



ANNO QUINQUAGESIMO

GEORGI III. REGIS.

Cap. 99.

An Act for more effectually repairing and improving the Road from *Wendover* to the Town of *Buckingham*, in the County of *Buckingham*.

[18th May 1810.]

WHEREAS an Act was passed in the Seventh Year of the Reign of His late Majesty King *George* the First, intituled, *An Act for repairing the Road from Wendover to the Town of Buckingham in the County of Bucks*: And whereas an Act was passed in the Fifteenth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for continuing and making more effectual an Act, made in the Seventh Year of the Reign of His late Majesty King George the First, intituled, An Act for repairing the Road from Wendover to the Town of Buckingham, in the County of Bucks, and for building a Bridge at Padbury, and making it a County Bridge*: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His said Majesty King *George* the Second, intituled, *An Act for enlarging the Term and Powers granted by Two Acts of Parliament for repairing the Road from Wendover to the Town of Buckingham, in the County of Bucks, and also for repairing and widening the Road leading from the West End of the Town of Wendover to the End of a Lane called Oak Lane, next the great Road called the Oxford Road, lying between the Town of Beaconsfield in the said County of Bucks, and Uxbridge in the County of Middlesex, and that Part of the said great Road which leads from the West End of the said Town of Beaconsfield to the River Colne near Uxbridge aforesaid*: And whereas an Act was passed in the Sixth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for enlarging the Term and Powers granted by an Act passed in the Twenty-fourth Year*

7 G. 1. c. 24.

15 G. 2. c. 5.

24 G. 2. c. 32.

6 G. 3. c. 71.

[Loc. & Per.]

of

Trustees
under said
Acts have
made great
Progress and
laid out
Monies, &c.

Former Acts
repealed
and this Act
to take Place
instead
thereof as to
the Road
from
Wendover
to Bucking-
ham.

of His late Majesty King George the Second, for repairing several Roads in the County of Bucks, so far as the same relates to the Road between the Town of Wendover and the Town of Buckingham: And whereas the Trustees appointed in or by virtue of the said Acts have made great Progress in the Execution thereof, so far as the same relate to the said Road between the Town of *Wendover* and the Town of *Buckingham*, and have for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which now remain due and owing, and cannot be paid off, nor can the said Road be kept in good Repair unless the Term granted and continued by the said Acts be further continued; and it is expedient that the said Acts so far as they relate to the said Road from the Town of *Wendover* to the Town of *Buckingham* aforesaid, should be repealed, and further and other Powers granted instead thereof, for more effectually repairing, improving, and keeping in Repair the said last-mentioned Road: And whereas the Purposes aforesaid cannot be effected without the Aid and Authority 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 of the Seventh Year of the Reign of His said late Majesty King George the First, the Fifteenth and Twenty-fourth Years of the Reign of His said Majesty King George the Second, and the Sixth Year of the Reign of His said present Majesty King George the Third, so far as relate to the said Road leading from *Wendover* to the Town of *Buckingham*, shall on the Third Monday next after the passing of this Act be and the same are hereby declared to be repealed; and that instead thereof this Act shall commence and take Effect and be put in Execution for and during the Term herein-after mentioned, for repairing, widening, and improving the said last-mentioned Road; (that is to say), the Road from the Town of *Wendover* to the Gateway entering the Yard or Premises in the Occupation of *Richard Rogers*, upon the new built Bridge leading into the Town of *Buckingham*; and that this Act, and all the Tolls which shall be collected upon the said Road, shall be and are hereby made subject and liable to the Payment of all Sums of Money now due and owing upon the Credit or on Account of the said recited Acts, and to the Payment of all Money which shall or may hereafter be borrowed and become due on the Credit of this Act, and of all Interest due and to grow due for the same respectively.

Trustees.

II. And be it further enacted, That the Right Honourable *Richard Grenville Nugent Chandos Temple* commonly called *Earl Temple*, the Right Honourable *George Grenville* commonly called *Lord George Grenville*, the Right Honourable *George Augustus Henry Cavendish* commonly called *Lord George Augustus Henry Cavendish*, the Right Honourable *Charles Stanhope* commonly called *Lord Viscount Mahon*, the Honourable *Vere Poulett*, Sir *George Nugent* Baronet, the Reverend Sir *George Lee* Baronet, Sir *Jonathan Lovett* Baronet, Sir *John Dashwood King* Baronet, Sir *John Aubrey* Baronet, Sir *Thomas Sheppard* Baronet, *William Selby* Esquire, *William Lowndes* of *Whaddon Hall* Esquire, *William Lowndes* of *Chesham* Esquire, *Thomas Francis Fremantle* Esquire, *Thomas Cotten Sheppard* Esquire, *John Poulett* Esquire, the Reverend *Robert Lowndes*, the Reverend *William Lord* Doctor in Divinity, the Reverend *Henry Stephen Milner* Doctor in Divinity, the Reverend *Joseph Wells* Doctor in Divinity,

the Reverend *William Lloyd* Doctor in Divinity, the Reverend *Thomas Howard*, the Reverend *Stephen Langston*, the Reverend *John Dell*, the Reverend *Jonathan Briggis*, *John Tookey* Doctor of Physic, *George Morgan* Esquire, *John Newman* Esquire, *Rickard Dayrell* Esquire, *Salisbury P. Humphris* Esquire, *Scrope Bernard* Esquire, *Thomas Stanhope Badcock* Esquire, *William Pigott* Esquire, *Edward Nugent* Esquire, *Robert Greenhill* Esquire, *Acton Chaplin* Esquire, *John Biscoe* Esquire, *Acton Chaplin* the younger Esquire, *Thomas Wakefield* Esquire, the Reverend *Thomas Hopkins*, *Robert Browne* Esquire, the Reverend *John White*, the Reverend *Thomas Le Mesurier*, *Edward Hammer* Esquire, the Reverend *Covent de Salis*, the Reverend *Charles Gardner*, the Reverend *Robert Wright*, *George Rowland Minsbull* Esquire, *Thomas William Coke* Esquire, the Reverend *John Langham Dayrell*, *James Dupre* Esquire, *Philip Box* Esquire, *Thomas Drake Tyrwhitt Drake* Esquire, *Thomas Tyrwhitt Drake* the younger Esquire, *John Ayton* Esquire, *Edward Oakley Gray* Esquire, *Edmund Dayrell* Esquire, the Reverend *James Noël Pigot*, the Reverend *William Goodball*, the Reverend *John Crowe*, the Reverend *Charles Turnor*, the Reverend *Thomas à Beckett Turner*, *William Rickford* Esquire, the Knights of the Shire serving in Parliament for the County of *Bucks* for the Time being, the Burgesses serving in Parliament for the Borough of *Wendover* for the Time being, the Burgesses serving in Parliament for the Borough of *Aylesbury* for the Time being, the Burgesses serving in Parliament for the Borough of *Buckingham* for the Time being, the Reverend the Archdeacon of *Buckingham* for the Time being, and the Bailiff of *Buckingham* for the Time being, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Trustees for more effectually amending, widening, improving and keeping in Repair the said Road leading from *Wendover* to the Town of *Buckingham*, and for otherwise putting this Act in Execution.

III. And be it further enacted, That when any Trustee shall die, or by Writing under his Hand to be delivered to the Clerk to the said Trustees, shall refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, by Writing under their Hands, to elect and appoint one other Person to be a Trustee in the Room of the Trustee so dying or refusing to act; but Notice of the Time and Place of Meeting for every such Election shall be given by the Clerk to the said Trustees, by affixing the same in Writing upon all the Turnpike Gates then erected upon the said Road, or in such Manner as hereinafter mentioned, and at least Twenty-one Days before the Meeting for such Election; and every Person so elected shall be a Trustee for putting this Act in Execution.

Appoint-
ment of new
Trustees.

Notice to
be given.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, whilst he holds any Place of Profit under this Act, nor unless he shall (at the Time of acting) be seized or possessed in his own Right, or in the Right of his Wife, and be in the actual Possession or Receipt of the Rents and Profits of Freehold Lands, Tenements, or Hereditaments, of the clear Yearly Value of One hundred and fifty Pounds above Reprizes, or shall have Personal Estate of the Value of Two thousand Pounds, clear of all Debts and Incumbrances, or shall be an Heir Apparent of a Person possessed of an Estate in Lands, Tenements or Hereditaments of the clear

Qualification
of Trustees.

clear Yearly Value of Three hundred Pounds, nor shall any Person be capable of acting as a Trustee in the Execution of this Act, save and except in administering the Oath following to the other Trustees, until he (not being such Heir Apparent as aforesaid) shall have taken, and subscribed the Oath following before any Two or more of the said Trustees; who are hereby authorized and required to administer the same; that is to say,

Oath.

‘ I *A. B.* do swear, that I truly and *bona fide* am in my own Right
 ‘ (or in the Right of my Wife) [*as the Case may be*] in the actual
 ‘ Possession or Receipt of the Rents and Profits of Lands, Tenements,
 ‘ or Hereditaments, of the clear Yearly Value of One hundred and
 ‘ fifty Pounds above Reprizes, [*or, am possessed of a Personal Estate of*
 ‘ the Value of Two thousand Pounds.] So help me GOD.’

Acts of Trustees not qualified to be valid.

And if any Person not being so qualified shall presume to act in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparance shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof being given of his having acted as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings which shall have been done and performed by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before-mentioned, shall notwithstanding such Conviction be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Time and Place of Trustees Meeting.

V. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet together at the *Bell Inn* in the Town of *Winslow* in the said County of *Buckingham*, on the Third *Monday* next after the passing of this Act, or as soon after as conveniently may be, and proceed to the Execution of this Act, and shall then adjourn themselves to meet at such Time and Place within the Borough and Parish of *Buckingham* as the said Trustees or any Five or more of them shall order and direct; and that the next Meeting of the said Trustees shall be by them appointed to be holden at such Place within the Town of *Aylesbury* as they shall in like Manner order and direct, so that the Meetings of the said Trustees may be held in Rotation at *Winslow*, *Buckingham*, and *Aylesbury*, successively, (Meetings on Emergencies only excepted), and if there shall not appear at any Meeting a sufficient Number of Trustees to act or to adjourn to another Day (Two Trustees being deemed sufficient for the Purpose of Adjournment only); or in case the said Trustees at any Time assembled shall not adjourn themselves, then and in either of the said Cases it shall be lawful for the Clerk or Clerks to the said Trustees to appoint a Meeting of the said Trustees to be holden at such one of the Places aforesaid as may be thought convenient, according to the Provisions herein-before mentioned for holding of Meetings, and that such Time shall not be more than Twenty-one Days nor less than Seven Days after the Time of the last appointed Meeting of the said Trustees, and the said Clerk or Clerks shall give

give Notice thereof in Writing to be affixed on all the Turnpike Gates which shall be then erected upon the said Road, or to be left at the usual Place of Residence of the said Trustees, or by public Advertisement to be inserted in some One or more Newspaper or Newspapers printed or circulated in the said County of *Buckingham*; and in case no Adjournment, Notice, or Appointment of Meeting shall be made or given by the Clerk or Clerks to the said Trustees, then it shall be lawful for any Three of the said Trustees (although not assembled at a Meeting) to cause such Notice in Writing to be given in any or either of the Ways aforesaid, appointing the Trustees to meet at such Time as they the said Three Trustees shall think proper, not exceeding Twenty-one, and not being less than Ten Days from the Time of affixing or giving such Notice; and the said Trustees shall at all their Meetings defray their own Expences.

Trustees to
bear their
own Ex-
pences.

VI. And be it further enacted and declared, That all Orders and Determinations of the said Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act and not otherwise, except as herein particularly mentioned; and that no Order or Determination shall be made unless a Majority of the respective Trustees present at a Meeting (every Trustee composing such Majority not being personally interested in the Matter or Matters in Question) shall concur therein, not consisting of less than the Number of Trustees by this Act authorized to make such Order or Determination, nor shall any such Order or Determination be revoked or altered at any subsequent Meeting, unless Nine Trustees (not any of them being personally interested as aforesaid) shall be present, nor unless the Person or Persons applying to revoke or alter any such Order or Determination shall give Notice in Writing to the Clerk or Clerks to the said Trustees, to be by him or them affixed, inserted or given in Manner herein-before directed with respect to Notices for the Election of new Trustees, at least Fourteen Days previous to any Meeting to be held for such Purposes; and that all such Trustees respectively 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): Provided nevertheless, that no Mortgagee or Assignee of any Mortgage or other Security, or Lender of Money upon the Credit of the Tolls granted by the said former Acts or this Act, or receiving Interest thereon for the same, shall on such Account only be deemed unqualified.

Trustees
being Justices
of the Peace
may act as
such.
Mortgagees
not deemed
unqualified.

VII. And be it further enacted, That if after any Adjournment of the said Trustees, or their Clerk or Clerks, it shall at any Time 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 Five 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 Road, or by any other of the Ways aforesaid, of the Time and Place of such Meeting, which shall be mentioned in the Order of the said Trustees, (such Time not being less than Seven Days after such Notice,) and such earlier Meeting shall and may be held accordingly; and all the Proceedings of the Trustees at such Meetings shall be as good, valid, and effectual as they would have been in Case such Meeting had been held in pursuance of Adjournment.

Meetings on
Emergencies.

[*Loc. & Per.*]

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VIII. And

Trustees may
sue and be
sued in the
Name of their
Treasurer or
Clerk.

Treasurer and
Clerk to be re-
imbursed Ex-
pences.

Appointing
Officers.

Officers to
account.

VIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act in the Name of their Treasurer or Clerk for the 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 Treasurer or Clerk, shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, nor by the Act of such Treasurer or Clerk, without the Consent of the said Trustees, or any Five or more of them, but that the Treasurer or Clerk for the Time being to the said Trustees shall be deemed to be Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that every such Treasurer or Clerk in whose Name any Action or Suit shall be commenced, prosecuted or defended in pursuance of this Act, shall be fully reimbursed 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 such Action or Proceedings he shall pay, bear, expend, or be put unto or become chargeable with by Reason of his being so made Plaintiff or Defendant.

IX. And be it further enacted, That the said Trustees, or any Five or more of them, present at their First or any subsequent Meeting, by any Writing under their Hands, shall and may continue or nominate and appoint one or more fit Person or Persons to be a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls, and also one or more fit Person or Persons to be Surveyor or Surveyors of the said Roads, and such other Officer or Officers as the said Trustees or any Five or more of them shall think proper, and from Time to Time remove such Treasurers, Collectors, Receivers, Surveyors or other Officers, or any of them, as they shall see Occasion, and appoint others in the Room of such of them, and others appointed, as shall be removed, or shall die or become incapable of performing their Duty, and may and are hereby authorized and empowered, out of the Monies to arise by virtue of this Act, to allow and pay to the several Collectors, Clerks, Treasurers, Surveyors, and other Officers and Persons as shall assist them or any of them in or about the Execution of this Act, such Salaries, Rewards and Allowances for their Attendance, Care, Labour, and Service as to the said Trustees or any Five or more of them shall seem reasonable; and all such Officers, and Persons shall from Time to Time, when thereunto required by the said Trustees, or any Five or more of them, deliver to such Trustees or to such Person or Persons as they, or any Five or more of them, shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected or received, and how and to whom, and for what Purpose the same and every Part thereof hath been disposed of, together with the Vouchers and Receipts for such Payments; and the Surveyor or Surveyors shall also deliver in Writing a correct Account of the Statute Duty done or compounded for by each Person within the preceding Twelve Calendar Months, and shall verify the Account upon Oath, if thereunto required by the said Trustees or any Five or more of them, (which Oath any One of the said Trustees is hereby empowered to administer), and also such Officers and Persons shall and are hereby respectively required to pay all such Monies as upon the Balance of such Accounts shall appear to be in their Hands, to such Person or Persons as the said Trustees, or any Five or more of them, shall

appoint

appoint to receive the same, and if the said Officers or Persons shall refuse or neglect to render and give such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof upon Oath, or to pay the Balance remaining in their Hands, when thereunto required in Manner aforesaid, or if any such Officers or Persons shall refuse or neglect to deliver up 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 appoint, within Ten Days after being thereunto requested, by the said Trustees, or any Five or more of them, or by such other Person or Persons, all Books, Papers, and Writings in their Custody or Power relating to the Execution of this Act, then and in every such Case, complaint being made by the said Trustees, or any Five or more of them, of any such Neglect or Refusal to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons so neglecting or refusing shall live or reside, such Justice may and is hereby authorized and required by Warrant or Warrants to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced in such Manner as the said Trustees or any Five or more of them might have done, and if upon the Confession of the Officer or Officers, Person or Persons against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may and is hereby authorized and empowered, upon Non-payment thereof, by a Warrant or Warrants 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 Officers, Person or Persons, respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Money, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Officers, Person or Persons shall not appear before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of Receipts and Payments as aforesaid, or to verify the Truth of such Account and of the Articles thereof on Oath as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or to deliver up all such Books, Papers or Writings as aforesaid, then and in either of the Cases aforesaid the said Justice may and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal to commit such Officer or Officers, Person or Persons, to the Common Gaol or House of Correction of the County, Town or Place where he or they shall live or reside, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts; and have verified the same on Oath, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in their respective Hands, and the reasonable Charges of such Distress and Sale, as shall in that Respect have been made, or until he or they shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Composition Money to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same, (which Composition the said Trustees, or any Five or more of them, are hereby empowered to make), or until he shall have delivered

delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof, to the said Trustees or any Five or more of them: Provided always, that no Person who shall be committed for want of such Distress shall be detained in Prison for any longer Time than Six Calendar Months.

Treasurer,
&c. to give
Security.

X. And be it further enacted, That the said Trustees, or any Five or more of them, shall take such sufficient Security from the Treasurer or Treasurers, Clerk or Clerks, Receiver or Receivers, Collector or Collectors, for the due Execution of his or their Office or Offices as they the said Trustees or any Five or more of them shall think proper.

Trustees may
appoint tem-
porary Col-
lectors.

XI. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls by this Act granted shall neglect to perform or be incapable of performing his Duty, or shall abscond or absent himself, any Two or more of the said Trustees (although not assembled at a Meeting of the said Trustees appointed by virtue of this Act) may discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself, and in such Case, and also in case any Collector or Receiver of the Tolls shall die, the said Trustees, or any Two or more of them, shall and may nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the next Meeting of the said Trustees, in the stead of such Collector or Receiver who shall die or be so discharged, and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all Respects, as the Person who shall die or be so discharged would have had or been subject to; and if any Collector or Receiver of the said Tolls who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representative or Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll Gate or Toll House, or any of the Appurtenances thereof for the Space of Seven Days next after Demand thereof made, and Notice in Writing given for that Purpose by any Two or more of the said Trustees, (although not assembled at any Meeting), or by their Clerk or Treasurer for the Time being, then and in any of the said Cases it shall be lawful for any Justice or Justices of the Peace for the said County, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House and Appurtenances in the Day-time, and to remove the Person or Persons who shall be found therein, or in Possession of the said Gate, together with his, her, or their Goods, out of and from the same, and to put the said Trustees, or any One of them, or such new appointed Collector or Receiver, into the Possession of such Toll Gate, Toll House and Appurtenances.

Compelling
Persons dis-
charged to
reign Pos-
session of
Toll-houses,
&c.

Turnpikes
to be erected.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may continue and support, or build or erect or cause to be built or erected, One or more Gate or Gates, Weighing Machine or Weighing Machines, on or across the said Road or on the Sides thereof, and across any Way or Lane leading into the same; and also a Toll House or Toll Houses, with suitable Out-buildings and Conveniences

Toll-houses.

niences at or near each Gate or Turnpike, or Weighing Machine, and may from Time to Time remove, alter, or discontinue the same, or any of them, as they the said Trustees or any Five or more of them, shall think expedient; and that the respective Tolls following shall be demanded and taken at every such Gate or Turnpike of the Person or Persons attending any Horse, Cattle or Carriage, 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 such Horse, Cattle or Carriage shall be permitted to pass through the same; (that is to say),

For every Coach, Berlin, Landau, Chariot, Chaise or Calash, or other such like Carriage, drawn by Six or more Horses, or other Beasts of Draught, the Sum of One Shilling and Sixpence: Tolls.

For every Coach, Berlin, Landau, Chariot, Chaise or Calash, or other such like Carriage, drawn by Four Horses, or other Beasts of Draught, the Sum of One Shilling:

For every Coach, Berlin, Landau, Chariot, Chaise or Calash, or other such like Carriage, drawn by Two Horses, or other Beasts of Draught, the Sum of Sixpence:

For every Chaise drawn by One Horse, or other Beast of Draught, the Sum of Three-pence:

For every Waggon, Wain, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Nine Inches, the Sum of One Shilling:

For every Waggon, Wain, or other such like Carriage, having the Fellies of the Wheels thereof not of the Breadth of Nine Inches, the Sum of One Shilling and Sixpence:

For every Cart, having the Fellies of the Wheels thereof of the Breadth of Nine Inches, the Sum of Sixpence:

For every Cart, not having the Fellies of the Wheels thereof of the Breadth of Nine Inches, and drawn by Three Horses, or other Beasts of Draught, the Sum of Nine-pence:

For every Cart not having the Fellies of the Wheels thereof of the Breadth of Nine Inches, and drawn by Two Horses, or other Beasts of Draught, the Sum of Sixpence:

For every Cart or Tax Cart drawn by one Horse, or other Beast of Draught, the Sum of Three-pence:

For every Drove of Oxen, Cows, Calves, or other Neat Cattle, the Sum of Five-pence per Score, and so in Proportion for any less Number:

For every Drove of Sheep, Lambs, Hogs, or Swine, the Sum of Three-pence per Score, and so in Proportion for any less Number; and

For every Horse, Mule, or Ass, laden or unladen, the Sum of One Penny:

And that on every *Sunday* during the Continuance of this Act double the Tolls by this Act granted and made payable shall be demanded and taken, such *Sunday* to be computed from Twelve of the Clock on the *Saturday* Night, to Twelve of the Clock on the next succeeding Night; which respective Sums of Money shall be demanded and taken in the Name of or as a Toll, and shall be vested in the said Trustees and 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, either at the Gate where such Toll should be collected, or immediately after passing through the same, neglect or refuse to pay the same, or any

Part thereof, it shall be lawful for the Person or Persons appointed as aforesaid 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, together with their Bridles, Saddles, Gears, Harness or Accoutrements, or their Loading, or any Carriage with its Loading, 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 Five Days next after the Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriage, or Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money (if any be) and what shall remain unsold upon Demand, to the Owner thereof, after such Toll, and the reasonable Charges occasioned by such Seizure, Distress and Sale, shall be deducted: Provided always nevertheless, that nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Three full Tolls to be demanded or taken for any Carriage, Horse, Gelding, Mare, Mule, or any other Sort of Cattle passing or repassing on the same Day through all the said Turnpikes or Toll Gates now erected or to be erected, in, upon, across or on the Sides of any Part or Parts of the said Road.

But one full Toll to be taken for passing but once in a Day.

XIII. Provided always, and be it further enacted and declared, That no Person or Persons having Occasion to pass through any Turnpike or Turnpikes where the said Tolls are or shall be taken, and who shall return the same Day through the same Turnpike or Turnpikes before Twelve of the Clock at Night with the same Carriage, Horse, Gelding, Mare, Mule, or any other Sort of Cattle for which such Tolls have been paid (and to prove such Payment shall produce a Note or Ticket, which Note or Ticket the Receiver or Collector of the said Tolls is hereby required to deliver *gratis* on Receipt of the said Toll if demanded), shall be liable or compellable the same Day to pay the said Tolls more than Once at such Turnpike or Turnpikes; which said respective Tolls shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall and may be demanded, levied, and recovered in the Manner by this Act directed, and shall be applied and disposed of to and for the Uses, Intents and Purposes of this Act, and to or for no other Use or Purpose whatsoever.

Application of Tolls.

In case of Dispute concerning Tolls and Charges the Matter to be settled by a Justice.

XIV. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of the Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining to detain the same, or the Money arising from the Sale thereof (as the Case may happen), until the Quantity of the Tolls, or Charges of distraining or selling the Distress (as the Case shall happen) shall be ascertained by some Justice of the Peace for the said County, who upon Application made to him for that Purpose shall examine the said Matter upon Oath of the Parties, or other Witness or Witnesses, and determine the Quantity of the Tolls due, and also assess the Charges of such Distress and Sale, and of the Collector's Attendance for that Purpose upon the said Justice, all which Sums so determined or assessed shall be paid to the said Collector before he shall be obliged to return the Distress, or the Overplus after the Sale thereof, or of any Part thereof.

Toll Collectors competent Witnesses.

XV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise touching or in any ways relating to the said Tolls, the Person

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.

XVI. Provided always, and be it further enacted, That no Toll shall be taken at any of the Toll Gates erected or to be erected on the said Road, or at any Gate or any Side-bar, or any Part thereof, for any Horse, Gelding, Mare, Mule, or any other Sort of Cattle, or for any Carriage, which shall only cross the said Road, or shall only travel One hundred Yards on the said Road.

No Toll to be taken for crossing the Roads only.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Nine or more of them, to erect or cause to be erected one or more Gate or Gates, Turnpike or Turnpikes, on the Side or Sides of the said Road, and across any Lane or Way leading out of the same, and there to receive and take any such Tolls as are by this Act granted and made payable, so that the same do not extend to a double Charge in case of passing through any other of the Turnpikes which are or shall be erected by virtue of this Act.

Trustees may erect Side Gates.

XVIII. And be it further enacted, That the said Trustees, or any Nine or more of them, may and are hereby authorized and empowered, from Time to Time as they shall think proper, to lessen or reduce all or any Part or Parts of the Tolls hereby granted at all, any, or either of the said Turnpikes, and to raise the same again so as they do not exceed the Tolls by this Act granted, and so as such Reduction or Alteration be with the Consent of the several Persons who shall be entitled to Five-sixth Parts of the Money then due on the Credit of the said Tolls, but no such Reduction shall be made unless Notice in Writing be given for that Purpose, by affixing the same upon all the Turnpike Gates then erected across the said Road, or in such Manner as herein-before mentioned, at least Fourteen Days before the Meeting for making such Reduction, and such Tolls so lessened or reduced shall be collected, recovered, and applied in the same Manner as the Tolls hereby granted are directed to be collected, recovered, and applied.

Tolls may be lessened.

XIX. And be it further enacted, That if any Person or Persons whomsoever, owning, renting, or occupying any Tenement, Lands or Grounds near to the said Road, shall knowingly or willingly permit or suffer any Person or Persons to pass through any Ground, Gate, Passage or Way with any Carriage, Horse, Mare, Gelding, Mule, or any Sort of Cattle on which a Toll is by this Act imposed, with an Intent to evade the Payment of the said Toll; or if any Person or Persons owning, going in, or driving any such Carriage, or owning, riding, or driving any such Horse, Mare, Gelding, Mule, or other Cattle, shall therewith pass through any such Ground, Gate, Passage, or private Way, with an Intent to evade the Payment of the said Toll or Duty, or if any Person or Persons with the like Intent shall take off or cause to be taken off, any Horse, Mare, or Gelding or other Cattle from any Carriage, or shall take off or cause to be taken off any Horse, Mare, Gelding, or Mule from any Chariot, Chaise, Calash, or Carriage, at or before the same shall be brought or come to any of the Gates or Turnpikes now erected or hereafter to be erected by virtue of this Act, with an Intent to evade the Payment of any of the Tolls hereby imposed, or if any Person

Penalty for Persons permitting private Passage;

and of Persons using the same.

Person or Persons liable to the Payment of any of the said Tolls shall forcibly pass or attempt to pass any of the said Gates or Turnpikes, without Payment thereof at such Gate or Gates, or if any Person or Persons shall give to or receive from any other Person or Persons (except the Person or Persons appointed to receive the Tolls hereby made payable) any Note or Ticket of the Day, by this Act directed to be given by the Collector or Receiver of the said Tolls, whereby or by Reason whereof the Payment of any or either of the said Tolls may be evaded or lessened, each and every Person or Persons in all and every, or any Manner aforesaid offending, and being thereof convicted on the Oath of one or more Witnels or Witnesses, before the said Trustees, or before any Five or more of them, or before any One or more of His Majesty's Justices of the Peace for the County, Liberty, or Division wherein any such Offence shall be committed, (which Oath the said Trustees, or any One or more of them, or the said Justice or Justices, is and are hereby empowered and required to administer without Fee or Reward), shall for every such Offence forfeit and pay any Sum not exceeding Three Pounds, to be applied to the Purposes of this Act.

Exemptions
from Tolls;

XX. And be it further enacted, That no Toll shall be demanded for any Waggon, Wain, Cart, Carriage, Horse or other Beasts, of any Person resident in any Parish where any Turnpike or Toll Gate now is, or hereafter shall be erected by virtue of this Act for passing through the same, and not travelling in any Direction beyond the Boundaries of such Parish, nor for any Waggon, Wain, Cart, Carriage, Horse or other Beasts 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 Quantity of Stone, Bricks, Timber, Wood, Gravel, or other Materials for repairing the said Road, or amending any Highways whatsoever, or for or with any Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up in the Outhouses or on the Lands of the Owners thereof, or for or with any Waggon, Wain, Cart, Carriage, Horse or other Beasts, 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 other Implements of Husbandry, or any Mould, Dung, Compost, or Manure employed in Husbandry for manuring or improving Lands or Gardens, or for any Lime to be used as Manure, or for any Horses or Cattle going to or returning from Pasture or Watering Places, provided the said Watering Place and Pasture do not exceed Two Miles; or going to be or returning from being shod or farried; or for any Person going to or returning from his or her proper Parochial Church or Chapel, or other nearest place of Religious Worship tolerated by Law on a *Sunday*, or 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 Parish in which they shall so respectively die; or for any Clergyman going to or returning from visiting any sick Person, or other his Parochial and Ministerial Duty on a *Sunday*, or on other Days on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Cattle or Carriages of whatever Description, Carts or other Things 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 carrying, fetching or guarding such Mails or Expresses, or in returning back from conveying the same; or

any Horses, Carts, or Waggon attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them laden with their Arms or Baggage, nor for any Waggon, Wain, Cart or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, and returning empty; or for any Horse, Mare or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry or Field Officer of Infantry, and rode by them in going to or returning from the Place of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; or for any Horses, Carts, or Waggon employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast, carrying or drawing any Coach, Landau, Berlin, Chariot, Calash, Chaise or Taxed Cart, containing any Person duly qualified as a Voter, and going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Buckingham*, or for a Burgess or Burgesses to serve in Parliament for the Borough of *Aylesbury* in the said County, on the Day or Days of Election, or on the Day before, or the Day after such Election shall begin or be concluded; and if any Person or Persons shall in any fraudulent or collusive Manner whatever claim and take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person or Persons shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

XXI. And be it further enacted, That for the better preventing Frauds and Collusions respecting Carriages carrying Overweights, if any Lessee or Lessees of the Tolls payable at the Turnpike Gate or Gates erected or to be erected by virtue of this Act, or any Collector or Collectors of the Tolls, or any Person or Persons to be appointed to the Care of any Weighing Machine or Machines erected or to be erected on the said Road, shall suffer or permit any Waggon, Cart or other Carriage liable to be weighed at any such Machine or Machines to pass through the Turnpike Gate or Gates erected or to be erected on the said Road without weighing the same; or shall suffer or permit any such Waggon, Cart or other Carriage to proceed on the said Road without having first paid the Tolls payable for such Waggon, Cart or other Carriage, and for all such Overweight or Overweights as such Waggon, Cart, or other Carriages respectively shall or may happen to have therein or thereon, each and every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXII. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat, or other public Stores of or belonging to His Majesty or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any

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Weight

Penalty on suffering Carriages with Overweights to pass without being weighed.

Carriages employed in the public Service not to be subject to Penalties for Overweight, or for additional Number of Horses.

Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act to the contrary notwithstanding.

Declaring
Contracts for
passing with
Overweight
void.

XXIII. And be it further enacted, That if any Lessee or Lessees of the Tolls payable at any Turnpike Gate or Gates erected or to be erected on the said Road, or any Collector or Collectors, Person or Persons appointed to the Care of any Weighing Machine or Machines erected or to be erected on the said Road, shall have bargained, contracted, compounded, or otherwise agreed with any Owner or Owners, Driver or Drivers of any Waggon, Cart, or other Carriage liable to be weighed at the said Machine or Machines, either for the passing through any Turnpike Gate or Gates, or over any Weighing Machine or Machines, erected or to be erected on the said Road with Overweight, every such Bargain, Contract, Composition or other Agreement, shall be and is hereby absolutely declared to be null and void to all Intents and Purposes.

Penalty on
Lessees en-
tering into
Contracts of
Carriage for
Overweight.

XXIV. And be it further enacted, That if any Lessee or Lessees of the Tolls payable at any of the Turnpike Gate or Gates erected or to be erected on the said Road, or any Collector or Collectors, Person or Persons appointed to the Care of any such Weighing Machine or Machines as aforesaid shall make or enter into any Bargain, Contract, Composition or other Agreement, verbal or written, wherein or whereby any specific Sum or Sums of Money in gross or otherwise, is or are to be paid by any Person or Persons for the Carriage of Overweight in respect of any Waggon, Cart or other Carriage liable to be weighed at the said Machine or Machines, each and every such Lessee or Lessees, Collector or Collectors, and Person or Persons appointed to the Care of any such Weighing Machine or Machines, so bargaining, contracting, compounding or otherwise agreeing as aforesaid, shall for each and every such Bargain, Contract, Composition or Agreement, forfeit and pay any Sum not exceeding Forty Shillings.

Trustees may
compound
for Payment
of Tolls.

XXV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time as they shall think expedient, to compound or agree, by the Year or otherwise, with any Person or Persons using or travelling the said Road, for the Payment of any Sum or Sums of Money in lieu of the Tolls by this Act granted, for the Passage of any Horse, Cattle, or Carriage whatsoever, all which Composition Money shall be paid in Advance Quarterly, or otherwise as the said Trustees or any Five or more of them shall appoint, and in Default thereof every such Composition shall be null and void to all Intents and Purposes whatsoever.

Power to de-
mise and let
the Tolls.

XXVI. And be it further enacted, That the said Trustees or any Five or more of them, shall and may, if they think fit, by order in Writing to be entered by their Clerk in the publick Book of the said Trustees, demise and let the Tolls to be collected at any Turnpike Gate or Gates, Toll Bar or Bars, erected or to be erected upon the said Road, for any Term not exceeding Three Years on each Demise, for the best Rent or

Rents that can be got for the same, which Rent or Rents shall be applied and disposed of as the Tolls to be collected upon the said Road are hereby directed to be applied; provided that before such Demise shall be made One Calendar Month's Notice thereof at the least shall be affixed upon each of the Turnpike Gates or Toll Bars which shall be erected upon the said Road, and that the Money which shall be so agreed to be paid for the said Tolls shall be made payable and shall be paid to the said Trustees by equal Quarterly or Monthly Payments, and that the Person or Persons to whom the said Tolls shall be let, shall give Security with sufficient Sureties to the Satisfaction of the said Trustees for Payment of the same; and if on any letting or Agreement for letting the said Tolls or any Part or Parts thereof, any Default shall be made in Payment of the Money agreed to be paid for the same, contrary to the true Intent and Meaning of this Act, then and in such Case the said Trustees or any Five or more of them shall have the Power of making such Agreement void, and then and in either of the said Cases the Person or Persons to whom the said Tolls shall be let shall be liable to account for the same, and to have the same levied and recovered upon him and them by the same Means and in the same Manner as by this Act is directed or provided for the accounting for the said Tolls by the Collectors thereof, or for Money had and received by any Person or Persons, and unaccounted for and unpaid, and for levying and recovering the same as aforesaid.

XXVII. And, in order to prevent the committing of Frauds and Abuses in the Payment of the Tolls hereby granted, be it further enacted, That if any Person or Persons having paid the said Tolls, and having a Note or Ticket, Notes or Tickets, signifying the Payment thereof (and which Notes or Tickets the said Trustees or any Five or more of them are hereby empowered to order to be delivered where they shall see right), shall give or dispose of the same to any other Person or Persons in order to evade the Payment of the said Tolls, every such Person giving or disposing of such Note or Ticket, Notes or Tickets, and the Person receiving or making Use of the same being thereof respectively convicted upon Oath before the said Trustees or any Five or more of them, or before any One or more of the said Justice or Justices, (which Oath the said Trustees or any Two or more of them, or the said Justice or Justices, are and is hereby empowered and required to administer), shall respectively forfeit and pay any Sum not exceeding Three Pounds, to be levied, recovered and disposed of as any other Penalty or Forfeiture is hereby directed to be levied, recovered and disposed of.

XXVIII. And be it further enacted, That the Right and Property of all the Turnpikes, Bars, Rails, and Fences, Toll Houses, Buildings, Machines, and Premises already erected or provided by virtue of the said recited Acts and of this Act, and the Right and Property of the Materials provided for erecting, building, and repairing the same, or any of them respectively, and also all the Tools, Materials and other Requisites got, provided or collected for any of the Purposes of the said Acts or this Act, so far as relate to the said Road from *Wendover* to the Town of *Buckingham*, shall be and are hereby vested in the said Trustees, and they or any Five or more of them, are hereby 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

Penalty on Persons disposing of Tickets or receiving Tickets to avoid Payment of Tolls.

Turnpike and Toll-houses vested in the Trustees.

Clerk or Treasurer shall be paid such Sum as the said Trustees, or any Five or more of them shall appoint, not exceeding the Sum of Five Shillings, and such Transfer shall then entitle such Assignee, his, her or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of any Person or Persons to whom the same shall be last transferred, to make void, release or discharge the original Security, or any Money thereby due, or any Part thereof; and all Persons to whom any Mortgage or Transfer shall be made as aforesaid, shall, in Proportion to the Sum or Sums thereby secured, be Creditors on the Tolls by this Act granted, and on the said Turnpikes and Toll Houses in equal Degree one with another, and no Person shall have any Preference in respect of the Priority of advancing their Money or the Date of the Securities.

XXX. And be it further enacted, That the said Trustees or any Five or more of them, shall and may if thereunto required, receive in and cancel all or any of the Mortgages now standing out that were made by virtue of the said Acts or any or either of them, and give and execute another Mortgage or other Mortgages instead and in lieu thereof respectively, in Manner as herein-before is directed.

Old Mortgages may be called in and cancelled, and new ones granted.

XXXI. And be it further enacted, That all the Tolls and other Monies to arise by virtue of this Act shall be applied and disposed of by the said Trustees in Manner following; (that is to say), in the first Place in Payment of the Costs, Charges and Expences of obtaining and passing this Act, in amending, widening, repairing and improving the said Road, and in erecting Turnpikes, Toll-houses and other Works and Buildings thereon, in defraying the Expences from Time to Time attending the Execution of this Act, in paying and keeping down the Interest of the Money borrowed on the Credit of the said recited Acts and this Act, so far as relates to the said Road from *Wendover* to the Town of *Buckingham*, and afterwards in paying off and discharging the Principal Monies due on the Credit of the said Tolls, and to or for no other Use or Purpose whatsoever.

Application of the Tolls and Money borrowed.

XXXII. And be it further enacted, That if any Person or Persons shall wilfully ride or drive any Horse, Gelding, Mare, Mule, Ass, Cattle, Sheep or Pigs, or any other Beast upon any Causeway made, or to be made upon the said Road for the Accommodation of Persons travelling on Foot, or shall draw or wilfully drive any Barrow, Truck, Dray, Sledge, or other Carriage, or any Horse, Mare, Gelding, Cattle, Sheep, Pigs or other Beast upon any Footway, paved with Flag-stones, Pavements or Bricks, now made or hereafter to be made on the Sides of the said Road for the Accommodation of Persons travelling on Foot; and shall be convicted thereof by his, her, or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before any One or more of the Justices of the Peace for the Limit where the Offence shall be committed, every such Person so offending shall forfeit and pay such Sum of Money as such Justice or Justices shall adjudge, not exceeding Twenty Shillings, the same to be levied and recovered by Distress and Sale of the Goods and Chattels of every such Offender by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices of the Peace before

Penalty on Persons riding or driving on Foot Roads.

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whom

whom such Conviction shall be made, such Forfeitures to be applied in recompensing the Informer, according to the Discretion of such Justice or Justices, and in repairing such Foot-road or Way; and in case the Person or Persons so offending and convicted shall have no Goods and Chattels within the Jurisdiction of such Justice or Justices, or in case such Penalty or Forfeiture shall not be forthwith paid, that then it shall be lawful for such Justice or Justices, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Person or Persons to the common Gaol or House of Correction for the said County of *Buckingham*, there to remain for the Space of One Calendar Month, and shall not be sooner discharged unless he, she, or they shall pay the Penalty imposed by such Conviction.

Surveyors
may make
Causeways,
&c.

XXXIII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Road (or such other Person or Persons as he or they shall appoint), by Order of the said Trustees or any Five or more of them, to make or cause to be made Causeways, and also Ditches or Drains upon, under or on the Sides of the said Road, and also through any Grounds lying contiguous thereto; and also to make a Road through the Grounds adjoining or lying near to any hollow Way, narrow or ruinous Part of the said Road, (such Grounds respectively not being the Ground whereon any House stands, nor a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to any House, or any inclosed Land planted and set apart as a Nursery for Trees), to be made Use of as a publick Highway whilst the old Road is repairing and widening, and also by Order of any Five or more of the said Trustees, to build, erect, repair and keep in Repair any Bridge or Bridges, Arch or Arches, upon any Part or Parts of the said Road, and across any River, Stream, Water, Ditch or Drain therein or contiguous thereto, making such Recompence to the Owners and Occupiers of the private Grounds respectively for the Damage they shall or may sustain, as shall be adjudged reasonable by the said Trustees or any Five or more of them; and in case of any Difference concerning the same, between such Owner and Occupiers and the said Trustees, then it shall be lawful for the Justices of the Peace at their next General Quarter Sessions, or the Second General Quarter Sessions, or any Adjournment thereof, at the farthest, to be holden for the County where the Cause of Complaint shall arise, to hear, settle, adjudge and finally determine the Recompence to be made to such Owners or Occupiers for the Damages they shall have sustained as aforesaid, but that no Satisfaction shall be made for doing or performing any of the Works aforesaid, upon or through any Moor, Common or Waste Grounds.

Trustees may
turn or
widen the
Road, &c.

XXXIV. And be it further enacted, That in case the said Trustees shall think proper to widen, turn, vary, or alter any Part or Parts of the said Road, for the better Accommodation of Coaches, Carriages, and Passengers, it shall be lawful for the said Trustees or any Five or more of them, and they are hereby authorized and empowered from Time to Time to treat, contract and agree with any Person or Persons for the Purchase of any Lands, Grounds, or Hereditaments lying near or contiguous to the said Road, and for the Loss or Damage the Owners, Proprietors, or Occupiers thereof, or any of them, shall or may anywise sustain by such widening, turning, varying or altering such Road, and to pay for the same out of the Tolls by this Act granted, or out of the Money to be borrowed on the Credit

Credit thereof, such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers or Persons interested as aforesaid, and the said Trustees, and for the Costs attending such Purchase, which Road, when widened, turned, varied or altered by virtue of this Act, shall be and remain Forty Feet wide at the least between and exclusive of the Ditches; and such Lands and Grounds, when so purchased as aforesaid, shall by Order and Direction of the said Trustees, or any Five or more of them, be laid in to and made Part of such Road, in such Manner as the said Trustees or any Five or more of them shall think convenient, with proper Drains, Ditches, and Fences for that Purpose, and shall from thenceforth be deemed and taken as a publick or common Highway, and as such shall be amended and kept in Repair by such Ways and Means and in such Manner as other Highways are amended and kept in Repair by the Laws now in being; and after such Purchase shall be made as aforesaid, such Part and Parts of the old and former Road, in lieu whereof such Lands or Grounds shall be purchased for such new Road as aforesaid, unless the same shall lead to some Village, Town, or Place to which such new Road doth not lead, shall be vested in and shall and may be sold and disposed of by the said Trustees, or any Five or more of them, to any Person or Persons for the best Price that can be reasonably got for the same, and the Money arising by such Sale shall be applied and disposed of in amending and improving the Road by this Act directed to be repaired, and the Sale and Conveyance or Conveyances to be made of such Lands and Grounds, comprising the said old Road, being entered by the said Trustees, or any Five or more of them, or their Clerk, and inrolled amongst the Records of the Sessions of the Peace of the said County of *Buckingham*, shall vest the Property of the same Lands and Grounds in the Person or Persons to whom the same shall be so sold and conveyed to all Intents and Purposes whatsoever.

XXXV. Provided always, and be it further enacted, That wherever the Course of any Part of the said Road shall be altered under or by virtue of the Authority of this Act, or Toll House discontinued, and a new Road opened and made in any adjoining Land, the Offer of the Purchase of such old Road or Toll House shall be first made to the Owner of such adjoining Land as shall be cut and used for the Purpose of making such new Road; and in case such Owner shall be desirous of becoming the Purchaser of such old Road or Toll House, and cannot agree with the said Trustees for the Price to be paid for the Purchase of the same, and such Owner shall still be desirous of becoming the Purchaser thereof, then the Value thereof shall be settled and ascertained by a Jury, in such Manner as the Price for any Land to be taken in pursuance of this Act is directed to be settled and ascertained in and by this Act, and such Owner shall be deemed the Purchaser thereof at the Sum to be ascertained by a Jury to be the Value thereof, and in case such Owner shall refuse to pay such Money upon Demand made thereof by the Treasurer or Clerk to the said Trustees, and Tender of the Conveyance of such old Road or Toll House, the same shall and may be recovered by the said Trustees by Action of Debt in any of His Majesty's Courts of Record; and in case any such Owner shall not agree, or shall refuse to purchase any such old Road or Toll House, it shall be lawful for any Person or Persons (not interested in the Premises) to make an Affidavit, to be sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His

Owners of the Land used in altering the Road to have the first Offer of the old Road.

His

His Majesty's Justices of the Peace for the County where such old Road shall lie, stating that such Offer has been made by or on Behalf of the said Trustees, and that such Owner has not agreed, or has refused to purchase such old Road or Toll House (as the Case may be), and such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made and not agreed to, or refused by such Owner; provided nevertheless, that if such Owner shall be willing to take such old Road or Toll House in Exchange for such new Road or Toll House, it shall be lawful for the said Trustees and they are hereby required to assure the same to such Person, by entering the same in their Books, and delivering to him a Copy thereof, signed by any Five or more of the said Trustees, which Copy shall be a good and valid Title to the same, and be available in any Suit at Law or in Equity.

Bodies Politic, &c. empowered to make Contracts for Land, &c.

XXXVI. And, for removing of all Difficulties which may obstruct such Contracts, be it further enacted, That it shall be lawful for all Bodies Politic and Corporate, and all Trustees, Executors, Administrators, Husbands, Guardians and Committees, for and on the Behalf and in Right of any Infants, Femes Covert, Idiots, Lunatics and other Person or Persons being under any other legal Disability, who are or shall be seised or possessed of or interested in any such Lands, Grounds or Hereditaments as aforesaid, to treat, contract and agree with the said Trustees or any Five or more of them, for the absolute Purchase thereof, or of any Part thereof, or for the Interests therein for the Purposes aforesaid, and to sell and convey the same for a fair and valuable Consideration as Occasion shall require, and that all Contracts, Agreements, Sales and Conveyances, which shall be so made shall be valid to all Intents and Purposes whatsoever, any Law, Statute or Usage to the contrary notwithstanding; and that all Persons hereby so authorized to treat, contract or agree for the same, and all other Persons are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if such Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, Committees, Executors, Administrators, or any other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to him, her, or them given or left in Writing at the Dwelling-house or Houses, or other Place or Places of Abode of such Person or Persons, or of the Principal Officer or Officers of any such Body Politic, Corporate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Lands, Grounds or Hereditaments through which any Part of such Road is intended to be made, diverted, turned, varied, or altered, shall for the Space of Thirty Days next after such Notice left or given, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every such Case the said Trustees or any Five or more of them, shall cause such Damage and Recompence to be enquired into and ascertained by a Jury of Twelve indifferent Men of the said County of *Buckingham*, and in order thereto, the said Trustees or any Five or more of them, are hereby required and empowered from Time to Time as Occasion shall be, to summon and call before such Jury, and examine upon Oath any Person or Persons whomsoever, (which Oath any One or more of the said Trustees is and are hereby empowered to administer), and such Trustees, or any Five or more of them, shall by ordering a View or otherwise, use all lawful Ways and Means, as well for their own as for the said Jury's Information in the Premises, and after the said Jury shall have inquired of and assessed such

Damage

Damage and Recompence, they the said Trustees or any Five or more of them, shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in such Lands, Grounds, or Hereditaments, according to the Verdict and Inquisition of such Jury, which said Verdict, or Inquisition and Judgement, Order and Determination thereupon shall be final, binding, and conclusive to all Intents and Purposes against all Parties and Persons whomsoever, claiming or to claim in Possession, Remainder, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any Disability whatsoever; Bodies Politic, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Juries the said Trustees or any Five or more of them, are hereby empowered to issue their Warrant to the Sheriff of the said County, requiring him to impanel, summon and return an indifferent Jury of Twenty-four Persons qualified to serve upon Juries, to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant shall be appointed, and such Sheriff or his Deputy is hereby required to impanel, summon and return such Number of Persons accordingly, and out of the Persons so summoned, impanelled, and returned, or out of such of them as shall appear upon such Summons, the said Trustees or any Five or more of them, shall and they are hereby empowered and required to draw by ballot, and to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid, and in Default of a sufficient Number of Jurymen the said Sheriff or his Deputy, or any Five or more of the said Trustees, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to make up the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the Jurymen when they come to be sworn; and the said Trustees, or any Five or more of them acting in the Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or for not giving a Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury shall refuse or neglect to appear, or appearing shall refuse to be sworn or examined, or to give Evidence, so that no such Fine be more than Ten Pounds on any One Person for One Offence.

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

XXXVII. And be it further enacted, That in case any Jury shall give in or deliver a Verdict or Assessment for more Money as a Recompence for the Right, Interest, or Property of any Person or Persons in any Lands, Grounds, or Hereditaments, or for any such Loss or Damage, than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning of the Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage as aforesaid, that then and in such Case, the Costs and Expences of summoning and maintaining the Jury and Witnesses shall be borne and paid by the said Trustees, or any Five or more of them, out of the Tolls hereby granted,

Expences of
Jury, how to
be borne.

[Loc. & Per.]

25 K

ed,

ed, or out of the Money to be borrowed upon the Credit thereof, but if any Jury shall give in and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning of the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property in, or Loss or Damage as aforesaid, then and in such Case the Costs and Expences of summoning and maintaining the said Jury and Witnesses shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute: Provided always, that in all Cases where the Person or Persons shall by reason of Absence have been prevented from treating, such Costs and Expences shall be borne and paid by the said Trustees in Manner aforesaid.

Application
of Compensation
Money
if amounting
to 200 l.

XXXVIII. And be it further enacted, That if any Money shall be paid or agreed, or awarded to be paid for the Purchase of any Lands, Grounds or Hereditaments purchased, taken or used by virtue of the Powers of this Act for the Purposes aforesaid, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee, Executor, Administrator, Husband, Guardian, Committee or other Trustee, for or in Behalf of any Infant, Lunatic, Idiot, or other *Cestuique* Trust, or to any Person whose Lands, Grounds or Hereditaments are limited in strict or other Settlement, or to any Person under any legal Disability or Incapacity whatsoever, such Money shall, in Case the same shall amount to or exceed 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 *ex parte* the Trustees for executing this Act, 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, Grounds, 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 Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or Hereditaments, or affecting other Lands, Grounds, 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, Grounds, 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, Grounds, or Hereditaments which shall be so purchased, taken or used as aforesaid stood 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 Meantime and until such Purchase shall be made, the said Money shall, by Order of the said Court, 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 Meantime 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

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 said Lands, Grounds, or Hereditaments, to be purchased in case such Purchase or Settlement were made.

XXXIX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, 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 or be equal to 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, Grounds, 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 of England, 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 of the Trustees for executing this Act, (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 therefrom 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 Court of Chancery.

As to Application of Money when less than 200l. and exceeding 20l.

XL. Provided always, 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, Grounds, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy, Idiocy, or Lunacy of any Person solely entitled, then such Money shall be paid 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.

Application of Compensation Money if less than 20 l.

XLI. 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, Grounds, 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 any Five or more of them, or in case any 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, Grounds, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful 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

In case of not making out Titles, &c.

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, Grounds, or Hereditaments, [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery, 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, or 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 Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Right to such Money, &c.

XLII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank, in the Name and with the Privity of the Accountant General of the Court of Chancery in pursuance of this Act, for the Purchase of any Lands, Grounds or Hereditaments, or of any Estate, Right, or Interest, in any Lands, Grounds or Hereditaments to be purchased in pursuance of this Act, 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 Lands, Grounds, 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 Lands, Grounds 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 said 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 Lands, Grounds or Hereditaments, or to some Estate or Interest therein.

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

XLIII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Grounds or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Grounds 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 Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees, or any Five or more of them, out of the Monies to be raised by virtue of this Act, who

who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XLIV. And be it further enacted, That the said Trustees or any Five or more of them, may, if they think fit, cause the said Road to be measured, and Stones or Posts to be placed in or near the same, with Inscriptions thereon denoting the Number of Miles, and Distances from Places, as they shall think proper, and also may cause to be set up such and so many Direction-posts as they may think necessary; and if any Person or Persons shall wilfully break, damage or pull up any such Stones or Posts, or any Stones or Posts now or hereafter to be set up by Order of the said Trustees on the said Road or Footpaths, or shall in any Manner injure or damage the said Causeways, or obliterate or deface any of the Letters, Figures, or Marks on the said Mile-stones or Posts, and shall be thereof lawfully convicted before any Justice of the Peace for the said County, by the Confession of the Party, or by the Oath of One or more credible Witness or Witnesses, such Person or Persons so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, one Moiety whereof shall be paid to the Informer, and the other Moiety shall be paid to the said Trustees, or to their Treasurer or Clerk, to be applied for the Purposes of this Act.

Road to be measured, and Mile-stones to be erected.

Penalty on Persons defacing them.

XLV. And be it further enacted, That the Surveyor or Surveyors of the said Road, and such Persons as shall be employed by him or them, or by the said Trustees, or any Five or more of them, is and are hereby empowered to cut, dig, gather, take, and carry away any Furze, Heath, Stones, Gravel, Sand or other Materials, proper for the making or repairing of the said Road, out of or from any Commons or Waste Grounds, River or Brook, without paying any Thing for the same, such Surveyor or other Persons filling up the Pits or Quarries, levelling the Ground or sloping down the Banks where such Materials shall be taken, or railing or fencing such Pits or Quarries, so that the same may not be dangerous to Passengers and Cattle, and where there is not sufficient of any such Materials to be procured in any Waste Grounds, River or Brooks, the said Surveyor or Surveyors or other Persons as aforesaid, may by Order of the said Trustees, or any Five or more of them, search for, cut, dig, gather, take, or carry away all such Materials as aforesaid, in, upon or out of, from and over the Lands of any Person or Persons (not being a Yard, Garden, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees), paying or tendering Payment for the Damage done to the Owners and Occupiers thereof respectively, out of the Grounds whereon or from whence the same shall be cut, gathered, taken or carried away, or upon, over, or through which the same or any other Materials so cut, dug, and gathered as aforesaid shall be conveyed, such Equivalent in Money as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between the Trustees, Surveyor or Surveyors, or other Persons appointed and employed as aforesaid, and the Owners or Occupiers of private Lands, or any of them, concerning such Payment and Damages as aforesaid, the Justices of the Peace at their next General Quarter Sessions, or the Second General Quarter Sessions at the farthest to be holden for the said County of *Buckingham*, on Ten Days Notice thereof being given in Writing by either Party to the other, shall hear, settle and determine

Surveyors, may dig Gravel, &c. from Waste Grounds.

Making Satisfaction to the Owners of the Ground.

the Matter of such Payment and Damages, and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

Notice to be given to the Occupiers of Lands before Materials are taken for repairing the Road.

XLVI. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons under the Authority of this Act, to dig, gather, take and carry away, any Materials for making or repairing the said Road, out of or from any inclosed Lands or Grounds, until Notice in Writing shall have been given to the Occupier of the Premises from which such Materials are intended to be taken, or left for such Occupier at his or her last or usual Place of Residence, to appear before the said Trustees, or any Five or more of them, or any Two or more Justices of the Peace for the said County, to shew Cause why such Materials shall not be had from such Lands or Grounds, and in case such Occupier shall attend pursuant to such Notice the said Trustees, or any Five or more of them, or such Justices shall (if they think proper) authorize such Surveyor or other Person or Persons to dig, gather, take, and carry away such Materials at such Time or Times as to such Trustees or to such Justices shall seem proper, and if such Occupier shall neglect or refuse to appear by himself, or herself, or his or her Agent, the said Trustees or such Justices, shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Occupier, or his or her Agent had attended.

Penalty on taking away Materials, &c. got by Order of the Surveyor.

XLVII. And be it further enacted, That if any Person or Persons shall take away any Materials which shall have been dug, or gathered in any Lands, Fields, Wastes or Grounds, River or Brook, for the Purpose of making or amending the said Road, or shall dig, get, or take away any Materials out of any Pit or Quarry, which shall have been made for the Purpose of getting Materials for the said Road, before the Surveyor or other Workmen shall have discontinued working therein for the Space of Twenty-one Days, (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Owners to get Materials therein for his own 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.

Trustees or Surveyors may remove Annoyances and cleanse Ditches, &c.

XLVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, and such Persons as they shall appoint, from Time to Time to remove all Annoyances made on any Part of the said Road, and to turn any Watercourse, Sinks, or Drains running along, into or out of the said Road to the Prejudice thereof, and to open, scour, cleanse, widen or make deeper any Watercourses or Ditches adjoining thereto, and make the same as deep and large as he or they shall think necessary, in case the Owners or Occupiers of the Premises shall neglect to open, scour, cleanse, widen, or deepen such Watercourses or Ditches, or remove such other Annoyances in such Manner as any Five or more of them, or the Surveyor or Surveyors shall require, for the Space of Ten Days next after Notice in Writing for that Purpose, under the Hand or Hands of such Surveyor or Surveyors, and by and with the Consent of Two or more Justices of the Peace for the said County acting in their Petty Sessions, signified under their Hands and Seals, and not otherwise, to cut down any Timber Trees; and that it shall be lawful for such Surveyor or Surveyors

veyors at the proper Season of the Year to lop any Timber Trees, and to lop or top any other Trees, and cut down any Shrubs or Bushes growing in the said Road or in the Hedges or Banks adjacent thereto, and to cut down or reduce all such Hedges to the height of Four Feet, and to take, carry away and sell the Wood so cut, and apply the Money arising therefrom in Repair of the Road whereon or near whereunto the same stood, in case the Owners or Occupiers shall neglect to lop, or top, cut down and remove such Trees, Shrubs, or Bushes, or reduce such Hedges in such Manner as the said Trustees or any Five or more of them shall require, for the Space of Twenty-one Days next after Notice in Writing given for that Purpose, to be left at the House belonging to the Land on which the same shall stand, or where the Occupier or Tenant shall reside, under the Hands of Five or more of the said Trustees, the Charges whereof to be settled by the said Trustees, or any Five or more of them, shall be reimbursed by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures are herein-after directed to be recovered and applied, and if after Removal of any of the said Annoyances any Person shall again offend in the like Kind, every such Person shall for every such subsequent Offence forfeit any Sum not exceeding Five Pounds.

XLIX. And be it further enacted, That if any Person shall without sufficient Cause leave any Waggon, Wain, Cart or other Carriage in, upon or on the Side of any Part of the said Road, without any Horse or other Beast of Draught yoked thereto, or to draw the same, or shall knowingly or wilfully lay any Sort of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish or other Matter or Thing whatsoever in any Part of the said Road, or on the Sides thereof, or if any Person or Persons shall draw or cause to be drawn upon any Part of the said Road, any Tree or Piece of Timber or Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber which shall be conveyed upon any Wheel Carriage to drag or trail upon any Part of the said Road, to the Prejudice or Injury thereof, or if any Person or Persons shall slaughter, singe, scald, or dress any Beast, Swine, Calf, Sheep, Lamb or other Cattle, in or upon any Part of the said Road, or shall hew or saw any Piece of Stone, Wood or Timber, or bind, make or repair (except in Cases of Accident) the Wheel of any Carriage, or (except in Cases of Accident) shoe, bleed, or farry any Horse or other Beast, in or upon any Part of the said Road, every Person so offending in any of the Cases aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For preventing Annoyances.

L. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder or disturb, or cause, promote or encourage to be assaulted, interrupted, hindered or disturbed, any or either of the Collectors of the Tolls in the Execution of this Act, or any Surveyor or Surveyors or other Person or Persons by them or either of them, or by the said Trustees employed in the cutting, digging, taking or carrying off any Furze, Heath, Sand, Gravel, Stones or other Materials for the altering, widening, or repairing the said Road, or in topping, lopping, cutting down or carrying off any Tree, Lop or Overhangings, Ditches, Drains, or Watercourses aforesaid, or doing any other Act in or for the repairing, widening, or altering, varying, turning, shortening, or amending the

Penalty on obstructing Surveyors, &c. and the Collectors, &c.

the said Road, by virtue of the Powers by this Act given, or any of them, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Three Pounds.

Lands chargeable to the Repair of the Road to continue so.

LI. And be it further enacted and declared, That if it shall appear to the said Trustees, or any Five or more of them, that any Lands, Tenements or Hereditaments, or any Rents, Profits, or Sum or Sums of Money issuing out of any Lands, Tenements or Hereditaments, now are or shall be liable or chargeable towards the repairing or amending the said Road or any Part thereof, such Lands, Tenements or Hereditaments, Rents, Profits, Sum or Sums of Money issuing as aforesaid, shall remain liable and chargeable, and the Possessors or Occupiers of such Lands, Tenements or Hereditaments, are hereby required and directed to pay such Rents and Profits to such Person and Persons as the said Trustees, or any Five or more of them shall appoint to receive the Tolls granted by this Act, and upon Default of Payment it shall be lawful for the said Trustees, or any Five or more of them, by Warrant under their Hands, to levy the same by Distress and Sale of the Goods of such Person or Persons as shall neglect or refuse to make such Payment as aforesaid, together with the Costs and Charges of such Distress and Sale, and such Rents, Profits, Sum or Sums of Money, when recovered and received, shall be from Time to Time applied for and towards amending the said Road, and to or for no other Use, Intent or Purpose whatsoever.

Persons chargeable to the Highways to continue so.

LII. And be it further enacted, That where any particular Part or Parts of the said Road, or any Bridges, Drains, or Sewers lying in and upon the same, have been accustomed or ought to be repaired and maintained by any particular Person or Persons, Body Politic or Corporate, by reason of the Tenure of any Lands, Tenements or Hereditaments, or by the said County, or any Division, Ward or Township therein, or otherwise howsoever, all and every such Part or Parts of the said Road, Bridges, Drains, or Sewers so lying in and upon the said Road, shall from Time to Time be maintained and kept in Repair by such Person or Persons, Body Politic or Corporate, and in such Manner as the same were respectively maintained and kept in Repair before the passing of this Act.

Money allowed for Lands how to be charged and tendered.

LIII. And be it further enacted, That every Sum of Money or Rcompence to be agreed for or assessed as aforesaid, shall be paid out of the Money to arise by virtue of this Act, to the Parties or Persons respectively entitled to the same, or to their Agents, after deducting such Proportion of Expences as aforesaid (if any be,) or shall be deposited in the Bank of *England*, in the Manner by this Act directed (as the Case may be,) it shall be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen or Agents, to enter upon and take Possession of such Lands or Hereditaments, and to lay out and make, widen, divert, or turn such Road or Roads in, upon, through and over such Lands or Hereditaments, and to do all and every Act, Matter and Thing, with Relation to such Lands or Hereditaments as the said Trustees or any Five or more of them shall think fit; and the said Trustees, or any Five or more of them, shall cause such Parts of the said Road or Roads as shall be made, widened, diverted, or turned through any private Grounds, to be ditched or otherwise fenced from the adjoining Lands; and all Lands or Hereditaments which shall be made a Part or Parts of the said Road by

virtue

virtue of this Act shall be for ever thereafter a common Highway, and shall be kept in Repair as such, and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title to such Lands and Hereditaments; and after any such new Road shall be completed, the Lands constituting the former Road, unless leading over some Moor or Waste Ground, or to some Village, Town or Place to which such new Road doth not lead, shall be vested in and may be sold and conveyed by the said Trustees or any Five or more of them in Manner herein-before mentioned, but this Act shall not extend to the taking down any Dwelling-house or other Buildings, or to take in any Land that is a Garden or Orchard adjoining to any Dwelling-house, or any Park, Paddock, Walk, or Avenue to a House, or any Part thereof, without the Consent of the Owner or Proprietor thereof in Writing first had and obtained.

LIV. Provided always, and be it enacted, That all Persons who by Law are liable to do Statute Work, or chargeable towards repairing and amending the Road hereby directed to be made, widened, and repaired, or any Part thereof, shall remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the said County of *Buckingham*, and they are hereby required and empowered upon Application made to them by the said Trustees, or by their Clerk or Surveyor, by their Order yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes and Places in which the said Road doth 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 so paid, which Lists of Names shall be made in such Manner and under such Regulations and Restrictions as is 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 to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times, (not being Hay Time or Harvest), and in such Parts of the said Road 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

Persons
chargeable
to Statute
Labour to
continue so.

[*Loc. & Per.*]

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their

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 this Act authorized 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 left for him, her, or them, at his, her or their last or usual Place or Places of Abode for that Purpose, by any Surveyor of 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, Beast or Beasts 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 and 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 Road, shall be found idle or negligent by any Surveyor or Surveyors to the said Trustees, such Surveyor or Surveyors is and are hereby empowered to dismiss the Person who shall be found idle or negligent, as aforesaid, and in that Case every such Person sending such Labourer, Team or Draught shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if such Team or Draught had not been sent to work on any Part of the said Road, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending and improving the said Road; and in case the said Surveyor or Surveyors of the Highways for any of of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly, or wilfully give in false or imperfect Lists, every such Surveyor or Surveyors so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Declaring
who shall be
Team-
holders.

LV. Provided also, and be it further enacted, That every Person or Persons who shall rent, hire or occupy any Lands, Tenements or Hereditaments, of the yearly Value of Fifty Pounds shall be deemed and taken as a Team-holder, and shall do and perform such Work in and towards the repairing the Highways of the said several Parishes, Hamlets and Places in which they respectively live, or hold or occupy, such Lands, Tenements, or Hereditaments as Persons keeping Teams are obliged to do.

Trustees may
compound
for Statute
Work.

LVI. And be it further enacted, That it shall be lawful for the said Trustees to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Repairs or Statute Work to be by them done on the said Road or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements or Hereditaments of and in all or any of the Parishes or Places in which the said Road shall lie and be situate, for a certain Sum of Money by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Road, which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer or Treasurers to the said Trustees in advance, on or before the Tenth Day of *May* in each and every Year, or otherwise the Inhabitants

rants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

LVII. And be it further enacted, That the said Trustees or any Five or more of them, may and they are hereby empowered, from Time to Time to contract and agree with any Person or Persons for the making, repairing, widening, altering, turning, varying or amending the said Road or any Part or Parts thereof, or for the erecting of any Building to be made, or doing any other Work to be performed in the Execution of this Act, in such Manner and for such Sum or Sums of Money as the said Trustees or any Five or more of them shall think proper; and that all Contracts and Agreements in Writing, entered into pursuant to any Order made at any Meeting by the said Trustees or any Five or more of them, shall be binding on all Parties who shall sign the same, his, her or their Executors and Administrators, and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Party or Parties failing in the Execution of such Contracts or Agreements.

Trustees may contract for repairing the Road.

LVIII. And be it further enacted, That all Penalties, Forfeitures and Fines hereby inflicted or authorized to be imposed, (if the Manner of levying and recovering thereof is not herein otherwise directed), shall, upon Proof of the Offences respectively before any One Justice of the Peace for the County or Place where the Offence shall have been committed, or any One Justice of the Peace for the County or Place wherein the Offender shall be and reside, either by the Confession of the Parties offending or by the Oath of One or more Witnesses or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant for those Purposes), and the Overplus, after such Penalties, Forfeitures and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels, and the Penalties, Forfeitures and Fines, when paid and recovered (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 Road, and in case sufficient Distress 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, there to remain without Bail or Mainprize for any Time not exceeding Five Calendar Months, unless such Penalties, Forfeitures and Fines, and all reasonable Charges, shall be sooner paid and satisfied.

Penalties and Forfeitures, how to be recovered and applied.

LIX. And whereas Offences may be committed against this Act by Persons unknown to the Trustees, Collectors, Surveyors or other Officers appointed to put the same in Execution; be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain such unknown Person or Persons who shall commit any such Offence or Offences, and to take him, her or

For securing transient Offenders.

them before any Justice of the Peace of the County or Place where the Offence or Offences shall be committed, and such Justice is hereby empowered and directed to proceed immediately to the Hearing and Determining of the Complaint, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next Petty Session to be holden within or for the County or Place in which such Offence or Offences shall have been committed to answer the said Complaint; and the Justices present at such Petty Session, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way, and upon Conviction of the Offender or Offenders either by the Justice before whom he, she, or they shall be first taken, or the Justices at such Petty Session as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her, or them to the Common Goal or House of Correction for the said County or Place, there to remain for any Time not exceeding Fourteen Days, unless he, she, or they shall sooner pay the respective Penalties by him, her, or them incurred (if any) for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

LX. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words (as the Case shall happen), or in any other Form of Words to the same Effect; (that is to say),

Form of
Conviction.

‘ **B**E it remembered, that on the _____ Day of _____ in the
 ‘ _____ Year of His Majesty’s Reign, *A. B.* is convicted before
 ‘ _____ of His Majesty’s Justices of the Peace for the
 ‘ County of _____ [*Specifying the Offence, Time and Place,*
 ‘ *when and where the same was committed as the Case may be.*] Given under
 ‘ our Hands and Seals the Day and Year aforesaid.”

Allowing an
Appeal to
the Quarter
Sessions.

LXI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at the General Quarter Sessions of the Peace to be held for the County or Place wherein the Cause of Complaint shall arise, and within Three Calender Months next after the Cause of Complaint shall have arisen, such Appellant first giving or causing to be given Fourteen Days Notice at least in Writing of his, her or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Ten Days next after such Notice entering into a Recognizance before some Justice of the Peace, with Two sufficient Sureties conditioned to try such Appeal, 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 Cause and Matter of such Appeal in a summary Way, and may 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.

LXII. And

LXII. And be it further enacted, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against 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 when any Distress shall be made for any Sum or Sums of Money to be levied by this Act, the Distress itself shall not be deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on Account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage (if any) 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 the Behalf of the Party distraining before such Action brought.

Proceedings
not to be
quashed
for Want of
Form, &c.

LXIII. And be it further enacted, That all Orders and Proceedings of the said Trustees at their several Meetings shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered and signed by a competent Number of the Trustees (as the Case shall require), or by their Clerk, by their Order, shall be deemed to be Originals, and which said Book or Books, and also the Book or Books to be kept for registering the aforesaid Mortgages, shall be admitted as Evidence in all Courts whatsoever.

Proceedings
to be en-
tered in
Books.

LXIV. 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 after Seven Days Notice 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, her 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 was brought before Seven Days Notice thereof shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or shall be brought after the Time limited for bringing the same as aforesaid, or 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 Costs, and shall have such Remedy for Recovery of the same as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases of Law.

Limitations
of Actions.

General Issue.

Publick Act. LXV. 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.

LXVI. And be it further enacted, That this Act shall commence and take Effect on the said Third *Monday* next after the passing thereof, and shall be in Force and have Continuance] for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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