Anno ſeptimo

Georgii III. Regis.

An Act to continue and render more effectual ſeveral Acts of Parliament for repairing the Highways from that Part of *Counter's Bridge* which lies in the Pariſh of *Kenſington*, in the County of *Middleſex*, leading through the Towns of *Brentford* and *Hounſlow*, to the Powder Mills, in the Road to *Staines*; and to *Cranford Bridge*, in the ſaid County, in the Road to *Colnbrook*; and for repairing, turning, or altering, the Highway leading from the ſaid Road, at or near the End of *Sion Lane*, to the Town of *Iſleworth*, in the ſaid County, and from thence to a Gate on the South Side of *Tedington Field*; and alſo the Highway leading out of the ſaid great Road, near *Smallberry Green* Turnpike, to a Houſe known by the Sign of *The George*, in the Town of *Iſleworth* aforeſaid; and for lighting and watering Part of the ſaid Highways.

WHEREAS by ſeveral Acts made in the Third and Tenth Years of the Reign of His Majeſty King George the Firſt, and the Eleventh Year of the Reign of His late Majeſty, ſeveral Tolls or Duties and Powers were granted for repairing the Highways from that Part of Counter's Bridge which lies in the Pariſh of Kenſington, in the County of Middleſex, to the Powder Mills, Preamble, reciting Acts 3 & 10 *Geo.* I. and 11 *Geo.* II.

in the Road to Staines; and to Cranford Bridge, in the ſaid County, in the Road to Colnbrook: And whereas the Truſtees appointed in and by the ſaid Acts have, from time to time, proceeded in the Execution thereof, and the Sum of Six thouſand ſix hundred Pounds is now owing upon the Credit of the Tolls or Duties thereby granted; which Sum cannot be repaid, and the ſaid Highways be effectually repaired and kept in Repair, unleſs the Term and Powers granted and continued by the ſaid Acts be prolonged and enlarged: And whereas the Highway leading out of the great Weſtern Road, at or near a publick Houſe known by the Sign of The Coach and Horſes, through Sion Lane, and the Towns and Pariſhes of Iſleworth, Twickenham, and Tedington, in the County of Middleſex aforeſaid, to the Gate on the South Side of Tedington Field, in the Road to Kingſton Bridge; and alſo the Highway called Pound Lane, or Lower Wood Lane, leading out of the ſaid great Weſtern Road, near Smallberry Green Turnpike, to a publick Houſe known by the Sign of The George, in the Town of Iſleworth aforeſaid; and alſo Part of the ſaid great Weſtern Road lying Weſt of the Highway directed to be repaired by the ſaid Acts, and Eaſt of the Turnpike Highway leading to Colnbrook, are in a very ruinous Condition, in many Places very narrow, irregular, and inconvenient, and cannot be effectually repaired, widened, altered, turned, and rendered commodious for Paſſengers by the preſent Methods preſcribed by Law: And whereas many Parts of the ſaid firſt-mentioned Highways directed to be repaired by the ſaid recited Acts of Parliament, within ſeveral of the Towns and Villages through which the ſame extend, are extremely narrow; and thereby, and for want of being properly lighted, Accidents frequently happen in the Night-time, which, it is apprehended, would be in a great meaſure prevented, if ſuch Parts of the ſaid Highways were properly lighted; and it would be a great Convenience to all Perſons travelling the ſaid Highways directed to be repaired by the ſaid recited Acts, if the ſame were properly watered; but as theſe Purpoſes cannot be effected without the Aid of Parliament, 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 Term granted and continued by the ſaid ſeveral Acts, ſhall be, and the ſame is

hereby further continued from the Expiration thereof, for and during the further Term of Five Years, according to the Tenor of an Act made in the Twenty eighth Year of the Reign of His late Majeſty, intituled, An Act to amend an Act made in the Twenty ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto*; and from and after the Expiration of the ſaid additional Term of Five Years, then for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament; and inſtead of the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Exemptions, Payments, Puniſhments, Matters, and Things, in the ſaid Three firſt recited Acts, or either of them, contained, the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Exemptions, Payments, Puniſhments, Matters, and Things, in this Act contained, ſhall, for the Purpoſe of repairing, widening, and keeping in Repair, the Highways by the ſaid Three firſt recited Acts directed to be repaired, and alſo for the Purpoſe of widening, altering, turning, repairing, and keeping in Repair, the ſaid other Highways herein before particularly deſcribed, take place and commence upon the Fourteenth Day after the paſſing of this Act, and ſhall continue in Force for and during the Reſidue of the Term granted and continued by any of the before recited Acts, and for and during the ſaid additional Terms of Five Years and Twenty one Years, and from thence to the End of the then next Seſſion of Parliament. Former Acts further continued.

And be it further enacted by the Authority aforeſaid, That from and immediately after the Commencement of this Act, the Highways hereby intended to be repaired, widened, altered, and turned, ſhall be deemed and taken to conſiſt of Two Diſtricts; and that ſo much of the ſaid Highways as lie between that Part of Counter's Bridge, in the Pariſh of Kenſington aforeſaid, and the Powder Mills, in the Road to Staines; and to Cranford Bridge, in the Road to Colnbrook; and alſo that Part of the ſaid great Weſtern Road lying Weſt of the Highway directed to be repaired by the ſaid recited Acts, and Eaſt of the Turnpike Highway leading to Colnbrook aforeſaid, at the aforeſaid Place called Cranford Bridge, ſhall be One Diſtrict of the ſaid Highways, and be called The Old Diſtrict; and that the Reſidue of the ſaid Highway leading out of the ſaid great Weſtern Road, at or near The Roads to be deemed Two Diſtricts.

near the aforeſaid Publick Houſe known by the Sign of The Coach and Horſes, through Sion Lane, and the Towns and Pariſhes of Iſleworth, Twickenham, and Tedington aforeſaid, to the Gate on the South Side of Tedington Field, in the Road to Kingſton Bridge aforeſaid; and likewiſe the ſaid Highway called Pound Lane, or Lower Wood Lane, leading out of the ſaid great Weſtern Road, near Smallberry Green Turnpike, to the aforeſaid Publick Houſe known by the Sign of The George, in the Town of Iſleworth aforeſaid, ſhall be the other Diſtrict of the ſaid Highways, and be called The New Diſtrict.

Truſtees of the former Acts continued for the Old Diſtrict.

And be it further enacted by the Authority aforeſaid, That the Truſtees named and appointed in or by virtue of the Powers contained in the ſaid Three firſt recited Acts, ſhall be, and they and their Succeſſors to be appointed in Manner herein after mentioned, are hereby appointed Truſtees for ſurveying, ordering, altering, turning, widening, repairing, and keeping in Repair, the ſaid Highways comprized in the ſaid Old Diſtrict, and for putting in Execution all other the Powers by this Act given relating to the ſaid Old Diſtrict: And

Truſtees for the New Diſtrict.

that they the ſaid Truſtees, together with the Right Honourable Hugh Percy, commonly called Earl Percy; the Honourable Sir William Stanhope Knight of the Bath, the Right Honourable Welbore Ellis, the Honourable George Shirley, the Honourable Horace Walpole, Sir George Pocock Knight of the Bath, Sir William Eaſt Baronet, Major General John Parker, Major General Cyrus Trapaud, Richard Owen Cambridge, James Whitchurch, James Chamneſs, Peter Lewis Perrin, the Reverend Samuel Heming, Richard Holden, William Liſter, John Archambo, Joſeph Hickey, Charles Woodcock, Robert Hudſon, George Kent, John Fridenberg, Alexander Macpherſon, Edward Lyde, Edward Holden, and John Grimes, ſhall be, and they and their Succeſſors to be elected in Manner herein after mentioned, are hereby appointed Truſtees for ſurveying, ordering, altering, turning, widening, repairing, and keeping in Repair, the ſaid Highways comprized in the ſaid New Diſtrict, and for putting in Execution all other the Powers by this Act given relating to the ſaid New Diſtrict.

Qualification of Truſtees.

And be it further 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 the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, and Hereditaments, of

the clear yearly Value of One hundred Pounds; or ſhall be Heir Apparent of ſome Perſon having ſuch Eſtate of the clear yearly Value of Two hundred Pounds; or poſſeſſed of, or intitled unto, a Perſonal Eſtate to the Amount or Value of Two thouſand Pounds: And if any Perſon hereby deemed incapable to act, ſhall preſume to act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform and ſue for the ſame; to be recovered in any of His Majeſty's Courts of Record at Weſtminſter, by Action of Debt, or on the Caſe, wherein no Eſſoin, Protection, or Wager of Law, nor more than One Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is ſo qualified, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act. Penalty on acting if not qualified.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees for the Old Diſtrict, or any Five or more of them, ſhall meet together upon the ſaid Fourteenth Day after the paſſing of this Act, at the Three Pigeons in the Town of Brentford; and that the ſaid Truſtees for the New Diſtrict, or any Five or more of them, ſhall meet together upon the Fifteenth Day (unleſs the ſame ſhall be Sunday, and in that Caſe upon the Sixteenth Day) after the Paſſing of this Act, at the Phœnix in the Town of Iſleworth; and ſhall reſpectively proceed to the Execution of this Act; and ſhall then, and from time to time afterwards reſpectively, adjourn themſelves to meet at ſuch Times and Places as the ſaid Truſtees, for the ſaid reſpective Diſtricts, or any Five or more of them, ſhall think proper or convenient: And if it ſhall at any Time happen in either Diſtrict, that there ſhall not meet a ſufficient Number of Truſtees to act, or to adjourn; then, and in ſuch Caſe, the Clerk to the Truſtees for ſuch Diſtrict ſhall appoint another Meeting to be held at the ſame Place on that Day Fortnight; and ſhall cauſe Notice thereof in Writing to be affixed on all the Turnpikes within the ſaid Diſtrict then erected, at leaſt Seven Days before ſuch Meeting. Time and Place of Truſtees Meeting. In Default of a ſufficient Number to act, Clerk to give Notice of another Meeting.

Provided always, That Three Truſtees in either Diſtrict ſhall be ſufficient for the Purpoſe of Adjourning; and that in caſe the Treaſurer to the Truſtees, or any Three of the Truſtees for either Diſtrict reſpectively, ſhall think it neceſſary that a Meeting ſhould be held between the Times of Adjournment, it ſhall and may be lawful for ſuch Treaſurer, or Three Truſtees, to appoint a Meeting Treaſurer, or 3 Truſtees, may appoint a Special Meeting;

giving 7 Days Notice.

ing to be held, cauſing Notice of the Time and Place of ſuch Meeting to be affixed in like Manner as aforeſaid, on all the Turnpikes within ſuch Diſtrict, Seven Days at leaſt before ſuch Meeting; and the Proceedings of the reſpective Truſtees, at ſuch Meeting, ſhall be as valid and effectual, to all Intents and Purpoſes, as if ſuch Truſtees had, at their laſt Meeting, adjourned to ſuch Time and Place.

Truſtees to defray their own Expences.

Provided alſo, That the Truſtees for the ſaid reſpective Diſtricts, at all their Meetings, ſhall defray their own Charges and Expences; and all Proceedings, Orders, and Determinations, of the ſaid Truſtees in the Execution of this Act, ſhall be at Meetings to be held in purſuance of this Act, and not otherwiſe (except as hereinafter-mentioned) and no ſuch Order or Determination ſhall be revoked or altered, at any ſubſequent Meeting, unleſs Seven Truſtees ſhall concur in ſuch Revocation or Alteration; nor ſhall any Truſtee be capable of acting in the Execution of any of the Powers hereby granted, in any Caſe where he ſhall be perſonally intereſted, or during the Time he ſhall hold any Place of Profit under this Act.

No Order made to be repealed, unleſs 7 Truſtees are preſent.

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

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

And be it further enacted by the Authority aforeſaid, That when and as often as any Truſtee of either Diſtrict ſhall die or refuſe to act, it ſhall and may be lawful for the ſurviving Truſtees of ſuch Diſtrict, or any Eleven or more of them, by Writing under their Hands and Seals, from time to time, to appoint ſome other Perſon to be a Truſtee in the Room of ſuch Truſtee ſo deceaſed or refuſing to act; and the Perſon ſo appointed may and is hereby authorized to act in the Execution of this Act, to all Intents and Purpoſes, in as full, large, and ample Manner, as any Truſtee thereby appointed is impowered to act.

Truſtees for the Old Diſtrict may erect Turnpikes and Toll-houſes,

and take the following Tolls thereat.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees of the Old Diſtrict, or any Fifteen or more of them, may continue the Turnpikes and Toll-houſes already erected upon the ſaid Old Diſtrict, and may cauſe to be erected any other Turnpike or Turnpikes in, upon, or croſs, any Part thereof, and alſo upon the Side or Sides thereof, and croſs any Lane or Way leading into the ſame; and alſo a Toll-houſe or Toll-houſes at or near each Turnpike; and, from time to time, may remove or alter any ſuch Turnpike or Toll-houſe, as they the ſaid Truſtees, or any Fifteen or more of them, ſhall think meet or expedient; and that the Tolls following ſhall be demanded and taken at every ſuch Turnpike by ſuch

Perſon

Perſon or Perſons as the ſaid Truſtees, or any Five or more of them, ſhall, from time to time, under their Hands and Seals, appoint for that Purpoſe, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; that is to ſay,

The Tolls

For every Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, or Chair, drawn by Six Horſes, the Sum of Six Pence; and drawn by Three or Four Horſes, Four Pence; and drawn by leſs than Three Horſes, Two Pence.

For every Waggon, Wain, Cart, Dray, or other Carriage, drawn by One Horſe, Mare, or Gelding, the Sum of Two Pence; and drawn by Two Horſes, Mares, Geldings, or other Cattle, Three Pence; and drawn by Three Horſes, Mares, Geldings, or other Cattle, Four Pence; and drawn by Four Horſes, Mares, Geldings, or other Cattle, Six Pence; and drawn by Five or more Horſes, Mares, Geldings, or other Cattle, Nine Pence.

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

For every Drove of Oxen 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, Five Pence per Score; and ſo in Proportion for any greater or leſs Number.

And from the Twenty fifth Day of March inclusive to the Twenty ninth Day of September inclusive, in every Year, for every Horſe drawing, or not drawing, an additional Toll of One Halfpenny; except Horſes drawing Waggons, Wains, Carts, and Drays, and Pack-horſes laden with Burthens and not rode on.

Truſtees of the New Diſtrict may erect Turnpikes and Toll-houſes,

And that the ſaid Truſtees of the ſaid New Diſtrict, or any Fifteen or more of them, ſhall and may cauſe to be erected One or more Turnpike or Turnpikes upon, in, or croſs, any Part or Parts of the ſaid Highways within the New Diſtrict, and alſo upon the Side or Sides thereof, and croſs any Lane or Way leading into the ſame; and alſo a Toll-houſe or Toll-houſes at or near each ſuch Turnpike, and, from time to time, may remove or alter the ſame, as they the ſaid Truſtees, or any Fifteen or more of them, ſhall think meet or expedient; and that the Tolls following ſhall be demanded and taken at every ſuch Turnpike by ſuch Perſon or Perſons as they, or any Five or more of them,

and take Tolls thereat.

them, ſhall, from time to time, under their Hands and Seals, appoint for that Purpoſe, before any Cattle or Carriage ſhall be permitted to paſs through the ſame; that is to ſay,

The Tolls.

For every Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, or Chair, drawn by Six Horſes, the Sum of Six Pence; and drawn by Three or Four Horſes, Four Pence; and drawn by leſs than Three Horſes, Two Pence.

For every Waggon, Wain, Cart, Dray, or other Carriage, drawn by One Horſe, Mare, or Gelding, the Sum of Two Pence; and drawn by Two Horſes, Mares, Geldings, or other Cattle, Three Pence; and drawn by Three Horſes, Mares, Geldings, or other Cattle, Four Pence; and drawn by Four Horſes, Mares, Geldings, or other Cattle, Six Pence; and drawn by Five or more Horſes, Mares, Geldings, or other Cattle, Nine Pence.

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

For every Drove of Oxen 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, Five Pence per Score; and ſo in Proportion for any greater or leſs Number.

Which ſaid reſpective Sums of Money ſhall be demanded and taken in the Name of or as a Toll or Duty;

Tolls to be levied by Diſtreſs and Sale.

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 Collector or Collectors, appointed by the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Five or more of them, to ſeize and diſtrain any Horſe or Horſes, or other Cattle, or any Goods or Carriage upon which ſuch Toll is by this Act impoſed, or any of the Goods or 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, ſhall not be paid within the Space of Four Days after ſuch Seizure and Diſtreſs made, the Perſon or Perſons ſo ſeizing and diſtraining ſhall and may ſell the Horſe or Horſes, Cattle, Carriages, Goods, or Chattles, ſo ſeized and diſtrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after ſuch Tolls, and the reaſonable

Diſtreſs to be ſold after 4 Days.

ſonable Charges occaſioned by ſuch Seizure, Diſtreſs, and Sale, ſhall be deducted; and all the Tolls of the ſaid reſpective Diſtricts, collected or levied by virtue of this Act, ſhall be, and are hereby veſted in the ſaid Truſtees of the ſaid reſpective Diſtricts, and ſhall be applied in ſuch Manner as is herein after mentioned. Tolls veſted in Truſtees.

Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Truſtees of the ſaid New Diſtrict, or any of them, to erect, or cauſe to be erected, any Turnpike or Turnpikes, or to receive, levy, or take, any Toll or Tolls for any Perſon or Perſons, Cattle, or Carriages, paſſing on ſuch Part of the Highways directed to be repaired by this Act as lies South of the Pariſh Church of Tedington aforeſaid, or on ſuch Part of the ſaid Highways as lies in the ſaid Pariſh of Twickenham, between a Bridge built over a Brook called Mother Ivy's Water, and a Rill which parts the ſaid Pariſhes of Twickenham and Tedington, within the New Diſtrict afore mentioned. Truſtees not to erect Turnpikes South of *Tedington* Church, &c.

Provided alſo, That during the Continuance of this Act no Toll whatever ſhall be collected or demanded at any Gate erected, or to be erected, by virtue of this Act, within either Diſtrict, on the Day or Days of Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of Middleſex. No Toll on Election Days.

Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge with Payment of the ſaid Tolls in either of the ſaid Diſtricts, any of the Coaches or Carriages of their Majeſties, or of their Royal Highneſſes the Prince of Wales, the Princeſs Dowager of Wales, or any other of the Royal Family; or any of the Horſes of His Majeſty's Guards, or any of the Servants attending their Majeſties, the Prince of Wales, the Princeſs Dowager of Wales, or any other of the Royal Family; or any Poſt Horſe carrying the Mail or Packet; or any ſuch Horſe as is or ſhall be uſed only to ride on by the Owners or Drivers of any Waggon, Cart, or Carriage, who ſhall paſs at the ſame Time with ſuch Waggon, Cart, or Carriage, through any of the ſaid Turnpikes; or the Horſes of Soldiers, or Militia Men, or Officers on their March, or the Carts, Waggons, or Carriages, attending them, and laden with their Arms or Baggage; or any Horſes, Carts, or Carriages, travelling with Vagrants under the Authority of legal Paſſes; or the Carriages or Horſes of any Perſon or Perſons reſident in the ſaid Pariſhes Exemptions from Tolls.

Parishes of Isleworth, Twickenham, and Tedington, who shall pass through any of the said Turnpikes in those Parishes on Sundays to or from the respective Parish Churches thereof for the Purpose of attending Divine Service; or any Carriages or Horses attending the Funeral of any Person who shall die and be interred in either of those Parishes; or any Waggon, Cart, or other Carriage, laden with Gravel or other Materials for amending the said Highways, or the Highways in any of the adjacent Parishes; or with Dung, Mould, or Compost, of any Kind for the manuring of Land or Garden Ground; or with Corn in the Straw, or Hay, to be laid or set up in the Barns, Out-houses, or Yards, of the Inhabitants of the several Parishes or Places in which the Highways hereby directed to be repaired lie; or any Ploughs, Harrows, or other Implements of Husbandry to be used or employed in tilling, manuring, or in the Cultivation, of any Land in the said Parishes or Places, or any of them.

Penalty on making illegal Claims, &c.

Provided also, and be it further enacted, That if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same; every such Person shall forfeit and pay the Sum of Forty Shillings for every such Offence, being thereof convicted before One of his Majesty's Justices of the Peace on his own Confession, or on the Oath of One Witness.

Turnpikes, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property to and in all and every the Turnpikes and Toll-houses already erected, or to be by virtue of this Act erected, upon the said respective Highways, and the Right and Property to and in the Materials provided for building or repairing the same, and to and in all Materials which shall be actually got or collected for repairing the said Highways, shall be and are hereby vested in the said Trustees of the said respective Districts; and they, or any Five or more of them, are hereby impowered to order and dispose of the same as they shall think proper; and to bring, or cause to be brought, any Action or Actions in the Name or Names of any Five or more of them, or of their Treasurer or Treasurers, Clerk or Clerks, or to prefer, or cause to be preferred, Indictments, from time to time, against any Person or Persons who shall steal, take away, dig up, break down, or injure, the same, or any Part thereof, or disturb them in the Possession thereof.

And be it further enacted by the Authority aforeſaid, That all the ſeveral Tolls or Duties to be collected, and Sum and Sums of Money to be raiſed, by virtue of this Act, ſhall be paid, applied, and diſpoſed of, in Manner following (that is to ſay) All ſuch Tolls and Sums of Money as ſhall be collected at any Gate or Gates, Turnpike or Turnpikes, erected, or to be erected, upon, croſs, or on the Sides of, the ſaid Highways comprized within the Old Diſtrict, and alſo the Money borrowed, or to be borrowed, on the Credit thereof, ſhall (after paying Two Third Parts or Shares of the Expence of procuring and paſſing this Act) be laid out and applied in repairing, widening, turning, altering, and keeping in Repair, the Highways within the ſaid Old Diſtrict only, and in other the Purpoſes of this Act ſo far as regards the ſaid Old Diſtrict, in ſuch Manner as the Truſtees of the ſaid Old Diſtrict, or any Five or more of them, ſhall direct and appoint; and all ſuch Tolls or Duties, and Sum and Sums of Money which ſhall be collected at any Gate or Gates, Turnpike or Turnpikes, to be erected by virtue of this Act upon, croſs, or on the Sides of the Highways comprized within the New Diſtrict, and alſo the Money to be borrowed on the Credit thereof, ſhall (after paying One Third Part or Share of the Expence of procuring and paſſing this Act) be laid out and applied in widening, turning, altering, repairing, and keeping in Repair, the Highways within the ſaid New Diſtrict only, and in other the Purpoſes of this Act, ſo far as regards the ſaid New Diſtrict, in ſuch Manner as the ſaid Truſtees of the ſaid New Diſtrict, or any Five or more of them, ſhall direct and appoint. Application of Monies.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Five or more of them, with the Conſent of the Perſon or Perſons intitled to Two Third Parts of the Money then borrowed upon the reſpective Tolls, may leſſen all or any of the Tolls hereby granted, for ſuch Time as they ſhall think proper, and ſhall have ſuch and the ſame Powers for levying and recovering the Tolls ſo leſſened, as is herein before given for levying and recovering the Tolls by this Act granted; and the ſaid reſpective Truſtees, or any Five or more of them, may afterwards, if there ſhall be Occaſion, advance all or any of the Tolls leſſened in purſuance of the Power hereby given, to any Sum or Sums not exceeding the reſpective Tolls hereby granted. Truſtees may reduce the Tolls, and raiſe them again.

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 for paſſing and 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 Cattle and Carriage through all or any of the Gates or Turnpikes erected, or to be erected, upon, near, or on the Sides of, any of the Highways compriſed within either of the ſaid Diſtricts reſpectively; but that all and every Perſon or Perſons, after having paid Toll Once as aforeſaid, ſhall, during the Remainder of ſuch Day, paſs Toll-free with the ſame Cattle and Carriage through the Gate or Turnpike at which any ſuch Toll was paid, and alſo through all other the Gates or Turnpikes erected within the Diſtrict where ſuch Toll was paid, ſuch Perſon or Perſons producing a Note or Ticket denoting the Payment of ſuch Toll; which Note or Ticket the Collectors of the ſaid reſpective Tolls are hereby required to give gratis on the Receipt of the Toll.

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

And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall, with any Horſe or other Cattle, Coach, Waggon, or other Carriage, paſs through any Land, Ground, Gate, Paſſage, or Way, adjoining or lying near to any Turnpike erected or to be erected by virtue of this Act, ſuch Ground or other Place not being a common Highway; or if any Owner or Occupier of any Ground, Land, Gate, Paſſage, or Private Way, which ſhall adjoin or lie near to any ſuch Turnpike, ſhall knowingly or willingly permit or ſuffer any Perſon with any Horſe or other Cattle, or any Coach, Waggon, or other Carriage, to paſs through the ſame, whereby the Payment of any of the ſaid Tolls, or any Part thereof, ſhall be avoided; or if any Perſon ſhall wilfully break down or deſtroy any Ditches or Fences to be made upon or near the ſaid Highways, for ſecuring the Payment of the ſaid Tolls; or if any Perſon ſhall give to, or receive from, any Perſon, or forge or counterfeit any Ticket by this Act directed to be given by the Collectors of the ſaid Tolls, whereby the Payment of any of the ſaid Tolls, or any Part thereof, ſhall be avoided; or if any Perſon ſhall forcibly paſs through any ſuch Turnpike with any Horſe or other Cattle without Payment of Toll; or ſhall take off, or cauſe to be taken off, any Horſe or other Cattle from any Carriage, with an Intent to avoid paying any of the ſaid Tolls, or any Part thereof, or ſhall leave or cauſe

or on giving or receiving Tickets, &c.

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

to be left, upon or near to any Part of the ſaid Highways, any Carriage, Horſe, or other Cattle, with ſuch Intent as aforeſaid; every Perſon ſo offending in each of the Caſes aforeſaid, ſhall, for every ſuch Offence, forfeit and pay a Sum not exceeding Forty Shillings, nor leſs than Ten Shillings; One Moiety whereof ſhall be paid to the Informer or Informers, and the other Moiety ſhall be applied in repairing the Highways, and for other the Purpoſes of this Act, within the Diſtrict wherein the Offence ſhall be committed.

Tolls may be aſſigned for Money borrowed.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Nine or more of them, at their Firſt or any ſubſequent Meeting, from time to time, by any Writing or Writings under their Hands and Seals, to aſſign over or demiſe all or any Part of the Tolls ariſing by virtue of this Act, within the ſaid Diſtricts reſpectively (the Coſts and Charges of aſſigning or demiſing the ſame to be paid out of ſuch Tolls) for any Term or Number of Years during the Continuance of this Act, as a Security for any Sum or Sums of Money already borrowed or to be borrowed on the Credit of the ſaid reſpective Tolls, to ſuch Perſon or Perſons, or their Truſtees, who have advanced or ſhall advance the ſame, for ſecuring the Repayment thereof with Intereſt; and the Money ſo borrowed, or to be borrowed, ſhall (after Payment of the Charges and Expences of procuring and paſſing this Act in Manner as is herein before directed) be applied as the ſaid Tolls are herein before reſpectively directed to be applied, and to and for no other Uſe or Purpoſe whatſoever; and Copies of all and every Aſſignment or Aſſignments, Leaſe or Leaſes, ſo to be made or granted by the ſaid Truſtees as aforeſaid, ſhall be regiſtred or entered at Length, in a Book or Books to be kept for that Purpoſe, by the Treaſurer or Clerk to the ſaid reſpective Truſtees.

Aſſignments to be entered in a Book.

Notice to be given of borrowing Money.

Provided always, That no Monies ſhall be borrowed upon the Credit of the ſaid Tolls to be collected in either Diſtrict, after the Firſt Meeting of the ſaid Truſtees reſpectively, unleſs Notice in Writing under the Hand of the Clerk for ſuch Diſtrict be, by Order of Five or more of them, fixed upon all the Turnpikes then erected by virtue of this Act, at leaſt Fourteen Days before the borrowing of ſuch Money; and all and every Perſon and Perſons to whom any ſuch Aſſignment or Aſſignments, Leaſe or Leaſes, ſhall be made as aforeſaid by the ſaid reſpective Truſtees, or any Nine or more

more of them, as a Security for any Sum or Sums of Money already lent and advanced upon the Credit of the ſaid recited Acts, or to be lent and advanced on the Credit of and for the Purpoſes mentioned in this Act, or who ſhall be intitled to the Money thereby ſecured, ſhall and may, from time to time, by proper Words of Aſſignment to be indorſed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Preſence of, and atteſted by, Two or more credible Witneſſes, aſſign or transfer, his, her, or their Right, Title, Intereſt, or Benefit, to and in the Principal and Intereſt Money thereby ſecured, or any Part thereof, to any Perſon or Perſons whomſoever; all which Aſſignments or Transfers ſhall be produced and notified to the Clerk for the reſpective Diſtrict within Thirty Days after the Date thereof; who ſhall make, or cauſe to be made, a Memorial of ſuch Aſſignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money therein mentioned to be aſſigned and transferred, in the ſaid Book or Books hereby directed to be kept for entering the ſaid Original Aſſignments or Leaſes; for which Memorial the Clerk making the ſame ſhall be paid, by the Party to whom the ſame ſhall be ſo aſſigned, the Sum of Two Shillings and Six Pence, and no more; and after ſuch Entry made, and not before, ſuch Aſſignment or Transfer ſhall intitle ſuch Aſſignee, his, her, and their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and every ſuch Aſſignee may in like Manner aſſign again, and ſo toties quoties; and it ſhall not be in the Power of the Aſſignor or Aſſignors, to make void, releaſe, or diſcharge the ſame, or any ſuch Original Aſſignment or Leaſe, or any Monies thereby due, or any Part thereof.

Entries to be made of all Aſſignments.

Clerk's Fee.

Loans on each Diſtrict to be diſtinct.

Provided alſo, That no Money ſhall be borrowed on the Credit of the Tolls, or Shares of Tolls, to be taken on the ſaid Highways, jointly, but on the Credit of the Tolls of each of the ſaid Diſtricts ſeparately and diſtinctly, as the ſame are herein before deſcribed.

Truſtees may appoint Officers;

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Nine or more of them, may, and they are hereby impowered, from time to time, to appoint Collectors of the Tolls, and a Treaſurer or Treaſurers, Clerk or Clerks, Surveyor or Surveyors, of the ſaid Highways, and ſuch other Officer or Officers as they the ſaid Truſtees, or any Nine or more of them, ſhall think neceſ-

ſary

ſary or convenient; and may, from time to time, remove ſuch Collectors, Treaſurers, Clerks, Surveyors, and other Officers, or any or either of them, and appoint others in the Stead of ſuch of them as ſhall be ſo removed, Fourteen Days Notice being given of every Meeting for that Purpoſe, upon all the Turnpikes then erected by virtue of this Act within ſuch Diſtrict; and may, and are hereby impowered out of the ſaid reſpective Tolls, or the Monies to be borrowed on the Credit thereof, to allow to ſuch Collectors, Treaſurers, Clerks, Surveyors, and other Officers, and to ſuch other Perſon and Perſons as ſhall be aſſiſting in or about the repairing, widening, turning, or altering the ſaid Highways, or executing this Act, ſuch Salaries, Rewards, and Allowances, as to them the ſaid reſpective Truſtees, or any Nine or more of them, ſhall ſeem reaſonable and convenient.

and remove them, and appoint others.

Truſtees to allow Officers Salaries.

Provided always, That the ſaid Truſtees for the ſaid reſpective Diſtricts, or any Five or more of them, ſhall, and they are hereby required, to take ſuch Security or Securities from the Treaſurer or Treaſurers, Collector or Collectors, Surveyor or Surveyors, for the due Execution of his and their reſpective Offices, as to them ſhall ſeem meet: And that no Perſon ſhall be capable of holding any Place of Truſt or Profit under this Act, who ſhall ſell Wine, Cyder, Ale, Beer, or Spirituous Liquors, by Retail.

Treaſurer to give Security.

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

And be it further enacted by the Authority aforeſaid, That all and every ſuch Collectors, Treaſurers, Clerks, and Surveyors, and other Officers, and all other Perſons whomſoever, who ſhall be employed in the Receipt or Expenditure of any of the Monies ariſing by virtue of this Act, ſhall, from time to time, as often as he or they ſhall be thereunto required by the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Two or more of them, although not at a publick Meeting, produce and give up to ſuch Truſtees full, true, and fair Accounts in Writing, of all the Monies which ſhall have been by them reſpectively had, collected, and received, and how, to whom, and for what Purpoſes, ſuch Monies, and every Part thereof, have or hath been diſpoſed of or applied, together with proper Receipts and Vouchers for ſuch Payments; and ſhall and are hereby reſpectively required to pay all ſuch Monies as, upon the Balance of ſuch Accounts, ſhall appear to be in their reſpective Hands, to ſuch Truſtees, or any Five or more of them, or to ſuch Perſon or Perſons, and to ſuch Uſes and Purpoſes, as they the ſaid reſpective Truſtees, or any

Officers to account upon Oath.

Five or more of them, ſhall direct and appoint: And that all and every the ſaid Officers and Perſons ſo accounting as aforeſaid, ſhall, if required as aforeſaid, upon their ſeveral Oaths (which ſaid Oaths the ſaid Truſtees, or any Two or more of them, are hereby impowered to adminiſter) verify his and their ſaid Accounts, and the particular Items and Articles thereof: And if any ſuch Officer or other Perſon, being required ſo to do, ſhall refuſe or neglect to render and give up ſuch Account or Accounts as aforeſaid, or to produce or deliver up to ſuch Truſtees, or any Two or more of them, the Receipts and Vouchers relating to the ſame, or to verify the Items or Articles thereof upon his Oath as aforeſaid; then, and in any or either of the ſaid Caſes, it ſhall be lawful, upon the Complaint of any Two or more of the ſaid Truſtees, for any One Juſtice of the Peace for the County, Liberty, or Place, wherein ſuch Officer or other Perſon ſhall reſide or be found, to make Enquiry concerning ſuch Default, as well by Confeſſion of the Party, as by the Teſtimony of One or more credible Witneſs or Witneſſes upon Oath; and upon Conviction ſuch Juſtice ſhall commit every ſuch Officer or other Perſon ſo convicted to the Common Gaol of ſuch County, Liberty, or Place, there to remain, without Bail or Mainprize, until ſuch Account ſhall be rendered, given, and verified, and the Receipts and Vouchers relating thereto be delivered up as aforeſaid: And if any ſuch Officer or other Perſon ſhall refuſe or neglect to pay any Sum or Sums of Money which ſhall appear to remain in his Hands, it ſhall be lawful, upon the Complaint of any Two or more of the ſaid Truſtees, for any One Juſtice of the Peace for the County, Liberty, or Place, wherein ſuch Officer or other Perſon ſhall reſide or be found, to make Enquiry concerning ſuch Neglect or Refuſal in the Manner aforeſaid; and, by a Warrant under his Hand and Seal, cauſe ſuch Sums of Money as ſhall appear to him to be due and unpaid, to be levied by Diſtreſs and Sale of the Goods and Chattles of every ſuch Officer or other Perſon, rendering the Overplus (if any) after the Money remaining due, and the Charges of making ſuch Diſtreſs and Sale, ſhall be deducted: And if ſufficient Diſtreſs cannot be found, then ſuch Juſtice ſhall commit every ſuch Officer or other Perſon to the Common Goal of ſuch County, Liberty, or Place, there to remain without Bail or Mainprize until ſuch Offender ſhall have made ſuch Payment to the ſaid reſpective Truſtees, or any Five or more of them, or according to their Appointment as aforeſaid, or compounded

Officers refuſing to account,

Juſtices may enquire into the Default;

and commit the Offender.

Balance may be levied by Diſtreſs and Sale.

For want of Diſtreſs, the Offender to be committed,

until Payment or Compoſition made.

pounded for the ſame, and paid ſuch Compoſition-money to the ſaid Truſtees, or any Five or more of them, or to their Treaſurer or Treaſurers; which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make.

Proviſo. Provided always, That no ſuch Officer, or other Perſon, ſhall remain in ſuch Gaol for a longer Space of Time than Twelve Calendar Months after having rendered a true and perfect Account as before required.

Clerk to deliver up Books and Papers, &c. And be it further enacted, That if any Clerk, Collector, or other Perſon employed by the ſaid reſpective Truſtees, or any Nine or more of them, ſhall refuſe or neglect to deliver up, within Seven Days after being thereunto required, all the Books, Papers, and Writings, in his or their Cuſtody or Power, relating to the Truſts and Powers hereby granted to the ſaid reſpective Truſtees; any One or more Juſtice or Juſtices of the Peace for the County, Liberty, or Place, wherein any ſuch Clerk, Collector, or other Perſon, ſhall reſide or be found, ſhall, upon the Complaint of any Five or more of the ſaid Truſtees, make Enquiry of and concerning ſuch Default in a ſummary Way, and upon Proof thereof made before ſuch Juſtice or Juſtices, by the Oath of any One or more credible Witneſs or Witneſſes, or by Confeſſion of the Party complained of, ſhall commit ſuch Clerk, Collector, or other Perſon, ſo making Default, by Warrant under his or their Hand and Seal, or Hands and Seals, to the Common Gaol of ſuch County, Liberty, or Place; there to remain without Bail or Mainprize until he ſhall deliver, or cauſe to be delivered, to the ſaid reſpective Truſtees, or any Five or more of them, or to their Order, all and every ſuch Books, Papers, and Writings, or until he ſhall give ſuch Satisfaction to the ſaid Truſtees, or any Five or more of them, as they ſhall think reaſonable, concerning the ſaid Books, Papers, and Writings.

Surveyors may dig Gravel, &c. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful to and for the Surveyor or Surveyors for the reſpective Diſtricts of the ſaid Highways, and ſuch other Perſons as ſhall be employed by him or them for that Purpoſe, to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials, proper for the repairing of the ſaid Highways, in, upon, out of, or from, any Waſte Grounds or Commons, River or Brooks, in any Pariſh, Town, or Place, through which any Part of the ſaid Highways leads, or in any neighbouring Pariſh, Town, or Place, to be uſed in repairing the ſaid

without paying for the ſame; levelling the Pits.

Highways, without paying any Thing for the ſame; ſuch Surveyors or other Perſons filling up the Pits and levelling the Ground from which ſuch Materials ſhall be taken, with all convenient Speed, and in the mean Time railing or fencing off ſuch Pits, ſo that the ſame may not be dangerous to Paſſengers or Cattle: And if ſufficient Quantities of ſuch Furze, Heath, Stones, Gravel, Sand, or other Materials, cannot be found in or upon ſuch Waſte Grounds or Commons, Rivers or Brooks; then, and in ſuch Caſe, to dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials, proper and ſufficient for that Purpoſe, in, upon, out of, or from, the Lands and Grounds of any Perſon or Perſons where the ſame may be had (ſuch Lands or Grounds not being a Yard, Garden, Orchard, Park, Paddock, Meadow, Wood, Coppice, Nurſery, or Ground planted with any Walk or Walks of Trees, or Avenue to any Houſe) they the ſaid Surveyors, or other Perſons by them employed as aforeſaid, having an Order from the ſaid Truſtees, or any Three or more of them, for ſo doing, making reaſonable Satisfaction to the Owners or Occupiers of the Lands and Grounds where and from whence the ſame ſhall be digged and gathered, and over which the ſame ſhall be conveyed; and alſo filling up the Pits, and levelling the Ground from whence ſuch Materials ſhall be ſo taken: And in caſe of any Difference or Diſputes between the ſaid Truſtees, Surveyors, or other Perſons, employed as aforeſaid, and the ſaid Owners or Occupiers, concerning the ſaid Damages, the Juſtices of the Peace for the ſaid County of Middleſex at the General or Quarter Seſſions of the Peace to be held for the ſaid County, on Six Days Notice thereof to be given by the ſaid Surveyor or Surveyors to the ſaid Owner or Owners, Occupier or Occupiers, or by them the ſaid Owner or Owners, Occupier or Occupiers, to the ſaid Surveyor or Surveyors, or to be left at their reſpective Places of Abode with ſome or One of their reſpective Families, ſhall and may adjudge, aſſeſs, and determine, the ſaid Damages, and order the ſame to be paid by the Treaſurer or Treaſurers for the time being, out of the Money ariſing from the reſpective Tolls of the ſaid Diſtricts wherein ſuch Diſpute or Diſputes may have ariſen, and the Judgement or Order of the ſaid Juſtices therein ſhall be final and concluſive to all Parties: Provided that no ſuch Adjudication, Aſſeſſment, or Determination, of Damages ſhall be made, unleſs the Party or Parties complaining ſhall apply to the ſaid Juſtices at

Materials may be taken from private Grounds;

making Satisfaction to the Owners.

Juſtices to determine Differences.

at their Seſſions as aforeſaid within Three Calendar Months next after the Fact committed concerning which the ſaid Difference ſhall ariſe.

And, for the better preventing and removing Annoyances and Encroachments in or upon the Highways hereby directed to be repaired, be it further enacted by the Authority aforeſaid, That if any Occupier or Occupiers of any Houſes, Lands, or other Premiſſes, adjoining or near to the ſaid Highways, ſhall, during the Continuance of this Act, refuſe or neglect by the Space of Ten Days next after Notice, in Writing, given to him, her, or them, or left at his, her, or their uſual Place or Places of Abode reſpectively, under the Hands of Five or more of the ſaid Truſtees of the ſaid reſpective Diſtricts, to trim up or cut down any Trees (not being Oak Timber Trees) Boughs of Trees, or Buſhes, growing in or upon the ſaid Highways, or in the Hedges or Banks adjacent thereto; or to ſcour or cleanſe any Watercourſes, Ditches, or Drains, adjoining to or leading from the ſaid Highways, and thereby draining the ſame; or to make, build, and erect, Swillows or Arches under his, her, or their Gateways or Paſſages into his, her, or their Fields, Grounds, or other Premiſſes, leading over any of the Ditches or Watercourſes lying by the Sides of the ſaid Highways, ſufficient to carry the Water through; or ſhall by the like Space of Ten Days, after ſuch Notice as aforeſaid, permit or ſuffer his, her, or their Sink or Sinks, Drain or Drains, to run into the ſaid Highways, or any Part thereof, in which Caſes the Occupier or Occupiers of ſuch Houſes, Lands, or Premiſſes, in or through which ſuch Sink or Sinks, Drain or Drains, are made, or ſuffered to remain, ſhall be deemed the Offender or Offenders; or ſhall neglect or refuſe to remove or carry away any Dung, Filth, Aſhes, or other Rubbiſh whatſoever, thrown, lying, or being, in or upon the ſaid Highways, or the Drains or Watercourſes belonging thereto, before or adjoining to their ſaid Houſes, Lands, or other Premiſſes, or to remove any other Annoyance or Encroachment whatſoever; then, and in every ſuch Caſe, it ſhall be lawful for the Surveyor or Surveyors for ſuch reſpective Diſtrict to enter into and upon the Lands or other Premiſſes of ſuch reſpective Occupier or Occupiers, and to employ and ſet to work any Man or Men to trim up or cut down ſuch Trees (not being Oak Timber Trees) or to trim and cut up ſuch Boughs of Trees or Buſhes, and to ſcour or cleanſe ſuch Watercourſes, Ditches, and

Occupiers neglecting to remove Annoyances, &c. after Notice,

Surveyors may do it.

Drains; and to make, build, and erect, ſuch Swillows or Arches as aforeſaid; and effectually to remove, prevent, and ſtop up, ſuch Sink or Sinks, Drain or Drains, ſo running into the ſaid Highways; and to remove and carry away ſuch Dung, Filth, Aſhes, or other Rubbiſh, ſo thrown, lying, or being, in or upon the ſaid Highways, Drains, or Watercourſes, belonging thereto, or any other Annoyance or Incroachment whatſoever: And in any of the ſaid Caſes it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors (calling to his or their Aſſiſtance the Conſtable, Headborough, or other Peace Officer, of the Pariſh or Place where ſuch Offence ſhall be committed, who are hereby required to be aiding and aſſiſting therein) by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County of Middleſex, to levy the whole Charge and Expence thereof (the ſame being firſt ſettled and aſcertained by ſuch Juſtice upon Oath) by Diſtreſs and Sale of the Goods and Chattles of the Occupier or Occupiers of ſuch Houſes, Lands, or Premiſſes, ſo offending as aforeſaid, rendering the Overplus (if any be) upon Demand, to him, her, or them, after all Charges paid: And if any Perſon or Perſons, having been Once convicted of any of the ſaid Offences, or after the Removal of any ſuch Annoyance or Incroachment, ſhall again offend in the like Kind, the Perſon or Perſons ſo again offending, and being thereof convicted upon Oath, or by his, her, or their own Confeſſion, before One or more Juſtice or Juſtices of the Peace for the ſaid County, ſhall, for every ſuch Offence, forfeit and pay to the Truſtees of ſuch reſpective Diſtrict, or any Five or more of them, the Sum of Twenty Shillings, over and above the Charges to be ſettled and aſcertained as aforeſaid.

The Charges to be levied by Diſtreſs and Sale.

Penalty on a Second Offence.

And be it further enacted by the Authority aforeſaid, That all Poſts, Rails, Pales, or other Fences, between the Foot-paths and Carriage-way in or upon any Part of the Highways hereby directed to be widened, altered, turned, and repaired, which do or ſhall ſtand or be placed above Three Feet and Six Inches from any Wall or other Boundary, ſhall be deemed Annoyances and Incroachments, unleſs where the Carriage-way, excluſive of the Foot-paths, is full Twenty ſix Feet wide.

Poſts, &c. above 3 Feet 6 Inches from the Wall, in narrow Places, deemed Annoyances.

And whereas the greateſt Injuries to that Part of the Highways in the Old Diſtrict, which lies between Counter's Bridge and Brentford Bridge, are occaſioned by carrying heavy and exceſſive Loads of Meal, Flour, Malt,

Malt, Bricks, and Coals, frequently through the ſame, during the Winter Seaſon, to the ſeveral Wharfs or Landing-places adjoining to or near the River Thames; now to prevent the like for the future, be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons whomſoever, between the Firſt Day of October and the Firſt Day of April, in any Year, during the Continuance of this Act, to paſs with or drive any Waggon, Wain, Cart, or other Carriage whatſoever, having their Wheels, or any Part of their Wheels, ſhod or bound with Tire or Streaks of Iron, in or upon the ſaid Part of the Highways lying between Counter's Bridge and Brentford Bridge, which ſhall be loaded with more than Sixteen Sacks of Meal or Flour, each Sack containing Five Buſhels, and no more, ſo that the whole Loading do not exceed Forty hundred Weight, or more than Sixteen Quarters of Malt, or more than Seven hundred and an Half of Bricks, or more than One Chaldron and an Half of Coals, London Meaſure; and that the Owner or Driver of every Waggon, Wain, Cart, or other Carriage, having the Wheels thereof ſhod or bound as aforeſaid, which ſhall paſs or be driven upon the ſaid Part of the ſaid Highways at other Times, and otherwiſe laden than is by this Act permitted, ſhall, upon Proof thereof made by the Oath of One or more of the Surveyor or Surveyors, Collector or Collectors, or any other credible Witneſs or Witneſſes, before any of His Majeſty's Juſtices of the Peace for the ſaid County of Middleſex, or by his own Confeſſion, forfeit and pay the Sum of Five Pounds.

Penalty on carrying exceſſive Loads on the Roads.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees of the ſaid Old Diſtrict, or any or either of them, and for their Surveyor or Surveyors, Collector or Collectors, to ſtop and detain any ſuch Waggon, Wain, Cart, or other Carriage, and to examine, ſearch, or weigh, the ſame, for the Purpoſe of diſcovering the true and exact Loading thereof, and whether the ſame is conformable to the reſpective Allowances for ſuch Loading herein before particularly ſpecified; and that every Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, refuſing to ſtop any ſuch Carriage for the Purpoſe aforeſaid, on Demand thereof made, or moleſting, hindering, obſtructing, or inſulting, any Perſon in the Execution of the Powers hereby given, ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds.

Carriages may be ſtopt and weighed.

And

Surveyors may make Causeways, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors of the said respective Districts (having an Order in Writing for that Purpose from the Trustees of the said respective Districts, or any Five or more of them) to make, or cause to be made, Causeways and Drains in and upon the said Highways; and to

and erect Bridges;

erect, rebuild, and keep in Repair, any Bridges or Arches, with Brick, Timber, or Stone, in or upon the said Highways; and likewise to cut any Drains through any Grounds lying contiguous to the said Highways, and to erect Bridges over such Drains, if necessary;

making Satisfaction to the Owners.

making reasonable Satisfaction to the Owners or Occupiers of such Ground respectively, through which any such Drains shall be made, or in which any such Bridges shall be erected, for the Damage which such Owners or Occupiers respectively shall or may thereby sustain: And in case of any Difference between any such

Justices to determine Differences.

Owner or Occupier and the said respective Trustees, the Justices of the Peace, or the major Part of them, assembled at any General or Quarter Session for the said County of Middlesex, shall finally determine such Difference, and adjudge what Recompence shall be made to such Owner or Occupier for the Damage sustained; provided that the Complaint or Appeal to the Justices be made within Three Calendar Months; and that Ten Days Notice in Writing shall have been given by the Complainant or Appellant to the Treasurer or Clerk to the Trustees of the respective District of the Intention of preferring the same.

Penalty on taking away Materials.

And be it further enacted by the Authority aforesaid, That if any Persons (other than those employed by the said Trustees of the said respective Districts, or their Surveyor) shall break down, pull up, injure, or take away, any Bridge, Arch, Posts, or Rails, erected or to be erected on any Part of the said Highways, or shall take, carry away, or destroy, any Ballast, Gravel, or other Materials laid or to be laid on any Part of the said Highways, for the Repair thereof, or shall take or carry away any of the Drift Sand from the said Roads, without Leave in Writing under the Hands of the said Trustees, or any Three or more of them, specifying the Quantity to be taken, and the Time for taking the same; every Person so offending, and being thereof convicted before One or more Justice or Justices of the Peace for the said County of Middlesex, upon the Oath or Oaths of the Turnpike Surveyor or Surveyors, or of One or more credible Witness or Witnesses, or by his

his or her own Confeſſion, ſhall, for every ſuch Offence, forfeit and pay to the Truſtees of the reſpective Diſtrict, or any Five or more of them, or to ſuch Perſon as they ſhall appoint, the Sum of Twenty Shillings.

Penalty on leaving Obſtructions on the Road.

And be it further enacted by the Authority aforeſaid, That if any Owner, Driver, or other Perſon, ſhall ſet, place, or leave, any Waggon, Cart, Coach, or other Carriage, laden or unladen, in any Part of the ſaid Highways, ſo as to interrupt or hinder the free Paſſage thereof; every Perſon ſo offending, and being thereof convicted, either by his or her own Confeſſion, or by the Oath of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace for the County of Middleſex, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings; to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice; and One Moiety of the ſaid Penalty ſhall be paid to the Informer, and the other Moiety applied in the Manner herein after directed concerning the general Application of Forfeitures and Penalties by this Act impoſed; and for want of ſufficient Diſtreſs within the ſaid County, ſuch Juſtice is hereby impowered and required to commit ſuch Offender to the Houſe of Correction for the ſaid County of Middleſex, there to remain and be kept to hard Labour for any Time not exceeding One Calendar Month, unleſs ſuch Penalty ſhall be ſooner paid.

Any Perſon may apprehend Offenders, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, without any Warrant or other Authority than that of this Act, to apprehend any Offender or Offenders in the Premiſſes, and, with all convenient Speed, to convey and deliver him, her, or them, to the Conſtable or other Peace Officer neareſt to be found to the Place where the Offence ſhall have been committed, or the Offender or Offenders ſhall have been apprehended, in order to his, her, or their being carried before a Magiſtrate to be dealt with according to Law: And if any Perſon ſo apprehended as aforeſaid, ſhall refuſe to diſcover his or her Name and Place of Abode to the Juſtice before whom he or ſhe ſhall be brought, ſuch Perſon ſo refuſing ſhall be immediately delivered over to the Conſtable or other Peace Officer by whom he or ſhe ſhall have been ſo brought, or to ſome other Conſtable or Peace Officer, and ſhall by him be conveyed to the Houſe of Correction, there to remain until he or ſhe ſhall, by Writing under his or her Hand, or ſigned by his or her Mark, declare his or her Name and Place of Abode

to the ſaid Juſtice, or to the Clerk to the Truſtees of the reſpective Diſtrict.

Truſtees may contract for the Purchaſe of Lands to be laid into the Road.

And be it further enacted by the Authority aforeſaid, That in caſe the Truſtees of the ſaid reſpective Diſtricts, or any Nine or more of them, ſhall, at any Time, think proper to widen, turn, or alter, any Part or Parts of the ſaid Highways in their ſaid reſpective Diſtricts, it ſhall and may be lawful for them, from time to time, to purchaſe any Lands or Hereditaments lying contiguous or near to any Part of the ſaid Highways; and out of the Tolls of ſuch reſpective Diſtricts by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for ſuch Lands or Hereditaments, and all the Charges attending ſuch Purchaſe: And it ſhall be lawful for all Bodies Politick or Corporate, Eccleſiaſtical or Civil, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, and all other Perſons whomſoever, to contract and agree with the ſaid Truſtees, or any Nine or more of them, for the Sale of ſuch Lands or Hereditaments, or any Part thereof, or for their Intereſt therein, for the Purpoſe aforeſaid, and to ſell and convey the ſame as Occaſion ſhall be and require: And all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding; And all ſuch Perſons ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Bodies Politick, &c. impowered to treat.

Perſons neglecting to treat for the Sale of Lands;

And be it further enacted by the Authority aforeſaid, That if any ſuch Bodies Politick or Corporate, Eccleſiaſtical or Civil, or any Perſon or Perſons as aforeſaid, intereſted in any ſuch Lands or Hereditaments, upon Notice to him or them given, or left in Writing at the Dwelling-houſe or Houſes, or Place or Places of Abode, of ſuch Perſon or Perſons, or of the Head Officer or Officers of ſuch Bodies Politick or Corporate, Eccleſiaſtical or Civil, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Hereditaments intended to be taken in, and added to, any Part of the ſaid Highways, or through which any Part of the ſaid Highways ſhall be altered, widened, or turned, as aforeſaid, ſhall, for the Space of Twenty one Days after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſſes, or, by reaſon of Abſence, ſhall be pre-

vented from treating; then, and in every or any ſuch Caſe, the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Nine or more of them, ſhall, after giving the like Notice, cauſe it to be enquired into, and aſcertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the County of Middleſex (which Oaths any Two or more of the ſaid Truſtees are hereby impowered and required to adminiſter) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to, ſuch Owners and Proprietors, or other Perſon or Perſons intereſted, for or upon account of the taking of ſuch Lands or Hereditaments into the ſaid Highways, or of altering, widening, or turning, ſuch Highways, or any Part thereof, through the ſame: And in order thereunto the ſaid Truſtees, or any Nine or more of them, are hereby impowered and required, from time to time, to ſummon before the ſaid Jury, and examine upon Oath, all and every Perſon and Perſons who ſhall be thought neceſſary and proper to be examined concerning the Premiſſes (which Oath any Two or more of the ſaid Truſtees for each ſuch Diſtrict are hereby impowered to adminiſter) and they the ſaid Truſtees, or any Nine 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 better Information in the Premiſſes; and the ſaid Truſtees, or any Nine or more of them, ſhall order, adjudge, and determine, the Sum or Sums of Money which ſhall be aſſeſſed by the ſaid Jury for ſuch Damages as aforeſaid to be paid to the ſaid Owners or Proprietors of, or other Perſon or Perſons intereſted in, the ſaid Lands or Hereditaments, according to ſuch Verdict or Inquiſition of the ſaid Jury; which Verdict or Inquiſition, and Judgement, Order or Determination, ſhall be final and binding to all Parties and Perſons whomſoever, claiming, or to claim, in Poſſeſſion, Reverſion, Remainder, or otherwiſe, their Heirs and Succeſſors, as well abſent as preſent, Infants, Femes Covert, and Perſons under any other Diſability whatſoever, Bodies Politick or Corporate, Eccleſiaſtical or Civil, as well as all other Perſon or Perſons whomſoever: And the ſaid Truſtees, or any Nine or more of them, are hereby impowered to iſſue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of Middleſex, thereby requiring him to impanel, ſummon, and return, an indifferent Jury of Twenty four Perſons to appear before the ſaid Truſtees, or any Nine or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed;

Jury to aſſeſs the Damages.

Witneſſes may be ſummoned, and examined upon Oath.

Verdict of the Jury to be final.

Truſtees may iſſue their Warrant to Sheriff, &c. to impanel a Jury.

pointed; 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 impanelled, ſummoned, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Truſtees, or any Two or more of them, ſhall ſwear, or cauſe to be ſworn, Twelve, 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, to make up the Number of Twelve; and all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen: And the ſaid Truſtees, or any Nine or more of them, acting in the Premiſſes, ſhall have Power, from time to time, to impoſe any reaſonable Fine or Fines on ſuch Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premiſſes, and on any of the Perſons ſummoned and returned on ſuch Jury, who ſhall not appear, or appearing ſhall refuſe to be ſworn on the ſaid Jury, or, being ſworn, ſhall not give their Verdict, or ſhall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Perſons who, being required to give Evidence before the ſaid Jury touching the Premiſſes, ſhall refuſe or neglect to appear, or refuſe to be examined and to give Evidence; and, from time to time, to levy and apply ſuch Fine or Fines in ſuch Manner as the Penalties and Forfeitures are herein after directed to be levied and applied; ſo as no ſuch Fine be more than Ten Pounds, nor leſs than Twenty Shillings, upon any One Perſon for One Offence.

Jurors may be challenged.

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

And be it further enacted by the Authority aforeſaid, That in caſe any Jury or Juries, to be ſummoned and ſworn purſuant to the Authority of this Act, ſhall give in and deliver a Verdict or Aſſeſſment for more Monies, as a Recompence or Satisfaction for any ſuch Lands or Hereditaments, or for any ſuch Loſs or Damage than what ſhall have been agreed to, and offered by, the ſaid reſpective Truſtees, or any Nine or more of them, before the ſummoning or returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Lands or Hereditaments, or Loſs or Damage as aforeſaid; then, and in ſuch Caſe, the Coſts and Expences of ſummoning and maintaining the Jury and Witneſſes for the aſcertaining and determining the Value of any ſuch Lands or Hereditaments, or the Loſſes or Damages ſuſtained as aforeſaid, ſhall be borne and paid by the

Expences of the Jury how to be borne.

ſaid Truſtees of the Diſtrict concerning which ſuch Proceedings ſhall have been had, or any Nine or more of them, out of the Tolls or Duties of ſuch Diſtrict hereby granted; but if any Jury or Juries, ſo to be ſummoned and ſworn as aforeſaid, ſhall give in and deliver a Verdict or Aſſeſſment for no more or for leſs Monies than ſhall have been agreed to, and offered by, the ſaid reſpective Truſtees, or any Nine or more of them, before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Lands or Hereditaments, or Loſſes or Damages as aforeſaid; then the Coſts and Expences of ſummoning and maintaining the ſaid Jury and Witneſſes, ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute.

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

And be it further enacted by the Authority aforeſaid, That all and every Sum or Sums of Money, Conſideration, or Recompence, to be agreed for, or aſcertained as aforeſaid, ſhall be, and the ſame is and are hereby charged upon the Tolls, by this Act granted, of the Diſtrict within which ſuch Lands or Hereditaments ſhall be ſo purchaſed, or the Monies to be borrowed upon the Credit thereof, and ſhall be paid accordingly to the Perſons reſpectively intitled thereto, or to their Agents; and that upon Payment or Tender thereof to ſuch Perſons or their Agents, and in caſe of Refuſal to accept the ſame, upon leaving the ſame in the Hands of the Treaſurer or Clerk of ſuch Diſtrict, for the Uſe of ſuch reſpective Perſons, and after Twenty Days Notice thereof given to ſuch Perſons, or left with the Owners or Occupiers of the Premiſſes, ſuch Lands or Hereditaments ſhall be laid into and made Part of the ſaid Highways, and ſhall to all Intents and Purpoſes whatſoever become and be deemed and taken to be a publick and common Highway, and be from thenceforth Part of the ſaid Highways for ever after, and ſhall be repaired by ſuch Ways and Methods, and in ſuch Manner, as the old Highway ſo altered or turned was and ought to have been kept in Repair; and after ſuch new Highway ſhall be completed, the Lands and Grounds conſtituting the former Highway (unleſs the ſame lead to ſome other Village, Town, or Place, than the Highways ſo altered or turned do lead, ſhall be veſted in, and ſhall and may be ſold by the ſaid Truſtees, or any Nine or more of them, for the beſt Price that can be gotten for the ſame; and a Conveyance or Conveyances of the ſaid Lands and Grounds being ſigned and executed by the ſaid Truſtees, or any Nine or more of them, and regiſtered in the pro-

Lands, &c. purchaſed be made Part of the Road, and deemed a publick Highway.

Old Road to be ſold.

per Office for the registring of Deeds in the County of Middlesex, shall be good, valid, and effectual in the Law, to all Intents and Purposes; and the Money arising by such Sale, shall be applied in such Manner as the Tolls granted by this Act are directed to be applied, or the said respective Trustees, or any Nine or more of them, may, and are hereby impowered to give in exchange, any Part or Parts of the Lands so constituting the former Highway, for any Lands or Hereditaments so to be laid into or made Part of the said Highways.

Buildings, &c. not to be injured.

Provided always, and be it further enacted and declared, That the Power and Authority given to the said respective Trustees as aforesaid, shall not extend to the pulling down any Dwelling-house, Out-house, or other Building, or taking in any Garden, Orchard, Yard, Court, Park, Paddock, Nursery Ground, planted Walk, or Avenue to a House (except Gardens, Orchards, or Nursery Grounds, in the Tenure or Occupation of Gardeners, Nurserymen, or Farmers, whether Owners or Tenants) any thing herein contained to the contrary notwithstanding.

Lands, &c. chargeable to the Highways, to continue so.

And be it further enacted by the Authority aforesaid, That if the County of Middlesex, or any Hundred, Parish, Hamlet, or Place, or any particular Person or Persons, Bodies Politick or Corporate, or any Lands, Tenements, or Hereditaments, or any Rents or Profits issuing out of any Lands, Tenements, or Hereditaments, is or are chargeable towards repairing the said Highways, or any Part thereof, or any Bridges, Causeways, Drains, or Sewers in the said Highways, the said County; and the Inhabitants of every such Hundred, Parish, Hamlet, and Place, and every such Person or Persons, Bodies Politick or Corporate, and the Owners and Proprietors, Feoffees and Trustees, of such Lands, Tenements, and Hereditaments, shall still remain chargeable, and shall repair such Highways, Bridges, Causeways, Drains, or Sewers, in such Manner as they ought to have done in case this Act had not been made.

Trustees may compound with Inhabitants.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Nine or more of them, to compound and agree with the said County of Middlesex, or the Inhabitants of any Hundred, Parish, Hamlet, or Place, or any particular Persons, Bodies Politick or Corporate, or the Owners and Proprietors, Feoffees or Trustees of any Lands, Tenements, or Hereditaments aforesaid, which are liable and chargeable, towards repairing any of the Highways, Bridges, Causeways, Drains, or Sewers, within the said re-

ſpective Diſtricts, for a certain Sum of Money by the Year or otherwiſe, in lieu of ſuch Repairs; which Compoſition-monies ſhall be paid at the Time of entering into ſuch Agreement; and the ſaid County of Middleſex, and ſuch reſpective Inhabitants, Perſon and Perſons, Bodies Politick and Corporate, and Owners and Proprietors, Feoffees and Truſtees, ſhall be diſcharged from ſuch Repairs, for and during the Time or Times ſo agreed for, and for which ſuch Money ſhall be paid.

Perſons, &c. chargeable to the Highways, to continue ſo.

And be it further enacted by the Authority aforeſaid, That all Perſons, who by Law are chargeable towards repairing and amending the ſaid Highways, ſhall ſtill remain chargeable with, and liable to do, their reſpective Statute-works in the ſaid Pariſhes or Places in which the ſaid ſeveral Highways lie, in the ſame Manner as if this Act had not been made.

Juſtices to determine the Statute-work to be done on the Roads.

And, for preventing of Differences which may ariſe between the ſaid Truſtees of the ſaid reſpective Diſtricts; and the Surveyors of the ſaid Highways for the ſeveral Pariſhes, Hamlets, or Places, through which the ſaid Highways lead, touching what Part of the Statute-work in any Pariſh, Hamlet, or Place, ought to be done on the Highways hereby directed to be amended; be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Three Juſtices of the Peace for the ſaid County of Middleſex, at any Petty or Special Seſſion of the Peace, upon Application made to them by any Five or more of the ſaid Truſtees, to adjudge and determine what Part or Proportion of the Statute-work ſhall be done on the ſaid Highways hereby directed to be amended by each of the ſaid Pariſhes, Hamlets, or Places.

Inhabitants to do Statute-work.

And be it further enacted by the Authority aforeſaid, That every Inhabitant of, and Occupiers of Lands, Tenements, or Hereditaments, in the ſaid Pariſhes, Hamlets, and Places, who ſhall rent, hold, or occupy, any Houſe or Houſes, Gardens, Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds, ſhall do ſuch Work towards the repairing of the ſaid Highways, as Perſons occupying a Plough Land are by Law obliged to do.

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

And be it further enacted by the Authority aforeſaid, That the Surveyors of the Highways of each and every of the ſaid Pariſhes, Hamlets, and Places, ſhall, and they are hereby required, on Ten Days Notice given them by the Surveyor or Surveyors appointed by the Truſtees for each reſpective Diſtrict, to return and deliver to ſuch Truſtees, or any Five or more of them,

at

at their Firſt Meeting after the Twenty fifth Day of March in every Year, or oftener, if thereunto required by ſuch Truſtees, or any Five or more of them, true and perfect Liſts in Writing, under their reſpective Hands, of the Names of all the Inhabitants of, and Occupiers of Lands, Tenements, and Hereditaments, in the ſaid Pariſhes, Hamlets, and Places reſpectively, who are liable to do Statute-work in and upon the ſaid Highways; and ſhall in ſuch Liſts, and every of them, diſtinguiſh which of ſuch Inhabitants and Occupiers are liable to do Duty on the ſaid Highways, as Perſons keeping a Team or Teams, or occupying a Plough Land, and which of them to do Duty as Labourers only; and ſhall, within Ten Days after a like Notice given them, or any of them, by the ſaid Turnpike Surveyor or Surveyors, when, where, and how many of the Perſons ſo chargeable as aforeſaid, he or they would have to do their reſpective Statute Days Work in or upon any Part or Parts of the Highways hereby directed to be repaired, ſummon or give publick Notice thereof to the Perſons ſo chargeable as aforeſaid.

Penalty on Surveyors neglecting to deliver in Liſts;

And be it further enacted by the Authority aforeſaid, That if the Surveyor or Surveyors of the Highways for any Pariſh, Hamlet, or Place, ſhall not deliver in ſuch Liſts as aforeſaid by ſuch Times, and in ſuch Manner, as by this Act is required, or ſhall refuſe or neglect to give ſuch publick Notice as aforeſaid (after due Notice to him or them given by ſuch Turnpike Surveyor or Surveyors as aforeſaid) every ſuch Surveyor ſhall, for every ſuch Default, forfeit and pay the Sum of Forty Shillings: And if any of the Inhabitants or Occupiers of the ſaid ſeveral Pariſhes, Hamlets, and Places, ſhall not do ſuch Statute-work in and upon the ſaid Highways, in purſuance of ſuch publick Notice, at ſuch Times and Places, and in ſuch Manner, within their reſpective Pariſhes, Hamlets, and Places, as ſhall by the ſaid reſpective Truſtees, or any Five or more of them, or by their Surveyor or Surveyors, be directed; every ſuch Inhabitant and Occupier ſhall, for every ſuch Neglect or Default, forfeit and pay the ſeveral Sums which are or ſhall be, in ſuch Caſes, directed and appointed to be forfeited and paid by the ſeveral Laws and Statutes of this Realm for repairing the Roads and Highways thereof: And if any Perſon who ſhall come to work as a Labourer, or be ſent with any Team, Draught, or Cart, to work on the ſaid Highways, ſhall be found idle or negligent by the ſaid

and on Perſons not performing Statute-work.

Perſons found idle to be turned off.

Turnpike

Turnpike Surveyor or Surveyors, ſuch Surveyor or Surveyors may and is and are hereby required to diſcharge ſuch Perſon; and it ſhall be deemed, and every ſuch Perſon or Owner of ſuch Team, Draught, or Cart, ſhall be liable to the like Forfeitures, as if ſuch Perſon, or ſuch Team, Draught, or Cart, had not come or been ſent to do ſuch Work.

Inhabitants of *Ealing* exempted from Statute-work, &c.

Provided always, and be it further enacted, That the Inhabitants of the Pariſh of Ealing, and their Truſtees, ſhall be exempt and diſcharged from the performing of any Statute-work upon the Highways directed to be repaired by this Act, in reſpect of ſuch Parts thereof as lie within the ſaid Pariſh, in Conſideration of their lighting the Street in Old Brentford (Part of the ſaid Highways) in the Night-time, from the Firſt Day of October in every Year to the Firſt Day of March in the ſucceeding Year.

Truſtees may compound for Statute-work.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees of the ſaid reſpective Diſtricts, or any Nine or more of them, may, and they are hereby impowered, to compound with the Surveyor or Surveyors of any Pariſh, Hamlet, or Place, through which any of the Highways lead, or with any of the Inhabitants of, or Occupiers of, Lands, Tenements, or Hereditaments, in the ſaid Pariſhes, Hamlets, or Places, for the Statute-work to be by him, her, or them reſpectively done upon the ſaid Highways, for ſuch Sum or Sums of Money by the Year, or otherwiſe, as they the ſaid reſpective Truſtees, or any Nine or more of them, ſhall think proper; which ſaid Money ſhall be inſtantly paid to ſuch Truſtees or their Treaſurer, or according to their Appointment; and ſhall be applied in repairing the ſaid Highways, and for other the Purpoſes of this Act, within the ſaid reſpective Diſtricts wherein ſuch Compoſition ſhall be made.

Pariſh Surveyors to be reimburſed.

Provided always, and it is hereby further enacted by the Authority aforeſaid, That the Surveyor or Surveyors of the Highways for the time being of any Pariſh, Hamlet, or Place, for or in lieu of the Statute-work whereof ſuch Compoſition ſhall be made as aforeſaid, who ſhall pay ſuch Compoſition-money in reſpect of ſuch reſpective Pariſh, Hamlet, or Place, ſhall be repaid or reimburſed the Compoſition-money ſo paid by him or them, in ſuch Manner as, by the Laws now in being, Surveyors of the Highways of this Kingdom are to be repaid or reimburſed the Monies by them expended in buying Materials for amending Highways.

Truſtees may erect Lamps, &c.

And be it further enacted by the Authority aforeſaid, That, from and after the Commencement of this Act, the Truſtees of the ſaid Old Diſtrict, or any Five or more of them, may, and they are hereby authorized, to erect ſuch and ſo many Glaſs Lamps in or near ſuch Parts of the ſaid Highways within ſuch Diſtrict as lie within the Towns and Villages through which the ſame extend, or in or near ſuch Part or Parts thereof as they ſhall think neceſſary; and to fix ſo many of ſuch Lamps as they ſhall think proper to any Houſe or other Building, making good the Damages which ſhall be done thereto; and alſo to water all or any Part of the ſaid Highways in the ſame Diſtrict; and for that Purpoſe to ſink Wells, erect Pumps, make a Reſervoir or Reſervoirs, and to lay Pipes in, upon, or through, any of the ſaid Highways, or any Waſte Lands contiguous thereto, as they the ſaid Truſtees, or any Five or more of them, ſhall think proper and convenient; and may alſo, from time to time, contract with any Perſon or Perſons for lighting, maintaining, and repairing, the ſaid Lamps, and watering the ſaid Highways, and to give ſuch Orders and Directions concerning the ſame, as they ſhall judge neceſſary or expedient, and as the Nature of the ſaid Services may require; and that the Expences of erecting, lighting, and maintaining, ſuch Lamps, and watering the ſaid Highways, and all other Charges incident to the ſaid reſpective Services, ſhall be paid and defrayed out of the Money to be collected or raiſed by virtue of this Act within the ſaid Old Diſtrict; any thing herein contained to the contrary notwithſtanding.

Expences how to be paid.

The Road from *Counter's Bridge* to the Eaſt End of the Town of *Old Brentford* to be watered.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required, to cauſe the Road from Counter's Bridge aforeſaid, to the Eaſt End of the Town of Old Brentford, to be well and ſufficiently watered whenever it ſhall be neceſſary; and the ſame ſhall be done by ſuch Ways and Means as the ſaid Truſtees, or any Five or more of them, ſhall, from time to time, order and direct.

Pariſh, &c. liable to maintain Lamps, &c. to continue ſo;

Provided always, and be it further enacted, That nothing herein before contained ſhall extend, or be conſtrued to extend, to excuſe any Pariſh, Town, or Place whatſoever, or any Perſon or Perſons whomſoever, from erecting and maintaining ſuch and ſo many Lamps as every or any ſuch Pariſh, Town, or Place, or Perſon or Perſons, now ought by any Act or Acts of Parliament, or by any Law, Cuſtom, or Uſage whatſoever, to erect and maintain.

Provided

Provided alſo, and be it further enacted, That all the Lamps which are already erected, or ſhall hereafter be erected, in or by the Inhabitants or Pariſhioners of any ſuch Pariſh, Town, or Place, or by ſuch Perſon or Perſons as aforeſaid, purſuant to ſuch Act or Acts of Parliament, or otherwiſe as aforeſaid, on the Sides of any Part of the ſaid Highways intended to be lighted as aforeſaid, ſhall be ſo placed by ſuch Pariſhioners, Inhabitants, and Perſons reſpectively, as to give Light to the main Road as well as the Foot-path; the Truſtees of the ſaid Old Diſtrict making a reaſonable Satisfaction to ſuch Pariſh, Town, or Place, or Perſon or Perſons as aforeſaid, in Money or otherwiſe, in Conſideration of, and in Proportion to, the Number of Lamps ſaved to ſuch Truſtees thereby; and all Lamps which ſhall be erected by ſuch Truſtees purſuant to this Act, ſhall be placed in like Manner; Preference being given to the Horſe-path, where both the Horſe and Foot-path cannot be equally enlightened.

Such Lamps to be placed ſo as to give Light to the main Road as well as the Foot-path.

Truſtees Lamps to be placed in the ſame Manner.

Provided alſo, and be it further enacted, That in caſe the Pariſhioners or Inhabitants of any Pariſh, Hamlet, Town, or Place, through which the ſaid Highways intended to be ſo lighted and watered do extend, or any other Perſon or Perſons, ſhall be deſirous for the better lighting and watering of ſuch Part of ſuch particular Pariſh, Town, Hamlet, or Place, as lies on the Sides of the ſaid Highways, to have a greater Number of Lamps erected than ſuch Truſtees ſhall think neceſſary for the general Purpoſe of lighting the ſaid Highways, or for watering the ſame ſooner than the Produce of the Tolls would otherwiſe enable them, it ſhall and may be lawful to and for ſuch Truſtees, or any Five or more of them, at the Requeſt of ſuch Pariſhioners or Inhabitants, or Perſon or Perſons as aforeſaid, from time to time, to contract and agree with them for the lighting or watering ſuch Part of ſuch Pariſh, Hamlet, Town, or Place accordingly, for an adequate Conſideration or Sum of Money to be paid to ſuch Truſtees, or any Five or more of them; and after ſuch Contract made, to cauſe ſuch additional or other Number of Lamps to be erected and maintained, and ſuch Highway to be watered, as ſhall be ſo contracted and agreed for.

Truſtees may agree with Pariſhes, &c. concerning erecting Lamps, &c.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully break, throw down, or otherwiſe damage, any of the ſaid Lamps, or any of the Poſts, Irons, or other Furniture thereof, or extinguiſh any of the ſaid Lamps, or

Penalty on Perſons wilfully,

break, injure, take away, or damage, any of the ſaid Wells, Pumps, Reſervoirs, or Pipes, ſo erected, made, or laid; it ſhall and may be lawful to and for any Juſtice of the Peace for the ſaid County of Middleſex, and he is hereby required, upon Oath made of the Commiſſion of any ſuch Offence, to iſſue a Warrant or Warrants for apprehending the Party or Parties accuſed; or it ſhall be lawful to and for any Perſon or Perſons, who ſhall ſee ſuch Offence committed, to apprehend, as alſo for any other Perſon or Perſons to aſſiſt in apprehending the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid County of Middleſex, to be dealt with as herein after is directed; and the Party or Parties accuſed being brought before any ſuch Juſtice, or Oath being made before him that ſuch Party or Parties cannot be found and apprehended, ſuch Juſtice ſhall proceed to examine, upon Oath, any Witneſs or Witneſſes, who ſhall appear, or be produced, to give Information touching ſuch Offence: And if the Party or Parties accuſed ſhall be convicted of ſuch Offence, either by his, her, or their own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall, for the Firſt Offence, reſpectively forfeit and pay the Sum of Ten Shillings; and for the Second Offence, the Sum of Fifteen Shillings; and for the Third and every other ſubſequent Offence, the Sum of Twenty Shillings; and full Satisfaction ſhall alſo be made to the Truſtees of the reſpective Diſtrict, or any Five or more of them, or to their Surveyor, by ſuch Offender or Offenders for the Damage ſo by him, her, or them, done as aforeſaid: And in caſe ſuch Offender or Offenders ſhall not, upon Conviction, pay the Forfeiture by him, her, or them, incurred, and make ſuch Satisfaction as aforeſaid; the Juſtices, before whom ſuch Offender or Offenders ſhall be convicted, is hereby required to commit him, her, or them, to the Houſe of Correction for the ſaid County, there to be kept to hard Labour for any Time not exceeding Two Calendar Months; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they, ſhall be committed, unleſs ſuch Forfeiture and Satisfaction be ſooner paid and given; and One Moiety of the ſaid reſpective Forfeitures, when recovered, ſhall be paid to the Informer or Informers; and the other Moiety ſhall

be

be applied in repairing the ſaid Highways, and for other the Purpoſes of this Act: And if any Perſon ſhall negligently or accidentally break, throw down, or otherwiſe damage, any of the ſaid Lamps, or any of the Poſts, Irons, or other Furniture thereof, and ſhall not, upon Demand, make Satisfaction to the Truſtees of the reſpective Diſtrict, or any Five or more of them, or to their Surveyor, for the Damage by ſuch Perſon done as aforeſaid; it ſhall be lawful for any Juſtice of the Peace for the ſaid County of Middleſex, and he is hereby required, upon Complaint thereof made by any Five or more of ſuch Truſtees, or by their Clerk or Surveyor, to ſummon the Party complained of; and upon his or her Appearance, or making Default to appear (Oath being made that the Party complained of was ſerved with ſuch Summons, or that the ſame was left at his or her Dwelling-houſe or Place of Abode, if known, or that he or ſhe could not be found) ſuch Juſtice ſhall proceed to examine the Matter of the ſaid Complaint; and upon Proof thereof, either by Confeſſion of the Party complained of, or by the Oath of One or more credible Witneſs or Witneſſes, ſhall award and order ſuch Satisfaction to be made by the Party complained of for the Damage ſo by him or her done, as to ſuch Juſtice ſhall appear juſt and reaſonable; and ſhall cauſe the Sum ſo awarded (in caſe the ſame be not paid forthwith upon the making of ſuch Award or Order) to be levied by Diſtreſs and Sale of the Goods and Chattles of the Perſon complained of, rendering to him or her the Overplus (if any be) upon Demand, after the Charges of proſecuting ſuch Complaint, and of ſuch Diſtreſs and Sale, ſhall be deducted.

or accidently, damaging, &c. Lamps.

And be it further enacted by the Authority aforeſaid, That the Right and Property to and in all ſuch Lamps as ſhall be erected or fixed in purſuance of this Act, and to and in the Poſts, Irons, and other Furniture of ſuch Lamps, and alſo the Right and Property to and in all ſuch Pumps, Reſervoirs, Pipes, Carts, Implements, Utenſils, and Things whatſoever, which are, or ſhall be, erected, made, laid, or purchaſed, by the ſaid Truſtees of the Old Diſtrict, or any Five or more of them, or by their Order, or otherwiſe, belonging to and uſed by them, for the putting in Execution this Act, ſhall be veſted in ſuch Truſtees; and they, or any Five or more of them, are hereby impowered to diſpoſe of the ſame, as they ſhall think fit, and to bring Actions in the Names of any Five or more of them, or in the Name of their Treaſurer or Clerk, or to prefer and proſecute

Property of the Lamps, &c. veſted in the Truſtees.

with Effect Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, injure, or damage, the ſame, or ſhall diſturb them the ſaid Truſtees in the Poſſeſſion of their Property therein.

Roads to be meaſured, and Mile-ſtones erected.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees for the ſaid reſpective Diſtricts, or any Nine or more of them, may cauſe Mile-ſtones or Poſts to be ſet up in or on the Sides of any of the Highways hereby directed to be widened, altered, turned, and repaired, and may, from time to time, repair and renew the ſame, with Inſcriptions, denoting the Number of Miles and Diſtance of Places: And if any Perſon or Perſons ſhall wilfully break, pull down, dig up, or injure, any ſuch Stone or Poſt ſet up, or to be ſet up, or obliterate or deface any of the Inſcriptions made, or which ſhall be made thereon; every Perſon ſo offending, and being thereof convicted on his own Confeſſion, or by the Oath of One or more credible Witneſs or Witneſſes before any Juſtice of the Peace for the County of Middleſex, ſhall, for every ſuch Offence, forfeit and pay the Sum of Forty Shillings, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice to be levied; and One Moiety thereof ſhall be paid to the Informer, and the other Moiety applied in the Manner herein after directed concerning the general Application of Forfeitures impoſed by this Act: And in caſe ſufficient Diſtreſs ſhall not be found, then it ſhall be lawful for any ſuch Juſtice, by Warrant under his Hand and Seal, to commit ſuch Perſon to the Houſe of Correction for the ſaid County, there to remain any Time not exceeding One Calendar Month, or until he or ſhe ſhall have paid ſuch Forfeiture.

Penalty on defacing Mile-ſtones, &c.

to be levied Diſtreſs and Sale.

Penalty on drawing Timber otherwiſe than upon Wheel Carriages.

And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall hale or draw, or cauſe to be haled or drawn, along any Part of the ſaid Highways, any Tree or Piece of Timber otherwiſe than upon or by Wheel Carriages, or draw any Plough upon or croſs the ſaid Highways, or any Part thereof, whereby the ſaid Highways ſhall be prejudiced; every ſuch Perſon, for every ſuch Offence, ſhall forfeit and pay the Sum of Ten Shillings.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, by this Act impoſed (the Manner of levying, recovering, and applying, whereof is not otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the

the Hand and Seal, or Hands and Seals, of One or more Juſtice or Juſtices of the Peace for the ſaid County of Middleſex, or for the County or Place wherein the Offenders ſhall reſide; which Warrant ſuch Juſtice or Juſtices is and are hereby impowered and required to grant, upon the Inſormation of any One or more credible Witneſs or Witneſſes upon Oath; and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) when demanded, to any of 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 be applied (if not otherwiſe directed to be applied by this Act) for and towards the repairing and amending of the ſaid Highways, and for other the Purpoſes of this Act, in the reſpective Diſtricts where the ſaid Offence ſhall be committed.

Diſtreſs not to be deemed 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 ſubſequent Irregularity in the Proceedings of the Perſon or Perſons making ſuch Diſtreſs; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe; provided, that no Plaintiff or Plaintiffs ſhall recover in any ſuch Action, if ſufficient Tender of Amends ſhall have been made to him, her, or them, by or on the Behalf of the Defendant or Defendants, previous to the bringing ſuch Action.

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

Plaintiff not to recover, if Tender of Amends hath been made.

Proceedings not to be quaſhed for want of Form,

And be it further enacted by the Authority aforeſaid, That no Proceedings 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 be vacated or quaſhed for want of Form only, 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.

nor removable by *Certiorari*.

Perſons aggrieved may appeal to the Quarter Seſſion.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Act, Order, or

Judge-

Judgement, of the ſaid Truſtees, or any of them, or of any Juſtice or Juſtices of the Peace in the Execution of any of the Powers hereby to him or them given (other than and except any Order or Judgement founded upon the Verdict or Verdicts of a Jury or Juries to be found and given according to the Directions herein before contained) ſuch Perſon or Perſons may appeal to the Juſtices at their General or Quarter Seſſions of the Peace for the County of Middleſex; provided all and every ſuch Appeal and Appeals be brought before the ſaid Juſtices within Four Calendar Months after the Act, Order, or Judgement, ſo appealed againſt, ſhall be done, made, or awarded; and alſo that every ſuch Perſon ſo appealing ſhall firſt cauſe Ten Days Notice in Writing of ſuch Appeal, and of the Cauſe or Matter thereof, to be given unto the Perſon or Perſons on whoſe Oath or Oaths or Evidence ſuch Act, Order, or Judgement, ſhall be done, made, or awarded, and to the Treaſurer of the Tolls of the Diſtrict wherein the Cauſe of ſuch Appeal aroſe; which ſaid Juſtices at their ſaid Seſſions, upon due Proof of ſuch Notices given as aforeſaid, ſhall hear and determine the Matters of the ſaid Appeals, and every of them, and may mitigate at their Diſcretion all or any of the Penalties laid on or incurred by the Party or Parties complaining, or may vacate or ſet aſide any Conviction, or may ratify and confirm the ſame as they ſhall ſee Cauſe, and ſhall give ſuch Coſts to the Party appealing or appealed againſt as they in their Diſcretion ſhall think proper; and their Orders and Judgements therein ſhall be final and concluſive to all Parties concerned; and ſhall not 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.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforeſaid, That Accounts of all Receipts and Diſburſements, and all Contracts, Orders, and Proceedings, entered into, made, and had, by or on the Behalf of the Truſtees of the ſaid reſpective Diſtricts in the Execution of this Act, ſhall be entered in Books to be kept for that Purpoſe by the Treaſurer or Clerk for the ſaid reſpective Diſtricts; and that any Perſon may take Copies thereof, paying for every Copy not exceeding One hundred Words Six Pence, and ſo proportionably for any Number of Words; and all Orders and Proceedings ſo entered ſhall be ſigned by Five or more of the ſaid reſpective Truſtees; which ſaid Books, and alſo the Books directed to be kept for the regiſtering and entering the

Books may be read in Evidence.

ſaid Aſſignments, Leaſes, and Transfers, may be read in Evidence in all Caſes of Appeals, Suits, or Actions, touching any thing done in purſuance of this Act.

Inhabitants may be competent Witneſſes.

And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it enacted by the Authority aforeſaid, That upon any Complaint, Information, Indictment, or Action, to be laid or brought againſt any Perſon for any Offence committed againſt this Act, the Evidence of any of the Inhabitants of any of the Pariſhes or Places through which the Highways directed by this Act to be widened, altered, turned, and repaired, do lead, ſhall be taken and admitted in all Caſes whatſoever; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Form of Conviction.

And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Juſtice or Juſtices, before whom any Perſon or Perſons ſhall be convicted of any Offence or Offences in and by this Act declared, to draw up and record ſuch Conviction, mutatis mutandis, in the Form or to the Effect following; that is to ſay,

County of } BE it remembered, That on this Day of in the Year of the Reign of His preſent Majeſty, *A. B.* is convicted before me [us] of His ſaid Majeſty's Juſtices of the Peace for the ſaid County of [*ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe ſhall be*] and I [we] the ſaid Juſtice [Juſtices] do adjudge him to forfeit and pay for the ſame the Sum of

Given under my Hand and Seal [our Hands and Seals] the Day and Year above written.

Juſtices may adminiſter Oaths, &c.

And be it further enacted by the Authority aforeſaid, That in all Caſes where Cognizance is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon for his or their more certain Information in the Matters then depending; and that any Juſtice of the Peace for the County of Middleſex may act as ſuch in the Execution of this Act, notwithſtanding his being a Truſtee, except in ſuch Caſes where he ſhall be perſonally intereſted; provided, that this Exemption ſhall not extend to prevent ſuch Juſtice, being a Mortgagee of the Tolls hereby granted, from acting, by reaſon of ſuch Mortgage Intereſt.

Writings to be without Stamps.

And be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Depoſition, Order, Judgement, Licence, Conviction, Warrant, Mortgage, Aſſignment, Leaſe, Transfer, or other Security for the borrowing of Money, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any Truſtee or Truſtees, Juſtice or Juſtices, or any Leſſee or Leſſees, Aſſignee or Aſſignees, of the ſaid Tolls, or any other Perſon in the Execution of this Act, ſhall be charged or chargeable with any Stamp Duty whatſoever.

Limitation of Actions.

And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, or in relation to the Matters herein contained, until Ten Days Notice ſhall be thereof given to the Treaſurer or Clerk to the Truſtees for the Diſtrict where ſuch Cauſe of Action or Suit ſhall have ariſen, nor after a ſufficient Satisfaction or a Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be laid or brought in the County of Middleſex, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall

General Iſſue.

and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought before Ten Days Notice 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 or Place, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs in any ſuch Action or Suit 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,

Treble Coſts.

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

Publick Act.

And be it further enacted 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.

FINIS.