



ANNO TERTIO

GEORGIIV. REGIS.



Cap. xci.

An Act for continuing and amending Three Acts of His late Majesty, for repairing the Road from *Old Stratford* in the County of *Northampton*, to *Dunchurch* in the County of *Warwick*.

[24th June 1822.]

WHEREAS an Act was passed in the Fifteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act to enlarge the Term of several Acts passed in the Sixth Year of the Reign of Queen Anne, the Eleventh Year of the Reign of King George the First, and the Tenth, Thirteenth, and Thirty-first Years of the Reign of King George the Second, for repairing the Highways from Old Stratford in the County of Northampton, to Dunchurch in the County of Warwick, and for more effectually amending the said Highways*; whereby it was (among other things) enacted, that the Terms granted by the said Acts, of the Sixth Year of Queen Anne, the Eleventh Year of the Reign of King George the First, and the Tenth, Thirteenth, and Thirty-first Years of the Reign of King George the Second, should be further continued for the Space of Twenty-one Years, and from thence to the End of the then next Session of Parliament, and that all the Clauses, Provisions, Tolls, Powers, and Matters contained in the said Acts should be repealed, and that instead thereof the Clauses, Provisions, Tolls, Powers, and Matters contained in the said Act

15 G. 3. c. 73.

[Local.]

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of

of the Fifteenth Year of the Reign of His late Majesty should take effect and be executed, for repairing the said Road from *Old Stratford* to *Dunchurch* aforesaid, for the Term therein mentioned: And
 36G.3.c.141. whereas another Act was passed in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging the Term of an Act made in the Fifteenth Year of His present Majesty, for repairing the Road from Old Stratford, in the County of Northampton, to Dunchurch in the County of*
 54G.3.c.126. *Warwick*: And whereas another Act was passed in the Fifty-fourth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for continuing and amending an Act of His present Majesty, for repairing the Road from Old Stratford in the County of Northampton, to Dunchurch in the County of Warwick*: And whereas the Trustees appointed to put the said recited Acts into Execution, have in pursuance thereof borrowed several Sums of Money upon the Credit and Security of the Tolls thereby respectively granted, Part of which Sums still remain due, and the existing Tolls are insufficient for Payment of the accruing Interest thereon, and for the Maintenance and Repair of the said Road; and the said Principal Money so due and owing cannot be repaid, nor can the said Road be amended and kept in Repair, unless the said Three last recited Acts be continued for a further Term, and the existing Tolls increased; and it is also expedient that some of the Powers, Clauses, and Provisions thereby enacted and now in force, should be altered, explained, 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 Acts of the Fifteenth, Thirty-sixth, and Fifty-fourth Years of the Reign of His late Majesty King *George* the Third, and all the Clauses, Powers, Provisions, Matters, and Things therein contained and now in Force, (except such of them, or such Parts thereof as are varied, altered, or repealed, or are repugnant to any of the Clauses or Provisions contained in this Act,) shall be and continue in full Force and Effect for and during the Term hereinafter limited, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act; and the Tolls and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said Three last recited Acts or either of them, and of all Sums of Money which shall be borrowed upon the Credit of this Act, and of all Interest due and to grow due thereon respectively.

Former Acts continued.

New Trustees appointed.

II. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the respective Counties of *Northampton* and *Warwick*, together with Lord Viscount *Althorp*, *Robert Andrew*, *John Adams* (Barrister), *Thomas Adams*, *Moses Hodges Bartholmew* Clerk, *William Benson* D. D., *John Beauclerk*, *Beriah Botfield*, *John Jackson Blencowe*, *Thomas Blencowe* Clerk, *Thomas Ross Bromfield* Clerk, *William Bromfield*, the Honourable

Honourable *Joshua Aldwyn Compton* commonly called *Earl Compton*, *John Plomer Clarke*, *Richard Clarke*, *Charles Crawley Clerk*, *John Lloyd Crawley Clerk*, *James Cooper Clerk*, *Thomas Carter*, *William Cleaver*, *William Henry Clarke Clerk*, *Sir George William Denys Baronet*, *Samuel Deacon*, *William Drayson*, *John Drayson*, *Gabriel Doveton*, *Thomas Drayson*, *John Elliott*, *Edward Evans Clerk*, *John Thomas Flesher Clerk*, *Gilbert Flesher*, *William Grant*, *Thomas Green Clerk*, *Joseph Goodman*, *Henry Bagshaw Harrison D.D.*, *James Harrison*, *William Bagshaw Harrison Clerk*, *William Bagshaw Harrison the Younger*, *Samuel Wymont Harrison*, *Lewis Harrison*, *Richard Hewitt*, *Richard Howes*, *Thomas Howes*, *John Hall*, *William Head*, *Corbet Hue D.D.*, *Nicholas Hue*, *Thomas Hornsby Clerk*, *Henry Hickman*, *Cornelius Ives the Elder*, *Cornelius Ives the Younger Clerk*, *Clarke Jenkins Clerk*, *John Clarke Jenkins Clerk*, *Sir Charles Knightley Baronet*, *John Walter Kerrick Clerk*, *John Malsbury Kerby*, *Sir James Langham Baronet*, *Sir Robert Lawley Baronet*, *Francis Lawley*, *Richard Howson Lamb*, *Samuel Lea*, *Isaac Lovell*, *John Lovell*, *Richard Linnell*, *Sir Thomas Mostyn Baronet*, *John Christopher Mansell*, *Henry Lewis Mansell Clerk*, *Francis Montgomery Clerk*, *William Morris*, *George Mallaber*, *Robert Marriott*, *Isaac Manning*, *Sir Henry Parnell Baronet*, *William Philpot Clerk*, *Thomas Perkins*, *Benjamin Wymont Palmer*, *Harry Portington Clerk*, *Richard Pack*, *Pickering Phipps*, *Charles Rattray M. D.*, *William Rose Rose*, *John Rose Clerk*, *Henry Rose Clerk*, *Charles Rose Clerk*, *John Roper*, *Sir Francis Shuckburgh Baronet*, *Thomas Shuckburgh*, *Charles Shuckburgh*, the Honourable *Thomas Spencer*, the Honourable *George Spencer*, the Honourable *Frederic Spencer*, *William Stalman Clerk*, *George Lethulier Schoen Clerk*, *James Slade Clerk*, *Thomas Sutton*, *Samuel Smith D.D.*, *Samuel Smith*, *Henry Smith Clerk*, *Thomas Sanders*, *Thomas Smith Clerk*, *John Thomas Henry Smith*, *Charles Griffith Smith*, *Sidney Liddadale Smith*, *Thomas Samwell*, *Watson Samwell*, *James Saumarez Clerk*, *William Sawbridge*, *Harry Barne Sawbridge*, *John Sikes Sawbridge*, *Joseph Smith*, *Thomas Reeve Thornton*, *John Thornton*, *John Thornton the Younger*, *Thomas Cooke Thornton*, *William Thornton*, *Edward Thornton*, *Lieutenant General William Thornton*, *Phillip Thornton Clerk*, *Henry Thornton*, *Lee Thornton*, *Kenneth Mackenzie Ried Tarpley Clerk*, *Charles Tibbetts*, *James Tibbetts*, *Richard Tawney*, *Levison Vernon*, *Sir Charles Wheeler Baronet*, *Trevor Wheeler*, *William Wheeler*, the Reverend *John Wool D.D.*, *Sir William Wake Baronet*, *William Watkins*, *John Wildegose*, *Robert Wildegose*, *John Williams Clerk*, *Charles Williams Clerk*, *Sampson White Clerk*, *Francis Henry White Clerk*, *Thomas Coleman Welch Clerk*, *John Wait*, *John Wakefield*, *Joseph Wakefield*, *Richard Wakefield*, *William Zouth Lucas Ward*, *John Ward*, *Lewis Vigoreux Clerk*, shall be and they are hereby appointed the Trustees for putting the said Three last-recited Acts and this Act into Execution.

III. And be it further enacted, That it shall be lawful for the said Trustees, (after giving such Notice as in the said Acts or either of them is directed respecting the Appointment of Trustees on Vacancies,) at any of their Public Meetings to be holden in pursuance of this Act, to elect, nominate, and appoint any Number of Persons,

Appointing
an additional
Number of
Trustees.

not

not exceeding Five in the whole, to be Trustees for the Purposes of the said Acts and this Act, in addition to the Trustees hereby nominated and appointed.

Repeal of
Qualification
of Trustees.

IV. And whereas it is by the said first recited Act enacted that no Person shall be capable of acting in the Execution thereof unless he shall be in his own Right or in the Right of his Wife in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear Yearly Value of One hundred Pounds above Reprises, or Heir Apparent of a Person possessed of a like Estate of the clear Yearly Value of Two hundred Pounds above Reprises, or possessed of a Personal Estate, or Real and Personal Estate together, to the Amount or Value of Two thousand Pounds: And whereas the said Provision has been found inconvenient, be it therefore enacted, That the said Provision shall be and the same is hereby repealed.

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

V. And be it further enacted, That when and so often as any of the Trustees (save and except the Justices of the Peace) hereby appointed, or hereafter to be appointed by virtue of this Act, shall die, or remove, or by Bankruptcy, Insolvency, or otherwise become disqualified or incapable of acting in the Trusts aforesaid, or by Writing under his or their Hand delivered to the Clerk of the Trustees shall refuse or decline to act, it shall be lawful for the surviving Trustees, or any Three or more of them, by Writing under their Hands, to appoint some other fit and proper Person to be a Trustee in the Room of the Trustee so dying, removing, becoming disqualified, incapacitated, neglecting, refusing, or declining to act; but Notice of the Time and Place of Meeting, for every such intended Appointment, shall be given by any Two of the said Trustees, or by the Clerk to the Trustees, and also by affixing the same in Writing on all the Turnpike Gates continued or erected by virtue of this Act, at least Ten Days before such Meeting; and every Trustee so elected or appointed, and being qualified as hereinafter mentioned, shall be thereupon invested with the same Powers and Authorities for executing this Act as if he had been named a Trustee in and by this Act.

Qualification
of Trustees.

VI. Provided always, and be it enacted, That no Person shall be capable of acting as a Trustee in the Execution of the said former Acts and this Act, unless at the Time of his acting therein he shall be in his own Right or in the Right of his Wife in the actual Possession and Enjoyment, or in the Receipt of Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear Yearly Value of One hundred Pounds above Reprises, or be Heir Apparent to a Person seised or possessed, or in the actual Receipt of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear Yearly Value of Two hundred Pounds, or be possessed of a Personal Estate alone, or Real and Personal Estate together, to the Amount of Four thousand Pounds; and if any Person not being so qualified, or being disqualified by Bankruptcy, Insolvency, or otherwise, or not having taken and subscribed the Oath hereinafter mentioned, (or, being a Quaker, not having made and subscribed the

the Affirmation hereinafter mentioned,) shall act as a Trustee in the Execution of the said former Acts and 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, together with full Costs of Suit, 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, nor more than one Imparlance, shall be allowed; and every 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 the said former Acts and this Act, or either of them: Provided nevertheless, that all the Acts and Proceedings of any such Person as a Trustee in the Execution of the said former Acts and this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act; nor shall any Person be capable of acting as a Trustee in the Execution of this Act, (except at the first Meeting after the passing of this Act, in administering the Oath, next hereinafter mentioned,) until he shall have taken and subscribed an Oath (or, being a Quaker, made and subscribed an Affirmation,) before Two or more of the said Trustees (who are hereby empowered to administer the same) in the Form or to the Effect following; (that is to say,)

Trustees to
take an Oath.

‘ I *A. B.* do swear, [*or, being one of the People called Quakers,*
‘ I do solemnly affirm,] That I truly and *bonâ fide* am, in my own
‘ Right, [*or, in the Right of my Wife, as the Case may be,*] in the
‘ actual Possession and Enjoyment or Receipt of the Rents and
‘ Profits of Freehold or Copyhold Lands, Tenements, or Heredita-
‘ ments of the clear Yearly Value of One hundred Pounds above
‘ Reprises, [*or, am Heir Apparent of* _____ who,
‘ to the best of my Knowledge and Belief, is *bonâ fide* seised or
‘ possessed of or in the actual Possession or Receipt of Rents and
‘ Profits of Freehold or Copyhold Lands, Tenements, or Heredita-
‘ ments of the clear yearly Value of Two hundred Pounds above
‘ Reprises, *or, am possessed of a Personal Estate alone, or Real and*
‘ Personal Estate together, to the Amount of Four thousand
‘ Pounds; and that I will truly, faithfully, and impartially act in the
‘ Execution of the Trusts and Powers vested and reposed in me by
‘ an Act passed in the Third Year of the Reign of His Majesty
‘ King *George* the Fourth, intituled *An Act* [*here set forth the Title*
‘ *of the Act*]. So help me GOD.’

Oath.

[*or, being a Quaker, omit the words ‘ So help me God.’*]

VII. Provided also, and be it further enacted, That no Person appointed, or to be appointed a Trustee, by virtue of this Act, shall be capable of acting as a Trustee in the Execution of this Act, in any Case where he shall be concerned in Interest, (except as hereinafter provided,) nor whilst he holds any Place or Employment of Profit under the said Trustees or this Act, nor during the Time he shall keep a Victualling House, or other House of Public Entertainment, or who shall sell Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors, by retail, or who shall be interested or concerned in the

Trustees in-
terested or
holding
Places of
Profit, or
keeping
Victualling
Houses, &c.
not to act.[*Local.*]

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Performance

Performance of any Contract under this Act, or who shall be a Lessee or Farmer of the Tolls, or of any Part or Parts thereof, under this Act; and if any Person not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the Oath hereinbefore mentioned, or being a Quaker not having made and subscribed the Affirmation hereinbefore mentioned, shall nevertheless presume to act as a Trustee 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 with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and the Person so sued or prosecuted shall prove that he is qualified and not disqualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act: Provided nevertheless, that no Act or Proceeding touching the Execution of this Act, which shall be done or performed by any such unqualified or disqualified Person, previously to his being convicted of the Offence before mentioned, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act: Provided always, that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls, or receiving Interest thereout for the same, shall on that account only be deemed unqualified to act as a Trustee in the Execution of this Act; and any of the Trustees appointed or to be appointed under this Act, who are or shall be in the Commission of the Peace, may act as such Justices of the Peace in the Execution of this Act, notwithstanding their being such Trustees, except in such Cases only wherein they shall be personally interested otherwise than as a Trustee, Mortgagee, Assignee, or Lender of Money, or holder of any Security on the Credit of the Tolls granted by this Act.

But no Act invalid unless done by them after Conviction.

Mortgagees may act as Trustees, and Trustees may act as Justices of the Peace, except where personally interested.

Trustees First and other Meetings.

Trustees to pay their own Expences except for the Room.

VIII. And be it further enacted, That the said Trustees shall meet together at the House known by the Name or Sign of the *Saracen's Head Inn* in *Daventry*, or some other convenient Place in *Daventry* aforesaid, on the Twenty-fourth Day of *June* One thousand eight hundred and twenty-two, or as soon afterwards as conveniently may be, and proceed in the Execution hereof; and the said Trustees shall then and from Time to Time afterwards, during the Continuance of this Act, adjourn themselves to meet at the same Place, or such other Places, upon or near the Side or Sides of the said Road, and not exceeding the Distance of Two Miles from some Part thereof, and at such Time or Times as the said Trustees respectively, or the major Part of them present at such Meeting shall appoint; and at all the several Meetings the Trustees shall pay and defray their own Expences, except any Sum not exceeding Twelve Shillings and Sixpence *per Diem* for the Use of the Room wherein they shall meet; and all Orders and

Deter-

Determinations of the Trustees in the Execution of this Act shall be made at Meetings to be held in pursuance of this Act, and not elsewhere; (except in the Cases hereby otherwise particularly provided for); and that no Order or Determination shall be made, unless the major Part of the Trustees present shall concur therein, and that all Acts, Orders, and Proceedings relating to this Act, which are directed to be had, made, done, or exercised by or before the said Trustees, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and exercised by the major Part of the Trustees who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number present not being less than Three (except in such Cases where any other Number is herein named); and that all Acts, Orders, or Proceedings, had, made, or done by or before such Three Trustees, shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Trustees; and that a Chairman shall and may in the first Place be appointed at every Meeting to be held by virtue and for the Purposes of this Act, who, in case of an equal Number of Votes upon any Occasion, (including such Chairman's Vote,) shall have the casting or decisive Vote.

Orders to be made at Meetings only, and a Majority to concur.

General Quorum of Trustees.

Chairman to be appointed, who shall have a casting Vote.

IX. And whereas the Time appointed by the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty for holding the General Annual Meeting of the said Trustees has been found inconvenient; be it therefore enacted, That the said Trustees, or any Five or more of them, shall hold One Annual Meeting, at some convenient Place, alternately in the Town of *Daventry* and the Town of *Towcester*, upon the Third *Friday* in the Month of *May* in every Year; which shall be called the General Annual Meeting of the said Trustees.

General Annual Meeting of the Trustees.

X. And be it further enacted, That so much of the said Act passed in the Fifteenth Year of the Reign of His late Majesty, as requires any Officer or other Person to verify his Account on Oath, and as authorizes the Trustees for executing the said Act to administer an Oath to any such Officer or Officers appointed or to be appointed by virtue of the said Acts or this Act, as to the Correctness or Justness of his or their Accounts, or respecting any Sum or Sums of Money received or expended by virtue of his or their Office, shall be and the same is hereby repealed.

Repeal of Penalties for verifying Accounts on Oath.

XI. And be it further enacted, That if after any Adjournment of any Meeting of the said Trustees 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 any Two or more of the said Trustees, or the Clerk to the said Trustees, upon an Order in Writing signed by Two or more Trustees, although not assembled at a Meeting, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof by Writing affixed on the Turnpike Gates then erected upon the said

Meetings on Emergencies.

said Road, and inserted in some Newspaper usually circulated in the said Counties of *Northampton* and *Warwick*, and in such Notice shall be expressed the Time and Place and Purpose of such earlier Meeting, 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, (the proper Number being present,) at all such Meetings, shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments.

How Orders
may be re-
voked or
altered.

XII. And be it further enacted, That no Order made by the said Trustees shall be revoked or altered unless the Number of Trustees revoking or altering the same shall exceed the Number of Trustees by whom such Order shall have been made, and unless Notice shall be given by Two Trustees, or by the Clerk pursuant to their Order, Fourteen Days at least before such Meeting, as well to such Trustees as were present when the Order was made of the Intention to revoke or alter such Order, (which Notice may either be served on such Trustees personally, or sent to them through the Post Office, or left at their respective Dwelling Houses or usual Places of Residence,) as also by inserting a public Notice of the Time, Place, and Purport of such Meeting, Twice in some Newspaper or Newspapers published or circulated in the said Counties of *Northampton* and *Warwick*, and by affixing a similar Notice at least Ten Days before such Meeting, upon all the Toll Gates erected, or to be erected upon and across the said Road.

Proceedings
of the Trus-
tees to be
entered in a
Book.

XIII. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time, and at all Times during the Continuance of the said Acts and this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books all Orders and Proceedings of the Trustees shall be regularly entered; and such Orders and Proceedings so entered shall be signed by the Chairman of the Meeting at which the same shall be made, or by the Trustees making the same; and the said Books and also the Book or Books hereinafter directed to be kept for entering and keeping the Accounts of the Receipts and Expenditure of or for the said Road, and all Books of Proceedings of the Trustees in the Execution of the said recited Acts and made Evidence thereby, and the Book or Books directed to be kept for registering Mortgages and Assignments, shall be admitted in Evidence in all Courts by all Judges, Justices, and others.

Accounts to
be kept of
Receipts and
Disburse-
ments.

XIV. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of the said Acts and this Act, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter, or cause to be entered, true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on Account of the said Road, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out,
and

and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls granted by the said Acts and this Act, without Fee or Reward; and the said Trustees and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any Thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees or such Creditors; or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in Manner in the said first recited Act directed.

XV. And be it further enacted, That upon the Death, Incapacity, Absconding, or Absence of any Collector or Receiver of Tolls, any Two or more of the said Trustees, though not assembled at any General Meeting of the Trustees appointed by virtue of this Act, by Writing under their respective Hands, shall and may nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the then next Meeting of the said Trustees, in the Stead of such Collector or Receiver as shall so die, become incapable, abscond, or absent himself; which 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, become incapable, abscond, or absent himself would have had or been subject to; and if any Collector or Receiver of the said Tolls who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or Representatives of any Collector or Receiver, who shall die, abscond, absent himself, or be discharged, or any other Person having the Possession of any Toll House or Buildings erected or to be erected or set up by virtue of the said Acts and this Act, shall neglect or refuse to deliver up such Possession for the Space of Three Days after Demand thereof made, and Notice in Writing given for that Purpose, by any Two or more of the said Trustees, or by their Clerk or Treasurer, then and in any of the said Cases it shall and may be lawful for any Justice or Justices of the Peace for the County or Place where the Offence shall be committed by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer for the same County or Place, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said Trustees, or any of their Officers, in the Possession thereof.

Trustees may appoint temporary Collectors, &c. in certain Cases.

XVI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act or the said recited Acts, or either of them, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Acts and this Act, or either of them; or to continue or appoint the Person who has been or may be appointed Treasurer,

Clerk restrained from acting as Treasurer, or vice versa.

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or the Partner of any such Treasurer; the Clerk to the said Trustees for executing the said Acts and this Act, or either of them; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of the said Acts and this Act, or either of them, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of the said Acts or this Act, or either of them, every Person so offending 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 with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, 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 Imparlance shall be allowed.

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

XVII. And be it further enacted, That the said Trustees may sue and be sued in the Name of One of the said Trustees, or of their Clerk for the Time being; and that no Action to be brought or commenced by or against the said Trustees, or any of them, by virtue of this Act, in the Name of any One of the said Trustees, or of their Clerk, shall abate or be discontinued by the Death or Removal of such Trustee or Clerk, or by the Act of such Trustee or Clerk, without the Consent of the said Trustees, or any Three or more of them; but that any One of the said Trustees, or the Clerk for the Time being, shall always be deemed the Plaintiff or Defendant in such Actions or Suits, as the Case may be: Provided always, that every such Trustee or Clerk shall be reimbursed out of the Monies to be received by virtue of this Act all such Costs, Charges, and Expences as he shall be put unto or become chargeable with by reason of his being so made Plaintiff or Defendant.

Trustees,
&c. may be
Witnesses.

XVIII. And be it further enacted, That no Person shall be deemed incompetent to give Evidence, or be disqualified from giving Testimony or Evidence in any Action, Suit, Prosecution, or other legal Proceedings to be brought or had in any Court of Law or Equity, or before any Justice or Justices of the Peace, under or by virtue of this Act, by reason of being a Trustee of the said Road, or a Mortgagee or Creditor of the Tolls thereof; or a Farmer, Lessee, or Collector of such Tolls, or a Treasurer or Clerk, or Surveyor or other Officer under this Act, or an Inhabitant of any Township, Parish, Tithing, or Place through which the said Road does or shall pass, nor shall such Testimony or Evidence (for any of the Reasons aforesaid) be rejected, or liable to be questioned or set aside.

Former Tolls
repealed,
and new
Tolls granted
in lieu
thereof.

XIX. And be it further enacted, That from and immediately after the Commencement of this Act all the Tolls and Duties by the said recited Acts, or either of them, authorized to be demanded or taken shall cease and determine, and that instead thereof the Trustees authorized to carry the said Three last recited Acts and this Act into Execution, shall and may from and immediately after the passing of this Act cause to be demanded and taken at each and every of the Toll Gates erected or to be erected upon or on the Sides of the said Road, before any Horses, Cattle, Beasts, or Carriage, or other Thing,

Thing, upon which any Toll is hereby imposed, shall be permitted to pass through the same, the several Tolls and Duties following; (that is to say,)

- For every Horse or Beast of Draught drawing any Coach, Sociable, Berlin, Landau, Chariot, Barouche, Chaise-marine, Calash, Curricule, Chair, Gig, Whiskey, Caravan, Hearse, Litter, or other such like Carriage, if drawn by more than Four Horses, or other Beasts of Draught, the Sum of Sixpence; and if drawn by Four Horses or other Beasts of Draught, the Sum of Sixpence; and if drawn by Two Horses or other Beasts of Draught, the Sum of Seven-pence Halfpenny; and if drawn by One Horse or other Beast of Draught, the Sum of Seven-pence Halfpenny: Tolls.
- For every Horse, Mule, Ass, Ox, or Bullock, drawing any Waggon, Wain, Drag, Cart, or other such like Carriage, the Sum of Five-pence:
- For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Two-pence:
- For every Timber Carriage or Drag, so constructed as that the Distance between the Axle-trees shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber or Stone, the Sum of One Shilling and Ten-pence Halfpenny over and above the Toll or Duty herein-before made payable for such Carriage, and the Horses or Beasts of Draught drawing the same:
- For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Seven-pence *per* Score, and so in proportion for any greater or less Number of them:
- For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any greater or less Number of them.

Which respective Sums of Money hereby authorized to be taken as aforesaid, shall be demanded and taken in the Name of or as Tolls, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed.

XX. And whereas the Commissioners appointed by and in pursuance of Two Acts, made in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, one intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount, for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain, in manner therein mentioned;* and the other intituled *An Act to amend an Act made in the present Session of Parliament for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor;* and of another Act made in the First Year of the Reign of His present Majesty, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in Great Britain,* have advanced Exchequer Bills

For continuing Sunday Toll until Exchequer Bills discharged.

Bills to the said Trustees to the Amount or Value of Eight thousand Pounds upon the Credit of and to be repaid out of the Tolls arising on the said Road, and are by this Act authorized and required to advance a further Sum of Five thousand Pounds to the said Trustees: And whereas by the said Act passed in the Forty-fourth Year of the Reign of His late Majesty, it is directed that for every Horse, Beast, or Carriage that shall pass through any Turnpike to be erected on the said Road, on every *Sunday* there shall be paid Double the Tolls for passing at any other Time: And whereas the Tolls collected upon Horses, Cattle, and Carriages passing along the said Road on *Sundays*, amount to a considerable Sum in the Year, and unless the said *Sunday* Toll is continued it will be impracticable for the said Trustees to pay the Interest on the said Exchequer Bills, and pay off and discharge the same, be it therefore enacted, That it shall and may be lawful for the said Trustees to collect, levy, and recover Double the Tolls hereby granted for every Horse, Beast, Cattle, and Carriage that shall pass along the said Road on a *Sunday*, until the said Sums of Eight thousand Pounds and Five thousand Pounds respectively, and all the Interest and Charges due thereon shall be paid off and discharged, and thereupon the said Double Toll shall absolutely cease and determine.

Recovery of
Tolls.

XXI. And be it further enacted, That if any Person subject or liable to the Payment of any of the said Tolls, shall, after Demand made thereof, neglect or refuse to pay the same, or any Part or Parts thereof, it shall be lawful for the Person or Persons authorized and appointed to collect such Tolls, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize and distrain any Horse, Beast, Cattle, Carriage, or other Thing, upon or in respect of which any such Toll is hereby imposed, together with their respective Bridles, Saddles, Gears, Harness, or Accoutrements, (except the Bridle or Reins of any Horse or other Beast separate from the Horse or Beast,) or any Carriage, in respect of the Horses or Cattle drawing the Carriage for which such Toll is imposed, or any of the Goods or Chattels of the Person or Persons so neglecting or refusing to pay; and if the Toll, or any Part thereof, so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Three Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining may sell the Horse, Beast, Cattle, Carriage, or Things so seized and distrained, or a sufficient Part thereof, returning the overplus Money arising by such Sale (if any); and what shall remain unsold, upon Demand to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress and Sale, shall be deducted.

Table of
Tolls to be
put up.

XXII. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on all the Toll Houses erected or to be erected on the said Road, and the Name of the Turnpike Gate adjoining thereto respectively shall be placed over the said Table of Tolls.

XXIII. Pro-

XXIII. Provided always, and be it further enacted, That no more than Four Tolls shall be demanded or taken from any Person or Persons for passing and repassing on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, with the same Horse, Beast, Cattle, or Carriage, through all the Toll Gates or Turnpikes, to be continued or erected by virtue of this Act, and that no more than One such Toll shall be taken upon any Part of the said Road within the Distance of Three Miles.

Only Four Tolls to be taken for passing through all the Toll Gates.

XXIV. Provided nevertheless, and be it further enacted, That the said Tolls shall be payable for or in respect of all Horses or Mules drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage, carrying Passengers or Goods for Hire, Payment, or Reward, for all and every Time of passing and repassing upon the said Road on the same Day, to be computed as aforesaid; and that the said Tolls shall also be payable for or in respect of all Horses or Mules drawing any Post Chaise or other Carriage, travelling for Hire, for passing and re-passing upon the said Road on the same Day, (the Day to be computed as aforesaid,) on a Ticket being produced denoting a new Hiring: Provided always, that all Horses travelling for Hire, and drawing or having drawn any Chaise or other Carriage, for which any Toll shall have been paid at any Turnpike erected or to be erected on the said Road, shall, on returning within the Space of Twelve Hours after having so passed, without a Ticket denoting a fresh Hiring being produced, be permitted to repass Toll free, although such Horses, Chaise, or Carriage shall not have passed through such Turnpike on the same Day.

Stage Coaches, PostChaises, &c. to pay every Time of passing.

XXV. And be it further enacted, That in all Cases where the Tolls arising and to be collected at any of the said Toll Gates already set up and erected on the said Road, shall have been let to farm previous to the passing of this Act, the Farmers or Renters of such Tolls respectively shall account and pay to the said Trustees the several increased Tolls allowed to be collected by virtue of this Act in Addition to the Rents for which the said Tolls are now let, or otherwise it shall be lawful for the said Trustees to compound with such Farmers or Renters of the Tolls as aforesaid for a gross Sum, as in their Discretion they shall think fit and reasonable in Satisfaction for such increased Tolls.

The present Lessees to account for Increase of Tolls.

XXVI. And be it further enacted, That upon Payment of the Tolls by this Act granted the Collector or Receiver thereof shall and he is hereby required to deliver *gratis* to the Person paying such Tolls, a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees, and there shall be printed and specified thereon the Name of the Gate at which such Ticket shall be delivered, and the Names of the several and respective Gates freed by such Payment.

Tickets to be provided.

XXVII. And be it further enacted, That all Exemptions from Toll granted by the said recited Acts, or either of them, shall from henceforth cease and be void, and that in lieu thereof the

Former Exemptions of Toll repealed.

several Exemptions from Toll hereinafter mentioned shall be allowed; (that is to say,) That no Toll shall be demanded or taken for any Horses or Carriages attending His Majesty or any of the Royal Family or returning therefrom; nor shall any Toll be demanded or taken for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying, on the same Day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing the said Road, or for repairing any Highways or Public Roads, or for the Purpose of building or repairing any Public Bridge or Bridges, or any Turnpike House, Toll Gate, Drain or Fence, upon or on the Sides of the said Road by or under the Order or Authority of the said Trustees; or Hay, Clover, Turnips, Straw, or Corn in the Straw only, not sold or disposed of but passing to be laid up or placed in the Outhouses, Barns, Yards, or Premises of the Owners thereof, in any of the Parishes, Townships, or Places in which the same did grow; or for any Horse, Cattle, Beast, or Carriage employed only in carrying or conveying, or going unladen or empty to carry or convey, or returning unladen or empty from carrying or conveying, having been solely employed in carrying or conveying any Ploughs, Harrows or other Implements employed in Husbandry; or any Lime, Mould, Dung, Compost, or Manure, for manuring or improving Lands, or any other Things to be used or employed upon or for cultivating or manuring Lands; or for any Horses, Beasts; or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or from any Person going to or returning from his, her, or their proper Parochial Church or Chapel, or from any Person or Persons going to or from his, her, or their usual Place of Religious Worship, tolerated by Law, on *Sunday*, or upon any other Day on which Divine Service is or shall be ordered by Authority to be celebrated; or when attending the Funeral of any Person that shall die and be buried in any of the said Parishes, Hamlets, or Places; or from any Clergyman going to or returning from his Parochial or Ministerial Duty, or visiting any sick Person; or for any Horse, Cattle, or Carriage of whatsoever Description employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Post Master General, either when employed in conveying, fetching, or guarding such Mails or Expresses or returning from conveying the same; or for any Horses belonging to any Officers or Soldiers upon their March or on Duty, or for any Horse, Cattle, or Carriage employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers; or for any Horse 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

Materials for
repairing
Roads.

Hay, Straw,
&c.

Implements
of Husband-
ry, Lime,
Manure, &c.

Horses, &c.
going to or
returning
from Pasture
or Water, or
to be shod
or farried.

Church, Fu-
nerals, &c.

Clergymen.

Mails and
Expresses.

Soldiers.

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 Horse, Beast, Cattle, or Cart employed in the Conveyance of any Vagrant sent by a legal Pass, or any Prisoner by any legal Warrant, or returning therefrom; or for any Horse, Beast, Cattle, or Carriage carrying or conveying any Person or Persons going to or returning from any Election of a Representative or Representatives in Parliament for the Counties of *Warwick* and *Northampton*, on the Day or Days of such Election, or on the Day before or on the Day after such Election shall begin or be concluded; and if any Person or Persons shall in any fraudulent or collusive Manner claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Electors.

Penalty on fraudulently claiming Exemptions.

XXVIII. 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.

XXIX. Provided also, and be it further enacted, That the several Privileges and Exemptions contained and expressed in an Act passed in the Fifty-fifth Year of the Reign of His late Majesty, intituled *An Act to enable Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, shall be extended to and be applicable to Waggons, Carts, or other Carriages passing along or over the said Roads, or any of them, and the several Horses or other Beasts drawing the same; any thing in this Act to the contrary notwithstanding.

55G.3.c.119. to extend to this Act.

XXX. And be it further enacted, That if any Person or Persons subject to the Payment of any of the Tolls by this Act granted or made payable shall, after Demand thereof made either at the Gate, Bar, or Chain where such Tolls shall be collected, or 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 to collect such Tolls, by himself, herself, or themselves, or taking such Assistance as he, she, or they shall think necessary, to seize and

Tolls may be distrained for.

and distress any Horse or Horses, Beast or Beasts, Cattle, Carriage, or other Thing, upon or for which such Toll is hereby imposed, together with the Harness, Bridles, Reins, (except the Bridle or Reins apart from the Horse or Horses,) Saddles, Gears, or Accoutrements, or their Loading, or a sufficient Part thereof, or any of the Goods or Chattels of or belonging to or in the Possession of the Person or Persons so then and there neglecting or refusing to pay as aforesaid; and if such Toll or any Part thereof so neglected or refused to be paid, and the reasonable Charges of such Seizure and Distress shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may sell the Horse or Horses, Cattle, Carriage, Thing or Things so distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any) 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, to be ascertained or determined, in Case of Dispute concerning the same, by some Justice of the Peace of the County or Place where such Dispute shall happen.

Distress may be sold after Five Days.

Disputes concerning Toll may be settled by a Justice.

XXXI. And be it further enacted, That in case any Dispute or Disputes shall happen respecting the demanding or taking, or the Payment of Toll, or about the Amount of Toll due, or the Charges of keeping or selling any Distress, such Dispute or Disputes shall be heard and determined by any Justice of the Peace for the County or Place in which the Cause of Dispute shall arise; who upon Application made to him for that Purpose shall examine the Matter upon Oath of the Parties, or other Witness or Witnesses, (which Oath every such Justice is hereby authorized and empowered to administer,) and shall determine the Amount of the Toll due and other Matters in Dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice shall seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice, (which Warrant every such Justice is hereby empowered to issue); and the Overplus (if any) after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned upon Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

To prevent Evasion of Tolls.

XXXII. And be it further enacted, That if any Person or Persons shall ride, drive, go, or pass with any Horse, Mule, Ass, Beast, Cattle, or Carriage through or over any Gate, Private Passage, Land, Ground, or Place lying by the Side of or near to any Part of the said Road, (except the Owner or Occupier of such Land or other Premises, or any of his, her, or their Family or Servants,) or if any Person or Persons owning or occupying any Tenements, Lands, or Grounds (not being a Public Highway) near to the said Road, or any Part thereof; shall knowingly or wilfully permit
or

or suffer any Person or Persons (except as aforesaid) to go or pass with any Horse, Mule, Ass, Beast, Cattle, or Carriage through or over such Gate, Private Passage, Lands, or Grounds, in order to or with Intent thereby to evade the Payment of the said Tolls or any Part thereof; or if any Person shall forge, counterfeit, or alter, or shall give or deliver to or receive from any other Person or Persons any Note or Ticket by this Act directed to be given by the Collector of the Tolls, and the Payment of the Toll shall be thereby evaded; or if any Person, not having paid the said Toll, shall offer or produce and use any such Ticket with intent to avoid the Payment of any of the Tolls which shall be due or payable by virtue of this Act; or if any Person or Persons shall take off or suffer to be taken off any Horse or other Beast from any Carriage, either before or after having passed through any Toll Gate, shall afterwards add or put any Horse or Beast to any Carriage for the Purpose of drawing the same upon any Part of the said Road, or if any Person or Persons shall forcibly or wilfully pass through any Turnpike or Toll Gate with any Horse, or other Cattle or Beast, without Payment of the Toll, or of any Part thereof, all and every such Person or Persons shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered, levied, apportioned, and applied in Manner hereafter provided for the Recovery and Application of Penalties and Forfeitures.

XXXIII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby empowered, at any Meeting to be holden for that Purpose, whereof at least Twenty-one Days Notice shall be affixed in Writing upon the Turnpike Gates on the said Road, or be given by Advertisement to be inserted in some Newspaper circulated in the Neighbourhood of the said Road, from Time to Time as they shall think proper, to lessen or reduce, and again to raise and advance all or any of the Tolls hereby granted, so that the respective Tolls so to be raised or advanced do not exceed in Number or Amount the Tolls by this Act authorized to be taken; and provided that no such Reduction be made without the Consent of the Persons who shall then be entitled to Five Sixth Parts of the Money which shall be then due upon the Credit of the Tolls; and such Tolls so reduced or advanced, and every of them, shall be collected, recovered, levied, and applied, as the Tolls hereby granted and authorized to be taken are directed to be collected, recovered, levied, and applied.

Tolls may be lessened, &c.

XXXIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to compound and agree for any Term not exceeding Twelve Calendar Months at any one Time with any of the Inhabitants within any of the Parishes wherein or near to which any Part of the said Road lies, or any other Person or Persons, for the Passage of their Cattle or Carriages; all which Composition Money shall be paid in advance, and shall be applied as the Tolls hereby granted are to be applied.

Trustees may compound.

Trustees
may lease
the Tolls.

XXXV. And be it further enacted, That the said Trustees shall be and they are hereby empowered, after giving Fourteen Days Notice thereof in some One or more of the Public Newspapers circulated in the Neighbourhood of the said Road, and also in Writing, to be affixed to the Turnpike or Turnpikes, the Tolls whereof are intended to be leased, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts of such Tolls, for any Term not exceeding Three Years at One Time, for the best Price that can be gotten for the same, payable at such Times to such Person or Persons, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees shall think fit, and the Money arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied; and at all such Lettings the Trustees shall have and be entitled to One or more Bidding or Biddings for the said Tolls, either by themselves or their Clerk or Treasurer or other Person by them authorized, any Thing in any Law or Statute to the contrary notwithstanding; and in case at any Time or Times hereafter when the said Tolls shall be put up to Auction there shall be no Bidder or Bidders, or in case the same shall not be let at such Auction, then it shall be lawful for the said Trustees or any Three or more of them to accept a private Tender for the same, and to demise or let to farm, or agree to demise or let to farm all or any of such Tolls at any Sum not less than the Sum at or for which they shall have been then last let, any Thing in any Law or Statute to the contrary notwithstanding; and the Rent or Money arising by such letting shall be applied in such Manner as the Tolls under this Act and the said recited Acts are directed to be applied.

Regulations
as to Toll
Collectors.

XXXVI. And be it further enacted, That every Toll Collector being a Lessee of the said Tolls, or being appointed either by the said Trustees or by any Lessee or Lessees for the Time being, to collect the Tolls payable at any Turnpike Gate, Toll Gate, Bar or Chain already erected or hereafter to be erected on the said Road, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or some other conspicuous Part of the Toll House, Toll Gate or Bar, immediately upon his beginning to collect such Tolls or coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters upon a Black Ground, or Black Letters upon a White Ground, and shall continue the same so placed during the whole Time he shall collect such Tolls or be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand and take a greater or less Toll from any Person than he shall be authorized to do by virtue of the Powers of the said Acts or this Act, or of the Orders and Resolutions of the Trustees made in pursuance thereof, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit or suffer any Person or Persons to read or shall

shall in any way hinder any Person or Persons from reading such Christian and Surname, or shall refuse to tell his Christian and Surname to any Person or Persons who shall demand the same, on being paid the said Tolls or any of them, or shall in answer to the said Demand give a false Name or Names, or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls and naming and specifying the Gate at which such Payment shall have been made and the Toll Gate or Toll Gates freed by such Payments (if any), or upon the legal Toll being paid or tendered shall unnecessarily detain or wilfully obstruct, hinder, or prevent any Passenger or Passengers from passing through any Turnpike or Toll Gate, or shall make use of any scurrilous or abusive Language to any Traveller or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge; and such Penalty shall be recovered, paid, and applied as other Penalties are by this Act directed to be recovered, paid, and applied.

XXXVII. And be it further enacted, That if any Person or Persons shall at any Time assault, obstruct, hinder, or molest any Collector or Collectors of the said Tolls, or any Surveyor or Surveyors of the said Road, who shall or may be employed by virtue of or in the Execution of this Act, in the Performance of his Duty, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Punishing
Persons as-
saulting Col-
lectors.

XXXVIII. And be it further enacted, That in case all or any of the Tolls arising by virtue of this Act shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Lessees, Farmer or Farmers thereof 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 Four Days next after any of the Days on which the same ought to be paid pursuant to the Lease, Contract, or Agreement for demising or letting thereof; or in case such Lease, Contract, or Agreement shall in any other Manner become void, then and in either of such Cases it shall and may be lawful for any Justice of the Peace for the County or Place where the Toll Gate, Toll Bar, Chain, or Toll House shall be situate, and he is hereby required, upon Application made to him by the said Trustees, or their Clerk or Treasurer, or any other Person authorized by Writing under their Hands, by Warrant under his Hand and Seal, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter into and upon and take Possession of any or every Toll House or Toll Houses, Toll Gate, Bar, Chain, or Weighing Machine so let, and the Buildings, Gates, and Appurtenances thereto belonging, and to remove or put out such Lessee or Lessees, Farmer or Farmers of the Tolls arising thereat respectively, and the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same and from the Possession thereof, and from the Collection

Enabling
Trustees to
take Posses-
sion of Toll
Houses in
case of Non-
performance
of the Terms
of the Lease.

Collection of such Tolls, and to give to the said Trustees, or any Person acting by or under their Authority, Possession thereof, and that thereupon it shall be lawful for the said Trustees (if they shall think fit) to vacate and determine the Lease, Contract, or Agreement for demising or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void to all Intents and Purposes (save as to the Obligations, Covenants, or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Obligations, Covenants, or Agreements, on the Lessee's Part,) as if such Lease, Contract, or Agreement had never been made; and in that Case, or in case the Lease, Contract, or Agreement shall otherwise become void, it shall and may be lawful for the said Trustees, in every such Case, to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Lease, Contract, or Agreement had been made relative thereto.

XXXIX. And whereas the Commissioners acting in the Execution of an Act of Parliament made and passed in the Fifty-seventh Year of the Reign of His late Majesty King George the Third, intituled *An Act to authorize the Issue of Exchequer Bills and the Advance of Money out of the Consolidated Fund to a limited Amount for the carrying on of Public Works and Fisheries in the United Kingdom, and Employment of the Poor in Great Britain in Manner therein mentioned*, and another Act made and passed in the same Session of Parliament for amending the said Act, and also another Act made and passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act to amend and continue Two Acts passed in the Fifty-seventh Year of His late Majesty King George the Third, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on of Public Works and Fisheries and Employment of the Poor, and to extend the Powers of the Commissioners for executing the said Acts in Great Britain*, did under the Powers and Provisions of the said Acts on or about the Third Day of November One thousand eight hundred and twenty, advance to the Trustees acting under the several first hereinbefore recited Acts or some or One of them, Eight thousand Pounds in Exchequer Bills, upon the Security of a certain Indenture of Mortgage, bearing Date the said Third Day of November One thousand eight hundred and twenty, and made between the Trustees therein named and described of the One Part, and *William Holden* the Secretary of the said Commissioners of the other Part; whereby the said Trustees did assign to the said *William Holden* all and every the Rates, Tolls, and Receipts therein particularly mentioned, to hold the same subject to the Repayment of the said Sum of Eight thousand Pounds by an annual Instalment of Seven Pounds Ten Shillings *per Centum* on the said principal Sum of Eight thousand Pounds, with Interest thereon at the Rate of Five Pounds *per Centum per Annum* on the Principal, from Time to Time remaining due, until the Whole of the said Principal Sum and Interest should be fully paid and satisfied: And whereas as a further Security for the Repayment of the said Sum of Eight thousand Pounds and Interest, the said Trustees, Parties to the said recited Indenture, did
on

on the said Third Day of *November* One thousand eight hundred and twenty, in pursuance of the Powers given them by the said recited Act of the Fifty-seventh Year of the Reign of His said late Majesty, make an Order for laying on, in addition to the Tolls then raisable under the said several hereinbefore first recited Acts, an additional Toll, amounting to One Fourth of the Amount of the Tolls which might be taken by virtue of the said Acts, or any of them; and did by an Indenture also, bearing Date the said Third Day of *November* One thousand eight hundred and twenty, charge the said Additional Toll with the Payment of the said Loan, or so much thereof as might from Time to Time remain due under the Proviso contained in the said hereinbefore recited Indenture of Mortgage of the Third Day of *November* One thousand eight hundred and twenty: And whereas the said Additional Toll so levied as aforesaid, under the Provisions of the said Act of the Fifty-seventh Year of the Reign of His said late Majesty, and according to the Terms of the Order so made as aforesaid for levying the same, is directed to be applied solely in the Repayment of the said Advance of Eight thousand Pounds, with Interest thereon; and that when and so soon as such Repayment shall be completed, all such Additional Toll shall cease and determine; but it is expedient that such Additional Toll, after the Payment of the said Sum of Eight thousand Pounds and Interest, should be continued in force in the Manner and for the Purposes hereinafter mentioned: And whereas by an Act made and passed in the First and Second Years of the Reign of his present Majesty King *George* the Fourth, intituled *An Act for further improving the Roads between London and Holyhead, by Coventry, Birmingham, and Shrewsbury*, after reciting the several Acts therein particularly mentioned; and also reciting, that it would be of great Public Benefit if the said Commissioners for the Issue of Exchequer Bills were authorized and empowered to advance to the Commissioners for executing an Act therein recited, (being an Act made and passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards repairing Roads between London and Holyhead, by Chester, and between London and Bangor, by Shrewsbury*;) a Sum of Money, in order that the Alterations and Improvements mentioned and specified in the Schedule marked A. to the Act now in recital annexed, might be made, and the said Money applied as therein is mentioned and directed; it was enacted, that it should and might be lawful to and for the said Commissioners for the Issue of Exchequer Bills, to advance to the said Commissioners for executing the said therein recited Act of the Fifty-fifth Year of the Reign of His said late Majesty King *George* the Third, the Sum of Thirty-one thousand Pounds, upon the Terms and Conditions therein mentioned: And whereas it is expedient that, in addition to the said Sum of Thirty-one thousand Pounds, the said Commissioners for the Issue of Exchequer Bills should advance to the said Commissioners for executing the said Act of the Fifty-fifth Year of His said late Majesty the Sum of Five thousand Pounds in Exchequer Bills, for the Purpose of being appropriated by the said last-mentioned Commissioners to the use of the said Trustees for executing the said several first hereinbefore

2 G. 4. c. 30.

55 G. 3. c. 152.

Exchequer
Bills Com-
missioners
may advance
5,000*l.*

recited Acts, in the Manner hereinafter mentioned : be it therefore enacted, That it shall and may be lawful to and for the said Commissioners for the Issue of Exchequer Bills, and they are hereby authorized and required, upon Application being made to them by the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, to advance to them, the said last-mentioned Commissioners, or as they may direct or appoint, any Sum or Sums of Money in Exchequer Bills, which may at the Time of such Application be subject to their Disposal and Controul as such Commissioners as aforesaid, not exceeding in the whole the Sum of Five thousand Pounds, upon the Security and on the Terms and Conditions hereafter mentioned.

Security to
be given for
the Advance.

XL. And be it further enacted, That upon the said Commissioners for the Issue of Exchequer Bills making such Advance to the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, the said last-mentioned Commissioners or a Quorum of them shall execute an Instrument in Writing in such Form as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint, in which Instrument the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, shall acknowledge the Receipt of the said Exchequer Bills, and shall undertake to apply the Produce thereof for the Improvement and Alteration of the Roads mentioned and referred to in the several first hereinbefore recited Acts ; and also to procure from the said Trustees for executing the said several first recited Acts, on the said Trustees receiving or having appropriated to their or any of their Use the said Sum of Five thousand Pounds, so to be advanced as aforesaid, and as a Security for the Repayment thereof and Interest at the Rate of Five Pounds *per Centum per Annum*, an Assignment or Charge upon the additional or increased Toll now levied by the said Trustees under the said Order for the Purpose of securing the due Payment of the said Sum of Eight thousand Pounds and Interest in Manner aforesaid, and which said additional or increased Toll the said Trustees are hereby authorized and required to continue as hereinafter mentioned, and the Expence of such Instrument from the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, and of the Assignment of the said additional Toll, shall be a Charge on the said last-mentioned Commissioners, and shall be allowed to them in Account accordingly ; and the said last-mentioned Commissioners or a Quorum of them shall further undertake with the said Commissioners for the Issue of Exchequer Bills, to pay to them the said last-mentioned Commissioners, or as they may direct, such Sum or Sums of Money as the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, shall at any Time hereafter receive on Account of the Repayment of the said Advance of Five thousand Pounds and Interest as aforesaid.

Additional
Toll to con-
tinue till the

XLI. And be it further enacted, That the said Trustees for executing the said several Acts first herein-before recited, or any Three or more

more of them, shall and they are hereby authorized and required, as soon as conveniently may be after the passing of this Act, to make an Order for the Purpose of continuing the additional Toll now levied and receivable for the Repayment of the said Sum of Eight thousand Pounds and Interest thereon, in Manner aforesaid, until as well the said Sum of Eight thousand Pounds, and all Interest due and to become due thereon, shall be paid as aforesaid, as the said Sum of Five thousand Pounds so to be advanced as aforesaid, and Interest as aforesaid, shall also be fully paid and satisfied, when such additional Toll shall cease and determine; and the said Trustees, or any Three or more of them, shall and they are hereby authorized and empowered, upon the Appropriation of the said Sum of Five thousand Pounds as aforesaid, and upon Application being made to them for that Purpose by the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His said late Majesty, to make and execute in such Manner and Form as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint, an Assignment or Charge on the said additional Toll, so to be continued in Manner aforesaid, for the Purpose of securing the Repayment of the Sum of Five thousand Pounds with Interest thereon at the Rate aforesaid, from the Date of the said Exchequer Bills respectively, subject nevertheless to the previous Payment of the said Sum of Eight thousand Pounds and Interest in Manner aforesaid; and in case the said Trustees shall refuse to make an Order for the Continuation of the said increased or additional Toll, or shall make Default in the Payment of the Produce thereof, of which they are hereby required to keep a separate and distinct Account, or shall lower the said additional Toll before the said Sum of Five thousand Pounds and Interest shall be fully paid off and discharged, it shall be lawful for the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, or for such Person or Persons as they may appoint, to enter upon and take Possession of the Toll Gates, Bars, and Toll Houses of the said Trustees, and to make an Order for the Continuance of such additional Toll, and to collect, receive, take, and recover the same to and for the Use of the said Commissioners for the Issue of Exchequer Bills as aforesaid, until the said principal Sum of Five thousand Pounds with Interest as aforesaid, and the Expences of such Seizure, shall be fully paid and satisfied: Provided nevertheless, that nothing in this Act contained shall extend or be construed to extend to invalidate, defeat, make void, or in any Manner affect the several Securities so given as aforesaid by the said Trustees for the said Sum of Eight thousand Pounds advanced to them by the said Commissioners for the Issue of Exchequer Bills as aforesaid; and that no Alterations shall be made in the Term of Repayment of the said Loan of Eight thousand Pounds and Interest, except with the Approbation and under the Direction of the said last-mentioned Commissioners; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Money advanced shall be repaid.

XLII. And be it further enacted, That in case this Act or any other Act of Parliament relating to the Roads hereby referred to shall expire, and shall not be renewed, whereby the Trusts herein mentioned

Commissioners may collect the Tolls for Repay-

ment of
Money ad-
vanced.

mentioned and specified shall be dissolved before the said Advance of Five thousand Pounds and Interest shall be repaid, it shall and may be lawful for the said Commissioners for executing the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, and they are hereby authorized and empowered to take Possession of the Toll Gates or Bars and Toll Houses on the Road or Roads in the said recited Acts and this Act mentioned and referred to, under the Powers and Provisions of such expired Act or Acts of Parliament, and to continue in Possession thereof, and to take, collect, demand, and recover all such Tolls as the said Trustees were, previously to the Expiration thereof, entitled to take, collect, demand, and recover; and all the Powers, Authorities, Provisions, Penalties, Forfeitures, and Remedies of such expired Act or Acts, shall continue and be in force and available in Law, as far as the same may be necessary and required, for enabling the said Commissioners for executing the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, to collect, demand, and recover the said last mentioned Tolls, and until the said principal Sum of Five thousand Pounds and Interest, so to be advanced as aforesaid, and the Expences of taking Possession of the said Toll Gates or Bars, and Toll Houses, and of collecting and receiving the said Tolls, shall be fully paid off and discharged: Provided always, that nothing herein contained shall extend or be construed to extend, to make liable the said Commissioners for executing the said recited Act of the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, to any Charges for the Repairs of any Road on which they shall collect and receive the Tolls.

Money arising from
Exchequer
Bills to be
applied in
the first
Place in Im-
provement
of Road by
Stow Hill.

XLIII. And be it further enacted, That the said Commissioners for executing the said Act of the Fifty-fifth Year of the Reign of His late Majesty shall in the first Place apply the Produce of the said Exchequer Bills hereby directed to be paid to them, in making an Improvement upon or near the said Road, commencing at *Weedon Bridge*, passing over *Stow Hill*, and from thence through the Fields to the Southward of the said Road at about Three hundred Yards Distance from the said Road, to a Public House called the *Angel Inn*, and in the next Place, to such further Improvements of the said Road as shall be agreed upon between the said Trustees and the said last-mentioned Commissioners; and also that the said last-mentioned Commissioners shall make, carry on, and complete the said Improvements under the Powers and Provisions of the said recited Act of the Fifty-fifth Year of the Reign of His said late Majesty, and the said Act of the First Year of the Reign of His present Majesty.

Trustees
may lend
Money on
the Credit of
the Tolls.

XLIV. And be it further enacted, That all and every Trustee or Trustees appointed by this Act, or who shall be hereafter appointed by virtue of any Power or Authority hereby given, shall and lawfully may, notwithstanding his or their being such Trustee or Trustees, advance and lend any Sum or Sums of Money, at Interest, on the Security of the said Tolls, in such Manner as any other Person or Persons not being a Trustee or Trustees may, can, or shall do by means or by virtue of this Act, and such Trustee or Trustees so

advancing or lending such Sum or Sums of Money, shall and lawfully may accept and take a Mortgage or Mortgages, Assignment or Assignments of the said Tolls, from Five or more of the said Trustees, as a Security or Securities for the said Sum or Sums of Money so to be by him or them advanced and lent, which Mortgage or Mortgages, Assignment or Assignments, being so executed by the said Trustees, shall be effectual and binding to all Intents and Purposes whatsoever, and the Trustee or Trustees so advancing and lending such Sum or Sums of Money, and accepting and taking such Security or Securities, shall by means and virtue thereof have and exercise such and the like Powers and Remedies for recovering and receiving the said Sum or Sums of Money and the Interest thereof, and of transferring and assigning of his or their Security or Securities, as any other Mortgagee of the said Tolls can, may, or shall have and take by virtue of this Act.

XLV. And be it further enacted, That if any Mortgagee or Mortgagees of the said Tolls, Toll Gates, Bars, Chains, Toll Houses, and Buildings, shall seek to obtain the Possession of the said Toll Gates, Bars, Chains, Toll Houses, and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Tolls and Premises, to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof shall not apply the Tolls which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Toll Gates, Buildings, and Premises, *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees.

An Action of Ejectment may be supported by One Mortgagee.

XLVI. And be it further enacted, That it shall not be lawful for the said Trustees to make, divert, turn, or alter any Part or Parts of the said Road beyond the Limits of One hundred Yards, without the Consent in Writing of the Owners or Proprietors of the Lands through which the same shall be carried.

Trustees not to widen Roads beyond a certain Extent.

XLVII. And be it enacted, That when any Part of the said Road shall have been diverted under the said before recited Acts or this Act, and a new Road made in lieu thereof, so as to render such Parts of the said old Road unnecessary, it shall be lawful for the said Trustees to sell and dispose of such Pieces or Parcels of old Road, and also such Pieces or Parcels of Ground purchased for such new Road as shall become unnecessary after the Completion of such new Road, not being Common or Waste Land, as aforesaid, either together or in Parcels, and either by Public Sale or Private Contract, as they shall think fit, and to convey the same for the best Price that can or may be reasonably had or gotten for the same, to such Person or Persons as shall be willing to contract for and purchase the same: Provided always, that the said Trustees before they shall sell and dispose of any Piece or Pieces of

Trustees empowered to sell overplus Grounds or old Road.

Where Pieces of Land are to be sold, Ground,

the First Offer to be made to the original or adjoining Proprietor.

In case the Persons cannot agree, the Value to be determined by a Jury.

For getting Materials.

Ground, or old Road as aforesaid, shall first offer such overplus Ground for Sale to the Person or Persons whose Lands shall adjoin thereto; and if such Person or Persons shall then and thereupon refuse, or shall not agree, except with respect to or on account of the Price thereof, to purchase the same on an Affidavit being made and sworn before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County in which such Piece or Pieces of Ground or old Road shall be situate, who are hereby respectively empowered to take such Affidavit, by some Person or Persons no way interested in the Premises, stating that such Offer was made by and on Behalf of such Trustees, and that such Offer was then and thereupon refused, or was not agreed to by the Person or Persons to whom the same was made, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was refused, or not agreed to by the Person or Persons to whom such Offer was made, (as the Case may be); and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of overplus Ground or old Road, and he, she, or they and the said Trustees shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury, in Manner in the said before recited Act of the Fifteenth Year of King *George* the Third directed with respect to disputed Value of Premises, to be taken and used in pursuance of the said Act; and the Expence of hearing and determining such Difference shall be borne and paid in Manner therein directed, with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales of such Pieces or Parcels of overplus Ground or old Road shall be applied by the said Trustees to the Purposes of the said Acts and this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Loss, Misapplication, or Non-application of such Money; and every Conveyance of such Piece or Pieces of overplus Ground, being executed by any Three or more of the said Trustees, shall be sufficient to convey the same to such Purchaser or respective Purchasers thereof, and the same shall be held by such Purchaser or Purchasers by or under the same Tenure as the same was held before the Purchase thereof, for the Purposes of the said Road, or as the same would or might have been held if this Act had not been passed; and all Conveyances of such Pieces of old Road being executed by any Three or more of the said Trustees shall be good and effectual in Law to all Intents and Purposes.

XLVIII. And be it further enacted, That it shall be lawful for the Surveyor and Surveyors, and such Person and Persons as he or they shall appoint, to dig, take, and carry away any Furze, Heath, Stone, Sand, Gravel, or other Materials proper or convenient for repairing the said Road, out of any Common or Waste, or Common River or Brook, (not being within the Distance of Thirty Yards from any Bridge, Dam, Weir, or Jetty,) in any Parish, Township, or Place within which the said Road, or any Part or Parts thereof respectively do lie; the said Surveyor and Surveyors filling up, fencing, or levelling all such Pits and Holes as shall be made or occasioned

occasioned by the digging for or taking any such Materials, and making such Allowance or Satisfaction to the Person or Persons through whose Lands or Private Ways such Materials shall be led and carried, for the Damages done and occasioned thereby, as the said Trustees shall think fit and reasonable; and in case such Materials cannot conveniently be gotten from such Wastes, Commons, Rivers, and Brooks as aforesaid, that then it shall be lawful for such Surveyor or Surveyors, by Order of any Two or more Justices of the Peace of the County or Place in which the Lands shall be situated, to dig for and take away the like Materials out of the Private Grounds of any Person or Persons (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to any House or inclosed Ground planted, set apart, or used as a Nursery for Trees,) where such Materials are and may be found, in any Parish, Township, or Place, in which any Part of the said Road shall lie or be situate, and from Time to Time to carry away such Materials respectively as the said Surveyor or Surveyors shall judge necessary for repairing and amending the said Road as aforesaid, paying such Recompence for such Materials and for the Damage done to the Owners and Occupiers of the respective Grounds, where, through, and from whence the same shall be digged and carried away as the said Trustees shall judge reasonable; and in case of any Difference between such Owners and Occupiers, or any of them, and the said Trustees, touching the Payment for such Materials or the Damages aforesaid, any Two or more Justices of the Peace for the County or Place wherein the Lands lie from which such Materials shall be taken, or over or through which the same shall have been led or carried, on Ten Days Notice being given by either Party to the other in Writing shall and may hear, settle, and finally determine the Matter of such Payments and Damages, and award such Costs to be paid by either Party as they shall think fit and expedient.

XLIX. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons acting under the Authority of the said Acts or this Act, to dig, gather, get, take, or carry away any Materials for making or repairing the said Road out of or from any inclosed Land or Ground, until Notice in Writing signed by the Surveyor shall have been given to the Owner or Owners of the Premises from which such Materials are intended to be taken, or his, her, or their known Agent, or to the Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any Two or more Justices of the Peace acting in and for the County, Liberty, or Place where the Lands from whence such Materials are intended to be taken shall lie, to shew cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, get, gather, take, and carry away such Stones, Gravel, or other Materials at such Time or Times as to such Justices shall seem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, the said

Notice to be given before Materials taken from Private Lands.

said Trustees shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby empowered to administer) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his or her Agent had attended.

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

L. And be it further enacted; That if any Person shall take away any Materials which shall have been dug or gathered in any Land, Field, Waste Ground, 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 Surveyors or other Workmen shall have discontinued working therein for the Space of Three Calendar Months, (except the Owner or Occupier of any Private Ground, and Persons authorized by such Owner or Occupier to get the like or other Materials therein for his or her 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.

Penalty for erecting Encroachments on the Side of the Road.

LI. And be it further enacted; That if any Person shall encroach upon the said Road by making or causing to be made any Dwelling House, or other Building, Hedge, Ditch, or other Fence, (except Turnpike Houses, or other Buildings erected by order of the said Trustees,) any Person or Persons so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to such Persons as shall give Information of the same; and it shall and may be lawful for any one or more Justice or Justices of the Peace in and for the County, Liberty, or Place where the Premises shall be situated, upon Proof thereof to him or them made upon Oath, (which Oath any such Justice or Justices is and are hereby empowered to administer,) to levy as well the Expences of taking down such Dwelling Houses, Buildings, Hedges, and Fences, and filling up of the Ditches aforesaid, as the Penalty hereby imposed, by Distress and Sale of the Offenders Goods and Chattels, rendering the Overplus (if any) to the Owner or Owners on Demand.

Cattle straying on the Road to be impounded.

LII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors of the said Trustees for the Time being, or any other Person or Persons whomsoever, to impound in the Common Pound or such other Place as the said Trustees shall appoint for that Purpose, any Horse or Horses, Swine or other Beasts or Cattle, found wandering or straying about the said Road, or that shall be feeding or grazing on the Banks on the Sides of the said Road (except on such Parts of the said Road as lead or pass through or over any Common or uninclosed Lands) whether attended by any Person or Persons or not to take care of such Horse or Horses, Swine, Beasts, or other Cattle, and to detain the same in the said Pound or other Place until the Owner or Owners thereof shall for every such Horse, Swine, or other Beast or Cattle so impounded pay the Sum of One Shilling to the Person so impounding the same, together with the reasonable Charges and Expences of impounding and keeping the

the same shall be fully paid, and satisfied; and if in any such Case such Penalty and Expences shall not be paid within Four Days after such Horse or Horses, Swine or other Beasts or Cattle shall be impounded; it shall be lawful for such Person or Persons as shall be appointed by the said Trustees, to sell or cause the same to be sold, and the Costs and Charges of impounding and keeping the same in Pound and selling the same; and the said Penalty shall be deducted thereout, and the Overplus (if any), Demand thereof being made, shall be paid to the Owner or Owners thereof: Provided always, that nothing herein contained shall extend to prevent the Owners of or Persons entitled to the Soil or Herbage of any of the said Banks on the Sides of the said Road from feeding the same with their own Cattle, having some Person or Persons to attend such Cattle while feeding.

LIII. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other Live Stock or Cattle, which shall be seized for the Purpose of being impounded under the Authority of the said Acts or this Act; or shall release or attempt to release any Horse, Cow, Ass, Swine, or other Live Stock or Cattle which shall be impounded under the Authority thereof, from the Pound or Place where the same shall be so impounded; or shall pull down, damage, or destroy the same Pound or Place, or any Part or Parts thereof; or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release or attempt to rescue or release any Distress or Levy which shall be made under the Authority of the said Acts or this Act, until or before such Cow, Horse, Ass, Swine, or other Live Stock or Cattle seized or so impounded, or such Distress or Levy so made shall be discharged by due Course of Law, every Person so offending shall upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County or Place where the Offence shall have been committed, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, (and which Oath the said Justice is hereby authorized and empowered to administer,) be committed by such Justice by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the County or Place wherein the said Offence shall have been committed, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Punishment
of Persons
guilty of
Pound
Breach.

LIV. And be it further enacted, That it shall be lawful for the said Trustees, or their Surveyor or Surveyors, and such Person or Persons as they or he shall appoint from Time to Time, to remove and prevent all Annoyances by Timber, Stone, Carriages, Hovels, Lime, Mortar, Filth, Dung, Ashes, Rubbish, Straw, or other Things, being laid on any Part of the said Road, or upon Open Common or Waste Land, within Fifteen Feet of the Centre thereof, and to dispose of the same for the Benefit of the said Road, in case the Owners thereof shall neglect to remove the same for the Space of Ten Days after Notice in Writing signed by the Surveyor of the said Road given to such Owners for that Purpose; or in case the Owners are not known after a like Notice affixed for Ten Days on the

For the re-
moving other
Annoyances
and Nui-
sances.

[Local.]

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nearest

nearest Turnpike Gate; and it shall and may be lawful to and for the said Trustees, or their Surveyor, or such Person or Persons as he or they shall appoint, from Time to Time, to turn any Watercourses, 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 Watercourse or Ditches adjoining or near thereto, and to make the same as deep and large as he or they shall think necessary; and at proper Seasons of the Year to cut down or lop any Branches, Shrubs, or Bushes growing on or over the said Road, or in the Hedges or Banks adjacent thereto respectively, (not being a Garden, Orchard, Plantation, Walk, or Avenue to a House, or any Tree being an Ornament or Shelter to a House,) and to take and carry away the same, and to cut and reduce all such Hedges to the Height of Five Feet, in case the Owners or Occupiers of the Premises shall, for the Space of Seven Days next after Notice in Writing given for that Purpose by such Surveyor or Surveyors, neglect to lop, cut down, or remove such Branches, Shrubs, or Bushes, or to cut and reduce such Hedges, or to open, scour, cleanse, widen, or deepen such Watercourses or Ditches, or remove such other Annoyances, in such Manner as the said Trustees or their said Surveyor or Surveyors shall require; the Charges whereof to be settled by any Justice or Justices of the Peace of the County, Liberty, or Place where the same shall happen, shall be reimbursed to such Surveyor or Surveyors by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures imposed by this Act are hereinafter directed to be recovered and applied; and if, after the Removal of any of the said Annoyances, any Person shall again offend in like Manner, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Gates not to open or swing into the Road.

LV. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatever now standing or hereafter to be made, shall remain placed, or be placed so as to open or swing into or towards any Part of the said Road, except the respective Hanging Posts thereof shall be so far removed from the Centre of the said Road as that no Part of such Gate respectively when opened shall swing or hang over any Part of the said Road or any Footpath belonging thereto, and the Occupier and Occupiers of every Park, Paddock, Field, or Inclosure having any Gate opening outwards contrary to the Meaning of this Act shall within Ten Days after Notice to him, her, or them given, either personally or in Writing, by or from any Surveyor of the said Road, cause such Gate to be hung in such a Manner as that no Part of the Gate when open shall project over any Part of the said Road, or any Footpath belonging thereto; and in case of the Neglect or Default of any such Occupier or Occupiers then the Surveyor of the said Road shall and may and he is hereby authorized to cause the Gate and Hanging Posts to be removed and to be placed and hung according to the Directions of this Act; and the Person or Persons guilty of such Neglect or Default shall upon Complaint made to any Justice or Justices of the Peace for the County or Place wherein such Gate shall be situate, and upon Conviction on the Oath of

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One credible Witness of the giving of such Notice and of such Neglect or Default, pay to such Surveyor such Sum as the said Justice or Justices shall direct to defray the Expence of making the Alteration and hanging such Gate; and shall also forfeit and pay a further Sum not exceeding Forty Shillings for his, her, or their Neglect or Default therein, to be fixed by and at the Discretion of the Justice or Justices before whom such Conviction shall be made; and such Penalty shall be recovered, levied, apportioned, applied, and disposed of in Manner hereinafter provided for the Recovery and Application of Penalties and Forfeitures.

LVI. And be it further enacted, That if any Person or Persons shall leave or suffer any Horse, Cattle, Sheep, Pig, or Beast to graze or be and remain loose on the said Road, or any Footway or Path on the Side or Sides thereof, or if any Person shall ride upon any Footway, Causeway, or Path formed upon or on the Side of or belonging to the said Road, or shall drive any Horse, Beast, Cattle, or Swine, or any Carriage upon or cause any Damage to be done to any Footway, Causeway, or Path; or if any Person shall hale or draw or cause to be haled or drawn upon any Part of the said Road any Timber, Stone, or other Thing (otherwise than upon Wheeled Carriages), or shall suffer any Timber, Stone, or other Thing which shall be carried upon Wheeled Carriages to drag upon the said Road to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Road shall suffer them to root up or damage the same, or the Hedges or Fences on either Side thereof; or if any Person driving any Waggon, Wain, Cart, or other Carriage shall ride on the Shafts or other Part of such Waggon, Wain, Cart, or other Carriage, or on any of the Horses drawing the same; or if any Person driving or having the Care of any Coach, Chaise, or other such like Carriage upon the said Road shall drive the same without holding the Reins; or if any Person driving or having the Care of any Carriage whatsoever, and meeting another Carriage shall not keep his Carriage on the left or near Side of the said Road, and also keep on the same Side himself or herself; or if any Person shall in any other Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care upon the said Road; or if any Person shall make or assist in making any Fire or Fires, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or Fire-work whatsoever, within Eighty Feet of the Centre thereof, or play at Football or any other Game or Games on the said Road or on any Part or Parts thereof, or on any Footway or Path belonging thereto, to the Annoyance of any Passenger or Passengers; or if any Person or Persons shall leave any Waggon, Wain, Cart, or other Carriage (except in Cases of Accident) upon or on the Side of the said Road, without a proper Person in the Custody or Care thereof, longer than may be necessary to load or unload the same, or shall not place the same during the Time of loading or unloading thereof as near to the Side of the said Road as conveniently may be, either with or without any Horse or other Beast of Draught harnessed or yoked thereto; or if any Person after having blocked any Waggon, Wain, Cart, or other Carriage whatsoever, in going up any Hill or rising

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rising Ground, shall leave on the said Road the Stone or other Matter or Thing used in such blocking, or shall scrape off any Soil or other Thing from the said Road or the Side or Sides thereof, or shall take up or carry away any Scrapings thereof, without leave of the said Trustees, or any Three or more of them, or their Surveyor, or the Surveyor or Surveyors of the Highways; or if any Person shall lay any Timber, Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever upon the said Road or on the Side or Sides thereof, to the Prejudice, Annoyance, or Interruption of any Person or Persons passing or travelling thereon; or if any Person shall in or upon any Part of the same Road or by the Side or Sides thereof, or in any exposed Situation near thereto, kill, slaughter, singe, scald, burn, or dress or cut up any Beast, Swine, Calf, Lamb, or other Cattle; or if any Person driving any Horse or other Beast on the said Road, carrying Iron in Bars or Rods, or any other Matter or Thing, shall place such Bars or Rods, Matter or Thing, so that the same shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the Passage of any Person or any Horse, Beast or Carriage travelling along the said Road; or if any Hawker, Higgler, Gipse, or other Person or Persons travelling with any Machine, Vehicle, Cart, or other Carriage, with or without any Horse, Mule, or Ass, shall pitch any Tent or encamp upon or by the Sides of any Part of the said Road; or if any Blacksmith or other Person occupying a Blacksmith's Shop situate near the said Road and having a Window or Windows fronting the said Road, shall not by good and close Shutters, every Evening after it becomes Twilight, bar and prevent the Light from such Shop shining into or upon the said Road; every Person so offending in any or either of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in like Manner as any other Penalty is directed to be levied and recovered by this Act.

Trustees
may contract
for repair-
ing the
Road.

LVII. And be it further enacted, That the said Trustees 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, or amending the said Road or any Part or Parts thereof, or for the erecting of any Building under the Powers of the said Acts and this Act, or for doing any other Work to be performed in the Execution of the said Acts and this Act, in such Manner and for such Sum or Sums of Money as the said Trustees 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, shall be binding on the said Trustees and their Successors, and on all other Parties who shall sign the same, and the Executors and Administrators of such other Parties; 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.

In case of
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ment of

LVIII. Provided always, and be it further enacted, Than when and as often as any Sum or Sums of Money shall be directed or ordered

ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said Acts or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees, to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels, vested in the said Trustees by virtue of the said Acts or this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace; which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees or to their Treasurer for the Time being, as the Case may be.

Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of Goods of such Trustees or their Treasurer.

LIX. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby or by the said Acts or either of them inflicted or authorized to be imposed, (if the Manner of levying and recovering thereof be not otherwise directed,) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County or Place where the Offence shall be committed, either by the Confession of the Party or Parties offending, or by the Oath of One or more credible Witness 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 the Distress and Sale are recovered and deducted, shall be returned upon Demand to 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 One Moiety thereof to the Informer, and the other Moiety thereof to the Treasurer or Clerk to the said Trustees, to be applied to the Purposes of this Act; and in case such Penalties, Forfeitures, and Fines shall not be forthwith paid upon Conviction, then it shall and may be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody until Return can conveniently be

Penalties and Forfeitures, how to be recovered and applied.

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made to such Warrant of Distress, unless the same Offender or Offenders shall give a sufficient Security, to the Satisfaction of such Justice, for his, her, or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant of Distress, not being more than Four Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had thereupon, then such Offender or Offenders shall be committed by such Justice to the Common Gaol or House of Correction for such County or Place, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, as such Justice shall fix and appoint, unless such Penalties, Forfeitures, or Fines, and all reasonable Charges, shall be sooner paid and satisfied.

For securing
transient
Offenders.

LX. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than the said Acts and this Act to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, Surveyors, or other Officers,) who shall commit any Offence or Offences against the said Acts and this Act, and take him, her, or them before any Justice or Justices of the Peace for the County or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended; and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of the said Acts and this Act.

Limitation
of Actions.

LXI. 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 the said Acts or this Act, until Fourteen Days Notice thereof shall be given to the Clerk to the said Trustees, nor after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed; and every Action or Suit shall be laid, brought, and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may, at his or their Election, plead specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Fourteen Days Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or shall be brought after the Time limited for bringing the same as aforesaid, or 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

General
Issue.

if

if upon Demurrer Judgment 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 by Law.

LXII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for any Money which shall be advanced for defraying such Expences, shall be paid out of any Money now remaining in the Hands of the Treasurer to the said Trustees, or out of the First Money to arise by virtue of the said Acts and this Act.

LXIII. 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.

LXIV. And be it further enacted, That the Term granted and continued by the said recited Acts shall upon the Twenty-fourth Day of *June* One thousand eight hundred and twenty-two cease and determine, and that the said Acts and this Act shall from thenceforth continue and be in force and be executed 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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