



ANNO TRICESIMO OCTAVO

GEORGI II. REGIS.

Cap. 48.

An Act for repairing the Roads from the Stone Pillar upon *Alconbury Hill* to *Wansford Bridge*; and from *Norman Cross* to the South End of *Peterborough Bridge*, all in the County of *Huntingdon*; and for repealing certain Acts relating thereto.

[1st June 1798.]

WHEREAS by an Act of Parliament made in the Thirteenth Year of the Reign of His late Majesty King *George the First*, intituled, *An Act for the more effectual mending the Highways leading from Roylton, in the County of Hertford, to Wansford Bridge in the County of Huntingdon*, it was enacted, That the several Roads mentioned in Two Acts of Parliament made in the Ninth and Twelfth Years of the Reign of Her then late Majesty *Queen Anne*, for amending the said Highways, should be divided into Three Divisions, and be called by the Names of *The North Division, Middle Division, and South Division*, and that the said North Division should extend from *Wansford Bridge* aforesaid to the said White Post in the Highway on or near *Alconbury Hill* aforesaid, and several Tolls and Powers were thereby granted for repairing and keeping in Repair the said Road, which were to commence from the Twenty-fourth Day of *June* One thousand seven hundred and twenty-seven, and to continue for the Term of Twenty-one Years, and several Trustees were thereby appointed for putting the said Acts in Execution, within and for the said North Division: And by an Act made

Preamble.

[Loc. & Per.]

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in the Seventh Year of the Reign of His late Majesty King *George* the Second, the said Term was further continued for Fourteen Years, and several Tolls were granted and additional Powers were given with respect to the said North Division: And whereas by an Act made in the Twenty-fourth Year of the Reign of His said late Majesty King *George* the Second, intituled, *An Act for the enlarging of the Terms and Powers, and making more effectual several Acts of Parliament for repairing and amending the Highways leading from Royston, in the County of Hertford, to Wansford Bridge, in the County of Huntingdon, so far as relates to the amending of that Part of the Road, as lies between a Place called The White Post on Alconbury Hill, in the County of Huntingdon, and Wansford Bridge in the same County, called The North Division, and that the Tolls taken at Saltree and Wansford Toll Gates may, from and after a certain Time, be lowered; and for repairing the Road leading from Stilton, in the said County of Huntingdon, to Peterborough, in the County of Northampton,* the said last-mentioned Term, so far as respected the said North Division of the said Road, was further continued for the Term of Ten Years, and several Tolls were granted and additional Powers were given for the Purposes of repairing, amending, making and keeping in Repair the said Roads, and that all the Tolls by the said Act granted and continued as well on the said North Division, as on the said Road leading from *Stilton to Peterborough* should continue and be paid from the Times therein respectively mentioned, until and including the Twenty-fourth Day of *June* One thousand seven hundred and seventy-two: And by an Act passed in the Thirtieth Year of the Reign of His said late Majesty King *George* the Second, for explaining and amending several Acts of Parliament for repairing the Roads between a Place called *The White Post on Alconbury Hill* and *Wansford Bridge*, in the County of *Huntingdon*, and between *Norman Cross Hill*, in the said County, and the City of *Peterborough*, with respect to the Election of new Trustees, the Power of compelling Persons employed by the Trustees in the Execution of such Acts, to deliver up such Books and Papers relating thereto as are in their Custody, and also to the Manner of summoning and holding the Meetings of the said Trustees, several Amendments were made, and other Powers granted and given for repairing the said Roads: And whereas in and by an Act of Parliament, made in the Eleventh Year of the Reign of His present Majesty, for enlarging the Term and Powers of several Acts made for repairing and amending that Part of the Road leading from a certain Place called *The White Post on Alconbury Hill*, in the County of *Huntingdon*, to *Wansford Bridge*, in the said County, called *The North Division of the North Road*, and for repairing the Road leading from *Stilton*, in the said County of *Huntingdon*, to the City of *Peterborough*, in the County of *Northampton*, it was enacted, That the several Tolls and Duties by the said Acts granted, and the Powers thereby given should continue in full Force and Effect, and be executed from and after the Expiration of the Terms granted by the said former Acts, and also of the additional Terms granted by an Act, made in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto, for the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees acting in the Execution of the before-recited Acts of Parliament, did, pursuant to,

and

24 Geo. II.

30 Geo. II.

11 Geo. III.

and according to the Directions of the several Acts of Parliament for regulating the Turnpike Roads in that Part of *Great Britain* called *England*, erect a Machine for weighing Waggon, Carts, and other Carriages, at or near a Toll-gate, called *Sawtry Bar*, on the said Roads, and have taken such Tolls for Overweights as directed by the said Acts: And whereas the Trustees for the Time being, acting in Execution of the before recited Acts of Parliament, in order to enable them to effect the several Matters and Things thereby directed, did erect and set up several Turnpike Gates, and did borrow several Sums of Money upon the Credit of the said Acts, and did assign, transfer, and set over the Tolls and Duties thereby granted and made payable, to the Person and Persons lending such Sum or Sums of Money, as a Security for the principal Money and Interest due, and to grow due to them; and considerable Sums are now due to several Persons for Money lent by them at Interest on the Credit of the said Trust: And the Money so borrowed, and all Tolls, Duties, Payments, and Penalties, collected at the said Turnpike Gates, and at the Weighing Engine or Machine erected as aforesaid, have been duly applied in making, repairing, and keeping in repair, the said Roads, according to the Directions of the said Acts; but the said Roads cannot be effectually kept in Repair, and the Money borrowed as aforesaid repaid, unless the Term and Powers granted by the before-recited Acts, be further enlarged, amended, and varied, or new and other Term and Powers be granted: And whereas the several Powers and Authorities necessary to be exercised for repairing and keeping in repair the said Roads, will be better understood, and more easily executed, if the same be contained in One Act 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 said recited Acts, and all the Tolls, Duties, Powers, Penalties, Forfeitures, Exemptions, Articles, Rules, Clauses, Matters, and Things therein contained, (so far as respects the Roads comprized in this Act), shall, from and after the Twenty-first Day of *June* One thousand seven hundred and ninety-eight, be repealed, cease, determine, and end; and that instead thereof, from the said Twenty-first Day of *June* One thousand seven hundred and ninety-eight, this present Act, and the several Clauses, Provisions, Tolls, Duties, Powers, Penalties, Forfeitures, Exemptions, Articles, Matters, and Things herein contained, shall thenceforth be put in Execution, and continue in force during the Term hereby granted, and for the Purposes herein contained.

Former Acts repealed.

Commencement of this Act.

II. And be it enacted, That all and every Sum and Sums of Money which, on the Day of the Commencement of this Act, shall be due and owing on the Credit of the said former Acts, or any of them, or on the Security of the Tolls thereby granted, or made payable respectively, with Interest on such of the said Sums as respectively carry Interest, shall stand, and be charged and chargeable on the Tolls, Duties, and Payments hereby granted, and may be recovered in like Manner as if the same had been contracted on the Credit of this Act, or secured on the Tolls hereby granted.

Debts contracted on the Credit of former Acts secured by this Act.

III. And

Trustees
appointed.

III. And be it enacted by the Authority aforesaid, That the Right Honourable the Earl of *Carysfort* in the Kingdom of *Ireland*, the Right Honourable *Frederick Cavendish* commonly called *Lord Frederick Cavendish*, the Honourable *John Cust*, the Right Honourable *George Cavendish* commonly called *Lord George Cavendish*, the Right Honourable Lord *Eardley* in the Kingdom of *Ireland*, the Right Honourable *George John Montagu* commonly called *Lord Viscount Hinchingsbrook*, the Right Honourable the Earl *Ludlow* in the Kingdom of *Ireland*, the Right Honourable *Frederick Montagu* commonly called *Lord Frederick Montagu*, the Honourable *William Allan* Lord *Proby* in the Kingdom of *Ireland*, the Honourable *John Proby*, the Right Honourable Lord *Preston* in the Kingdom of *Ireland*, the Honourable *Henry Watson*, the Honourable *George Watson*, Sir *Thomas Hussey Appreece*, Sir *Richard Bickerton*, Sir *Gilbert Heathcote*, Sir *Gillies Payne*, Sir *John Trollope*, Baronets, Sir *John Critchloe Turner*, and Sir *Henry Trollope*, Knights, *Arthur Annesley*, *Francis Annesley* Clerk, *Shuckburgh Ashby Appreece*, *John Bewis*, *Edward Bayley* Clerk, *Robert Booth*, *John Bramston*, *Henry Key Bonney* Clerk, *Gustavus Belford*, *Benjamin Bull*, *Thomas Bowker*, *Bryan Beethaue*, *John Bringhurst* Clerk, *Lancelot Brown*, *William Bowker*, *Lawrence Banyer*, *John Bedford*, *Richard Buck* Clerk, *Robert Burton*, *Benjamin Barnard* Clerk, *John Brazier*, *Atton Burwell*, **General** *Thomas Clark*, *John Chambers*, *William Child*, *William Cole* Clerk, *Thomas Chambers*, *John Clarke*, *John Chambers junior*, *John Cooke* Clerk, *William Cooke* Clerk, *Henry Cole*, *John Cox*, *William Child junior*, *Henry Clarke*, *Gerrard Clough* Clerk, *Thomas Cooper*, *Henry Crofts*, *John Compton*, *Henry Clarke* Clerk, *Peter Corryton D.D.*, *Robert Cooch*, *James Dewie* Clerk, *William Daw*, *Thomas Duberley*, *Robert Eden Duncombe*, *Thomas Dean*, *George Edmunds*, *Captain Edward Edwards*, *Samuel Edwards*, *Edward Edwards* Clerk, *Henry Eyre* Clerk, *Samuel Edwards junior*, *William Ellis* Clerk, *Thomas Evans* Clerk, *John Edison*, *William Fellowes*, *William Henry Fellowes*, *John Fowke LL.D.*, *Philip Fisher* Clerk, *George Walton Furnifs*, *Robert Fowler of Papley*, *John Faux*, *Robert Fowler* Clerk, *Charles Favell* Clerk, *Henry Freeman* Clerk, *William Freeman*, *Robert Godby*, *Philip Gustavus Godby*, *William Gosling*, *Thomas Goodman*, *Feast Goodman*, *Henry Gee*, *Henry Wade Geary* Clerk, *Charles Green* Clerk, *Thomas Green* Clerk, the Mayor, High Steward, Recorder, and Aldermen of the Borough of *Huntingdon* for the Time being, *Robert Hodson* Clerk, *John Hetherington*, *Edward Holditch*, *Richard Hetley*, *Benjamin Hutchinson* Clerk, *John Hodgson*, *William Herbert*, *Vere Warner Hussey*, *John Hopkinson* Clerk, *Nathaniel Hudson*, *John Hinde*, *George Hart*, *Thomas Hunt*, *John Hunt* Clerk, *John Heathcote*, *Edward Hare*, *William Hetley*, *Richard William Hetley*, *Christopher Hodgson* Clerk, *Francis Hopkinson*, *John Henery*, *Robert Hurst*, *John Higgins M.D.*, *Simon Hardy*, *Denzill Ibbetson* Clerk, *Levitt Ibbetson*, *Original Jackson*, *Thomas Jay*, *Edward Keteriche* Clerk, *Edward Kirkby* Clerk, *Edward Knipe*, *Samuel Knipe*, *Thomas Kipling D.D.* *Dean of Peterborough*, *Walter King D.D.*, *Edward Laxton*, *George Ludlow*, *John Lawrence*, *Robert Montagu*, *Thomas Moore* Clerk, *Henry Martin*, *Edward Martin*, *Thomas Marsham* Clerk, *George Maxwell*, *Thomas Mewburn*, *Henry Lawrence Maydwell*, *George Maule*, *Thomas Martin*, *William Martin of Sawtry*, *William Morley*, *Pank Medmore*, *Edward Maltby* Clerk, *William Martin of Taxley*, *William Margetts junior*, *John Nicholls*, *John Nicholls junior*, *Christopher Newton*, *Henry Obrien*, *Walden Orme*, the Dean and Prebendaries

darics of *Peterborough* for the Time being, *Walter Peck*, *John Perkins*, *John Perkins junior*, *John Payne*, *Baptist Proby D.D.*, *John Fish Palmer M.D.*, *Rogers Parber*. *Charles Proby Clerk*, *Charles Proby*, *Littleton Fowys Clerk*, *John Pery Clerk*, *William Peacock Clerk*, *Charles Burton Phillipson Clerk*, *Richard Pooley*, *William Panchin Clerk*, *John Pears*, *William Pears*, *John Pitts*, *Charles Pasbellier*, *Richard Reynolds*, *Robert Mitchell Robinson*, *John Reper*, *James Kust*, *Owesley Rowley*, *John Richards*, *Samuel Roberts*, *George Rowley*, *George Reynolds*, *Lawrence Reynolds*, *George Edward Raitt*, *Charles Frederick Raitt*, *Robert Bernard Sparrow*, *Shefto*, *Henry Seymour*, *John Seymer*, *Castle Sberard Clerk*, *Thomas Serocold*, *Thomas Serocold junior*, *Wright Thomas Squire*, *William Squire*, *James Smith Clerk*, *Henry Sweeting*, *Philip Castle Sberard Clerk*, *William Smith*, *Charles Snow*, *William Strong Clerk*, *William Drury Steeles Clerk*, *John Spolding*, *James Saunders Clerk*, *Joseph Sympson Clerk*, *William Stokes*, *Smith Squire*, *Henry Pointer Stanley*, *Henry Swann*, *William Smith junior*, *Samuel Smith LL.D.*, *James Swann Clerk*, *Charles Searn Clerk*, *Robert Stafford*, *Charles Snow*, *William Stona*, the Reverend *Doctor Torkington*, *George Thornhill*, *Henry Trollope Clerk*, *Carrier Tempson*, *Francis Tutte Clerk*, *James Torkington*, *Thomas Trollope*, *Thomas Daniel Trollope Clerk*, *Benjamin Vinter*, *David Veafey*, *Joseph Vise*, *Thomas Vaughan*, *William Wells*, *William Whitworth Clerk*, *Robert Wright*, *John Weddred Clerk*, *Hale Wortham*, *John Wing*, *John Waller*, *William Walcot M.D.*, *Thomas Wells*, *Stephen White LL.D.*, *William Wing Clerk*, *William Waller*, *William Walcot*, *Thomas Walter*, *Samuel Wells*, *John Lawrence Wright*, *Oglethorp Wainman M.D.*, *Robert Bellamy Warwick*, *Frederick Woollasson LL.D.*, *Thomas Woollasson White*, and *Taylor White*, and their Successors, to be appointed in Manner as after mentioned, shall be and they are hereby appointed Trustees for making, repairing, and from Time to Time keeping in Repair, the Roads from the Stone Pillar on *Alconbury Hill* to *Wansford Bridge*, in the County of *Huntingdon*, called *The North Division of the North Road*, and from a Place called *Norman Cross*, near *Stilton*, in the said County, to the South End of the Bridge leading into the City of *Peterborough*, in the County of *Northampton*, for the Term, and under the Rules and Regulations herein contained, with full Powers for the Trustees for the Time being to do, perform, and execute every Act, Matter, and Thing necessary and requisite for the Purposes of fully and effectually putting this Act into Execution; and when any of the Trustees hereby appointed, or who shall be appointed pursuant to this Act, shall die, or refuse to act, then, and in such Case, and from Time to Time, as often as it shall so happen, it shall and may be lawful for the remaining Trustees, at any of their publick Meetings, or any Nine or more of them, and they are hereby empowered and required, by any Writing or Writings under their Hands, to be entered on their Proceedings, to elect and appoint in the Room of such Person so dying or refusing to act, a fit Person, qualified as by this Act is required, in the Room of such Trustee so dying or refusing to act, to be a Trustee for the Purposes of this Act; and every Person so to be elected and appointed, shall have, and is hereby invested with the same Powers, for putting this Act in Execution, as if he had been named a Trustee in and by this Act.

New Trustees
to be appointed.

IV. Provided always, and be it enacted, That no Person shall be capable of acting as a Trustee in Execution of this Act, unless he shall,

Qualification
of acting
Trustees.

[Loc. & Per.]

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at the Time of his acting, be in his own Right, or in the Right of his Wife, in actual Possession or Enjoyment, or Receipt of the Rents or Profits of Lands, Tenements, and Hereditaments, of the clear Yearly Value of One hundred Pounds, or possessed of or entitled unto a Personal Estate, to the Amount or Value of Two thousand Pounds, and unless he hath taken, or shall, before he acts as such Trustee, take an Oath, or (being One of the People called *Quakers*) an Affirmation before Two or more of the Trustees appointed or to be appointed by or in pursuance of this Act (who are hereby empowered to administer the same) in the Words following; that is to say,

‘ I *A. B.* do swear, (or affirm), That I truly and *bona fide* am, in my own Right, or the Right of my Wife, in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear Yearly Value of One hundred Pounds, or (as the Case may be) that I am possessed of or entitled to a Personal Estate, of the clear Value of Two thousand Pounds.’

Trustees acting without being qualified, to forfeit 50*l.*

And if any Person hereby deemed incapable to act, shall presume to act in any respect, in Execution of this Act (except in administering the said Oath to another) or shall presume to act, in any respect, contrary to the true Intent and Meaning hereof, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoin, Protection, or Wager of Law, or more than One Impar lance shall be allowed; and such Person so sued or prosecuted, shall prove that he is qualified as above, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Plaintiff or Prosecutor, than that such Person or Persons hath acted as a Trustee in the Execution of this Act.

Five Trustees to act.

V. And be it further enacted, That the said Trustees, or any Five or more of them, who may be present at any Meeting, to be called or held pursuant to this Act, shall, in all Cases whatever, (except in such Cases wherein a greater or less Number is hereby particularly directed and required), do, perform, and execute, all and every Act, Matter, Deed, and Thing whatsoever, necessary and proper for carrying this Act fully into Execution, to all Intents and Purposes: as if all the said Trustees were personally present; and that the said Trustees, or any Five or more of them as aforesaid, shall hold their First Meeting for the Purposes aforesaid, at the *Bell Inn*, in *Stilton* aforesaid, on *Thursday* the Twenty-first Day of *June* One thousand seven hundred and ninety-eight, between the Hours of Ten and Two on the same Day; and all future Meetings shall be held at such Time and Place on or near any Part of the said Roads, as the said Trustees, or any Five or more of them shall, from Time to Time, direct and appoint by Writing under their Hands, directed to the Clerk to the said Trustees, at least Fourteen Days before such Meeting; and the said Clerk is hereby required to affix Notice of such Meeting, upon all the Turnpike Gates on the said Roads, at least Ten Days before such Meeting; and particularly that the said Trustees, or Five or more of them, shall, and they are hereby required to meet annually in the Month of *October* in every Year, on such Day in the said Month as shall be appointed in Manner aforesaid, for the Purpose

First Meeting.

Other Meetings.

Annual Meeting.

of

of auditing, examining, and settling the Accounts of the Treasurer, Surveyors, and other Officers, and all other Accounts relating to the said Trust; and if it shall so happen that Five or more of the said Trustees shall not appear at the First or any subsequent Meeting, the Majority of the Trustees present, or in case there shall be no Trustee present, the Clerk appointed by the said Trustees, shall adjourn the Meeting to such Time, not exceeding Three Weeks, as they or he shall think proper, and give Notice of such Adjournment in Manner aforesaid.

VI Provided nevertheless, That in case of the Death, Removal, or other Vacancy of a Gate Keeper, it shall and may be lawful for any Two of the said Trustees, to appoint a proper Person as a Gate Keeper, until a regular Meeting of the Trustees can be held as aforesaid, and such Person so appointed shall have the like Power and Authority, and be accountable in the same Manner, in all Respects, as if he had been regularly appointed.

Two Trustees may appoint a Gate-keeper, in case, &c.

VII. And be it further enacted, That the said Trustees, at their Meetings, to be held pursuant to this Act, shall, from Time to Time, as Occasion may require, appoint a Clerk or Clerks, Treasurer, Surveyor or Surveyors, Collectors of the Tolls to be taken at the different Gates on the said Roads, and such other Officers as they shall find necessary for the Execution of the said Acts, and from Time to Time shall remove all or any of such Officers as they shall think proper and Occasion shall require, and out of the Money arising by virtue of this Act, shall pay such Salaries, and make such Allowances to the said Officers and to all such other Persons as shall be employed in and about the Execution of this Act, as they shall judge reasonable and proper; and the said Trustees shall take such Security from every such Treasurer, Collector, and other Officer as they shall think reasonable for the due Execution of their respective Offices; and every such Officer and Person to be appointed as aforesaid, shall, under his Hand, at such Time and Times, (and in such Manner as the said Trustees shall direct), deliver to the said Trustees or to such Person or Persons as they shall appoint to receive the same, a true and perfect Account in Writing, of all Money which shall have been by him received by virtue of, and for the Purposes of this Act, and how much thereof he hath paid and expended, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all Monies that shall remain in his Hands to the said Trustees, or as they shall appoint; and every Person so accounting, shall, upon Oath, (if thereto required), by the said Trustees, (which any One Trustee is hereby empowered to administer), verify such Account; and if any such Officer or Person shall not make and render, or shall neglect or refuse to verify upon Oath any such Account, or to produce and deliver up the Vouchers relating to the same, or to make such Payment as aforesaid, or shall not deliver up to the said Trustees, or to such Person as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing, signed by the said Trustees, and given to, or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings, in his Custody or Power, relating to the Execution of this Act, and belonging to the said Trustees as aforesaid, or give Satisfaction to the said Trustees, respecting the same, on Complaint being made thereof, by and on the Behalf of the said Trustees, to any Justice of the Peace

Officers to be appointed.

To take Security.

Penalty for not accounting.

Peace for the County or Place where such Person shall be or reside, such Justice is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing or not being to be found, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or the Testimony of any credible Witness, upon Oath, it shall appear to such Justice, that any of the Money which shall have been collected and raised by virtue of this Act, shall be in the Hands of such Officer or Person, such Justice is hereby authorized and required, upon Non-payment thereof, by Warrant, under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no such Goods and Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if it shall, in Manner aforesaid, appear to such Justice that any such Officer or Person shall refuse or neglect to render and give such Account, or to verify the same, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings, relating to the Execution of this Act, shall be in his Custody or Power, and he shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then such Justice shall commit such Officer or Person to the common Gaol or House of Correction, there to remain without Bail or Mainprize until he shall make a true and perfect Account and Payment as aforesaid, or shall have compounded with the Trustees touching the same, and have paid such Composition in Manner as they shall appoint, (which Composition the said Trustees, are hereby empowered to make and receive), and until he shall deliver up all such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof, as aforesaid; but no Person who shall be committed on Account of his not having sufficient Goods and Chattels, shall be detained in Prison for any longer Time than Six Calendar Months.

Toll Collector,
et c. discharged,
 to be
 turned out of
 Possession. :

VIII. And be it enacted by the Authority aforesaid, That if any Toll Collector or Gate Keeper who shall be discharged from his Office by the said Trustees, shall neglect or refuse to deliver up the Possession of the House, Buildings, and other Premises, with the Appurtenances, which he enjoyed by virtue or in Right of his Appointment to that Office within Two Days after Notice of his Discharge shall be given to him or left at his House; or if the Wife or Family of any such Toll Collector who may happen to die, shall neglect or refuse to deliver up the Possession of such House, Building, or Premises, with the Appurtenances, within Four Days after any such new Appointment shall be made as aforesaid, then, and in either of the said Cases, it shall and may be lawful for any Two or more of the said Trustees, (One of whom shall be a Justice of the Peace for the Limit where such Turnpike House shall be), by Warrant under their Hands and Seals, to order the Constable or other Peace Officer, with such Assistance as may be necessary, to enter such House and Premises in the Day Time, and to remove the Persons who shall be found therein, together with their Goods, out of such House, and to put the new appointed Officer into the Possession thereof.

Books to be
 provided and
 Proceedings
 entered there-

IX. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose, of all the Acts, Orders, and Proceedings, of the said Trustees, relative to the Execution

Execution of this Act, and of the Names of the Trustees who shall be present at each respective Meeting; and the said Trustees, or the major Part of them, then present, shall subscribe their Names at the End of the said Proceedings; and all such Entries so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions, touching any Thing done in pursuance of this Act; and that such Book or Books shall, at all reasonable Times, be open to the Inspection of every Trustee, and of every Creditor, on the Rates and Tolls to be collected on the said Roads; and that the Property of such Books shall vest in the Trustees for the Time being, and also the Property of all such Books and Papers as were belonging to the Trustees acting under former Acts of Parliament, made for repairing the said Roads.

in aid sub-
scribed, and
to be Evi-
dence, etc.

X. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, as Occasion shall require, to borrow and take up at Interest any further Sum or Sums of Money they shall find necessary for carrying into Execution this Act, upon the Credit of the Tolls, Rates, and Duties hereby granted. (so that the principal Sums secured on the said Tolls shall not exceed at any One Time the Sum of Four thousand Pounds), and to mortgage, assign, and convey over the said Tolls, Rates, and Duties, by any Writing or Writings under their Hands and Seals, or under the Hands and Seals of any Nine or more of them, to any Person or Persons who shall advance and lend their Monies thereon, as a Security or Securities for the several Sums of Money that shall be so borrowed, and such Interest for the same, not exceeding Five Pounds *per Centum per Annum* as shall be agreed on; and the Money so borrowed, and also all the Tolls, Rates, Duties, Payments, Penalties, and Sums of Money to be collected and received pursuant to this Act, shall be subject and liable to the Payment of the Money now due on the Credit of the said former Acts, and shall be paid and applied accordingly, and for and toward the Expences of repairing, maintaining, and keeping in Repair the said Roads, and the other Purposes of this Act; and that Copies of all such Mortgages, Assignments, and Conveyances, shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Trustees; and that all Mortgages and Assignments of the said Tolls, Rates, and Duties, hereafter to be made as a Security or Securities for Money borrowed for the Purposes of this Act, shall be in the Form, or to the Effect following; *videlicet*,

Power to bor-
row Money.

BY virtue of an Act of Parliament, passed in the Thirty-eighth Year of the Reign of King George the Third, intituled, [*Here set forth the Title of the Act,*] We being of the Trustees acting in Execution of the Powers of the said Act, in Consideration of the Sum of advanced and lent by upon the Credit and for the Purposes of the said Act, do bargain, assign, convey, and set over, unto the said his Executors, Administrators, and Assigns, such Portion of the Tolls, Rates, and Duties arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum now due, or hereafter to become due, on the Security thereof, to hold the same during the Continuance of the said Act, unless the said Sum of

Form of
Security.

[*Loc. & Per.*]

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with

with Interest after the Rate of *per Centum per Annum*, shall
 be sooner paid and satisfied. Dated this *Day of*

But no Monies shall be borrowed for the Purposes and as aforesaid, except at some publick Meeting of the said Trustees, of which Notice shall be given in some Newspaper usually circulating in that Part of the Country where the said Roads lie, signifying the Intention for which such Meeting shall be so held; and all and every Person or Persons to whom any such Mortgage, Assignment, or Conveyance shall be made as aforesaid, or who shall be entitled to the same, is and are hereby empowered, from Time to Time, by an Indorsement under his, her, or their Hand or Hands, to be made on his, her, or their Security or Securities, 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 Two or more credible Witnesses, to assign over and transfer such Security or Securities, or any Share thereof, and all or any Part of the Monies due thereon to any Person or Persons whomsoever; all which Assignments and Securities, and the Transfers of the same, from Time to Time, shall be produced or notified to the Clerk to the said Trustees, within Forty Days after the Date thereof, and the Clerk shall cause an Entry, or Memorial to be made of every such Transfer, specifying the Date thereof, and the Names, Additions, and Places of Abode of the several Parties, and the Sum or Sums therein mentioned to be transferred, and the Names, Additions, and Places of Abode of the Witnesses to the Execution thereof, in the said Book or Books for entering the said original Mortgages, Assignments, or Conveyances; for which the said Clerk shall be paid Two Shillings and Sixpence by the Person or Persons to whom such Assignment or Transfer shall be made, which Book or Books may be inspected at all seasonable Times by any Person or Persons whomsoever, for which One Shilling shall be paid to the said Clerk for every such Inspection; and after such Entry made, and not otherwise, such Assignments or Transfers respectively shall entitle the Assignee or Assignees, his, her, or 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 the Person or Persons who, for the Time being, shall be entitled to such Security or Securities, shall be Creditors of the said Roads as aforesaid.

Treasurer to
pay Interest.

XI. And be it further enacted, That the Treasurer to the said Trustees shall, from Time to Time, out of the First Monies that shall come to his Hands by virtue of this Act, duly and regularly pay the Interest of all and every such Mortgages and Securities Half-yearly, as the same shall become due.

Surveyor to
get Materials
in Waste,

XII. And, for the better repairing and keeping in Repair the said Roads, and providing Materials for that Purpose, be it enacted, That it shall and may be lawful for the Surveyor or Surveyors to be appointed by the said Trustees, or any Person or Persons by them employed, with or without Horses, Carts, and other Carriages, in any Waste Land or Common Ground, River or Brook, lying and being within any of the Parishes into or through which the said Roads lead, or any Parishes to any such Parishes next adjoining, wherein Gravel, Sand, Chalk, Stone,

or

or other Materials, are respectively likely to be found, (having regard to leave a proper Quantity of Materials for the Use of the Publick Highways in each respective Parish where such Materials are found), to search for, dig, get, and carry away the same, or so much thereof as they shall judge necessary for the Repairs of the said Roads, so that the said Surveyor doth not thereby divert or interrupt the Course of such River or Brook, or prejudice or damage any Building, Highway, or Ford, nor dig or get the same out of any River or Brook within the Distance of One hundred Feet above or below any Bridge, nor within the like Distance of any Dam or Wear; and likewise by Consent of the Proprietor and Occupier, to gather Stones lying upon any Lands or Grounds within the Parishes aforesaid, for such Service and Purpose, and to take and carry so much of the said Materials as at the Discretion of the said Surveyor or Surveyors shall be thought necessary to be employed in the repairing and amending of the said Roads, without making any Satisfaction for the said Materials; but Satisfaction shall be made for all Damages done to the Lands or Grounds of any Person or Persons, by carrying away the same in the Manner herein-after directed for getting and carrying Materials in enclosed Lands and Grounds.

without Satisfaction for Materials; but Satisfaction for Damage in Carting, &c.

XIII. And be it further enacted, That it shall and may be lawful for the Surveyor or Surveyors, or such other Person or Persons as aforesaid, for the Use and Purpose aforesaid, to search for, dig, and get Sand, Gravel, Chalk, Stone, or other Materials, (if sufficient cannot conveniently be had within such Waste Lands, Common Grounds, Rivers or Brooks), in or through any of the several or enclosed Lands or Grounds of any Person or Persons whomsoever, within any of the Parishes into or through which the said Roads lead, or any Parish next to any of them adjoining, (having Regard to and leaving a proper Quantity of Materials for the Use of the publick Highways in each respective Parish where such Materials are found, such Lands or Grounds not being a Garden, Yard, Avenue to a House, Lawn, Park, Paddock, or enclosed Plantation). and to take and carry away so much of the said Materials as shall be necessary for repairing and amending the said Roads, making Satisfaction for the Damage done thereby as after-mentioned; and in such Places where, from the Want of other Materials, burnt Clay may be substituted in the Place thereof, it shall and may be lawful to and for the Surveyor or Surveyors, or such other Person or Persons as aforesaid, to dig Clay in such Places as he is hereby authorized to dig Chalk, Gravel, Stone, and other Materials, and to dry the same upon the Lands adjoining, and to burn the same thereon, or on any Waste Lands or Common Grounds, and to carry such Clay and use the same as other Materials are used in repairing and amending the said Roads, making Satisfaction for Damages as after-mentioned.

Materials to be got in Severals.

XIV. And be it further enacted, That if any Surveyor or other Person employed in searching for and getting Materials, shall open or make any Pit or Hole in Search after any Materials for the Use of the said Roads, and none shall be there found, he shall, within Thirty Days after such Pit or Hole shall have been made, cause the same to be filled up and levelled, and covered with the Turf or Soil that was dug out of the same; and where any Materials shall be found and carried away for the Use of the said Roads, he shall forthwith cause the said Pit or Hole to

Pits to be filled up or filled off.

be

be sufficiently fenced off, and such Fence supported and repaired during such Time as the said Pit or Hole shall be kept open for the Purpose of getting Materials, and when the said Pit or Hole shall no longer be used for getting Materials, the Banks of the same shall be sloped down, or otherwise fenced, so as to prevent Loss or Damage to arise from the said Pit; and in all Cases whatsoever the Swerd and Soil shall be taken from the Surface, and shall be preserved for such Purposes as the Owner or Occupiers shall think proper.

Bridges, etc.
to be made.

XV. And be it further enacted, That it shall and may be lawful for the said Trustees, from Time to Time, as Occasion shall require, to cause Bridges or Arches of Brick, Timber, or Stone, to be made and erected upon and across any Part or Parts of the said Roads, and also to widen any of the narrow Parts of the said Roads by opening, clearing, and taking, and laying into the same, any Land or Ground of any Person or Persons lying contiguous thereto, (not being a House, Garden, Orchard, planted Walk or Avenue to a House), and also to cause Ditches and Trenches to be made in such Manner as may be necessary for keeping the said Roads in Repair, making Satisfaction for the Damages done thereby as after mentioned.

Satisfaction
for Damages.

XVI. And be it enacted, That Satisfaction for all Damages done to any Person or Persons whomsoever, by searching for, digging, and getting Materials, and for each and every other Purpose, whereby any Damage shall be done by the Execution of any of the Powers of this Act, shall, from Time to Time, be made to each and every Person and Persons sustaining any Damage by the Exercise of any of the Powers herein contained, according to the Amount to be ascertained by the said Trustees, or their Surveyor, or other Person by them employed, and the Person or Persons sustaining such Damage, and in all Cases where the aforesaid Parties cannot agree on the Amount, the same shall be settled by Two or more Justices of the Peace for the County of *Huntingdon*, who are hereby empowered and required to hear the said Parties, and determine and adjudge what Recompence or Satisfaction shall be made to the Person or Persons sustaining such Damage as aforesaid; and for that Purpose it shall be lawful for the said Justices to summon before them, and examine upon Oath, all and every Person and Persons whomsoever who shall be thought necessary and proper to be examined concerning the Premises, (which Oath the said Justices are hereby empowered to administer), and it shall be lawful for the said Justices to allow reasonable Costs to either Party.

For recover-
ing Compens-
ation for Da-
mages incur-
red previous
to the Act.

XVII. Provided always, and be it further enacted, That nothing herein contained shall be construed to bar or take away the Claim of any Person or Persons to any Compensation for Damage done to the Land of such Person or Persons in searching, digging for, and carrying away Materials for the said Roads, previous to the passing of this Act, but that such Person or Persons shall be entitled to recover a Compensation for such Damages by such Ways and Means as are herein provided with respect to Satisfaction for Damages done in Execution of this Act.

Toll Gates,
Tolls, etc.

XVIII. And be it further enacted, That the said Trustees shall continue the present Toll Gates situate at or near *Sawtry Lane, Norman*

Crofs Hill, and the Town of *Wansford*, with the feveral Toll Houfes and other Appurtenances belonging thereto, in the refpective Places where they now are, except that it fhall be lawful for the faid Trustees at their Difcretion to remove the faid Toll Gate and Toll Houfe, with the Appurtenances, fituatè at or near *Norman Crofs Hill*, to fuch Place as they fhall think proper, not exceeding Three Miles from the Town of *Stilton* aforefaid, and to build, erect, and fet up a Toll Gate, Toll Houfe, and other Appurtenances; and for thofe Purpofes to purchafe or rent any Land or Ground that may be neceffary and convenient; but fuch Toll Gate fhall not be fo removed, except purfuant to an Order, under the Hands of Nine or more of the faid Trustees, entered on their Proceedings at a publick Meeting, of which Notice fhall have been given by affixing the fame on all the Turnpike Gates, and inferted in fome publick Newspaper as aforefaid, fignifying the Purpofe for which fuch Meeting is intended to be held; and the faid Trustees, or any Perfon or Perfons appointed by them, fhall and they are hereby authorized to afk, demand, collect, and take, at each of the faid Toll Gates, the feveral Tolls and Duties hereafter mentioned, before any Cattle or Carriage fhall be permitted to pafs through any of the faid Toll Gates; *videlicet*,

For every Coach, Berlin, Chariot, Calafh, Chaiſe, or Chair, drawn by more than Two Horſes, Mares, or Geldings, the Sum of One Shilling and Sixpence:

For every Coach, Berlin, Chariot, Calafh, Chaiſe, or Chair, drawn by Two Horſes, Mares, or Geldings, the Sum of Nine-pence:

For every Calafh, Chaiſe, or Chair, drawn by One Horſe, Mare, or Gelding, the Sum of Four-pence Halfpenny:

For every Waggon, Wain, Cart, Caravan, or other fuch Carriage, the Fellies of the Wheels whereof are of lefs Breadth than Six Inches, the Sum of Three-pence for each Horſe, Mare, Gelding, Mule, Afs, or Ox, drawing the fame:

For every Waggon, Wain, Cart, Caravan, or other fuch Carriage, having the Fellies of the Wheels of the Breadth of Six Inches and upwards, the Sum of Two-pence for each Horſe, Mare, Gelding, Mule, or Ox, drawing the fame:

For every Horſe, Mare, Gelding, Mule, or Afs, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen, or neat Cattle, the Sum of Five-pence *per* Score; and fo in Proportion for any greater or lefs Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Two-pence Halfpenny *per* Score; and fo in Proportion for any greater or lefs Number.

And the faid Trustees, or the Perfon or Perfons by them appointed, are hereby authorized and required to levy the faid Tolls and Duties, upon all and every Perfon or Perfons liable to pay the fame, who fhall, after Demand thereof made, neglect or refuſe to pay the fame as aforefaid, by Diſtreſs of any Horſe or Horſes, or other Cattle, or Goods, or Carriages, upon which the fame is by this Act impoſed, or upon any other of the Goods and Chattels of any Perfon or Perfons who ought to pay the fame, and to detain and keep fuch Goods and Chattels until fuch Tolls and Duties, with the reaſonable Charges of taking and keeping fuch Diſtreſs, ſhall be paid; and it fhall and may be lawful to and for fuch Perfon and Perfons fo diſtraining, after the Expiration of Five Days

after such Distress taken, to sell the Goods and Chattels so distrained and taken, returning the Overplus, (if any there be), upon Demand, to the Owner thereof, after such Tolls and Duties, and reasonable Charges of such Distress and Sale, shall be deducted and paid.

Exemptions
from Tolls.

XIX. Provided always, and be it enacted, That nothing herein contained shall extend to charge with the Toll or Duty hereby imposed for passing the said Turnpike Gates, any Persons Carriages, Horses, and Cattle, that shall pass through the said Gates for the Purposes after-mentioned; (that is to say), all Carriages solely employed in carrying Materials for the Repair of any Turnpike Road or publick Highway, or employed only in Husbandry, in the carrying of Manure of any Sort for the manuring of Land, Hay, Corn in the Straw, and Fodder not fold, but going to be inned, stacked, or laid up, in the Barns, Yards, and Premises, of the Farmer or Occupier of the Lands producing the same; all Horses and Carriages employed in ploughing, sowing, tilling, and cultivating Land, in any of the Parishes through which the said Roads lead, or for going to such Employment, or returning after having been so employed, and for all Cattle going to and from Water and Pasture, in the Parish where a Gate is erected, or in the Parish thereto next adjoining; all Persons with Horses and Carriages going to and from Church, Chapel, or other Place of religious Worship on *Sundays* and Holidays; all Soldiers upon their March, or on Duty; all Carts, Waggon, and other Carriages attending them; and all Horses, Carts, and Carriages travelling with Vagrants with Passes, and Paupers under Orders of Removal; all Carriages and Horses of whatsoever Description employed, or to be employed, in conveying the Mail of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding, such Mails or Expresses, or in returning back therefrom; all Persons on Horseback or in Carriages on the Day or Days on which there shall be an Election for a Knight or Knights of the Shire to serve in Parliament for the County of *Huntingdon*, and going to or returning from such Election; the Inhabitants of the several Parishes of *Sawtry All Saints*, *Sawtry Saint Andrew*, and *Sawtry Saint Judith*, for Horses and Carriages employed in the Carriage of Faggots, Billets, and Wood, for their own respective Uses, and not to be fold, from any of the Woods in the said Three Parishes, provided that the Loads of such Carriages do not exceed the Weights allowed by Law; and that all and every Person or Persons having once paid the Toll so made payable as aforesaid, for his and their Carriages, Horses, and Cattle, having Occasion to return, and actually returning, before Twelve o'Clock at Night, next after having paid such Toll, with the same Carriages, Horses, and Cattle, shall have Liberty to pass Toll-free through such Gates as he had before paid Toll at, and shall not be obliged to pay Toll a Second Time in One Day.

Persons fraudulently taking the Benefit of Exemptions, forfeit 5*l*.

XX. And be it enacted, That if any Person or Persons shall take the Benefit of any Exemptions under this Act, in any fraudulent or collusive Manner whatsoever, such Person or Persons shall forfeit, for every such Offence, a Sum not exceeding Five Pounds, nor less than Forty Shillings, at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

XXI. And

XXI. And be it further enacted, That the said Trustees, or any Seven or more of them, on giving One Month's Notice of such their Intention on all the Turnpike Gates on the said Roads, and in some One Newspaper usually circulated in that Part of the Country, may, at any Time during the Continuance of this Act, let the Tolls hereby granted and made payable at all or any Turnpikes erected, or to be erected, upon the said Roads, and also all Tolls, Payments, Penalties, or Forfeitures, due and payable for Overweights, for passing over any Machine or Engine erected, or to be erected, for weighing Waggon, Carts, and Carriages, or any Part or Parts of the same, together with the Toll Houses, Engines, and Appurtenances thereto belonging, or occupied therewith, to any Person or Persons whomsoever, by the Year, or for any Term not exceeding Three Years, but for the most Money and best Rent that can be obtained for the same, and under such Covenants, Clauses, and Regulations for the due and proper collecting the same, and Security for the due Payment of the Rents agreed for, as to them shall seem proper and necessary; and the Rent, Sum or Sums of Money thereby arising, shall be applied in such Manner, and for such Purposes, as the Tolls, Duties, and Payments, granted by this Act are directed to be paid and applied, and to and for no other Use, Intent, or Purpose whatsoever; and in case the Person or Persons who shall be the Farmer or Renter of the said Tolls, or the Person or Persons who shall be employed by such Farmer or Renter to collect the same, shall omit to collect the same, or any Part thereof, or shall take a greater or a less Toll, Payment, or Penalty, from any Person or Persons than what are authorized to be taken by this Act, he, she, or they shall, for every such Offence, forfeit the Sum of Ten Pounds, and shall also forfeit the said Contract, if the said Trustees shall think proper to vacate the same.

Trustees may let the Tolls.

Renter not to take a greater or less Toll.

XXII. And be it further enacted, That the said Trustees, or any Nine or more of them, are hereby empowered, at a Meeting to be held for that Purpose, of which One Calendar Month's Notice shall be given on all the Turnpike Gates on the said Roads, and also in some Newspaper usually circulated in that Part of the Country, from Time to Time, to lessen or reduce all or any of the Tolls hereby granted and made payable at all or any of the several Turnpike Gates on the said Roads, by virtue of this Act, for and during such Time as the said Trustees shall think proper; and afterwards, at any such Meeting, to be held as aforesaid, to advance all or any of the Tolls so lessened, to any Sum or Sums of Money, not exceeding the Tolls hereby granted.

Tolls may be reduced,

XXIII. Provided nevertheless, That in case the Whole of the Money borrowed on the Credit of this and the said former Acts, shall not have been paid and discharged, no such Tolls shall be lessened or reduced, without the Consent of the Person or Persons entitled to Four-fifths of the Money then remaining due.

with consent of Creditors.

XXIV. And be it further enacted, That if any Person or Persons whomsoever, owning or occupying any Land or Ground, Way, or Passage, adjoining or near to any Turnpike Gate erected, or to be erected, on the said Roads, shall, for Gain, Reward, Favour, or any other Consideration, permit or suffer any Person or Persons whomsoever to pass through or over any such Land, Ground, Way, or Passage,

Permitting private Passage, evading Payment of Toll.

with

with Carriages, or Cattle of any Sort, by which Means the Payment of the Tolls due at such Gate or Bar, or any Part or Parts of the same, will be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse, Mare, Gelding, or Ox, from any Carriage, previous to passing through any such Turnpike Gate, whereby the said Tolls and Duties shall be lessened or evaded; or if any Person or Persons shall unload, or cause to be unloaded, any Goods, Wares, or Merchandizes, from any Waggon, Cart, or Carriage, liable to be weighed, before the same shall come to any weighing Engine, erected or to be erected on the said Roads, or lay upon such Carriage, after the same shall have passed such Weighing Engine, any Goods, Wares, and Merchandizes, taken from any Horse, Cart, or other Carriage, belonging to such Person or Persons, in order to evade the Payment of the Tolls, Duties, and Penalties at such Engine, or any Part of the same, each and every Person permitting such Passage, and each and every Person offending against any of the Matters and Things last mentioned, and being thereof convicted, on the Oath of One credible Witness, before any One or more Justice or Justices of the Peace for the County of *Huntingdon*, shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds, nor less than Forty Shillings.

Statute Duty. XXV. And be it further enacted, That all and every Person and Persons liable to do Statute Duty within any Town, Parish, or Place, through or into which the said Roads lead, shall do and perform a proper Part and Proportion of such Statute Duty, on the said Turnpike Roads, in their respective Parishes; and for ascertaining and determining what Part or Proportion of the said Statute Duty ought to be performed on the said Roads by the Inhabitants of any such Town, Parish, or Place, it shall be lawful for any Two or more Justices of the Peace for the County of *Huntingdon*, and they are hereby required, at any Petty or Special Session of the Peace, upon Application to them made by the said Trustees, to adjudge and determine what Part or Proportion of the Statute Work shall yearly, and every Year, be done in or upon the said Turnpike Roads by the Inhabitants of each or any of such Towns, Parishes, or Places, which Statute Duty shall be done and performed within each respective Town, Parish, or Place, according to Law, and in such Manner as the said Trustees or their Surveyor shall direct.

Trustees may compound for Tolls and Statute Duty. XXVI. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time as they shall see convenient, to compound and agree, for any Term not exceeding One Year, at any One Time, with all or any of the Inhabitants of the several Towns, Parishes, and Places, through or into which the said Roads lead, and also with the Parish of *Elton*, for the passing of their Horses, Carriages, Waggons, Carts, and Cattle, or any of them, through all or any of the Turnpike Gates, erected or to be erected, on the said Roads, Toll-free; and also with the respective Surveyors of the Highways of any such Towns, Parishes, or Places, for the Payment of a Sum of Money in lieu of the Statute Duty, to be performed by the Inhabitants of such Towns, Parishes, or Places, upon any Part or Parts of the said Roads.

Road over *Taxley Wicks* to be stopped. XXVII. And whereas the Trustees acting under the before-recited Act, passed in the Twenty-fourth Year of the Reign of His late Majesty King

Offender
living out of
County.

and Charges, shall not be forthwith paid, it shall be lawful for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders, or Person or Persons liable to pay the same respectively, to the common Gaol or House of Correction for the County of *Huntingdon*, for any Time not exceeding Three Months, unless the said Penalty or Forfeiture, Costs, and Charges, shall be sooner paid; and if such Offender or Offenders, or other Person, shall live out of the Jurisdiction of such Justice, it shall be lawful for any Justice of the Peace for the Limit wherein such Person shall inhabit, and he is hereby required, upon Request to him for that Purpose made, and a Copy of the Conviction whereby such Forfeiture or Penalty was incurred, proved by a credible Witness, upon Oath, by Warrant under his Hand and Seal, to cause the Penalty or Forfeiture, and the Costs and Charges, to be levied in Manner aforesaid; and if no sufficient Distress can be had, to commit such Offender or Offenders to the Common Gaol or House of Correction of such Limit, for the Time and in Manner aforesaid; but no Warrant of Distress shall be issued as aforesaid, until Six Days after the Offender shall have been convicted, and an Order made and served upon him or her for Payment thereof: Provided always, and any Justice of the Peace may act in Execution of this Act, notwithstanding he may be a Trustee under this Act.

Distress not
unlawful, &c.

XXIX. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on Account of any Irregularity or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties distraining be deemed Trespassers, *ab initio*, on Account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case: Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or wrong Proceedings, if Tender of sufficient Amends shall be made by and on the Behalf of the Person or Persons who shall have committed, or have caused to have been committed, any such Irregularity or Trespass before such Action brought; and in case no such Tender shall have been made as aforesaid, it shall and may be lawful for the Defendant in every such Action to pay into Court such Sum of Money as shall be thought fit, whereupon such Proceedings, or Orders and Judgements, shall be had, made, and given, in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Appeal.

XXX. Provided also, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves, aggrieved by any Thing done by any Justice or Justices of the Peace, or by any Trustees acting in pursuance of this Act, such Person or Persons may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace held in and for the County of *Huntingdon*, first giving or causing to be given to such Justice, or to such Trustees, against whose Act or Acts such Appeal is intended to be made, Notice in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, within Ten Days after the Cause or Complaint arose, and within Four Days after

after such Notice, entering into a Recognizance before some Justice of the Peace with One sufficient Surety conditioned to try such Appeal at the said Sessions, and to abide, do, pay, and perform such Determination, Order, and Payments, as shall be by the said Justices awarded and directed at such Quarter Sessions; and each and every Justice of the Peace, and all Trustees having Notice of such Appeal as aforesaid, shall return all Proceedings whatsoever had before him or them respectively, touching the Matter of such Appeal to the said Justices at their General Quarter Sessions as aforesaid, on Pain of forfeiting Five Pounds for every such Neglect; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Coits to the Parties appealing, or the Parties appealed against, as they the said Justices shall think proper, to be levied and recovered as herein-before directed; and the Determination of the Justices of such Quarter Sessions shall be final and conclusive, to all Intents and Purposes; and no Proceedings to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or 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.

XXXI. And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining and passing this Act, shall be paid out of the Monies raised or to be raised by virtue of the said former Acts and this Act. Expences of this Act.

XXXII. And be it further enacted by the Authority aforesaid, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any Thing done in pursuance of this Act, or in relation to any Matter or Thing therein or herein contained, such Action or Actions, Suit or Suits, shall be commenced within Six Calendar Months after the Fact committed, and not afterwards, and shall be brought, laid, and tried in the County or Place where the Cause of Action shall arise, and not elsewhere, and the Defendant or Defendants in such Action or Suit 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 done, or if any Action or Actions, Suit or Suits, shall be brought after the Term so limited for bringing the same, or shall be brought in any other County or Place, then and in such Case the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Coits, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Coits of Suit in any other Cases by Law. Limitation of Actions.

XXXIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing which shall be done against or by virtue of this Act, in the Name of their Clerk or Treasurer for the Time Trustees may sue and be sued in the Name of their Clerk or Treasurer.

Time being ; and that no Action or Suit, to be brought or commenced by the Direction of or against the said Trustees, in the Name of their Clerk or Treasurer, by virtue of this Act, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees ; but that the Clerk or Treasurer for the Time being to the Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action ; and every such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully re-imbursed and paid out of the Monies to arise by virtue of this Act all such Costs, Charges, Damages, and Expences, as by the Event, or in consequence of any such Action or Proceeding, he shall bear, pay, expend, or be put unto, or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

The general Turnpike Acts to extend to this Act.

XXXIV. And be it further enacted, That all the Powers, Authorities, Regulations, Restrictions, Provisions, Clauses, Forms of Proceedings, Matters, and Things, which in and by an Act, passed in the Thirteenth Year of the Reign of His present Majesty, for regulating the Turnpike Roads in that Part of *Great Britain* called *England*, or in and by any subsequent Act or Acts of Parliament, for explaining, amending, or altering the same, are severally contained and enacted, and which are now in force, and not controuled by or repugnant to any of the Matters, Clauses, Provisions, or Regulations, in this Act contained, shall be and continue in full Force and Effect, and shall be duly enforced, practised, applied, and put in Execution, for the better effecting the several Purposes of this Act, so far as the same are applicable thereto respectively, as fully and effectually, to all Intents and Purposes, as if all and every such Powers, Authorities, Regulations, Restrictions, Provisions, Clauses, Forms of Proceedings, Matters, and Things, had been expressly inserted and re-enacted in this Act with relation thereto.

Publick Act.

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

Commencement and Continuance of the Act.

XXXVI. And be it further enacted, That this Act shall commence upon and have Continuance from the Twenty-first Day of *June* One thousand seven hundred and ninety-eight, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.