



ANNO QUINQUAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 76.

An Act to continue and amend an Act of His present Majesty for repairing the Road from *Fosbrook*, in the Parish of *Dillorn*, to *Chedleton*, in the County of *Stafford*. [14th May 1811.]

WHEREAS an Act was passed in the Thirtieth Year of the ^{30 Geo. 3.} Reign of His present Majesty King *George* the Third, intituled, ^{c.} *An Act for making, amending and keeping in Repair the Road from Fosbrook, in the Parish of Dillorn, through Dillorn, and from thence to or near to Chedleton, in the County of Stafford*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded in the Execution thereof, and have borrowed several considerable Sums of Money upon the Credit and Security of the Tolls thereby granted, which still remain due thereon, and cannot be repaid, nor can the said Road be properly amended, improved and kept in Repair unless the said Act be continued; and it is necessary that the Tolls, and some of the Powers and Provisions granted by the said Act should be altered and enlarged; 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 Act passed in the Thirtieth Year of His present Majesty's Reign, and all the Clauses, Powers, Provisions, Orders, Regulations, Matters and Things therein contained (except such of them, or such Parts thereof as are hereby varied, altered or repealed), shall be and continue in full Force and Effect, and shall be executed for the Term hereinafter mentioned in as full, ample and beneficial a Manner, to all Intents and

[*Loc. & Per.*] 18 B Act continued.

Purposes, as if the same were repeated and re-enacted in the Body of this Act, except as the same are varied, altered, repealed or otherwise provided for by this Act; and the additional Term and Tolls hereby granted shall be subject and liable to the Payment of all Sums of Money now due and owing in any Manner upon the Credit or on Account of the said former Act, and of such other Sum and Sums of Money as shall be borrowed or become due and owing on the Credit of the said Act, and of this Act, and of the Interest due upon the same respectively.

Trustees may elect fresh ones in the Room of Persons dispossessed of their Qualifications.

II. And be it further enacted, That when and so often as any Trustee nominated and appointed, or hereafter to be appointed for executing the said recited Act and this Act, shall become dispossessed of the Qualification by the said recited Act required, or shall not attend any Meeting of the said Trustees for the Space of Two Years, then and in every such Case it shall be lawful for the surviving or remaining Trustees, or any Five or more them, to appoint another Trustee in his Room, in such Manner as by the said recited Act is particularly mentioned and directed for appointing Trustees in the Room of such as are dead or refuse to act.

Time and Place of first Meeting of Trustees after the Act is passed.

III. And be it further enacted, That the Trustees nominated by or elected in pursuance of the said recited Act, or any Five or more of them, shall meet together at the House of *William Labdon*, known by the Name or Sign of the Royal Oak, in *Cheadle*, in the County of *Stafford*, on the Fourth *Thursday* next after the passing of this Act, and proceed to the Execution of the said recited Act and this Act, and shall hold their future Meetings as directed by the said recited Act: Provided nevertheless, that Two Trustees shall be sufficient for adjourning the Meetings of the said Trustees, and in Default of such Adjournment the Clerk to the Trustees for the Time being shall and may, by affixing, or causing to be affixed, Notice in Writing upon all the Turnpikes or Toll-gates erected upon the said Road. at least Fourteen Days before the then next proposed Meeting, appoint the Trustees to meet where their then last Meeting was appointed to be held, on that Day Fortnight next after the Day for which such last Meeting was so appointed as aforesaid.

Adjournment of Trustees' Meetings.

Meetings on Emergencies.

IV. And be it further enacted, That if after any Adjournment of the said Trustees it shall upon any Emergency be thought necessary that an earlier Day for Meeting should be appointed than the Day appointed by such Adjournment, then and in that Case the Clerk to the said Trustees, upon an Order in Writing, signed by Two or more of the said Trustees (although not assembled at a Meeting), mentioning the Time, Place and Purport of such intended Meeting, shall forthwith give Notice in Writing, to be affixed on all the Turnpikes then standing upon the said Road, of the Time and Place which shall be mentioned in the Order of the said Trustees (such Time not being less than Five 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 valid and effectual as they would have been in case the same had been held in pursuance of Adjournments.

Trustees may sue and be sued in the

V. 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

of the said recited Act and this Act, in the Name of their Clerk or Treasurer for the Time being, and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, or any Five or more of them, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, nor by the Act of any such Clerk or Treasurer, without the Consent of the said Trustees, or any Five or more of them, but that the Clerk or Treasurer 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 Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted or defended in pursuance of the said recited Act or this Act, shall be fully reimbursed and paid out of such Monies as may then be in the Hands of the Treasurer to the said Trustees, or out of the first Money to arise by virtue of the said recited Act and this Act, after such Action or Suit shall be commenced or discontinued, all such Costs, Charges, Damages and Expences as by the Event or in consequence of any such Action or Proceeding he shall bear, pay, expend or be put unto or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

Name of their
Clerk or
Treasurer.

VI. And be it further enacted, That in case any Dispute, Suit or Litigation shall arise touching or in anywise concerning the said Tolls or the Recovery thereof, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit or Litigation by reason of his or their being appointed to collect the said Tolls, or acting under the Authority of the said Trustees.

Gate-keepers
competent
Witnesses.

VII. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Tollgates erected or to be erected upon or on the Sides of the said Road, shall at any Time or Times during the Continuance of this Act, be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear for the Space of Ten Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for letting the same; then and in either of the said Cases the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of them, shall be at Liberty, and they and he are and is hereby authorized to enter into and upon the Possession of the Toll House and Toll-Houses, with the Buildings and Appurtenances thereunto belonging so letten as aforesaid, and to remove and put out such Lessee or Lessees, Farmer and Farmers, from the Possession thereof, and from the Collection of the Tolls then payable, and that thereupon it shall be lawful for the said Trustees, or any Five or more of them, if they shall think fit to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes, (save as to the Covenants and Agreements for Payment of the Rent

Enabling
Trustees to
take Possession
of Toll-gates
when let to
farm if the
Rent be in
Arrear.

Rent or Rents thereby reserved,) as if such Demise or Agreement had never been made; and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, in the same Manner as if no former Contract or Agreement had been entered into relative to the same.

Penalty for
assaulting
Persons in the
Execution of
this Act.

VIII. 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, the Collectors of the Tolls, or any of them, or the Turnpike Surveyor or Surveyors, or any Person or Persons employed by them, or either of them respectively, or by the said Trustees or any of them, in the Execution of any Part of the said recited Act or this Act, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds, which Penalties shall be applied towards the Repairs of the said Road, and shall be recovered in such Manner as the other Penalties are by the said recited Act or this Act, or either of them, directed to be recovered.

Present Tolls
repealed.

IX. And whereas the several Tolls by the said recited Act authorized to be taken on the said Road have been found very inadequate to the proper Execution thereof; Be it therefore further enacted, That from and after the Twenty-fifth Day of *March* next after the passing of this Act, all the Tolls granted by the said recited Act, and also all Exemption from Payment of the said Tolls, shall be and are hereby repealed, and that from thenceforth the following Tolls shall be demanded, received and taken by such Person or Persons as the said Trustees, or any Five or more of them shall from Time to Time appoint, in lieu of the Tolls and Sums of Money granted and made payable by the said recited Act, before any Carriage or Cattle upon which any Toll is by this Act imposed, shall be permitted to pass through any Turnpike or Tollgate erected or to be erected by virtue of the said recited Act and this Act, or either of them, (that is to say):

New Tolls.

For every Horse, Mare, Gelding, or other Beast drawing any Coach, Berlin, Landau, Chariot, Calash, Chaise, Phaeton, Curricule, or Chair, the Sum of Four-pence Halfpenny:

For every Waggon, Wain, Cart, or other such Carriage, the Wheels whereof shall be of the Breadth of Six Inches or upwards, when going to load with or carrying Coals or Slack, and drawn by Five or more Horses, Oxen, or other Beasts of Draught, the Sum of Nine-pence; and drawn by less than Five Horses, Oxen, or other Beasts of Draught, a Sum after the Rate of One-penny Halfpenny for each such Horse, Ox, or other Beast drawing the same:

For every Waggon, Wain, Cart, or other such Carriage, the Wheels whereof shall be of a less Breadth than Six Inches when going to load with or carry Coals or Slack, and drawn by Five or more Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Six-pence; and drawn by less than Five Horses, Oxen, or other Beasts, a Sum after the Rate of Three-pence for each such Horse, Ox, or other Beast drawing the same:

And for every Horse, Mare, Gelding, Mule, Ass, or other Beast, drawing any Waggon, Wain, Cart, or Carriage, not going for or carrying
Coals

Coals or Slack, the Wheels whereof shall be of the Breadth of Six Inches or upwards, the Sum of Three-pence.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast, drawing any Waggon, Wain, Cart, or such Carriage, not going for or carrying Coals or Slack, the Wheels whereof shall be of less Breadth than Six Inches, the Sum of Four-pence Halfpenny.

For every Drove of Oxen, or other neat Cattle, the Sum of One Shilling *per* Score, and so in Proportion for any greater or less Number; and for every Drove of Calves, Sheep, Lambs or Swine, the Sum of Six-pence *per* Score, and so in proportion for any greater or less Number:

And for every Horse, Mare, Gelding, Mule, or Ass travelling on the said Road, laden or unladen, and not drawing, the Sum of One-penny Halfpenny.

X. And be it further enacted, That the Tolls hereby granted shall be, and the same are hereby vested in the said Trustees for the Time being; and the same and every Part thereof shall be collected, recovered, paid, applied, assigned, varied and disposed of in such and the same Manner, and by such Ways and Means, and with such Remedies for Non-payment, and Penalties for Evasion thereof, and with such Powers as are contained in the said recited Act with respect to the Tolls thereby authorized to be taken, but subject nevertheless to the Provisions, Regulations, and Restrictions contained in this Act.

Tolls vested in the Trustees.

XI. Provided also, and it is hereby 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 in the Night of that Day with the same Coach, Berlin, Chariot, Landau, Calash, Chair, Hearse, Litter, Waggon, Wain, Cart or other Carriage; Horse, Mare, Gelding, Mule, Ass, or any Sort of Cattle for which such Tolls have been paid, shall be liable to pay the said Tolls more than once in the same Day.

Tolls to be paid only once a Day.

XII. Provided nevertheless, and be it further enacted, That one Turnpike Gate shall be continued upon the said Road at the Head of or Entrance into *Godley Lane*; another at the Summit or Head of *Stone Walls*; and that such Gate shall be so continued there during all the Term of this Act; and that such Part and Proportion of the said Tolls hereby granted as the said Trustees or any Five or more of them shall think proper, shall from Time to Time be taken at the said Bars, and every or any of them respectively; but that no Turnpike Gate shall at any Time be erected upon the said Road between *Fosbrook* and *Dillorn*.

Directions as to the Number and Situation of Toll-gates.

XIII. Provided always, and be it further enacted, That the said Trustees, or any Five or more of them, are hereby authorized and empowered from Time to Time, if they shall think proper, to lessen or reduce all or any of the said Tolls, and to raise the same again, so as not to exceed the respective Sums by this Act granted, and that such Tolls so lessened or reduced, shall be collected and recovered in the same Manner as the Tolls hereinbefore granted are directed to be collected and recovered: Provided nevertheless, that no such Reduction as aforesaid shall be made, unless the Person or Persons who shall be entitled to Three-fourth Parts at least

Tolls may be lessened.

of the Money which shall then be due on the Credit of the said Tolls, shall consent thereto; and no Alteration shall be made in any of the said Tolls unless Notice of the Intention of making such Alteration, and of the Meeting to be holden for such Purpose be given by Writing, to be affixed upon all the Turnpikes which shall be then standing upon the said Road, and in some Newspaper published and circulated in the County of *Stafford*, at least Ten Days before such Meeting.

Exemptions
from Tolls.

XIV. And be it further enacted, That all and every Exemption or Exemptions from the several Tolls and Duties granted and made payable by the said recited Act, shall, from and after the Twenty-third Day of *September* next cease, and be no longer allowed, and that in lieu thereof the several Exemptions from Tolls hereinafter mentioned shall be allowed; that is to say, that no Tolls shall be demanded or taken for any Horse or Carriage passing through any of the Turnpikes or Toll-gates erected or to be erected, upon or on the Sides of the said Road, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel or other Materials, to be used on or about the said Road or for the repairing any Highways in or near the Parishes, Townships, Districts or Places, which are liable to perform Statute-duty upon any Part of the said Road, or returning empty when so employed, or carrying or conveying Hay or Corn in the Straw only, not to be sold or disposed of, but going to be laid up in the Houses, Out-houses, Barns or Yards of the Owners thereof, or any Mould, Dung or Compost, made, produced or raised, and to be laid and spread on the Lands and Grounds in the Townships where the same shall have been so produced and made, or returning empty when so employed; or any Ploughs, Harrows or other Implements of Husbandry to be used in the Cultivation of Lands; nor shall any Toll be paid by any Rector, Vicar or Curate going to officiate, or returning from officiating at any Church, Chapel or other Place of religious Worship, or when visiting his sick Parishioners, or upon any other his parochial or ministerial Duty; or by any other Person or Persons residing in the said Parishes, Townships, Districts or Places, who shall pass through the said Turnpikes or Toll-gates to or from Church, Chapel or other Place of religious Worship, or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes, Townships, Districts or Places; nor for any Horses, Mares, Geldings, Mules, Asses or Cattle, which are kept within such Parishes, Townships, Districts or Places, by or through which the said Road shall pass, going to or returning from Work in cultivating the Lands within the same, or any of them; nor for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs, Goats or Hogs, which are kept within the said Parishes, Townships, Districts or Places going to or returning from Pasture on the Commons or other grazing Grounds or watering Places, or Blacksmiths' Shops within the same, or any of them; nor for any Horse or other Beast of Draught or Carriage employed in carrying or conveying any Furze, Peats, Turf, or Hether for Fuel, or returning empty, having been so employed; nor for any Horses or Carriages of whatever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Postmaster-General, either when employed in conveying, fetching, or guarding the same, or in returning back from conveying the same; or for the Horses of Soldiers on their March or on Duty, or Carriages or Horses or other Beasts employed in carrying the
Arms

Arms or Baggage of such Soldiers; or for any Horse, Mare or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days 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; 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; or for any Carriage, Horse, or other Beast employed in the Conveyance of Vagrants travelling with legal Passes, or travelling with Vagrants sent by legal Passes; nor for any Horse or Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Stafford*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin and be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, or shall make Use of any Fraud whatsoever whereby the Payment of the said Tolls, or any Part thereof shall be evaded, every such Person for every such Offence shall forfeit and pay a Sum not exceeding Five Pounds.

XV. 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 Waggon, Wain, Cart or other Carriage be stopped or detained by reason of any 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 contained, to the contrary notwithstanding.

Carriages employed in His Majesty's Service not to be subject to Regulations for Overweight.

XVI. And be it further enacted, That so much of the said recited Act as relates to the Performance of Statute-labour on the said Road shall be, and the same is hereby repealed, and that all Persons who by Law are or shall be liable to do Statute-work, or are or shall be chargeable towards repairing and amending the Road comprised in the said recited Act or any Part thereof, shall still remain liable thereto in like Manner as heretofore, and it shall be lawful for any Two or more Justices of the Peace within their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the said Trustees, or any Five or more of them, or by their Treasurer, 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 or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Township or Place in lieu

Regulations as to Performance of Statute Duty.

of

of or as a Composition for such Statute-work as aforesaid shall be by him, her or them paid to the said Trustees, or to 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 of every such Parish, Township 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, Township or Place, are by Law subject and liable to do Statute-work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute-work distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid, which List of Names shall be made in such Manner and under such Regulations and Restrictions as are or may be directed by any Law or Statute in Force for the Repairs of the public Highways, and out of such Lists the said Justices shall and may allot, appoint and order such and so many of the Persons who shall appear subject and liable to Statute-work as aforesaid, to do such Number of Days Statute-work in every Year upon the said 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 on such Parts of the said Road as the said Trustees or any Five or more of them, 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 Payment of any Money in lieu of or as a Composition for Statute-work as aforesaid to pay such Proportion thereof as the said Justices shall think proper to the said Trustees, or their Treasurer, at such Time or Times as the Justices shall direct, and in Default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited 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 usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, 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 for the Repair of the Public Highways; and if any Person who shall come or be sent 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 to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Road, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Road; and in case the Surveyor or Surveyors

urveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending, shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

XVII. And be it further enacted, That if any Person or Persons driving any Pigs or Swine upon the said Road shall suffer such Pigs or Swine to root up and damage the said Road or any Part thereof, or the Fences, Hedges, Backings, or Copse on either Side thereof; or if any Person shall make, or assist in making, any Fire or Fires, commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket, or Fire-works whatsoever on any Part or Parts of the said Road, or within Forty Yards from the same, or shall wheel any Wheel-barrow or Wheel-barrow upon any Footway adjoining the said Road, or any Part thereof, or shall lay upon any Part or Parts of the said Road any Hay, Straw or other Matter or Thing to be made into Manure, or shall scrape any Mud, Soil, Matter or Thing which shall be or lie upon any Parts of the said Road with an Iron Rake or other Instrument with sharp Points, or shall pull or force up any Stones or other Parts of the Pavement on the said Road or any of them to the Damage thereof, or shall lay down any Timber, Hay, Straw, Dung or any other Matter or Thing whatsoever upon the said Road, or any Part thereof, so as to obstruct or impede the Passage upon the said Road, or any Part thereof, or shall turn out any Horses, Cows or other Cattle, Mules, Asses or Swine upon the said Road, or any Part thereof, or into the Lanes or Ditches adjoining the same (except where the said Road, or any Part thereof passes over an open Common) every Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied and applied in such Manner as other Penalties, Forfeitures and Fines are by the said recited Act or this Act directed to be recovered, levied and applied.

Penalty on
Persons in-
juring the
Road.

XVIII. And be it further enacted, That the Costs, Charges and Expences incident to and attending the obtaining and passing this Act, shall be paid by the said Trustees or any Five or more them out of the Monies already raised by virtue of the said recited Act, and now in the Treasurer's Hands, or out of the first Monies which shall be collected or received by virtue of the said Act and this Act, in Preference to all other Payments whatsoever; and in case any Person or Persons shall advance and pay any Money for or on account of obtaining this Act, as well the Person or Persons advancing and paying any such Money, shall be repaid the same out of any Monies already raised or received, or to be raised or received by virtue of the said recited Act and of this Act, together with Interest for the same, after the Rate of Five Pounds *per Centum. per Annum* from the Time of advancing the same.

Expences of
Act how to
be paid;

and Persons
advancing
Money to be
repaid with
Interest.

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

Public Act.

[*Loc. 5^a Per.*]

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XX. And

Term and
Continuance
of this and
the former
Act.

XX. And be it further enacted, That this Act shall commence upon the second *Monday* next after the Day on which the same shall receive the Royal Assent, and shall continue and be in Force thenceforth for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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