



ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

Cap. 15.

An Act for continuing the Term, and altering and enlarging the Powers, of Two Acts, passed in the Thirty-first Year of His late Majesty, and the Ninth Year of His present Majesty, for amending the Road leading from *Pengate* to *Latchett's Bridge*, and other Roads therein described, in the County of *Wilts*, so far as the same relate to the *First District* of Road therein mentioned, and for amending other Roads near or adjoining to the said Roads. [5th April 1805.]

WHEREAS an Act was passed in the Thirty-first Year of the Reign of His late Majesty King George the Second, intituled, *An Act for amending the Road leading from Pengate, in the Parish of Westbury, in the County of Wilts, to Latchett's Bridge, near the East End of Market Lavington; and also the Road leading from Market Lavington Down to the Turnpike Road near Dewey's Water; and also the Road leading from Bolesborough to Studley Lane End; and also the Road leading from Yarnbrook, to the Turnpike Road at Melksham, in the said County of Wilts; whereby the several Roads therein* particularly

[Loc. & Per.]

3U

particularly

9 G. 3.

particularly mentioned and described were divided into Two Districts, and certain Trustees were thereby appointed for putting the same in Execution, as to each District: And whereas an Act was passed in the Ninth Year of the Reign of His present Majesty King *George* the Third, to enlarge the Term and Powers of the said Act, whereby the Powers and Provisions thereof, and of the said recited Act, were extended to other Roads in the said Act particularly mentioned and described: And whereas the Trustees appointed in or by virtue of the said Acts for the said First District of Roads have proceeded to put the same in Execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit thereof, with respect to the said First District, which Money still remains due and owing, and cannot be paid off, nor can the Roads comprising the said First District be effectually amended, widened, improved, and kept in Repair, unless the Term and Powers of the said Acts, so far as the same relate to the said First District of Roads, are continued and enlarged: And whereas it would be advantageous to the Neighbourhood, and of publick Utility, if the Trustees for the Care of the Roads comprised in the said First District were discharged from the Care and Management of so much of the Roads mentioned in the said Acts as leads from *Bolesborough* to the Top of *Westbury Hill*, and from the Turnpike Road between the Direction Post, and the Two Mile Stone on *Salisbury Plain* to the Top of *Bratton Hill*, and if instead thereof the Road leading from the Town's End of *Westbury* to *Balis Water*, commonly called *The Lower Road* from *Westbury* to *Westbury Leigh*, were put under the Care and Management of the Trustees for the said District of Roads: And whereas the Road leading from *Penzate* aforesaid, through a Place called *Dilton's Marsh*, adjoining the Turnpike Road leading from *Warminster* in the said County of *Wilts*, to *Beckington* in the County of *Somerset*, on *Standerwick Common*, is narrow, out of Repair, and incommodious, and cannot be effectually amended, altered, varied, widened, improved, and kept in Repair by the ordinary Course of Law, and it would be advantageous to the Neighbourhood, and of publick Utility, if the same were made Turnpike, and put under the Care and Management of the Trustees for the said First District of Roads; 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 passed in the Thirty-first Year of the Reign of His said late Majesty King *George* the Second, and the Ninth Year of His present Majesty's Reign, and all the Authorities, Powers, Privileges, Penalties, Forfeitures, Clauses, Matters, and Things, therein contained, (except so much thereof as relates to the Road from *Bolesborough* to the Top of *Westbury Hill*, and from the Turnpike Road between the Direction Post and the Two Mile Stone on *Salisbury Plain*, to the Top of *Bratton Hill*, and also except so much of the said Acts as relates to Exemptions from Stamp Duties, and such as are hereby varied, altered, or repealed,) so far as the same relate to the several Roads declared by the said Acts to comprise the said First District, shall be and the same are hereby declared to be in full Force and Effect, and be executed for and during the Term herein-after mentioned; as well for the Purpose from Time to Time of amending, widening, turning, altering, improving, repairing, and keeping in Repair, the

Said Acts further continued.

the several Roads included in the said Acts, and comprising the First District of Roads therein mentioned, as for making, amending, widening, turning, altering, improving, repairing, and keeping in Repair, the Road leading from the Town's End of *Westbury* to *Ball's Water*, commonly called *The Lower Road* from *Westbury* to *Westbury Leigh*, and also the Road leading from *Pengate* aforesaid, through a Place called *Dilton's Marsh*, adjoining the Turnpike Road leading from *Warminster* in the said County of *Wilts*, to *Beckington* in the County of *Somerset*, on *Standerwick Common*, near the House of *John Baily*, as fully and effectually to all Intents and Purposes, as if the said Acts, and the Clauses, Powers, and Provisions therein respectively contained, were repeated and re-enacted in the Body of this Act, and as if the said additional Roads had been Part of the First District of Roads included in the said Acts; but subject nevertheless to the Provisions, Alterations, and Amendments in this Act contained, and which shall commence and take effect from the passing of this Act; and this Act, and the additional Term and the Tolls hereby granted, shall be subject and liable, as well to the Payment of all Money now due and owing in respect of the Roads, or the Tolls of the Roads, comprised in the aforesaid First District, upon the Credit of the said Acts or either of them, as to the Payment of all Sums of Money which shall hereafter be borrowed on account of the said Roads last mentioned, for the Purposes of the said Acts, or either of them, as relating to those Roads, or for the Purposes of this Act, and of the Interest of such Sum or Sums respectively.

II. And be it further enacted, That the Right Honourable *George Thynne*, commonly called *Lord George Thynne*, the Right Honourable *John Thynne*, commonly called *Lord John Thynne*, *Sir Andrew Bayntun* Baronet, *Sir Richard Colt Hoare* Baronet, *Sir William Peirce Ash A'Court* Baronet, the Honourable *Edward Seymour* Clerk, *Ambrose Goddard*, *Henry Penruddock Wyndham*, *John Audry*, *William Baldwin*, *Charles Batesea*, *Thomas Bruges*, *Nathaniel Barton*, *Thomas Bush*, *Philip Ballard* Blatch, *Stephen Brown*, *Thomas Cooke* Clerk, *John Cockell*, *James Cockell*, *Nicholas Cockell*, *John Crosby*, *Denison* Clerk, *Daniel Clutterbuck*, *James Coles*, *James Coles the Younger*, *James Carpenter*, *Charles Daubens* Clerk, Doctor in Divinity, *Thomas Davis*, *Zachary Hume* Edwards, *James Eyre* Clerk, *Joseph Ford*, *Charles Gordon Grey*, *Thomas Gaisford*, *John Gale*, *Jeffery Gawen*, *Robert Haynes*, *John Hooper*, *Milington Messy Jackson* Clerk, *John Jones the Younger*, *Richard Kebby*, *John Kebby*, *Abraham Ludlow*, *Abraham Ludlow* Doctor of Physick, *Richard Long*, *John Long*, *William Long*, *Aylmer Bourke Lambert*, *Thomas Wright Lowe*, *Paul Methuen*, *John Matravvers*, *William Matravvers*, *William Matravvers the Younger*, *John Matravvers the Younger*, *John Middelst*, *Thomas Luke Meech*, *John Meech*, *Thomas Crosby Meech*, *Robert Meech*, *Joseph Mortimer*, *Edward Mortimer*, *Thomas Tregonwell* Namer, *Benjamin Overbury*, *Thomas Henry Hele Phipps*, *Thomas Peckham Phipps*, *Charles Lewis Phipps*, *Paul Phipps*, *Thomas Henry Hele Phipps the Younger*, *John Lewis Phipps*, *William Phipps*, *William Phipps the Younger*, *John Methuen Rogers* Clerk, *Charles Smith*, *Edward Frowd Seagram*, *William John Stump*, *James Singer*, *Nathaniel Peach Singer*, *Gilbert Trowe*, *Beckett Turner*, *Thomas Timbrell*, *John Tbring*, *James Goringe Trake*, *John Whitaker*, *Philip Whitaker*, *John Whitaker*, *Thomas Whitaker*, *Thomas White*, and *Thomas Williams*, shall be and they are hereby appointed

pointed Trustees for executing the said Acts and this Act, so far as the same relate to the said First District; and they and their Successors, being qualified according to the Directions of the said first recited Act, shall be, and they are hereby empowered and authorized to act in the Execution thereof and of this Act, so far as the same relate to the said District, as fully and effectually to all Intents and Purposes as if they had been nominated or appointed in and by virtue of the said Acts or either of them.

III. And be it further enacted, That Two Trustees present at any Meeting shall be sufficient for the Purpose of Adjournment only; and if it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees to act or to adjourn, or in case the Trustees at any Time assembled shall not adjourn themselves, the Clerk or Clerks to the said Trustees shall adjourn the Meeting to the Place where the last Meeting was appointed to have been held, at such Time as he or they shall think fit, not exceeding the Space of Twenty-one Days from the Time of the last Default, and shall give Notice thereof in Writing, to be affixed on each of the Turnpike Gates then erected or to be erected on the said Roads; and in case no such Adjournment, Notice, or Appointment for Meeting shall be made or given by such Clerk or Clerks, then it shall be lawful for any Three or more of the said Trustees to cause Notice in Writing to be affixed upon such of the Turnpike Gates erected or to be erected on the said Roads, as they shall think proper, appointing the Trustees to meet at such Time and Place near the said Roads as they the said Trustees, or any Three or more of them, shall think proper, not exceeding Twenty-one Days nor less than Six Days from the Time of affixing such Notice; and the Trustees shall at all and every their Meetings defray their own Charges and Expences; and all Orders and Determinations of the Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act, and not otherwise; and no Order or Determination shall be made unless the major Part of the Trustees present shall concur and agree therein; and all such Trustees as are Justices of the Peace may act as Justices in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where they shall be personally interested.

Trustees to pay their own Expences at Meetings.

Discharging the Trustees from the Care of a certain Piece of Road.

IV. And be it further enacted, That, from and immediately after the passing of this Act, so much of the said recited Acts as relates to the said Roads from *Bolesborough* to the Top of *Westbury Hill*, and from the Turnpike Road between the Direction Post and the Two Mile Stone on *Salisbury Plain*, to the Top of *Bratton Hill*, shall be, and the same is hereby declared to be repealed; and that the Trustees for the Care of the said First District of Roads shall be, and they are hereby absolutely freed and discharged of and from the future Care and Management thereof.

Trustees may erect Turnpikes and Tollhouses;

V. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may cause to be erected and set up One or more Turnpike or Turnpikes, Tollhouse or Tollhouses, in, upon, and across any Part or Parts of the said Roads, and that the respective Tolls following shall be demanded and taken by such Person or Persons as the said Trustees, or any five or more of them, shall from Time to Time appoint for that Purpose, before any Horse or other Cattle, Coach, Waggon, or
othe

other Carriage, shall be permitted to pass through every or any Turnpike erected or to be erected in pursuance of the said Acts or this Act; (that is to say);

For every Horse, or other Beast, drawing any Waggon, Wain, Cart, Sledge, Dray, or other such Carriage, the Sum of Sixpence:

For every Horse, or other Beast, drawing any Coach, Chariot, Landau, Berlin, Hearse, Curricule, Chair, or other such Carriage, the Sum of sixpence:

For every Horse, Mare, or Gelding, with a Collar on, the Sum of Sixpence:

For every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two Pence:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Three Pence *per* Score, and so in Proportion for any greater or less Number: And,

For every Drove of Calves, Sheep, Lambs, or Swine, the Sum of Seven Pence Halfpenny *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, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after directed; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect such Tolls, by himself or themselves, or taking such Assistance as he or they shall think necessary, to seize and distrain any Horse or Horses, or other Cattle or Beasts, or any Carriage, upon which such Tolls are by this Act imposed, together with the Bridles, Saddles, Harness, Gears, or Accoutrements respectively, or a sufficient Part thereof; 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, Carriage, or other Thing so seized or distrained, or a sufficient Part thereof, returning the Overplus of the Money, (if any be), and what shall remain unsold of the Things distrained, upon demand to the Owner thereof, after such Tolls and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted.

How Tolls
may be re-
covered.

VI. And be it further enacted, That if any Dispute or Disputes shall happen or arise between the Collector or Collectors of the said Tolls, his or their Servants, Agents, or Assistants, or with any Passenger or Passengers travelling on the said Roads, relative to the Amount of the Tolls due, or the Charges of keeping any Distress or Distresses for the Non-payment thereof, or by such Collector or Collectors, or any Person or Persons by him or them employed, or by unnecessarily delaying or detaining any such Passenger or Passengers, or by such Collector or Collectors, or his or their Servants, Agents, or Assistants, or other Person by them employed, making use of any scurrilous or blasphemous Language, or breaking of any Lamp or Lamps, or doing any Injury to any Toll Gate, or Tollhouse, or Appurtenances to the same belonging, then,

Disputes
concerning
Tolls, &c. to
be settled by
a Justice.

[Loc. & Per.]

3 X

and

And in either of the said Cases, it shall be lawful for any of His Majesty's Justices of the Peace for the County where any such Offence or Offences shall be so committed, upon Complaint of the Person or Persons so detained, delayed, or aggrieved, to cause such Collector or Collectors, his or their Servants, Agents, or Assistants, or any Person or Persons, by him or them employed, and all other Persons concerned, to appear and be brought before such Justice of the Peace, by Warrant under his Hand and Seal, to make Enquiry of and concerning such Offence or Offences in a summary Way, as well by the Confession of the Parties themselves, as by the Testimony of the Person or Persons aggrieved, upon Oath, (which Oath such Justice is hereby empowered and required to administer); and if such Collector or Collectors, his or their Servants, Agents, or Assistants, or any other Person or Persons by him or them employed, or any of them, shall be convicted by such Justice of any such Offence or Offences, such Person or Persons so convicted shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, nor less than Twenty Shillings, at the Discretion of the Justice of the Peace before whom he, she, or they, shall be so convicted, together with all reasonable Costs, Charges, and Expences attending such Conviction.

Toll Collectors to be competent Witnesses.

VII. Provided always, and be it further enacted, That in case any Dispute, Suit, or Litigation, shall arise touching, or in anywise relating to the said Tolls, or in case of any Proceeding or Prosecution for the obtaining any of the Penalties imposed by this Act, the Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his or their being so appointed to collect the said Tolls, or by reason of his or their acting by or under the Authority of the said Trustees.

Tolls to be paid but once a Day.

VIII. And be it further enacted, That if any Person or Persons shall have paid the Tolls by this Act granted for the passing of any Cattle, Beast, or Carriage, through any Turnpike Gate continued or erected by virtue of this Act, the same Person or Persons, upon producing a Note or Ticket of the Day denoting such Payments, shall pass and repass through the same Gate or Turnpike, with the same Cattle, or Beast, and Carriage, Toll free, at any Time or Times during the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night; which said Note or Ticket the Collectors or Receivers of the said Tolls are hereby required to deliver gratis, if demanded, on Payment of the said Toll.

Tolls may be lessened.

IX. And be it further enacted, That the said Trustees, or any Seven or more of them, may, and they are hereby authorised and empowered from Time to Time, as they shall think proper, to lessen, vary, or alter, all or any Part or Parts of the several Tolls hereby granted at any or either of the said Gates, and to raise them again, so that the same do not exceed the Tolls by this Act granted, and so that such Reduction be with the Consent of the several Persons who shall be entitled to Four Fifth Parts at least of the Money then due on the Credit of such Tolls, but such Reduction shall not be made unless Notice in Writing be given for that Purpose, by affixing the same upon all the Turnpike Gates then erected on the said Roads, and by advertising the same in some Weekly Newspaper,

paper, usually circulated in the Neighbourhood of the said Roads, at least Fourteen Days before the making such Reduction; and such Tolls so lessened, varied, or altered, shall be vested in the said Trustees, and shall be collected, recovered, levied, paid, and applied, in the same Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

X. And be it further enacted, That the said Trustees, or any Five or more of them, shall, and they are hereby empowered to order such Part and Proportion, of the Tolls hereby made payable to be collected at such and so many Gates to be erected in pursuance of this Act, as they shall think proper.

Trustees to apportion the Toll to be received at each Gate.

XI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to cause to be erected, set up, and provided, One or more Turnpike or Turnpikes, Tollhouses, or Tollhouses, on the Side or Sides of any of the Roads comprised in the said First District, and across any Lane or Way leading into the same, and to cause such Tolls to be collected and levied at such respective Turnpikes as are by this Act made payable upon the said respective Roads, so that the same do not extend to a double Charge, or subject any Person to the Payment of a larger Toll than is herein-before appointed to be paid for afterwards passing or repassing the same Day, through all or any of the Turnpikes herein-before authorized to be erected across the said respective Roads.

Trustees to erect Side Gates and take Tolls thereat.

XII. And be it further enacted, That all the Right and Property of all the Turnpike Gates, Bars, Rails and Fences, Tollhouses and Buildings, which shall be continued or erected by virtue of this Act, with their Appurtenances, and the Right and Property of all the working Tools and Materials for the making and repairing of Buildings, or for making, altering, completing and repairing the said Roads, and all other Materials, Matters, and Things provided or collected, or to be provided or collected for any of the Purposes of this Act, shall be and are hereby vested in the said Trustees, and they, or any Five or more of them, are hereby authorized and empowered to dispose thereof as they shall think proper, and to bring or cause to be brought any Action or Actions in the Name or Names of any One or more of them, or in the Name of their Treasurer or Clerk, or to prefer or cause to be preferred any Bill or Bills of Indictment against any Person or Persons who shall steal, take, or carry away, break, injure, or spoil the same, or any of them, or disturb the said Trustees, their Agents or Servants in the Possession thereof.

Tollhouses and Materials vested in Trustees.

XIII. And be it further enacted, That none of the Tolls granted by this Act shall be demanded or taken at any Gate within the Limits of the said First District of Roads for any Horse, Cattle, or Beast, employed only in drawing any Cart or Carriage from one Part of such District to another Part thereof, laden with any Dung, Soil, or Compost of any Kind, or other Manure, for the manuring of any Garden or other Land or Ground situate within the same, not bought, sold, or disposed of, or carried for the Purpose of being bought, sold, or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners

Exemptions

Owners thereof who shall not have bought the same; nor shall any Toll be demanded or taken for any Horse, Cattle, or Beast employed in drawing any Cart or Carriage laden with Dung, Soil, or Compost from any Parts lying without the said District, so as such Horse, Cattle, or Beast be then returning, and have on the Day preceding been subjected to the Payment of the said Tolls; nor shall any Toll be demanded or taken for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the said Roads, or any of the Roads, in the Townships or Parishes in which any Part of such Roads doth lie; or Hay, Straw, or Corn in the Straw, or Potatoes, Turnips, Parsneps, and Carrots, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; nor for any Waggons, Wains, Carts, Carriages, or Horses, employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or for any Thing employed in the Management of any Farm or Lands; nor for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to or returning from being shod or farried; nor from any Person going to or returning from his or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; nor from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday* or on any other Day on which Divine Service is ordered by Authority to be celebrated; nor for any Horses, Cattle, or Carriages, of whatever Description, employed or to be employed in conveying the Mails 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 from conveying the same; nor for any Horses, Carts, or Waggons, attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage, or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise; provided always, that such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided by such Corps respectively, at the Time of claiming such Exemption as aforesaid; nor for any Horses, Carts, or Waggons, employed in the Conveyance of Vagrants sent by legal Passes; nor for any Horse, Cattle, or Beast, drawing any Coach, Landau, Berlin, Calash, Chair, or Passenger on Horseback, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Wilt*s or *Somer*set, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall, in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being

being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of the said Acts and this Act; any Thing in the said Acts contained to the contrary notwithstanding.

XIV. And be it further enacted, That if any Person or Persons shall with any Horse, Cattle, Beast, or Carriage, pass through any Land, Ground, or Hereditament, lying near any Turnpike, which shall be erected by virtue of this Act, the same not being a publick Highway, or if any Owner or Occupier of any such Ground, Land, or Hereditament, shall knowingly permit or suffer any Person or Persons, with any Horse, Cattle, Beast, or Carriage whatsoever, to pass through the same, or if any Person or Persons shall give to or receive from any Person or Persons, or forge, or counterfeit any Ticket by this Act directed to be given, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided, or if any Person or Persons shall forcibly pass through any such Turnpike with any Horse or other Cattle or Beast, or shall take off or cause to be taken off any Horse or other Cattle from any Carriage, or shall leave or cause to be left upon or near to any Part of the Roads comprised in the said First District, any Carriage, Horse, Cattle, or Beast, with an Intent to avoid the Payment of any of the said Tolls, or of any Part thereof, or with such Intent shall unload any Goods, Wares, or Merchandize, from any Horse, Cattle, Beast, or Carriage, or secrete any Goods chargeable with any such Toll, every Person so offending in any of the Cases aforesaid shall, for every such Offence, forfeit any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties and Forfeitures are herein-after directed to be applied.

To prevent
evading the
Tolls.

XV. And whereas some Part or Parts of the said First District of Roads may lead over or by the Sides of Open Fields, Commons, or Waste Grounds, whereby the said Tolls or any of them may be avoided; be it therefore further enacted, That the said Trustees, or any Five or more of them, may cause Fences and Ditches to be erected and made over such Parts of such Fields, Commons, or Waste Grounds, as they shall think necessary, in order to prevent the Payment of the Tolls being avoided; and if any Person or Persons shall pull down, or in anywise displace or carry away any such Fences or any Part thereof, or shall in any Manner fill in or spoil any such Ditch or Fence, every such Person shall for every such Offence forfeit, and pay any Sum not exceeding Five Pounds, nor less than Ten Shillings, over and above the Expence of replacing the same.

Fencing off
Commons.

XVI. And be it further enacted, That out of the first Monies which shall be raised by virtue of the said Acts, or this Act, either by Mortgage or by the said Tolls, the said Trustees, or any Five or more of them, shall in the first Place pay and discharge the Expences of procuring and passing this Act, and of erecting and setting up such Turnpikes and Tollhouses as aforesaid, together with such other Sums as are

For paying
Expences of
this Act, and
Application
of Tolls.

[Loc. & Per.]

3 T

by

by this Act directed to be paid, with lawful Interest for the same; and from and after such Charges, Expences, and Payments shall be made and satisfied, then and thenceforth the Remainder of the Monies so raised, and the said Tolls, shall be applied and disposed of in putting this Act in Execution according to the true Intent and Meaning thereof.

Tolls may be assigned for Money borrowed.

XVII. And be it further enacted, That the said Trustees, or any Seven or more of them, at any Meeting to be held for that Purpose, (whereof Fourteen Days Notice shall be given by affixing the same upon all the Turnpike Gates erected or to be erected within the said First District) may and they are hereby empowered from Time to Time, by any Writing or Instrument under their Hands and Seals, to assign over or mortgage the Tolls to be collected and levied at the said Turnpikes, or any Part thereof, (the Charges of assigning or mortgaging the same to be paid out of such Tolls) for any Term during the Continuance of the said Acts, and of this Act, as a Security or Securities for any Sum or Sums of Money so to be borrowed by the said Trustees, or any Seven or more of them, upon the Credit of such Tolls, to such Person or Persons, or his, her, or their Trustee or Trustees, who shall advance and lend the same, to secure the Repayment thereof, with legal or less Interest, which said Money so borrowed shall (after paying the Expences of passing this Act) be applied and disposed of for the Purposes of this Act, according to the true Intent and Meaning thereof, and to no other Use or Purpose whatsoever; and that the said Mortgages and Assignments may be from Time to Time assigned over by the Person or Persons to whom the same shall be respectively made, his, her, or their Executors, Administrators, or Assigns, to any other Person or Persons whomsoever; and that Copies of all and every the Mortgages or Assignments so to be made as aforesaid shall be entered at length in a Book or Books to be kept for that Purpose, by the Clerk or Clerks to the said Trustees, who shall be paid after the Rate of Two Pence for every Seventy-two Words of every such Mortgage, and Two Shillings and Sixpence and no more, for every such Assignment, by the respective Persons in whom such Mortgages or Assignments shall be vested, for every such Entry, over and above the Costs of preparing every such Mortgage and Assignment, which said Book and Books shall and may be perused at all reasonable Times by any Person or Persons whomsoever, without Fee or Reward; which Assignments or Mortgages so to be made, and the Transfer thereof, shall respectively be in the Form or to the Effect mentioned and prescribed in the said Act of the Ninth Year of His present Majesty's Reign.

Leasing Tolls.

XVIII. And be it further enacted, That the said Trustees, or any Five or more of them, may and they are hereby authorized and empowered, at any Time or Times, (on giving Twenty-one Days Notice in Writing, to be affixed on all the Turnpikes or Toll Gates which shall be then erected on the said First District of Roads, and also by Advertisement to be inserted in Manner aforesaid) to lease or farm let, by the Year, or otherwise, all the Tolls granted by this Act, or any Part or Parts thereof, to any Person or Persons whomsoever, at or for the largest yearly Sum or Sums that can be gotten for the same, taking sufficient Security

Security for the Payment thereof, without having regard to the Sum at which the said Tolls or any of them were let for or produced in the preceding Year, provided that such Leases or Agreements be in Writing, and signed by the Person or Persons taking or farming the same, and by Five or more of the said Trustees, and be not made for more than Three Years at any one Time; and that the Money which shall be so agreed to be paid for the said Tolls shall be made payable at such Time or Times, and under such Covenants, as the said Trustees shall think proper, and shall be paid to the said Trustees, or any Five or more of them, or to such Person or Persons as they or any Five or more of them shall authorize or empower to receive the same, by quarterly or other Payments; and that the Person or Persons to whom the same shall be let shall always pay down One Quarter's or One Month's Rent in advance, at the Option of the said Trustees or any Five or more of them; and in case any Agreement shall be made for letting or farming the said Tolls, contrary to the true Intent and Meaning of this Act, or if any Default shall be made in paying the full Money agreed to be paid for the said Tolls, or any Part thereof, contrary to the true Intent and Meaning of this Act, then and in either of the Cases aforesaid every such Agreement shall be void, and the Person or Persons to whom the said Tolls shall have been letten or farmed as aforesaid shall be liable to account for the same to the said Trustees, or any Five or more of them; and the same shall be levied and recovered, upon, and from him and them, by the same Ways and Means, and in such Manner, as the Tolls granted by this Act are herein directed to be levied and recovered by the Collectors thereof.

XIX. And be it further enacted, That if after any Adjournment of the said Trustees it shall be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk or Clerks to the said Trustees, upon an Order in Writing signed by any Three or more of the acting Trustees, (although not assembled at a Meeting) mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof by Writing, to be affixed on all the Turnpike Gates then erected upon the said Full District of Roads, and of the Time and Place which shall be mentioned in the Orders of the said Trustees, (such Time not being less than Fourteen Days after such Notice) and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at all such Meetings shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments.

Meetings to be called on Emergencies.

XX. And be it further enacted, That if any Person shall take away any Materials which shall have been dug, got, or gathered in any Lands, Fields, Wastes or Commons, River or Brook, for the Purposes of this Act, or shall dig, get, or take away any Materials, out of any Pit or Quarry which shall have been made for the Purpose of procuring Materials for the said Roads, before the Surveyors or their Workmen shall have discontinued working therein, for the Space of One Calendar Month (except the Owner and Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein for his own private

Penalty on taking away Materials.

private Use only, and not for Sale), every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, nor less than Twenty Shillings.

Statute Work.

XXI. And be it further enacted, That so much of the said Acts as gives the Power of appointing the Number of Days Work to be done and performed by the respective Inhabitants of the several Parishes, Townships, and Places, from, to, and through which the said First District of Roads lead, to the Trustees of the said Roads, shall be, and the same is hereby repealed; and that, from and after the passing of this Act, all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for any or either of the said Counties, (as the Case may be), and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Five or more of them, or by their Clerk or Surveyor, or by their Order yearly, to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said First District of Roads by the Inhabitants of the respective Parishes or Places in which the said Roads do lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them, paid to the said Trustees, or their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons, (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid, which List of Names shall be made in such Manner, and under such Regulations and Restrictions, as are or may be directed by any Law or Statute in Force and Effect for the Repairs of the Publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons, who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done at such Days and at such Times, (not being Hay Time or Harvest), and in such Parts of the said Roads as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money, in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees, or their Treasurer, at such Time or Times as they the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said Acts authorised or directed

to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Bull or Bulls, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in Force or Effect for the Repair of the Publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending, shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

XXII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of the said Acts and of this Act, or either of them, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, or Person or Persons under any other Disability or Incapacity, as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the said last recited Act of the Ninth Year of His present Majesty's Reign, and this Act, so far as the same relate to the said District, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood

Application of
Compensation
Money when
amounting
to 200 l.

settled or limited, or such of them as, at the Time of making such Conveyance and Settlement, shall be existing, undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation Money is less than 200 l. and more than 20 l.

XXIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used, for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases, the same shall, (at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands,) be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise, the same shall be paid (at the like Option) to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties), in order that such principal Money and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction and Approbation of the said Court of Chancery.

Where less than 20 l. to Persons appointed by Five Trustees.

XXIV. Provided also, and be it further enacted, That where such Money, so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles;

XXV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands,

Lands, Tenements, or Hereditaments, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding, or otherwise as to the same Court shall seem meet, to order the same to be laid out and invested in the publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest; of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery, on Motion or Petition.

XXVI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of the said recited Acts or this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest, in any Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Messuages, Buildings, Lands,

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase shall be deemed entitled thereto according to such Possession.

Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid by the Trustees.

XXVII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons; or Corporation, entitled to any Houses, Buildings, Lands, Tenements, or Hereditaments, to be purchased under the Authority of the said Acts or this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases, from Time to Time to be made in pursuance of this or the said Acts, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

For Recovery of Penalties.

XXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed or awarded, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of One Justice of the Peace for the County where such Offender shall then be and reside, either by the Confession of the Party or Parties offending, or by the Oaths of One or more credible Witnesses or Witnesses, (which Warrant such Justice is hereby empowered to grant for those Purposes) and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels, and the Penalties, Forfeitures, and Fines, when paid or levied, (if not otherwise directed to be applied by this Act) shall be from Time to Time paid to the Treasurer or Treasurers to the said Trustees, and applied in the Repairs of the said Roads; and in case sufficient Distress or Distresses shall not be found, or such Penalties, Forfeitures, and Fines, shall not be forthwith paid, it shall be lawful for any One Justice of the Peace as aforesaid, and he is hereby authorized and required by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol, or House of Correction, of the County or Place where the Offender or Offenders shall reside, there to remain without Bail or Mainprize for any Time not exceeding Two Calendar Months, nor less than Fourteen Days, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Persons aggrieved, may appeal to the Quarter Sessions.

XXIX. Provided always, and be it further enacted, That if any Person or Persons shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been appointed and provided, such Person may appeal to the Justices of the Peace at a General Quarter Sessions of the Peace to be held for the County or Place where the Cause of Complaint shall arise, and within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant giving or causing to be given Ten Days Notice at least in Writing of his or her Intention to bring such Appeal,

and of the Matter thereof, to the Clerk or Treasurer of the said Trustees, and within Three Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties conditioned to try such Appeal at, and abide by the Order of, and pay such Costs, as shall be awarded by the said Justices at such Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive to all Intents and Purposes.

XXX. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act or the said Acts contained, or any Proceedings to be had, touching the Conviction or Convictions of any Offender or Offenders against the said Acts or this Act, shall be quashed or vacated for want of Form, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; and 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 *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 shall and may recover full Satisfaction for the special Damage (if any be) in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on Behalf of the Party distraining before such Action brought.

Proceedings
not to be
quashed for
want of Form.

XXXI. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any Thing done in pursuance of this Act, until Twenty-one Days Notice thereof shall be given to the Clerk or Treasurer to the said Trustees, nor after a sufficient Satisfaction or 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, brought, and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may at his or their Election plead specially, or 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 be so done, or that such Action or Suit shall be brought before Twenty-one Days Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble

Limitation
of Actions.

[*Loc. & Per.*]

4 A

Colls,

Costs, and shall have such Remedy for the Recovery of the same, as any Defendant or Defendants hath or have for his, her, or their Costs in other Cafes by Law.

Publick Act.

XXXII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

Term and Continuance of this Act.

XXXIII. And be it further enacted, That the Term granted and continued by the said Acts, so far as the same respectively relate to the said First District of Roads, shall, on the passing of this Act, cease and determine; and that the said Acts and this Act shall from thenceforth commence, continue, and be in force, and be executed for the Purpose of amending, widening, improving, and keeping in Repair, the several Roads now comprising the said First District, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1805.