ANNO QUINQUAGESIMO QUARTO

# GEORGII III. REGIS.

## *Cap.* 25.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads from *Darlington* to *West Auckland*, and several other Roads therein mentioned, in the County of *Durham*. [4th *May* 1814.]

WHEREAS an Act was passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the High Roads leading from* Darlington *in the County of* Durham, *to* West Auckland, *and several other Roads in the said County, therein mentioned:* And whereas another Act was passed in the Twenty-ninth Year of the Reign of His said Majesty, intituled *An Act for enlarging the Terms and Powers granted by an Act passed in the Twenty-fourth Year of His present Majesty's Reign, for repairing the High Road leading from* Darlington *in the County of* Durham, *to* West Auckland, *and several other Roads in the said County, therein mentioned, and for the effectual amending the same:* And whereas another Act was passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled *An Act for continuing the Term, and altering, enlarging, and consolidating the Powers of Two Acts of Parliament, passed in the Twenty-fourth and Twenty-ninth Years of the Reign of His late Majesty King* George *the Second, for repairing the High Roads from* Darlington *to* West Auckland *in the County of* Durham, *and several other Roads in the same County, therein mentioned*; whereby it was enacted, that the Term granted and continued by the said former

24 G. 2. c. 30.

29 G. 2. c. 70.

35 G. 3 c. 139.

former Acts for the Repair of the ſaid Roads, ſhould be continued for the further Term therein limited; and that, inſtead of the Clauſes and Proviſions contained in the ſaid Acts of the Twenty-fourth and Twenty-ninth Years of the Reign of His late Majeſty, the ſeveral Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Exemptions, Matters, and Things contained in the ſaid recited Act of the Thirty-fifth Year of His preſent Majeſty, ſhould be in force and put in Execution for repairing the ſaid Roads: And whereas great Progreſs has been made in the Repair of the ſaid Roads; and ſeveral conſiderable Sums of Money, borrowed on the Credit of the Tolls granted by the ſaid Acts, ſtill remain due and cannot be repaid, nor can the ſaid Roads be effectually improved and maintained, and kept in good and ſufficient Repair, unleſs the ſaid recited Act of the Thirty-fifth Year of His preſent Majeſty, be continued for a further Term, and the Tolls thereby granted, are altered and increaſed, and ſome of the Powers and Proviſions therein contained, altered, amended, and enlarged: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act of the Thirty-fifth Year of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, Matters, and Things therein contained and now in force (except ſuch as are altered and repealed), ſhall be and continue in full Force and Effect, and, together with this Act, ſhall be put in Execution 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; and that this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all the ſaid ſeveral and reſpective Sums of Money now due and owing on the Credit or on Account of the ſaid laſt recited Act, and alſo of ſuch other Sum or Sums of Money as may be borrowed for the Purpoſes of the ſaid laſt recited Act and this Act, and of all Intereſt now due and to grow due for the ſame reſpectively.

35 G. 3. c. 139, continued.

Additional Truſtees appointed.

II. And be it further enacted, That from and after the paſſing of this Act, the Right Honourable *Henry Vane* commonly called *Viſcount Barnard*, *Richard Bell* junior, *Robert Colling* junior, *John George Lambton*, *Thomas Le Meſurier* Clerk, *Robert Moſes*, *John Maynard* junior, *Daniel O'Callaghan*, the Honourable *William John Frederick Powlett*, *Thomas Freſhfield Scarth*, *Edward Stracey*, *Marmaduke Theakſton* Clerk, and *James Allan Wright*, together with Ten other Perſons to be named as Truſtees at the Firſt or any other Meeting to be held under this Act, ſhall be added to and joined with the Truſtees appointed by or in purſuance of the ſaid laſt recited Act, for putting the ſaid laſt recited Act and this Act into Execution; and the Truſtees hereby nominated, and their Succeſſors (being qualified according to the Directions of the ſaid laſt recited Act), are hereby empowered to act in the Execution of the ſaid laſt recited Act, as fully and effectually, to all Intents and Purpoſes, as if they had been appointed Truſtees in or by virtue of the ſaid laſt recited Act.

Three Truſtees may act.

III. And be it further enacted, That all Acts and Proceedings relative to the Execution of the ſaid laſt recited Act and this Act, may be done and executed by any Three or more of the ſaid Truſtees (except only in the Caſes

Caſes herein mentioned, where a greater Number of Truſtees are required); and that all Acts and Proceedings relative to the Execution of the ſaid laſt recited Act, as are by the ſaid Act directed or authorized to be done, executed, and performed by any Five or more of the ſaid Truſtees, may in like Manner be done and executed by any Three or more of them, except in the following Inſtances; that is to ſay, the Power of letting the Tolls, and of erecting Turnpike Gates on the ſaid Roads or on the Sides thereof, and vacating any Order or Orders made or to be made by the ſaid Truſtees; all which laſt-mentioned Powers ſhall be executed in Manner and Form as in the ſaid laſt recited Act is directed and provided.

Clerk and Two Truſtees may adjourn Meeting.

IV. Provided always, and be it further enacted, That if it ſhall happen that a ſufficient Number of the ſaid Truſtees ſhall not attend at any Meeting of the ſaid Truſtees to act at ſuch Meeting, then and in every ſuch Caſe the Clerk or Clerks to the ſaid Truſtees, with any Two of the ſaid Truſtees who ſhall be preſent at ſuch Meeting, ſhall and may adjourn the ſaid Meeting to any other Day within Three Calendar Months from ſuch Meeting; but ſuch Two Truſtees ſhall not do any other Act in the Execution of the Powers hereby granted, except adjourning the ſaid Meeting: Provided alſo, that if at any Meeting appointed to be held by virtue of this Act, there ſhall not appear a ſufficient Number of Truſtees to act or to adjourn, or in caſe the Truſtees at any Meeting aſſembled ſhall not adjourn themſelves, the Clerk to the ſaid Truſtees ſhall from Time to Time, as often as ſuch Caſe ſhall happen, by Notice in Writing to be affixed upon all the Turnpike Gates then erected upon the ſaid Roads, and to be inſerted in One or more of the Newſpapers publiſhed at *Newcaſtle-upon-Tyne* Ten Days before the next intended Meeting, appoint the Truſtees to meet at the Place where the laſt Meeting was appointed to have been held, on ſome future Day, not exceeding Three Calendar Months next after the Day on which ſuch laſt Meeting was appointed to have been held.

If a competent Number of Truſtees ſhall not meet, &c. Clerk to appoint another Meeting.

For diſcontinuing the preſent Tolls, and granting new ones.

V. And be it further enacted, That the ſeveral Tolls now payable upon the ſaid Roads by virtue of the ſaid laſt recited Act ſhall, upon the Second *Monday* after the paſſing of this Act, ceaſe, determine, and be no longer payable; and that inſtead thereof, the following Tolls ſhall be demanded and taken at each and every of the Toll Gates erected under the Authority of the ſaid recited Act and this Act; (that is to ſay,)

Tolls.

For every Coach, Chariot, Chaiſe, Hearſe, or other ſuch Carriage, drawn by Six or more Horſes, Mares, Geldings, Mules or other Cattle, the Sum of One Shilling and Four-pence; and drawn by Four Horſes, Mares, Geldings, Mules or other Cattle, the Sum of One Shilling; and drawn by Three Horſes, Mares, Geldings, Mules or other Cattle, the Sum of Eight-pence; and drawn by Two Horſes, Mares, Geldings, Mules or other Cattle, the Sum of Sixpence:

For every Chaiſe, Chair, or taxed Cart, drawn by One Horſe, Mare, Gelding or Mule, or other Beaſt of Draught, the Sum of Four-pence:

For every Horſe, Mare, Gelding, Mule or Aſs, laden or not laden and not drawing, the Sum of One Penny Halfpenny:

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

For every Score of Hogs, Swine, Goats, Sheep or Lambs, and ſo in Proportion for a leſs Number, the Sum of Two-pence Halfpenny:

For every Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling a Surface of that Breadth ſo flat or level as not to deviate more than One Inch from a flat Surface, and not laden with or going for Coals, Cinders or Lime, and drawn by Eight or Seven Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Eight-pence; and drawn by Six Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Four-pence; and drawn by Five Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling; and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of Eight-pence, and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of Sixpence; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Four-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Two-pence:

For every Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches, and rolling ſuch flat or level Surface as aforeſaid, and not laden with or going for Coals, Cinders or Lime, and drawn by Six Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Eight-pence; and drawn by Five Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Four-pence; and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of Ten-pence; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Eight pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Four-pence:

For every Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a leſs Breadth or Gauge than Six Inches, and not laden with or going for Coals, Cinders or Lime, and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling and Four-pence; and drawn by Three Horſes, Oxen, or other Beaſts of Draught, the Sum of One Shilling; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Eight-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of Four-pence:

For every Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, and rolling ſuch flat or level Surface as aforeſaid, and laden with or going for Coals, Cinders, or Lime only, and drawn by Eight or Seven Horſes, Oxen, or other Beaſts of Draught, the Sum of Ten-pence; and drawn by Six Horſes, Oxen, or other Beaſts of Draught, the Sum of Eight-pence; and drawn by Five Horſes, Oxen, or other Beaſts of Draught, the Sum of Sixpence; and drawn by Four Horſes, Oxen, or other Beaſts of Draught, the Sum of Five-pence; and drawn by Three Horſes, Oxen or other Beaſts of Draught, the Sum of Four-pence; and drawn by Two Horſes, Oxen, or other Beaſts of Draught, the Sum of Two-pence; and drawn by One Horſe, Ox, or other Beaſt of Draught, the Sum of One Penny:

For every Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge

of

of Six Inches, and rolling such flat or level Surface as aforesaid, and laden with or going for Coals, Cinders or Lime only, and drawn by Six Horses, Oxen, or other Beasts of Draught, the Sum of Eight-pence; and drawn by Five Horses, Oxen, or other Beasts of Draught, the Sum of Sixpence; and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of Four-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of Three-pence; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Two-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of One Penny Halfpenny:

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge then Six Inches, and laden with or going for Coals, Cinders or Lime only, and drawn by Four Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling and Four-pence; and drawn by Three Horses, Oxen, or other Beasts of Draught, the Sum of One Shilling; and drawn by Two Horses, Oxen, or other Beasts of Draught, the Sum of Eight-pence; and drawn by One Horse, Ox, or other Beast of Draught, the Sum of Three-pence:

For every Horse, Mare, Gelding, Mule or Ass, laden with Coals, Cinders, or Lime only, and not drawing, the Sum of One Penny: And,

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth or Gauge than Six Inches, laden with any Goods or Merchandize, Coals, Cinders or Lime, at any Time between the Thirty-first Day of *October* and the First Day of *April* in every Year during the Continuance of this Act in addition to the Tolls herein-before imposed and made payable for every such Waggon, Wain, Cart, or other Carriage, a further Toll or Sum of the same Amount, making in the whole a Double Toll:

To be recovered and applied as former Tolls.

Which said respective Tolls and Duties shall be and are hereby declared to be subject and liable to the Payment of all Money due and owing on the Credit or Security of the said former Acts; and the said Trustees or any Five or more of them shall have such and the same Powers, Authorities and Remedies for apportioning, mortgaging, transferring, leasing, reducing, advancing and compounding for the Tolls hereby made payable, and the same shall be collected, levied, recovered, paid and applied in the same Manner and Form, and to the same Uses, Intents and Purposes, as in and by the said last recited Act are directed, authorized or expressed with respect to the Tolls thereby granted or made payable, except as is herein otherwise particularly directed or provided.

Tolls to be paid but Once a Day.

VI. And be it further enacted, That no Person or Persons shall be liable to pay the said respective Tolls, hereby granted and made payable, more than Once at any Toll Gate or Turnpike erected or to be erected upon the said Roads for passing or repassing at any Time or Times in any One Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night,) with or driving the same Horses, Cattle, Beasts and Carriages through the same Toll Gate or Turnpike, (except Waggons, Carts or other Carriages laden with Copper, Lead, Coals, Lime, Cinders or Stones, which shall not pass or repass through

the ſame Toll Gate or Turnpike oftener than Twice in the ſame Day, without paying Toll a Second Time,) but all and every Perſon and Perſons, after having paid Toll once, or twice, (according to the Circumſtances), and producing a Ticket or Tickets denoting the Payment of ſuch Toll or Tolls, which Tickets the ſaid Collectors are hereby required to give *gratis* on Receipt of the Tolls,) ſhall afterwards paſs and repaſs with the ſame Horſes, Cattle, Beaſts and Carriages, Toll-free during the ſame Day through the ſame Toll Gate or Turnpike where the ſaid reſpective Toll or Tolls was or were paid, any Thing in this Act or in the ſaid laſt recited Act contained to the contrary thereof in anywiſe notwithſtanding.

Directing what Number of Tolls ſhall be taken.

VII. Provided always, and be it further enacted, That no more than one Toll ſhall be demanded or taken between the Eaſt End of *Bondgate* in *Darlington*, or the Poſt Road at the Five Croſs Lanes near the Eaſt End of the Town of *Blackwell* and *Swan Houſe*, nor more than one Toll between *Swan Houſe* and *Newbiggen Lane End*, nor more than one Toll between *Newbiggen Lane End* and the Coal Mines in the ſaid laſt-recited Act mentioned, nor more than one Toll between the North-eaſt Side of the Turnpike Road near the Town of *Piercebridge* and *Denton Lane End*, nor more than one Toll between *Denton Lane End* and the Sign of the *Royal Oak*, nor more then one Toll between the Sign of the *Royal Oak* and the ſaid Coal Mines.

Truſtees may vary the Tolls.

VIII. And be it further enacted, That the ſaid Truſtees, or any Five or more of them, are hereby authorized and empowered from Time to Time to leſſen the ſaid reſpective Tolls and Duties hereby granted or made payable, and again to raiſe the ſame or any of them, or any Part or Parts thereof, and to order and direct the ſame to be collected, received and taken, in ſuch Manner, Parts and Proportions as they ſhall think fit; provided that none of ſuch Tolls and Duties ſhall at any Time exceed the ſeveral Tolls and Duties hereby granted or made payable, nor ſhall at any Time be reduced below the Tolls and Duties mentioned and expreſſed in and by the ſaid laſt recited Act, without ſuch Conſent as is thereby made requiſite in that Behalf.

Collectors taking more or leſs Toll, Penalty on Leſſee.

IX. And be it further enacted, That if any Farmer, Renter or Collector of any of the ſaid Tolls hereby granted, ſhall demand and take, or cauſe to be demanded and taken, from any Perſon or Perſons any Toll not hereby authorized to be taken, or a greater or leſs Toll than ſo authorized, ſuch Farmer or Renter ſhall for every ſuch Offence forfeit any Sum not exceeding Five Pounds, and alſo his or her Contract for renting the ſaid Tolls, if the ſaid Truſtees ſhall think fit to vacate the ſame; and every Collector not being the Farmer or Renter, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings: Provided always, that if the Juſtice by or before whom the Matter of Complaint ſhall be heard, ſhall be of Opinion that the Offender had probable Grounds for ſuch Demand and Taking, it ſhall be lawful for ſuch Juſtice either to mitigate the ſaid reſpective Penalties, or wholly to exonerate the Offender therefrom, as ſuch Juſtice ſhall think fit.

Penalty on Collector not being Leſſee.

No Carriage, having the Wheels of a

X. And whereas great Damage is done to the ſaid Roads by Waggons and other Carriages with Narrow Wheels drawn by Horſes in Pairs; for Remedy

Remedy whereof, be it further enacted, That no Waggon, Wain, Cart, or other ſuch Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Nine Inches, or Six Inches, and deviating more than One Inch from a flat Surface as aforeſaid; and alſo that no Waggon, Wain, or Cart, having the Sole or Bottom of the Fellies of the Wheels thereof of a leſs Breadth or Gauge than Six Inches, ſhall be allowed to travel upon the ſaid Road, or ſuffered to paſs through any Turnpike Gate or Toll Bar erected or to be erected upon the ſaid Roads, if the ſame ſhall be drawn by Horſes in Pairs, except Carriages drawn by Two Horſes only, upon pain that the Owner or Owners of every ſuch Waggon, Wain, or Cart, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

leſs Breadth than Nine or Six Inches, to be drawn by Horſes in Pairs.

XI. And be it further enacted, That all Exemptions from Toll comprized in the ſaid laſt recited Act ſhall ceaſe, and 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 Road, carrying or conveying Stones, Brick, Lime, Timber, Wood, Heath, Chalk, Gravel, or other Materials to be uſed on or about the ſaid Roads, or for repairing any Highways in the Townſhips or Places which are liable to perform Statute Duty upon the ſaid Roads, or any Part thereof; or carrying or conveying Hay, Corn in the Straw, or other Produce of Lands not ſold or diſpoſed of, but paſſing for the Purpoſe of being laid up in the Houſes, Outhouſes, Barns, or Yards 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 Manure (ſave and except Lime) to be uſed or laid upon Lands; or going or returning empty, or loaded only with neceſſary Implements or Utenſils, when employed in any ſuch Manner as aforeſaid; nor ſhall any Toll be demanded or taken for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle, going to or returning from Work in cultivating the Lands within the ſame Townſhips or Places, or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, or Hogs, going to or returning from Paſture on the Commons or other Grazing Grounds, or Watering Places, or Blackſmiths Shops to be ſhoed or farried; nor for any Waggon, Wain, Cart, or other Carriage, belonging to any Perſon or Perſons whomſoever, going empty or unladen for Coals, Cinders, or Lime only, provided ſuch Waggon, Wain, Cart, or other Carriage ſhall return laden with Coals, Cinders, or Lime only upon the ſame Road; 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 Townſhips or Places, who ſhall paſs through the ſaid Turnpikes or Toll Gates to or from Church, Chapel, or other Place of Religious Worſhip, or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in the reſpective Pariſhes wherein any of the ſaid Townſhips or Places are ſituate; 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 Poſtmaſter General, either when employed in conveying, fetching, or guarding the ſame, or in returning

Exemption from Tolls.

turning back from conveying the ſame; or for the Horſes of Soldiers on their March or on Duty, or Carriages or Horſes or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or for the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat or other Publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſe, Mare, or Gelding furniſhed by or for any Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided 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; or for any Carriage, Horſe or other Beaſt employed in the Conveyance of Vagrants travelling with legal Paſſes, or travelling with Vagrants ſent by legal Paſſes; nor for any Horſe or Carriage going to or returning from any Election of any Member or Members to ſerve in Parliament either for the County or City of *Durham*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin and be concluded.

Carriages conveying Military Stores, not to be ſubject to Penalties for Overweight, &c.

XII. 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 Publick Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart, or other Carriage, be ſtopped or detained by reaſon of any 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 laſt recited Act contained to the contrary notwithſtanding.

Regulations reſpecting the Inhabitants of Houghton, Bolam, Great Burdon, Barmpton, Haughton and Wheſſoe.

XIII. And be it further enacted, That all Abatements whatſoever for or in reſpect of Tolls comprized in the ſaid laſt recited Act, ſhall ceaſe, and in lieu thereof the ſeveral Abatements for or in reſpect of Tolls herein-after mentioned ſhall be allowed; that is to ſay, That no more than One Half Part of the Tolls granted by this Act ſhall be demanded or taken at the Gate called *Houghton Bank Bar*, or at *Legs Croſs Bar*, for any Carriage, Horſe or other Beaſt of Draught, or Cattle belonging to any of the Inhabitants of the ſeveral Townſhips of *Houghton le Side* and *Bolam*, unleſs they ſhall travel Three Miles in Length on the ſaid Roads; and that no more than One Half Part of the Tolls by this Act laid or impoſed upon any Carriage, Horſe or other Beaſt of Draught, laden with Coals or Cinders only, ſhall be demanded or taken at the Side Gate erected at *Burtree Lane*, for any Carriage, Horſe, or other Beaſt of Draught, laden with Coals and Cinders only, belonging to any of the Inhabitants of the ſeveral Townſhips of *Great Burdon*, *Barmpton*, *Haughton*, and *Wheſſoe*, any Thing in the ſaid laſt recited Act or in this Act contained to the contrary thereof in anywiſe notwithſtanding.



XIV. And

Penalty for fraudulently claiming Exemption from Toll.

XIV. And be it further enacted, That if any Perſon ſhall claim and take the Benefit of any of the Exemptions or Abatements herein contained, 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 any Sum not not exceeding Forty Shillings.

Truſtees may take Poſſeſſion of the Toll Houſes, if Leſſees neglect to pay Rent, &c.

XV. 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, 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 by the Space of Thirty Days next after any of the Days on which the ſame ought to be paid, purſuant to the Leaſe or Agreement for demiſing or letting thereof, then and in either of thoſe Caſes the ſaid Truſtees, or any Five or more of them, or their Clerk or Treaſurer, or any Perſon or Perſons authorized by Writing under their Hands, ſhall and may and they are hereby authorized to enter upon and take Poſſeſſion of every or any Toll Houſe, Toll Gate or Toll Bar, and the Buildings and Appurtenances thereunto belonging, and to remove and put out ſuch Leſſee or Leſſees, Farmer or Farmers of the Tolls ariſing thereout reſpectively from the Poſſeſſion thereof, and from the Collection of ſuch Tolls; and that thereupon it ſhall and may 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 any Leſſee or Leſſees, Farmer or Farmers, and the ſame ſhall be utterly void to all Intents and Purpoſes, ſave as to the Covenants or Agreements for Payment of the Rent or Rents thereby reſerved, or other unperformed or broken Covenants or Agreements on the Leſſee's Part, as if ſuch Demiſe or Agreement had never been made; and it ſhall be lawful for the ſaid Truſtees in every ſuch Caſe to demiſe or let to farm the ſaid Tolls again to any Perſon or Perſons, or to cauſe them to be collected, as if no former Demiſe, Contract or Agreement, had been made relating thereto.

Application of Monies.

XVI. And be it further enacted, That all the Monies which before the paſſing of this Act ſhall have been raiſed and produced by virtue of the ſaid laſt recited Act, and ſhall then be remaining undiſpoſed of, together with the Monies which ſhall have been borrowed upon the Credit of the ſaid recited Acts, and alſo all the Monies which ſhall ariſe and be produced by and from the Tolls by this Act granted or made payable, together with the Monies which ſhall be borrowed upon the Credit thereof, and all other Monies which ſhall ariſe and be produced by virtue of this Act, and not herein otherwiſe appropriated or directed to be applied, ſhall be veſted in the Truſtees for the Time being, and applied to and for the ſeveral Uſes, Intents and Purpoſes, and in the Order and Manner following; that is to ſay, in the Firſt Place, in Payment of all the Coſts, Charges and Expences incident to or attending the obtaining and paſſing this Act, together with lawful Intereſt for Money advanced by any Perſon or Perſons for that Purpoſe; in the Second Place, in paying the Intereſt accruing upon the ſeveral Principal Sums of Money borrowed in purſuance of the ſaid former Acts and of this Act, and from Time to Time remaining due and owing on Mortgage or Security of the Tolls by this Act granted; in the Third Place, in defraying the Expences of amending, repairing, widening, altering, improving, and

keeping in Repair the ſaid Roads, and of executing the ſeveral other Powers, Intents, and Purpoſes of this Act; and laſtly, in reducing, paying off, and diſcharging ſuch ſeveral Principal Sums as laſt aforeſaid, and to and for no other Uſe, Intent, or Purpoſe whatſoever.

Penalty on committing Nuiſances.

XVII. And be it further enacted, That if any Coach, Diligence, Chaiſe, Cart, Waggon, Draught, or other Carriage, or any Plough or other Inſtrument of Huſbandry, with or without Horſes or other Beaſts of Draught, ſhall remain or continue in or upon the ſaid Roads or any Part or Parts thereof for any longer Time than ſhall be neceſſary for taking up and ſetting down the Paſſengers and for loading and unloading ſuch Carriage, or ſhall not during ſuch Time be ſtanding as near to the Side of the ſaid Roads as conveniently may be, except for ſuch Reaſons as ſhall be ſatisfactory to the Juſtice before whom Complaint ſhall be made; or if any Perſon ſhall knowingly or wilfully lay any Sort of Timber or Trees, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh or other Matter or Thing whatſoever, on the ſaid Roads or any Part thereof, except for ſuch Reaſons as laſt aforeſaid; or if any Perſon or Perſons ſhall draw or cauſe to be drawn upon any Part of the ſaid Roads any Tree or Piece of Timber, or Stone, otherwiſe than upon Wheel Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber which ſhall be conveyed upon any Wheel Carriage, to drag or trail upon any Part of the ſaid Roads, to the Prejudice or Injury thereof; or if any Perſon or Perſons ſhall permit or ſuffer his, her, or their Pig or Pigs or Swine to ſtray or go at large in or upon the ſaid Roads or any Part thereof; or if any Perſon or Perſons ſhall ſlaughter, ſinge, ſcald, or dreſs any Beaſts or Cattle in or upon any Part of the ſaid Roads, or ſhall hew or ſaw any Piece of Stone, Wood, or Timber, or bind, make, or repair, except in Caſes of Accident, the Wheel of any Carriage, or except in Caſes of Accident, ſhoe, bleed, or farry any Horſe or other Beaſt in or upon any Part of the ſaid Roads; every Perſon ſo offending in any of the Caſes aforeſaid ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

Truſtees may widen or alter the Roads, &c.

XVIII. And be it further enacted, That in caſe the ſaid Truſtees or any Five or more of them, ſhall think proper to widen, turn, vary, or alter any Part or Parts of the ſaid Roads for the better Accommodation of Coaches, Carriages, and Paſſengers, it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized and empowered from Time to Time to treat, contract and agree with any Perſon or Perſons for the Purchaſe of any Lands, Grounds, or Hereditaments lying near or contiguous to the ſaid Roads, and for the Loſs or Damage the Owners, Proprietors, and Occupiers thereof, or any of them, ſhall or may in anywiſe ſuſtain by ſuch widening, turning, varying, or altering ſuch Roads, and to pay for the ſame out of the Monies hereby veſted in the ſaid Truſtees for the Purpoſes of this Act, ſuch Sum or Sums of Money as ſhall be agreed upon between ſuch Owners, Proprietors, Occupiers, or Perſons intereſted as aforeſaid and the ſaid Truſtees, and for the Coſts attending ſuch Purchaſe; which Road when widened, turned, varied or altered, by virtue of this Act, ſhall be and remain Thirty Feet wide at the leaſt between and excluſive of the Ditches; and ſuch Lands and Grounds when ſo purchaſed as aforeſaid, ſhall by Order and Direction of the ſaid Truſtees, be laid into and made Part of the ſaid Roads, in ſuch Manner as the ſaid Truſtees

Truſtees ſhall think convenient, with proper Drains, Ditches, and Fences for that Purpoſe, and ſhall from thenceforth be deemed and taken as a Publick or Common Highway, and Part of the Roads to be repaired by virtue of this Act.

Truſtees may contract for purchaſing Lands.

XIX. And for removing all Difficulties which may obſtruct ſuch Contracts, be it further enacted, That it ſhall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whatſoever, for or on Behalf of any Infant, Femes Covert, Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any ſuch Lands or Tenements, either for their own Uſe or Benefit, or for the Uſe of or in Truſt for ſuch other Perſon or Perſons as aforeſaid, to ſell and convey to the ſaid Truſtees or any Five or more of them, all or any ſuch Lands or Tenements as Occaſion ſhall be and require; and all Sales and Conveyances which ſhall be ſo made, ſhall, without any Fine or Fines, Common Recovery or Common Recoveries, be valid and effectual in the Law to all Intents and Purpoſes, any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Application of Compenſation when amounting to 200l.

XX. 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 ſaid laſt recited Act or this Act, which ſhall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, Truſtees, Femes Covert, or other incapacitated Perſon or Perſons, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Truſtees for executing the ſaid laſt-recited Act and this Act, to the Intent that ſuch Money ſhall be paid 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 of Land Tax, or the Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled 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 Meſſuages, 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

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

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

XXI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Body Politic or Corporate, 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 case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, and 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 Two Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees for executing the said last recited Act 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 Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20l.

XXII. Provided also, and be it further enacted, That when such Money 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 last-recited Act or this Act, in such Manner as the said Trustees or any Five or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Persons in Possession presumptively entitled.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any

Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of the ſaid laſt-recited Act or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments ſo to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch 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 be lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

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

**XXIV.** 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 this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges for 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.

Reſpecting Statute Work.

**XXV.** Provided always, and be it further enacted, 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 in like Manner as heretofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the County, Liberty, Diviſion or Place through which any Part of the ſaid Roads paſs, and they are hereby empowered and required (upon Application made to them for that Purpoſe by the ſaid Truſtees, or by their Clerk or Surveyor by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads, by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Roads lie, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid ſhall be by him, her, or them paid to the ſaid Truſtees or to their Treaſurer; and in order thereunto it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring

in Liſts before ſuch Juſtices at ſome Place to be expreſſed in ſuch Summons (within Fourteen Days after the ſerving of ſuch Summons) of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repair of public Highways; and out of ſuch Liſts ſuch Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be 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 Haytime or Harveſt) and upon ſuch Parts of the ſaid Roads, as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as 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 Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid (after Notice in Writing given to or left for him, her or them, at his, her or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees,) ſhall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force and effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe, every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments as aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds.

For compounding for Statute Work.

XXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Statute Work to be by them done on the ſaid Roads, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any the Pariſhes or Places in which the ſaid Roads are ſituate, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in advance, on or before the Firſt Day of *May* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

For ſecuring tranſient Offenders.

XXVII. And whereas Offences may be committed againſt the ſaid laſt recited Act 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 Perſon or Perſons as they or he ſhall call to their or his Aſſiſtance, without any Warrant or other Authority than this Act, to ſeize and detain any ſuch unknown Perſon or Perſons as ſhall commit any ſuch Offence or Offences, and to take him, her or them before any Juſtice of the Peace of the County, Diviſion or Diſtrict, where the Offence or Offences ſhall be committed.

Public Act.

XXVIII. 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.

Commencement and Continuance of this Act.

XXIX. And be it further enacted, That the Term granted by the ſaid laſt recited Act ſhall on the Second *Monday* after the paſſing of this Act ceaſe and determine; and that the ſaid laſt recited Act (ſubject to the Alterations, Variations and Additions herein contained) and this Act, ſhall from thenceforth commence, 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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