ANNO QUINQUAGESIMO NONO

GEORGII III. REGIS.

Cap. ci.

An Act for enlarging the Term and Powers of Two Acts, passed in the Seventeenth and Thirty-sixth Years of His present Majesty, for repairing the Road from *Bedford* to *Woburn*, and also the Road branching out of the same in *Kempston Field*, in the County of *Bedford*. [14th *June* 1819.]

WHEREAS an Act was passed in the Seventeenth Year of the Reign of His present Majesty, intituled *An Act for repairing and widening the Road from* Stall Gate Close, *at the South-west End of the Town of* Bedford, *to the Town of* Ampthill, *and from the said Town of* Ampthill *to* Woburn Park, *in the County of* Bedford; *and also the Road branching out of the same in* Kempston Field, *to the Turnpike Road leading from* Hitchin *to the said Town of* Bedford; whereby several Tolls and Duties were granted, and divers Powers and Authorities given for repairing the said Roads: And whereas an Act was passed in the Thirty-sixth Year of the Reign of His present Majesty, intituled *An Act to continue the Term, and alter and enlarge the Powers of an Act, passed in the Seventeenth Year of the Reign of His present Majesty, intituled* 'An Act for repairing and widening the Road from Stall Gate Close at the South-west End of the Town of Bedford, to the Town of Ampthill, and from the said Town of Ampthill to Woburn Park, in the County of Bedford; and also the Road branching out of the same in Kempston Field to the Turnpike Road leading from Hitchin to the said Town of Bedford,' except so far as

17 G. 3. c. 93.

36 G. 3. c. 151.

as the ſame relates to the Road leading from the South End of Ridgemont *Town to the Entrance of* Woburn Park, *at a Place called the* Red Lodges; *and for making and maintaining a Road from the South End of* Ridgemont *Town aforeſaid, through* Huſborn Crawley, *to the North End of the Town of* Woburn; *and for diſcontinuing the ſaid Part of the ſaid Road leading from the South End of* Ridgemont *to the* Red Lodges *aforeſaid; and alſo for diſcontinuing the Highway from thence through the ſaid Park to where it joins the Road leading from* Woburn *to* Everſholt, *all in the ſaid County of* Bedford: And whereas conſiderable Sums of Money have been borrowed upon the Credit of the Tolls authorized by the ſaid recited Acts to be taken upon the ſaid Roads, which ſtill remain due thereupon, and the ſame cannot be paid, nor can the ſaid Roads be effectually amended and kept in Repair unleſs the Term of the ſaid Acts be further continued and ſome of the Powers thereof altered and enlarged: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and all and every the Powers and Authorities, Privileges, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained (except ſuch of them as are varied, altered, or repealed), ſhall be and continue in full force and effect, and be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purpoſes as if the ſame were repeated and re-enacted in the Body of this Act; but ſubject nevertheleſs to the Alterations and Amendments herein contained.

Acts further continued.

Qualifications of Truſtees by former Act repealed, and others appointed.

II. And be it further enacted, That ſo much of the ſaid Act paſſed in the Seventeenth Year of the Reign of His preſent Majeſty, as relates to the Qualification of Truſtees acting for the ſaid Roads, ſhall be and is hereby repealed; and from and after the paſſing of this Act, no Perſon ſhall be capable of acting as a Truſtee in the Execution of the ſaid recited Act and this Act, for the ſaid Roads, 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 Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes; or ſhall be Heir Apparent of a Perſon having ſuch Eſtate of the clear yearly Value of One hundred and fifty Pounds; or be poſſeſſed of a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Amount of Four thouſand Pounds; nor (except in adminiſtering the Oath or Affirmation herein-after mentioned), until he ſhall have taken and ſubſcribed before One or more of the ſaid Truſtees an Oath, or (being one of the People called *Quakers*) an Affirmation, in the Words or to the Effect following; (that is to ſay),

'I *A. B.* do ſwear, [*or*, being one of the People called *Quakers*, do ſolemnly affirm], That I am truly and *bonâ fide* in my own Right, or in the Right of my Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes; [*or*, am the Heir Apparent of *A. B.* who to the beſt of my Knowledge is entitled to a Real Eſtate of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred and fifty Pounds above Reprizes,

'[*or*, that I am poſſeſſed of a Perſonal Eſtate alone, [*or*, of a Real and 'Perſonal Eſtate together, of the Amount or Value of Four thouſand 'Pounds.] So help me GOD.'

And if any Perſon not being qualified as above mentioned ſhall nevertheleſs preſume to act contrary to the true Intent and Meaning 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 by Action of Debt, or on the Caſe, or by Bill, Suit, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoign, Protection, or Wager of Law, nor more than One Imparlance ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is ſo qualified or otherwiſe ſhall pay the ſaid Penalty without any other Proof or Evidence on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of the ſaid recited Acts and this Act; provided nevertheleſs, that all the Acts and Proceedings of any ſuch Perſon as a Truſtee in the Execution of the ſaid recited 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.

Juſtices of the Peace may act as Truſtees.

III. And be it further enacted, That all Perſons acting as Juſtices of the Peace for the ſaid County of *Bedford* ſhall be and are hereby added to and joined with the ſurviving and remaining Truſtees appointed by or in purſuance of the ſaid recited Acts for putting the ſaid recited Acts into Execution, and ſhall have the like Powers for that Purpoſe as if they had been named and appointed Truſtees in or by virtue of the ſaid recited Acts, or either of them.

All Acts may be done by Five Truſtees.

IV. And be it further enacted, That all Acts, Matters, and Things authorized to be done and executed by the Truſtees nominated and appointed by or by virtue of the ſaid recited Acts and this Act, or any of them, ſhall and may be done and executed by the Majority of the Truſtees who ſhall be preſent at the reſpective Meetings, the whole Number preſent not being leſs than Five; and all Acts, Matters, and Things done and executed by the major Part of ſuch Truſtees ſo preſent, ſhall be as good, valid, and effectual as if the ſame had been done and executed by all the Truſtees named or appointed by this Act or the ſaid recited Acts.

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

V. And be it further enacted, That the ſaid Truſtees may ſue or be ſued for or concerning any thing to be done by virtue or in purſuance of the ſaid recited Acts and this Act in the Name of their Clerk or Treaſurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees in the Name of their Clerk or Treaſurer ſhall abate or be diſcontinued by the Death, Incapacity, or Removal of any ſuch Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees, or any Five or more of them, but that the Clerk or Treaſurer for the Time being to the ſaid Truſtees ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be), in every ſuch Action or Suit: Provided always, that ſuch Clerk or Treaſurer, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of the ſaid recited Acts or this Act, ſhall be fully reimburſed and paid, out of the Monies ariſing by virtue of the ſaid recited Acts and this Act, all the Coſts,

Coſts, Charges, Damages, and Expences, which by the Event or in conſequence of any ſuch Action or Proceeding, he ſhall bear, pay, expend, or be put unto, or become chargeable with, by reaſon of their or his being made Plaintiff or Defendant as aforeſaid.

Same Perſon not to be Clerk and Treaſurer.

VI. Provided always, and be it further enacted, That it ſhall not be lawful for the ſaid Truſtees to continue or appoint the ſame Perſon who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any ſuch Clerk, the Treaſurer for the Purpoſes of the ſaid recited Acts and this Act, or to continue or appoint the Perſon who has been or may be appointed Treaſurer, or the Partner of any ſuch Treaſurer, the Clerk to the ſaid Truſtees for executing the ſaid recited Acts and this Act; and if any Perſon ſhall act in both the Capacities of Clerk and Treaſurer for the Purpoſes of the ſaid recited Acts and this Act, or if any Perſon being the Partner of any ſuch Clerk ſhall act as Treaſurer, or being the Partner of ſuch Treaſurer ſhall act as Clerk in the Execution of the ſaid recited Acts and this Act, 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 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, nor more than One Imparlance, ſhall be allowed.

Accounts to be open to the Inſpection of Truſtees and Creditors.

VII. 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 recited Acts and this Act, to order and direct a Book or Books to be provided and kept by the Clerk of the ſaid Truſtees 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 Roads, and of the ſeveral Articles, Matters, and Things for which ſuch Sums of Money ſhall have been diſburſed, laid out, and paid; which Book or Books ſhall at all ſeaſonable Times be open to the Inſpection of the ſaid Truſtees, or any of them, and any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the ſaid Truſtees and Creditors reſpectively, or any of them, ſhall and 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 Clerk, or any Perſon who ſhall have the Care and Cuſtody of the ſaid Book or Books, ſhall refuſe or neglect, on Demand, to permit ſuch Truſtees or Creditors, or any of them, to inſpect the ſame, or to take ſuch Copies or Extracts as aforeſaid, the Clerk or Perſon ſo offending ſhall forfeit and pay any Sum of Money not exceeding Five Pounds.

To repeal ſo much of former Act as empowers Truſtees to adminiſter Oaths on verifying Officer's Accounts.

VIII. And be it further enacted, That ſo much of the ſaid Act paſſed in the Seventeenth Year of the Reign of His preſent Majeſty as authorizes the Truſtees, or any of them, to adminiſter an Oath to any Officer or Perſon, 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 or Offices, ſhall be and the ſame is hereby repealed.

IX. Pro-

Limitation of Tolls.

IX. Provided always, and be it further enacted, That the Tolls granted and continued by the ſaid recited Acts and this Act ſhall not be demanded or taken at more than Two Toll Gates in any one Day, from any Perſon or Perſons, for or in reſpect of the ſame Horſes, Cattle, Sheep, Beaſt, or Carriage, upon the ſaid Roads, ſuch Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next ſucceeding Night.

Tickets to ſpecify the particular Gates to be freed thereby.

X. And be it further enacted, That the ſeveral Collectors of the Tolls granted by the ſaid recited Acts ſhall, on Receipt of ſuch Tolls as aforeſaid, deliver to the Perſon or Perſons paying the ſame, a Ticket or Tickets denoting ſuch Payment, and ſpecifying and naming therein the Gate or Gates to be freed from Toll by ſuch Payment.

Diſputes about Tolls to be ſettled by a Juſtice.

XI. And be it further enacted, That if any Diſputes ſhall happen about the Amount of the Tolls, or the Charges of making, keeping, or ſelling any Diſtreſs which ſhall be made by virtue of the ſaid recited Acts or of this Act, it ſhall and may be lawful for the Collector, or the Perſon ſo diſtraining, to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof, (as the Caſe may happen,) until the Amount of the Tolls due, and the Charges of the Diſtreſs and Sale, and of keeping the Diſtreſs, be aſcertained by ſome Juſtice of the Peace for the ſaid County of *Bedford*, who upon Application made to him for that Purpoſe ſhall examine the Matter on the Oath of the Parties or other Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby authorized to adminiſter), and ſhall determine the Amount of the Tolls due, and ſhall award ſuch Coſts and Charges to either Party, as to the ſaid Juſtice ſhall appear right and proper, all which Coſts and Charges ſhall and may be levied and recovered, in caſe of Non-payment thereof forthwith, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) upon Demand, after deducting the Coſts and Charges of making ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold.

Regulations as to Toll Collectors.

XII. 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, to collect the Tolls payable at any Turnpike Gate to be continued or erected by virtue of the ſaid recited Acts and this Act, ſhall and he or ſhe is hereby required to place his or her Chriſtian and Surname, painted on a Board in legible Characters, in the Front or in ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately on his or her beginning to collect ſuch Toll, or coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length, and of a Breadth in proportion, and painted in Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he or ſhe ſhall collect ſuch Toll, 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 Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in anywiſe hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any

of them, or ſhall in anſwer to ſuch 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 Toll Gate or Toll Gates freed by ſuch Payment, or ſhall unneceſſarily detain any Paſſenger or Paſſengers, or Traveller or Travellers, or ſhall make uſe of any ſcurrilous or abuſive Language to any Paſſenger or Traveller, then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge.

For obtaining Poſſeſſion of Toll Houſes.

XIII. And be it further enacted, That if the Leſſee or Leſſees of any of the Tolls by the ſaid recited Acts granted, or any Perſon or Perſons claiming under him or them, ſhall at any Time after the Expiration of the Term for which ſuch Tolls ſhall be leaſed, or for the Space of Fourteen Days after the Leaſes of ſuch Tolls have expired, or been declared void as aforeſaid, refuſe to deliver up the Poſſeſſion of the Toll Houſe or Toll Houſes, Buildings, and Premiſes which ſhall have been demiſed to him or them, with the Tolls ſo leaſed, it ſhall be lawful for any Juſtice of the Peace for the County or Place where ſuch Toll Houſe or Toll Houſes, Buildings, and Premiſes ſhall be ſituate reſpectively, by Warrant under his Hand and Seal, to order the Conſtables or other Peace Officers of the Pariſh or Place where ſuch Toll Houſe or Toll Houſes ſhall be ſituate, or any other Perſon or Perſons to whom ſuch Warrant ſhall be ſpecially directed, with proper Aſſiſtants, to enter ſuch Toll Houſe or Toll Houſes, Buildings, and Premiſes reſpectively, in the Day-time, and to remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods and Chattels, out of ſuch Toll Houſe or Toll Houſes, Buildings, and Premiſes, and to put any Perſon or Perſons whom the ſaid Truſtees ſhall think fit in Poſſeſſion of the ſaid Toll Houſe or Toll Houſes, Buildings, and Premiſes, ſo that the Tolls payable thereout may from thenceforth be received and taken for the Uſe of the ſaid Truſtees.

Exemptions from Tolls.

XIV. And be it further enacted, That all and every Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid Acts ſhall ceaſe, and that in lieu thereof the ſeveral Exemptions from Tolls herein-after mentioned ſhall be allowed; that is to ſay, that no Toll ſhall be demanded or taken for any Horſe or Carriage paſſing through any of the Turnpikes or Toll Gates erected or to be erected upon or on the Sides of the ſaid Roads, when employed in carrying or conveying Stone, Bricks, Timber, Wood, Heath, Gravel, or other Materials to be uſed in or about the ſaid Road, or any of the Highways in the Pariſhes, Townſhips, Diſtricts, or Places which are liable to perform Statute Duty upon the ſaid Roads, or returning empty when ſo employed, or when employed in carrying or conveying Hay, Corn in the Straw, or other Produce of Lands, not ſold or diſpoſed of, nor going to be ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Yards, or Lands of the Owners thereof, or any Ploughs, Harrows, or other Implements of Huſbandry to be uſed in the Cultivation of Lands, or any Dung, Compoſt, or other Manure (except Lime or Limeſtone), to be uſed or laid upon Lands, or returning empty when ſo employed; nor for any Horſes, Mules, Aſſes, or Cattle going to or returning from Work, in cultivating the Lands within the ſame Pariſhes, Townſhips, Diſtricts, or Places, or any of them; nor for any Horſes, Mules, Aſſes, Cattle, Sheep, Lambs, or

Hogs going to or returning from Paſture on the Commons or other grazing Grounds; or Watering Places, or Blackſmith's Shops to be ſhoed or farried, or having been ſhoed or farried; nor for any Horſe or other Beaſt of Draught, or Carriage, employed in carrying or conveying any Furze, Peats, Turf, or Heath for Fuel, or returning empty having been ſo employed; nor for any Waggons, Carts, or Carriages going empty to the Town of *Bedford* over Night for Coals, or any other Loading, the Owner or Driver of ſuch Waggon, Cart, or Carriage producing a Note or Ticket, ſignifying that ſuch Toll or Duty was paid for ſuch Waggon, Cart, or Carriage the Night before; nor ſhall any Toll be paid by any Rector, Vicar, or Curate, going to officiate or returning from officiating at any Church, Chapel, or other Place of Religious Worſhip, or when viſiting his ſick Pariſhioners, or upon any other parochial or miniſterial Duty; or by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts, or Places, who ſhall paſs through the ſaid Turnpikes or Toll Gates to or from his, her, or their proper parochial Church or Chapel, or from any Perſon or Perſons going to or returning from his, her, or their uſual Place of Religious Worſhip tolerated by Law, or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts, or Places; nor for any Horſes or Carriages of whatſoever Deſcription, employed or to be 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 the ſame, or on returning from conveying the ſame; or for any Horſe or Carriage belonging to His Majeſty or any of the Royal Family, or any Horſe or Carriage attending His Majeſty or any of the Royal Family; or for the Horſes of Soldiers on March or on Duty, or Carriages or Horſes or other Beaſts employed in carrying the Arms or Baggage of any ſuch Soldiers; or for any Horſe, Cattle, or Beaſt 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 that ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemption; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Carriage, Horſe, or other Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; nor for any Horſe, Cattle, Beaſt, or Carriage carrying or conveying any Perſon or Perſons going to vote, or returning from voting at any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Bedford*, on the Day or Days of any ſuch Election, or on the Day before or Day after any ſuch Election ſhall begin and be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled thereto, or ſhall make uſe of any Fraud whatſoever whereby the Payment of the ſaid Tolls, or any Part thereof, ſhall be evaded, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay a Sum not exceeding Five Pounds.

XV. And

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

XV. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any Waggon, Wain, Cart, or other Carriage be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage; any thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Acts contained to the contrary notwithstanding.

Power to declare Leases, &c. of Tolls void, on Non-payment of Rent.

XVI. And be it further enacted, That if upon or after any letting or Agreement for letting the said Tolls, or any Part thereof, any Default shall be made in Payment of the Rent or Rents agreed to be paid for the same, or any Part thereof, on the Days appointed for Payment thereof, then and in such Case the said Trustees shall and may and they are hereby empowered, at any Meeting (after Notice of the holding of such Meeting shall have been given to the Lessee or Lessees, or left for him at any of the Toll Houses on the said Roads, and shall have been also affixed upon all the Turnpike Gates or Gate Posts then erected or standing upon or across the said Roads, Twenty-one Days at least previous to the holding of such Meeting), to declare any Lease of the said Tolls, or any Contract or Agreement for letting the same, to be void, and such Lease, Contract, or Agreement shall be thereupon void, to all Intents and Purposes, from the Time of such Declaration; but the said Lessee or Lessees, or his or their Surety or Sureties, shall nevertheless be liable for all Rent and Arrears of Rent then due and owing upon or by virtue of any such Lease, Contract, or Agreement, and for all Costs, Charges, Damages, and Expences which the said Trustees, or their Treasurer or Clerk for the Time being, shall or may pay, sustain, or be put unto by reason of the Non-performance of any Covenant or Agreement, Covenants or Agreements, to be contained in any such Lease, Contract, or Agreement, on the Part of such Lessee or Lessees.

Powers of 55G.3. c.119. extended to this Act.

XVII. Provided always, and be it further enacted, That all Waggons, Wains, Carts, and other Carriages, having the Wheels of the Width and Description, and their Axletrees fixed as directed by an Act passed in the Fifty-fifth Year of the Reign of His present 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*, and the Horses and other Beasts drawing the same, shall have and be entitled to the several Privileges and Exemptions granted by the said Act.

Not to deviate more than 100 Yards from the present Line of Road.

XVIII. Provided always, and it is hereby enacted, That nothing in the said recited Acts or this Act contained shall authorize the said Trustees, or any of them, to alter the Line or Direction of the Roads comprised in the said recited Acts and this Act, so as to deviate more than One hundred Yards

Yards from the preſent Line or Direction of ſuch Road, without the previous Conſent in Writing of the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, who ſhall for the Time being be ſeiſed or poſſeſſed of the Lands or Tenements through which ſuch Deviation ſhall be made.

Surveyor to get Materials for the Roads.

XIX. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Roads for the Time being appointed by the ſaid Truſtees, and ſuch other Perſon or Perſons as ſhall be employed by ſuch Surveyor or Surveyors, to gather, dig, take, and carry away any Stones, Gravel, Sand, or other Materials proper for the repairing of the ſaid Roads, out of and from any Commons or Waſte Grounds, common Rivers and Brooks, in any Pariſh, Townſhip, or Place in or through which the ſaid Roads lie or paſs, or any adjoining Pariſh, Townſhip, or Place, without paying any thing for the ſame, ſuch Surveyor or other Perſon or Perſons levelling the Ground from whence ſuch Materials ſhall be taken, or ſufficiently fencing off ſuch Pits, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and in caſe no ſuch Materials can conveniently be had in ſuch Commons or Waſte Grounds, common Rivers or Brooks, within convenient Diſtances, then to dig, gather, take, and carry away any ſuch Materials as aforeſaid, in, upon, out of, or from and over any other Lands or Grounds, in any Pariſh, Townſhip, or Place in or through which the ſaid Roads lie or paſs, not being a Garden, Orchard, Yard, Paddock, or a Plantation or a Nurſery for Trees, making ſuch Compenſation and Satisfaction for ſuch Materials, and for the Damage done to the Owners or Occupiers of the Lands and Grounds from whence the ſame ſhall be dug, gathered, taken, and carried away, or over which the ſame or any other Materials gotten in any Waſte Grounds, Commons, Rivers, or Brooks, or private Grounds, ſhall be conveyed, as any Two Juſtices of the Peace, within their reſpective Juriſdictions, ſhall (in caſe of any Difference between ſuch Owners or Occupiers and the ſaid Truſtees) judge reaſonable.

But not from private Grounds, without Notice.

XX. Provided always nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Perſon or Perſons, under Authority of the ſaid recited Acts or this Act, to dig, gather, take, and carry away any Materials for repairing and amending the ſaid Roads, in or from any incloſed or private Grounds or Quarries, without the Conſent of the Owners of ſuch Grounds or Quarries, until after Ten Days previous Notice in Writing, ſigned by the Surveyor, or ſome other Officer of the ſaid Truſtees, ſhall have been given to the reſpective Owners and Occupiers of the Lands or Grounds from which ſuch Materials are intended to be taken, or left at the uſual Place of Reſidence of ſuch Owners or Occupiers reſpectively, requiring them to appear before Two or more Juſtices of the Peace acting for the County or Diſtrict wherein ſuch Lands are ſituate, at a certain Time and Place to be ſpecified in ſuch Notice, to ſhew Cauſe why ſuch Materials ſhould not be taken away; and ſuch Juſtices, after hearing the Parties concerned, ſhall, if they think proper, authorize ſuch Surveyor or other Officer to dig, gather, take, and carry away any ſuch Materials, at ſuch Time or Times, and in ſuch Manner, as to ſuch Juſtices ſhall ſeem proper; or if ſuch reſpective Owners or Occupiers ſhall not by themſelves or their reſpective Agents attend purſuant to ſuch Notice, ſuch Juſtices may make ſuch Order therein as they ſhall think fit, in the ſame Manner

as if ſuch reſpective Owners or Occupiers had attended purſuant to ſuch Notice.

Gates not to ſwing into the Road.

XXI. And be it further enacted, That all Gates to be hereafter made and placed in any Field or Ground adjoining the ſaid Roads, ſhall be made and hung to open and ſwing inward towards ſuch Field or Ground, and not towards the ſaid Roads; and that it ſhall be lawful for the ſaid Truſtees to order all ſuch Gates as are now erected or may hereafter be erected, and open and ſwing outward towards the ſaid Roads, to be altered and made to open and ſwing inwards, as they the ſaid Truſtees ſhall think proper; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or ſhall be conſtructed ſo as to open and ſwing outward towards the ſaid Roads, ſhall, after Ten Days Notice from the Surveyor of the ſaid Roads, requiring him, her, or them to alter any ſuch Gate or Gates, and to make the ſame to open and ſwing inwards, refuſe or neglect to make ſuch Alterations, every ſuch Occupier or Occupiers ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

On the Death of a Gatekeeper, Truſtees may nominate another until the next Meeting.

XXII. And be it further enacted, That it ſhall be lawful for any Five or more of the ſaid Truſtees, upon the Death, Neglect, Refuſal, or Incapacity to act of any Collector of the Tolls by the ſaid recited Acts or this Act granted, by Writing under their Hands, to nominate and appoint ſome other fit Perſon to be Collector in his or her Place until the next Meeting of the Truſtees; which Perſon ſo to be nominated and appointed ſhall have the like Power and Authority, and be accountable in the ſame Manner in all reſpects, as the Perſon in whoſe room or ſtead he or ſhe ſhall be ſo appointed, any thing in the ſaid recited Acts or this Act contained to the contrary notwithſtanding; but ſuch Appointment ſhall continue in force no longer than until the Day of the next Meeting of the ſaid Truſtees; and that if any Collector of the ſaid Tolls who ſhall be diſcharged from his or her Office by the ſaid Truſtees, ſhall refuſe to deliver up the Poſſeſſion of the Toll Houſe, Buildings, and Appurtenances which he or ſhe held, occupied, or enjoyed, in right of his or her Appointment to that Office, within Four Days after Notice given to him or her, or left at ſuch Toll Houſe, in Writing under the Hands of any Five or more of the ſaid Truſtees, or if the Wife or Widow, or Family of any ſuch Collector who ſhall die as aforeſaid, or any other Perſon who ſhall be in Poſſeſſion of the Premiſes by any Means whatſoever, ſhall refuſe to deliver up ſuch Toll Houſe, Buildings, and Appurtenances, within Four Days after Notice of ſuch new Appointment being made as aforeſaid ſhall have been given to him, her, or them, or left at ſuch Toll Houſe, ſigned by any Five or more of the ſaid Truſtees, then and in either of the ſaid Caſes it ſhall be lawful for any Juſtice of the Peace for the County or Place where ſuch Toll Houſe ſhall ſtand or be, by Warrant under his Hand and Seal, to order any Conſtable, or other Peace Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Toll Houſe and Premiſes in the Day-time, and to remove the Perſons who ſhall be found therein, together with their Goods and Chattels, out of ſuch Toll Houſe and other Premiſes, and to put the new-appointed Collector in Poſſeſſion thereof.

If diſcharged Gatekeeper refuſes to deliver up Toll Houſe, &c. any Juſtice may cauſe him to be put out.

An Action of Ejectment may be ſup-

XXIII. And be it further enacted, That if any Mortgagee or Mortgagees of the ſaid Tolls, Toll Gates, Bars, Chains, Toll Houſes, and Buildings, ſhall

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 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. Powers of One Mortgagee.

XXIV. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchaſed, taken, or uſed by virtue of the Powers of the ſaid recited Acts or this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, Perſon or Perſons under any Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Truſtees for executing the ſaid recited Acts and this Act, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſaid Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments which ſhall be ſo purchaſed, taken, or uſed as aforeſaid ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking effect; and in the meantime and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the ſaid Court, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments to be purchaſed by virtue of the ſaid recited Acts or this Act, in caſe ſuch Purchaſe or Settlement were made. Application of Compenſation when amounting to 200l.

XXV. Pro-

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

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

Application where the Money is leſs than 20l.

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

Perſons in Poſſeſſion preſumptively entitled.

XXVII. And be it further enacted, That where any Queſtion ſhall ariſe, touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the ſaid High Court of Chancery, in purſuance of the ſaid recited Acts or this Act, for the Purchaſe of Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Acts and this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid High Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid,

paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

In case of not making out Titles, &c.

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

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

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

Regulations as to Performance of Statute Duty.

XXX. And be it further enacted, That so much of the said recited Acts as relates to the Performance of Statute Duty or Labour on the said Roads

Roads ſhall be and the ſame is hereby repealed, and that all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto; and it ſhall be lawful for any Two or more Juſtices of the Peace, within their reſpective Juriſdictions, and they are hereby required, upon Application made to them by the ſaid Truſtees, or by their Treaſurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants and Occupiers of Lands, Tenements, Woods, Tithes, or Hereditaments within the reſpective Pariſhes, Townſhips, or Places in which the ſaid Roads lie, and alſo what Proportion of Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them, paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, within Ten Days after the ſerving of ſuch Summons, of the Names of the ſeveral Perſons who within ſuch Pariſh, Townſhip, or Place, are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions, as is or may be directed by any Law or Statute in force for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall or may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done on ſuch Days, and at ſuch Times (not being Hay-time or Harveſt), and on ſuch Parts of the ſaid Roads, as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and apoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the Surveyor or Surveyors of ſuch reſpective Pariſhes, Townſhips, or Places, to be by him or them paid over to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the ſaid Juſtices ſhall direct; and in default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor or Clerk to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject and liable to by

any Law or Statute in force for the Repair of the public Highways; and if any Perſon who ſhall come or be ſent to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſon who ſhall be found idle or negligent as aforeſaid; and in that caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes, Townſhips, or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, or ſhall refuſe or neglect to collect ſuch Compoſition Money, or any Part thereof, in Manner aforeſaid, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds.

Penalty on Perſons damaging Cauſeways, &c.

XXXI. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or negligently injure, deſtroy, break down, or otherwiſe damage any Cauſeway, Footway, Bridge, Arch, Wall, or Drain already made or built, or which ſhall at any Time hereafter be made or built, in, upon, or near the Side or Sides of the ſaid Roads, or ſhall ride, drive, or lead any Horſe, Beaſt, Cattle, or Carriage over, upon, or along any ſuch Cauſeway or Footway, or if the Driver of any Waggon, Cart, or other Carriage, ſhall wilfully or negligently break or damage any of the Poſts or Stones which have been or ſhall or may be erected for the Security of any ſuch Cauſeway or Footway, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay (over and above the Amount of the Damages thereby occaſioned), any Sum not exceeding Forty Shillings, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied for the Purpoſes of the ſaid recited Acts and this Act.

For ſecuring tranſient Offenders.

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

Expences of this Act.

XXXIII. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, with lawful Intereſt upon any Sum or Sums of Money which ſhall be borrowed or advanced for the Payment thereof, ſhall be paid out of the Money already collected or received, or to be collected or received by virtue of the ſaid recited Acts and this Act, upon the ſaid Roads, in Preference to all other Payments whatſoever.

XXXIV. And

Public Act.

XXXIV. 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.

Continuance of the Act.

XXXV. And be it further enacted, That the said recited Acts (subject to the Alterations, Additions, and Amendments in this Act contained), and this Act, shall continue and be in force and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Acts; and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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