Sessions are hereby authorized and impowered finally to adjust and determine what Proportion of the Statute-work in any such Township, Parish, or Place, shall be done on the said Roads, such Surveyor or Surveyors of the Highways as aforesaid, first giving Six Days Notice in Writing of such Appeal to the Surveyor or Surveyors authorized as aforesaid by the said Trustees.

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

And be it further enacted by the Authority aforesaid, That if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone (Mill Stones excepted) otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber, which shall be conveyed upon Wheel Carriages, to drag upon any Part of such Roads, to the Prejudice thereof; every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings.

Penalty on haling Timber otherwise than on Wheel Carriages.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Five or more of them, may cause the said Roads to be measured, and Stones or Posts to be set up in, upon, or near the Sides thereof, at the Distance

Roads to be measured, and Mile stones erected.

stance of One Mile from each other, with Inscriptions thereon, denoting the Distance of every such Stone or Post from any Town or Place, as they shall think fit: And if any Person or Persons shall wilfully pull down, break, or damage, any such Stone or Post, or obliterate any Inscription which shall have been made thereon, or shall cause or procure the same to be done, and be thereof convicted upon Oath by One or more credible Witness or Witnesses, or by his or her own Confession, before any Justice of the Peace for the County or Place wherein such Offence shall be committed; which Oath such Justice is hereby impowered and required to administer without Fee or Reward; every such Person so offending shall forfeit the Sum of Forty Shillings for every such Stone or Post so pulled down, broke, or damaged, or Inscription so obliterated; whereof One Moiety shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the Penalties are herein after directed to be applied; and in case such Penalty shall not be forthwith paid, such Justice of the Peace shall commit such Person or Persons to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any Space not exceeding Two Calendar Months, nor less than One Calendar Month, unless such Forfeiture and all reasonable Charges shall be sooner paid; and every such Offender, in either of the said Cases, shall and may, by the Authority of this Act, and without any other Warrant, be apprehended by any Person or Persons who shall see any such Offence committed, and shall be immediately delivered to a Constable or other Peace Officer, who shall convey such Offender before any Justice of the Peace, to be dealt with according to Law and the Directions of this Act.

Penalty on defacing Milestones.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all the Penalties, Forfeitures, and Fines, hereby inflicted or authorized to be imposed (the Manner of levying and Recovery whereof is not otherwise hereby particularly directed) shall, upon Proof of the Offences respectively, before any One Justice of the Peace for the County or Place wherein the Offender shall be or reside, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses (which Oath such Justice of the Peace is hereby impowered and required to administer without Fee or Reward) be levied by Distress and Sale of the Goods and Chattles of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant

rant or Warrants such Justice is hereby impowered to grant for those Purposes) and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattles; and the Penalties, Forfeitures, and Fines, when paid, or levied, shall be (if not otherwise directed to be applied by this Act) from time to time, paid to any Five or more of the said Trustees for such District, or to their Treasurer, and applied in the Repair of the Road within such District; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction, there to remain without Bail or Mainprize, for any Time not exceeding Two Calendar Months, unless such Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

For want of Distress, the the Offender, to be committed.

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

Persons aggrieved may appeal to the Quarter Session.

Notice of Appeal to be given.

4

of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Distress not to be deem'd unlawful for want of Form;

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage in an Action upon the Case.

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

Writings to be without Stamps.

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

Proceedings to be enter'd in a Book.

Provided also, and be it hereby enacted by the Authority aforesaid, That all Orders and Proceedings of the said respective Trustees, or any Five or more of them, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, shall be signed by the Clerk or Clerks, at any Meeting of Five or more of the said Trustees assembled, as the Case shall require; and such Orders shall be deemed and taken to be original Orders: Which said Book or Books, and also the said Book directed to be kept for registering the said Mortgages, Assignments, or Transfers, shall and may be produced and read in Evidence in all Courts whatsoever.

Books may be read in Evidence.

Commencement and Continuance of this Act.

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

Proceedings not to be quashed for want of Form,

And be it further enacted by the Authority aforesaid, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall

shall be vacated or quashed for want of Form, or be liable to be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any Law or Statute to the contrary notwithstanding. or removeable by *Certiorari*.

Provided always, and be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given to the Clerk or Clerks to the said respective Trustees; or after a sufficient Satisfaction or a Tender thereof hath been made to the Party or Parties aggrieved; or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be laid or brought in the County where the Offence shall be committed, and not elsewhere; and the Defendant and Defendants in every such Action or Suit shall and may at his Election plead specially, or the General Issue, Not Guilty, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Twenty Days Notice shall be thereof given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such other Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

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

FINIS.