ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxxvii.

An Act to continue and amend Two Acts of His present Majesty for amending the Road from *Dundalk* to *Dunleer*, in the County of *Louth*.

[7th *June* 1815.]

Irish Acts, 13th & 14th G. 3. c. 60.

Irish Acts, 15th & 16th G. 3. c. 6.

WHEREAS an Act was passed, in the Parliament of *Ireland*, in the Thirteenth and Fourteenth Years of the Reign of His present Majesty, intituled *An Act for amending the Road from* Dundalk *to* Dunleer, *in the County of* Louth: And whereas another Act was passed, in the Parliament of *Ireland*, in the Fifteenth and Sixteenth Years of the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed last Sessions of Parliament, intituled* 'An Act for amending *the Road from* Dundalk *to* Dunleer, *in the County of* Louth:' And whereas it will be attended with great Advantage to Persons travelling the said Road, and the Inhabitants of the adjoining Country, if Power was given to alter the Line of the said Road from or near *Lurgan Green* to join the said Road at or near the Town of *Castle Bellingham* in the said County, and to make several small Deviations in the Line of the said Road: And whereas the Trustees appointed in or by virtue of the said Acts, have proceeded to put the same into Execution; but the said Road cannot be properly maintained and improved or kept in Repair, unless the Term of the said Act be continued, the Tolls increased, and some of the Powers thereof altered and amended: 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 Spiri-

tual 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 Authorities, Proviſoes, Proviſions, and Clauſes therein reſpectively contained, (except ſuch of them as are hereby varied or altered), ſhall be and continue in full Force and Effect, and together with this preſent Act, ſhall be put in Execution for the ſeveral Purpoſes thereby and hereby intended, for and during the Term herein-after mentioned, in as full and ample a Manner, and as effectually to all Intents and Purpoſes, as if the ſaid Authorities, Powers, Proviſoes, Proviſions, and Clauſes, were repeated and re-enacted in this preſent Act.

Term and Powers of former Acts continued.

II. Provided alſo, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of the ſaid Acts or of this Act, unleſs he ſhall be in his own Right or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment of Lands, Tenements, and Hereditaments, of the clear yearly Value of Thirty Pounds above Reprizes, or entitled to a Perſonal Eſtate of the Value of Six hundred Pounds, or ſhall be Heir Apparent of a Perſon poſſeſſed of an Eſtate in Lands, Tenements, or Hereditaments of the clear yearly Value of Eighty Pounds, and ſhall be living in the County of *Louth*; and if any Perſon not being ſo qualified, ſhall preſume to act contrary to the true Intent and Meaning hereof, every Perſon for ſuch Offence, ſhall forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record, by Action of Debt, or on the Caſe, Bill, Plaint, or Information, wherein no Eſſoign or Protection, Wager of Law, or more than One Imparlance ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon has acted as a Truſtee in the Execution of the ſaid Acts or of this Act.

Qualification of Truſtees.

III. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend, to hinder or prevent any Perſon or Perſons, who have been or ſhall be appointed a Truſtee in virtue of his Office under the ſaid firſt recited Act, nor any Perſons who at the paſſing of this Act ſhall be Truſtees under the ſaid Acts, from acting as ſuch without being qualified in Manner herein directed.

Preſent Truſtees not to qualify.

IV. Provided always, and be it enacted, That no Perſon or Perſons who ſhall keep any Victualling Houſe or other Houſe of public Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, Spirituous or other ſtrong Liquors by Retail, ſhall be capable of acting as a Truſtee, or of taking, holding, or enjoying any Place or Places of Truſt or Profit under the ſaid Truſtees, or of collecting the Tolls hereby granted and made payable and to be collected on the ſaid Roads, during ſuch Time as he, ſhe, or they ſhall keep ſuch Victualling Houſe, Alehouſe, or other Houſe of public Entertainment, or ſhall ſell any Wine, Cyder, Beer, Ale, Spirituous or other ſtrong Liquors by Retail; but no ſuch Perſon ſhall be precluded from farming or renting ſuch Tolls, provided he, ſhe, or they employ a Perſon or Perſons to collect ſuch Tolls, who ſhall not be under any ſuch Incapacity.

Victuallers not to act as Truſtees or Officers.

V. And be it further enacted, That Three of the ſaid Truſtees ſhall be a ſufficient Number to conſtitute a Meeting, (unleſs where herein ſpecially

Quorum.

directed to the contrary) and they ſhall have full Authority at every Meeting where Three of them ſhall attend, to carry this Act and every Part thereof into Execution (except as aforeſaid), any Thing in the ſaid recited Acts to the contrary notwithſtanding.

Truſtees being Juſtices may act.

VI. And be it further enacted, That ſuch of the ſaid Truſtees as are or ſhall be Juſtices of the Peace ſhall and may in their reſpective Juriſdictions, and they are hereby empowered to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Truſtees, except only in ſuch Caſes where they ſhall be perſonally intereſted; and that any Mortgagee or Aſſignee of any Mortgage or other Security upon the Credit of any of the Tolls granted by this Act, or receiving Intereſt for the ſame, ſhall not on that Account be deemed unqualified to act as a Truſtee.

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

VII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing to be done by virtue or in purſuance of the ſaid Acts or this Act, in the Name of their Treaſurer or Clerk for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or againſt the ſaid Truſtees by virtue of this Act, in the Name of their Treaſurer or Clerk, ſhall abate or be diſcontinued by the Death or Removal of any ſuch Treaſurer or Clerk, or by the Act of ſuch Treaſurer or Clerk, without the Conſent of the ſaid Truſtees, or any Three or more of them, at a Meeting held in purſuance of this Act; but that the Treaſurer or Clerk for the Time being to the ſaid Truſtees ſhall be deemed to be the Plaintiff or Defendant (as the Caſe may be) in every ſuch Action: Provided always, that every ſuch Treaſurer or Clerk, in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended, in purſuance of this Act, ſhall be fully indemnified, reimburſed, and paid out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Damages, and Expences as by the Event or in conſequence of any ſuch Action or Proceedings, he ſhall pay, bear, expend or be put unto, or become chargeable with, or by reaſon of his being made Plaintiff or Defendant as aforeſaid.

Proceedings to be entered in a Book.

VIII. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Truſtees making the ſame, or the major Part of them, or by their Clerk by their Order, which ſaid Book, or Books, and alſo the Books herein-after mentioned and directed to be kept for regiſtering the Mortgages and Aſſignments of Tolls hereby intended to be granted, or Tranſcripts thereof ſigned by the Clerk to the ſaid Truſtees, ſhall and may be read in Evidence in all Caſes of Appeal, and in all Suits or Actions touching any Thing done or to be done in purſuance of the ſaid recited Acts or this Act.

Truſtees may contract.

IX. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, at any Meeting to be held in Manner herein-after mentioned, to enter into any Contract with any Perſon or Perſons for gravelling or repairing any Part of the ſaid Road, or for forming or making any new Line which they ſhall lay out under the Authority of this Act, or building any Bridge, Gullet, or Support Wall thereon: Provided always, that the

Quality

Quality of the broken Stone or Gravel to be made Uſe of, and the Quantity to be laid on by the Perch, ſhall be ſtated in every ſuch Contract for making or repairing the Road; and alſo the Time within which the Work contracted for is to be finiſhed; and that full and ſufficient Security be given in Double the Amount of the Sum contracted to bepaid for the due Performance of the Contract.

Notice of making Contracts to be given.

X. And be it further enacted, That no ſuch Contract ſhall be entered into unleſs Notice for a Meeting of the Truſtees for the Purpoſe ſhall have been poſted upon the Turnpike Gate on the ſaid Road, and alſo at the uſual Places of poſting Notices in the Towns of *Dundalk*, *Caſtle Bellingham*, and *Dunleer*, Twenty-one Days at leaſt previous to the Day ſtated in ſuch Notice for ſuch Meeting.

Payment for Works performed by Contract.

XI. And be it further enacted, That no Money ſhall be paid by the Treaſurer of the ſaid Road, on Account of any ſuch Contract except on the Order of Three of the ſaid Truſtees, and that no ſuch Order ſhall be made unleſs ſufficient Proof ſhall be adduced by One or more of the Contractors, to the Satisfaction of a Magiſtrate of the County of *Louth*, that the Work has been fairly, honeſtly, and effectually executed purſuant to the Contract, and if it be for gravelling or making the Road, that the Quantity of broken Stones or Gravel ſtated in the Contract, and of the Quality deſcribed therein, has been laid on the ſaid Road.

Truſtees may increaſe the Treaſurer's Allowance.

XII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to increaſe the Allowance they are empowered to make by the ſaid firſt recited Act, to their Treaſurer, to any Sum not exceeding Forty Pounds Sterling by the Year, in Conſideration of the increaſed Trouble and Expence which may be occaſioned to him by the enlarged Powers given to the ſaid Truſtees by this Act.

Treaſurer and Collectors to give Security.

XIII. And be it further enacted, That the ſaid Truſtees, or any Three or more of them, ſhall take Security from every Treaſurer and Collector to be appointed by them, for the due Execution of his Office, as they ſhall think fit.

Tolls.

XIV. And be it further enacted, That the Tolls granted by the ſaid firſt recited Act; ſhall on the paſſing of this Act ceaſe and determine and that from thenceforth the Tolls and Duties following ſhall be demanded, collected, and levied, in lieu thereof; (that is to ſay),

For every Horſe, Mare, Gelding, Mule or other Beaſt, drawing any Coach, Berlin, Chariot, Calaſh, Curricle, Phaeton, Barouche, Landau or Landaulet, Hearſe, Cabriolet, Chaiſe, Chair, Gig, Car or Carriage known by the Name of a Jaunting or Pleaſure Car or Sociable, the Sum of Sixpence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt, drawing any Cart, Car, or other Carriage, except thoſe herein-before charged, the Breadth of the Wheels thereof being Three Inches or more at the Sole, and the Streaks thereof ſet on with counterſunk, roſe, or flat headed Nails, Bolts, or Screws, the Sum of One Penny Halfpenny; and if any of the Wheels thereof be narrower at the Sole than Three Inches, or any Streak thereof be ſet on with any Nail, Bolt, or Screw, which is not roſe or flat headed, and counterſunk, the Sum of One Shilling:

For

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

For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Eight-pence by the Score, and ſo in Proportion for any greater or leſſer Number:

For every Drove of Calves, Hogs, Pigs, Sheep or Lambs, the Sum of Ten-pence by the Score, and ſo in Proportion for any greater or leſſer Number:

Double Tolls to be taken on Sunday.

And that on every *Sunday* during the Continuance of this Act, between Sun-riſe and Sun-ſet, there ſhall be demanded and taken, before any Horſe, Cattle, or Carriage, ſhall be permitted to paſs through the ſame, Double the ſaid reſpective Tolls.

Wheels of Cars, &c. may be examined.

XV. And be it further enacted, That every Collector or Perſon acting as ſuch at any Paygate on the ſaid Road, ſhall have Power to detain at the Paygate any Car or Cart, or other Carriage, in reſpect whereof the Toll varies according to the Breadth of the Sole or Shoeing of the Wheels, and to examine and meaſure the ſame; and every Truſtee and Contractor, and Overſeer acting under them, and every Inſpector, Magiſtrate, Conſtable, and Sub-conſtable, ſhall have the like Power to ſtop and meaſure the Wheels of every ſuch Car, Cart, or Carriage, on any Part of the ſaid Road; and if any Driver or other Perſon ſhall hinder or refuſe to permit ſuch Collector or other Perſon to examine and meaſure the ſhoeing of any Wheel, on any ſuch Car, Cart, or Carriage, to be convicted thereof on the View of any Magiſtrate, on Oath of One credible Witneſs, or Confeſſion of the Party, every Perſon ſo convicted ſhall forfeit the Sum of Twenty Shillings for every ſuch Offence.

Truſtees may let the Tolls.

XVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Three or more of them, at any Meeting whereof Twenty-one Days Notice ſhall have been given in Writing, affixed upon the Toll Gate erected upon or acroſs the ſaid Road, or inſerted in ſome Newſpaper publiſhed or circulated in the County of *Louth*, from Time to Time, by Writing under their Hands, to let and demiſe the Tolls ariſing by virtue of this Act, or any Part or Parts thereof, for any Term not exceeding Three Years, upon public Bidding to the higheſt Bidder for the beſt Price that can be gotten for the ſame, payable at ſuch Time and to ſuch Perſon or Perſons, and under ſuch Conditions and Agreements, and with ſuch Sureties for the Payment thereof, as the ſaid Truſtees or any Three or more of them ſhall think fit; and the Money ariſing thereby ſhall be applied in ſuch Manner as the Tolls ſo leaſed are directed to be applied.

General Exemption.

XVII. And be it further enacted, That none of the Tolls hereby authorized to be taken, ſhall be demanded, taken or paid, at any of the Toll Gates erected or to be erected or continued upon the ſaid Road, for the Horſes belonging to any Officers or Soldiers on their March or on Duty; nor for any Horſes, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance or Barrack, or other Public or Commiſſariat Stores of or belonging to His Majeſty, or

for the Uſe of His Majeſty's Forces; nor for any Horſe, Beaſt, or Cattle paſſing to or from Paſture or Water; nor for any Horſe, Beaſt, or other Cattle, when going to or returning from being ſhoed or farried; nor for any Horſe, Beaſt, or Cattle uſed or employed for the Purpoſe only of carrying or conveying Materials for the making or repairing of any Highway or public Road to be made or repaired by Grand Jury Preſentments, nor going or returning empty when ſo employed; nor for any Perſon or Perſons going to or returning from any of the Fairs or Markets of *Lurgan Green*; nor for any Carts or Cars with Six, Three or Four Inch Wheels, loaded with Corn in the Straw, Flax, or Hay only, or with Turf only, in the Months of *May*, *June*, *July*, or *Auguſt*, or with Corn, Flour, Meal, or Potatoes, paſſing through ſuch Gates towards *Dundalk*, or returning empty the ſame Day; or with Coals or Cockles, Lime, Limeſtone, Dung, or other Manure: And if any Perſon ſhall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the ſame, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds, and in all Caſes the Proof of Exemption ſhall lie upon the Perſon claiming the ſame.

Penalty for falſely claiming Exemption.

Penalties on Collectors taking greater or leſs Tolls than allowed.

XVIII. And be it further enacted, That if any Farmer, Renter, or Collector of any of the ſaid Tolls, ſhall demand or 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, Renter, or Collector, ſhall for every ſuch Offence forfeit any Sum not exceeding Five Pounds; and every ſuch Collector not being the Farmer or Renter, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings; ſuch Forfeitures reſpectively to be recovered in Manner hereinafter mentioned.

Power to raiſe Money on the Credit of the Tolls;

XIX. And whereas it may be neceſſary to raiſe Money on the Credit of the Tolls on the ſaid Road, to carry this Act in Execution; be it further enacted, That the ſaid Truſtees, or any Five of them, ſhall and may and are hereby empowered, from Time to Time to raiſe and borrow ſuch Sum or Sums of Money, not exceeding in the whole the Sum of Five thouſand Pounds, as they ſhall deem neceſſary towards repairing, widening, and altering the ſaid Road, and defraying the Expences to be incurred thereby; and that for all ſuch Sums ſo to be borrowed, Bills entitling the Bearer to the Amount of the Sum therein ſpecified, ſhall be iſſued by the Treaſurer of the ſaid Truſtees for the Time being, or by the Perſon acting as ſuch, ſigned by and ſealed with the Seals of Five of the ſaid Truſtees, and counterſigned by ſuch Treaſurer or Perſon acting as ſuch; and that ſuch Bills ſhall bear ſuch Intereſt from the reſpective Dates thereof as ſhall be agreed upon, not exceeding the Rate of Six Pounds by the Year for each One hundred Pounds; and that ſuch Intereſt ſhall be paid by the Treaſurer or Perſon acting as ſuch, by Order of Five of the ſaid Truſtees, on ſuch Days and Times after their reſpective Dates as ſhall be mentioned therein, by and out of the Produce of the Tolls, to the Holders thereof Half-yearly, without Fee or Charge, or any Deduction, Defalcation, or Abatement whatever, until the principal Sums therein reſpectively mentioned ſhall be paid at One entire Payment; provided that no ſuch Bill ſhall be iſſued for a greater or leſs Sum than One hundred Pounds; and that all ſuch Bills ſhall be numbered in Arithmetical Progreſſion, beginning with Number One, and proceeding until the whole thereof ſhall be ſo numbered.

XX. And

or, under Act 45 G. 3.

XX. And be it further enacted, That if the ſaid Truſtees, or any Five or more of them, ſhall deem it more expedient to borrow the ſaid Sum of Five thouſand Pounds, or any Part thereof, by Money to be paid to them by Direction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, under the Proviſions of an Act paſſed in the Forty-fifth Year of His preſent Majeſty's Reign, intituled *An Act to amend the Laws for improving and keeping in Repair the Poſt Roads in* Ireland, *and for rendering the Conveyance of Letters by His Majeſty's Poſt Office more ſecure and expeditious*, it ſhall and may be lawful for them to borrow the ſame accordingly; and all the Tolls to ariſe by virtue of this Act or the ſaid laſt recited Act, ſhall be ſubject to all ſuch Payments at the Receipt of His Majeſty's Exchequer in *Ireland*, and to all ſuch Regulations, in reſpect of ſuch Payments, as are enacted therein reſpecting the ſame.

Act not to alter Powers of 45 G. 3.

XXI. Provided always, and be it further enacted, That nothing herein contained, ſhall extend or be conſtrued to extend, to alter or abridge the Powers and Authorities given to Truſtees of Turnpike Roads, by the ſaid Act paſſed in the Forty-fifth Year of the Reign of His preſent Majeſty, but the ſame ſhall remain in full Force with reſpect to the ſaid Turnpike Road, or the Truſtees thereof.

Application of the Tolls.

XXII. And be it further enacted, That the Tolls ariſen or to ariſe by virtue of the ſaid Acts or this Act, ſhall be applied, in the firſt Place, to pay the Charges and Expences incurred by the paſſing of this Act, and in the next Place, to the Payment of the Intereſt of all Bills which ſhall be ſo iſſued for Money borrowed, and to the Payment of all Rents which may be payable, by the widening of the ſaid Road, or altering the ſame; and after fully ſatisfying the ſame, then to the Expence of keeping up, improving, and amending the ſaid Road, and all Bridges, Gullets, Sewers, and Support Walls belonging thereto, in ſuch Manner as any Three of the ſaid Truſtees ſhall direct; and that all Surplus remaining thereafter, ſhall be regularly applied once a Year or oftener, in paying off the Bills which may be iſſued for Money borrowed purſuant to the Proviſions of this Act.

Plan and Book of Reference.

XXIII. And whereas a Map or Plan deſcribing the Lines of the ſaid new Road and Deviations, and the Lands through which the ſame are reſpectively to be carried, together with a Book of Reference, containing Liſts of the Names of the Owners or reputed Owners and Occupiers of ſuch Lands, have been depoſited at the Office of the Clerk of the Peace for the County of *Louth*; be it therefore enacted, That the ſaid Map or Plan and Book of Reference, ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid County, to the End that all Perſons may at any ſeaſonable Times, have Liberty to inſpect and peruſe the ſame, and to take Copies or Extracts thereof at their Will and Pleaſure, paying the Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and after the Rate of Sixpence for every One hundred Words of ſuch Copies or Extracts of the ſaid Map or Plan and Book of Reference; and that the ſaid Truſtees in making the ſaid new Road and Deviation reſpectively, ſhall not deviate more than One hundred Yards of Three Feet each, from the Line deſcribed in the ſaid Map or Plan, without the Conſent and Approbation in Writing of the Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

XXIV. Pro-

Truſtees may make Roads through Lands though Owners Names not in the Book of Reference.

XXIV. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to make the ſaid new Road and Deviations reſpectively, into, through, acroſs or over the ſeveral Lands or Grounds of any Perſon or Perſons who is or are or may be Owner or Owners of Lands, over which the ſame is ſet out and deſcribed in the ſaid Map or Plan as aforeſaid, although the Name or Names of ſuch Perſon or Perſons may happen to be erroneouſly ſtated or omitted in the ſaid Book of Reference, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the County wherein ſuch Lands are ſituated, and be certified by Writing under their Hands that ſuch Error or Omiſſion proceeded from Miſtake.

Corporation, &c. empowered to treat.

XXV. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic or Collegiate, Corporations Aggregate or Sole, Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees of Idiots and Lunatics, and Huſbands, and all other Truſtees whomſoever, for and on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, Idiots, Lunatics, or other Perſons under any Diſability of acting for themſelves, and for all and every Perſon or Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees for the abſolute Sale thereof, or of any Part thereof, or for their Intereſt therein, and to convey the ſame to the ſaid Truſtees for the Purpoſes aforeſaid; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid and effectual to all Intents and Purpoſes whatſoever, any Law, Uſage, or other Matter or Thing, to the contrary thereof in anywiſe notwithſtanding; and that all ſuch Tenants for Life, or in Fee Tail General or Special, or for Years determinable on any Life or Lives, Feoffees in Truſt, Executors, Adminiſtrators, Guardians, Committees, Huſbands, and Truſtees, Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and other Perſons, are and ſhall be indemnified for what they do by virtue or in purſuance of the ſaid Acts and this Act.

Turning or altering the Road.

XXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, and they are hereby empowered from Time to Time as they ſhall think proper, to divert, widen, turn, ſhorten, vary, or alter the Courſe or Path of any Part or Parts of the Road compriſed in the ſaid Acts and this Act, (within the Limits hereinbefore mentioned, or beyond ſuch Limits, with the Conſent of the Owners or Proprietors of the Lands through which the ſame ſhall be carried), and that any Variation of Road may be made of any Width not exceeding Sixty Feet, through any Common or Waſte Ground without making any Satisfaction for the ſame, and through any private or incloſed Lands, Grounds, or Hereditaments, within the Limits aforeſaid, firſt making Satisfaction to the Owners thereof, and Perſons intereſted therein, for the Damages they may ſuſtain thereby; and for that Purpoſe it ſhall and may be lawful to and for the ſaid Truſtees, or for their Clerk, or any other Perſon or Perſons by them duly authorized and deputed for that Purpoſe, by Order of a Meeting of the ſaid Truſtees, to treat, contract, and agree with the Owners of and Perſons intereſted in any Lands, Tenements, and Hereditaments, for the Purchaſe thereof, or for the Loſs or Damage ſuch Owners or Perſons intereſted may ſuſtain by the making, widening, diverting, turning, or altering the Courſe or Path of

any

any Part or Parts of the ſaid Road, through ſuch Lands, Tenements, and Hereditaments; and the ſaid Lands, Tenements, or Hereditaments ſo purchaſed, or any Part thereof, ſhall and may, by Order and Direction of the ſaid Truſtees, be laid into and made Part of the ſaid Road, in ſuch Manner as the ſaid Truſtees ſhall think convenient, and ſhall by ſuch Perſon or Perſons as they ſhall order and appoint, be ſufficiently drained, ditched, and fenced out for that Purpoſe; and after the ſaid Lands or Grounds ſhall be ſo drained, ditched, and fenced out, the ſame ſhall to all Intents and Purpoſes whatſoever become and be deemed and taken to be a public and common Highway, and to be Part of the Road to be amended, widened, and kept in Repair by virtue of this Act, and ſhall be repaired and kept in Repair by ſuch Ways and Means and in ſuch Manner as the old Road Way ought to have been kept in Repair.

In caſe of Perſons refuſing to treat, or not agreeing, a Jury to ſettle the Recompence.

XXVII. And be it further enacted, That if any Owner, Proprietor, Occupier of, or other Perſon or Perſons intereſted in any Lands, Tenements, or Hereditaments, which the ſaid Truſtees ſhall judge neceſſary or proper, to be purchaſed, taken, or uſed for the Purpoſes of the ſaid Acts and this Act, or any ſuch Body Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees, Guardians, Huſbands, Committees, or other Truſtees, upon Notice to him, her, or them, given or left in Writing at the Dwelling Houſe or Place of Abode of ſuch Perſon or Perſons, or of the Clerk or Head Officer of any ſuch Body Politic, Corporate, or Collegiate, or at the Houſe of the Tenant in Poſſeſſion of the Premiſes, ſigned by the Clerk to the ſaid Truſtees, ſhall, for the Space of Ten Days next after ſuch Notice given or left as aforeſaid, neglect or refuſe to treat, or ſhall not agree in the Premiſes, or by reaſon of Abſence or otherwiſe, ſhall be prevented from treating, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees to cauſe it to be enquired into and aſcertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the ſaid County of *Louth* (which Oath the ſaid Truſtees or any Two or more of them are hereby empowered to adminiſter), what Damage will be ſuſtained by and what Recompence and Satisfaction ſhall be made to ſuch Owner, Proprietor, Occupier, or other Perſon or Perſons intereſted for or upon Account of the taking or uſing of ſuch Lands, Tenements, or Hereditaments, for the Purpoſes of the ſaid Acts and this Act; and in order thereto, the ſaid Truſtees, or any Two or more of them, are hereby empowered and required from Time to Time, to ſummon and call before them all and every Perſon and Perſons who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſes, and ſhall examine ſuch Witneſs or Witneſſes before the ſaid Jury upon Oath (which Oath the ſaid Truſtees, or any Two or more of them, are hereby empowered to adminiſter), and they ſhall order and cauſe the ſaid Jury to view the Place in Queſtion, and uſe all other lawful Ways and Means, as well for their own as for the ſaid Jury's Information in the Premiſes; and after the ſaid Jury ſhall have ſo aſcertained and ſettled ſuch Damage and Recompence, they the ſaid Truſtees ſhall thereupon order, adjudge, and determine the Sum or Sums of Money ſo aſſeſſed by the ſaid Jury to be paid to the Owners, Proprietors, or Occupiers of the ſaid Lands, Tenements, or Hereditaments, or other Perſon intereſted therein, according to the Verdict or Inquiſition of the ſaid Jury; which ſaid Verdict or Inquiſition, and Judgment, Order, or Determination ſo had and made, ſhall be final, binding, and concluſive

to all Intents and Purpoſes whatſoever, againſt all Parties and Perſons claiming in Poſſeſſion, Reverſion, Remainder, or otherwiſe; and every ſuch Owner, Proprietor, Occupier, and Perſon anywiſe intereſted in ſuch Lands, Tenements, or Hereditaments, ſhall thereby be from thenceforth to all Intents and Purpoſes diveſted of all Right, Title, Claim, Intereſt, or Property of, in, to, or out of the ſame; and upon Payment of the Money ſo aſſeſſed to the reſpective Perſons entitled thereto, or their Agents, or upon paying the ſame into the Bank of *Ireland*, in Manner by the ſaid Acts and this Act directed, it ſhall and may be lawful to and for the ſaid Truſtees to cauſe the Premiſes in reſpect whereof ſuch Money ſhall be ſo aſſeſſed, to be diſpoſed of, and ſuch Acts to be done thereto, as if the Purchaſe thereof had been agreed upon and completed, and the ſaid reſpective Premiſes were untenanted, and the Purchaſe or Conſideration Money had been received by the Perſon or Perſons entitled thereto; and for the ſummoning and returning any ſuch Jury, the ſaid Truſtees are hereby empowered to iſſue out their Warrant or Warrants, ſigned by any Three or more of them, to the Sheriff of the ſaid County of *Louth*, thereby commanding and requiring ſuch Sheriff to impannel, ſummon, and return an indifferent Jury of Twenty-four Perſons, to appear before the ſaid Truſtees at ſuch Time and Place as in ſuch Warrant ſhall be appointed; and ſuch Sheriff or his Deputy is hereby required thereupon to impannel, ſummon, and return ſuch Twenty-four Perſons accordingly, and out of the Perſons ſo impannelled, ſummoned, and returned, or out of ſuch of them as ſhall appear according to or upon ſuch Summons, the ſaid Truſtees ſhall ſwear or cauſe to be ſworn Twelve Perſons, who ſhall be the Jury for the Purpoſes aforeſaid; and in Default of a ſufficient Number of Jurymen, the ſaid Sheriff or his Deputy ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured or ſummoned, to attend that Service, to the Number of Twelve: Provided always, that all Perſons concerned ſhall have their lawful Challenges againſt any of the Jurymen to be ſummoned in purſuance of the ſaid Acts and this Act, in ſuch and the like Manner as any Party in any Action depending in any of His Majeſty's Courts of Record at *Dublin* is or ſhall be by Law entitled to; and the ſaid Truſtees are hereby empowered to impoſe any reaſonable Fine or Fines on ſuch Sheriff or his Deputy who ſhall make Default in the Premiſes; and all or any of the Perſons who ſhall be ſummoned and returned to ſerve on ſuch Jury, and ſhall not appear without ſufficient Excuſe, or having appeared, ſhall refuſe to be ſworn on the ſaid Jury, or having been ſworn ſhall refuſe to give or ſhall not give his or their Verdict on the Matter in Queſtion, or ſhall in any other Manner wilfully neglect his or their Duty therein, and on any of the Perſons who, being ſummoned or required to give Evidence before the ſaid Jury touching the Premiſes, ſhall neglect or refuſe to appear without ſufficient Excuſe, or refuſe to be ſworn or examined, or give Evidence touching the ſame; but no ſuch Fine ſhall exceed Five Pounds upon any One Perſon for One Offence.

Houſes, &c. not to be injured.

XXVIII. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend ſo as to enable the ſaid Truſtees to take, uſe, injure or damage any Dwelling Houſe or other Building, built of Stone and Mortar, or Bricks and Mortar, or any Garden walled in, Orchard, Yard, Park, Paddock, or other Grounds, ſo as that ſuch Wall be of the Height of Five Feet, and made with Lime, Mortar,

Mortar, or Brick or Stone, or any planted Walk or Avenue to a House, or Nursery for Trees, without the Consent in Writing of the Owners or Proprietors thereof.

By whom the Expences of the Jury to be paid, &c.

XXIX. And be it further enacted, That in case any such Jury shall give in and deliver a Verdict or Assessment, for more Money than shall by or on Behalf of the said Trustees have been offered before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage, as aforesaid, or for less Money than shall have been offered, to be accepted or taken by or on Behalf of the said Trustees, as the Purchase Money for any such old Road as aforesaid, then and in every such Case, the Costs and Charges of summoning and maintaining the Jury and Witnesses, shall be borne and paid by the said Trustees out of the Money arising by virtue of the said Acts or this Act; but if any such Jury shall give in and deliver a Verdict or Assessment for no more, or for less Money than shall by or on Behalf of the said Trustees have been offered before the summoning and returning such Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Damage as aforesaid, or for the same or any more Money than shall have been offered, to be accepted or taken as the Purchase Money for any such old Road as aforesaid, then and in every such Case, the Costs and Charges of summoning and maintaining the said Jury and Witnesses, shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversies or Disputes, which said Costs and Expences shall be ascertained and settled by some Justice of the Peace, not interested in the Matter in Question, and within whose Jurisdiction such Controversy or Dispute shall arise (who is hereby authorized and required to examine and settle the same), and shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Monies, shall be deemed and taken to all Intents and Purposes whatsoever, to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk to the said Trustees, by such Ways and Means as are herein provided for the Recovery of Penalties and Forfeitures: Provided always, that in case where any Person or Persons shall by reason of Absence have been prevented from treating with the said Trustees, such Costs and Expences shall be borne and paid by the said Trustees.

Application of Compensation when amounting to 200l.

XXX. 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, or other 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 *Ireland*, in the Name and with the Privity of the Accountant General of the High Court of Chancery in *Ireland*, to be placed to his Account there, *ex parte* the Trustees for executing the said 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 to be made upon a Petition to be preferred in a summary Way by the

the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, 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, 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 mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall by Order of the High Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of ſome of the Public Funds or Annuities transferrable at the Bank of *Ireland*, and in the mean Time and until the ſaid Funds or Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Funds or 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 of Purchaſe Monies paid to incapacitated Perſons, if under 200l. and not leſs than 20l.

XXXI. 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 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 ſaid Bank of *Ireland*, 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 Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by the ſaid Truſtees, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing therefrom, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain, the Direction or Approbation of the ſaid High Court of Chancery.

Application of Purchaſe Monies paid

XXXII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs than the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall

shall be applied to the Uses 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 this Act, in such Manner as the said Trustees 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. to incapacitated Persons if under 20l.

XXXIII. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts or this Act, shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, it shall and may be lawful for the said Trustees to order the said Sums of Money to be paid into the Bank of *Ireland*, 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, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said 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 *Ireland*, 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. Purchase Monies payable to Persons not able to evince their Titles, to be paid into the Court of Chancery.

XXXIV. Provided always, 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 *Ireland*, in the Name and with the Privity of the said Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased in pursuance of the said recited Acts or this Act, or to any Funds or Annuities to be purchased with any such Money, or the Dividends or Interest of any such Funds or Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of making 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 Court of Chancery; and the Dividends and Interest of the Funds or Annuities to be purchased with such Money, and also the Capital of such Funds or 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 Persons in Possession of Premises purchased to be deemed the Owners thereof.

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.

For paying Expences when Purchaſes ſhall be made from incapacitated Perſons.

XXXV. 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 Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid High Court of Chancery 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, to be paid by the ſaid Truſtees, out of the Monies to be received by virtue of the ſaid recited Acts or this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Cars carrying Stones or Bricks to be boarded, or pay One Shilling at every Gate.

XXXVI. And whereas Stones and Bricks frequently fall on the ſaid Road from the Cars on which they are loaden, and are left remaining thereon, to the great Inconvenience of Perſons travelling the ſaid Road; be it therefore enacted, That every Car that ſhall carry any Stones or Bricks on the ſaid Road, ſhall be boarded on the Front Sides and Back thereof, with Boards Eight Inches high at the leaſt; and that for every Car ſo laden, which ſhall not be boarded in Manner aforeſaid, it ſhall and may be lawful for the Gate Keepers at every Gate on the ſaid Road, to demand and take the Sum of One Shilling for every ſuch Car, every Time it ſhall paſs through any of the ſaid Gates, in like Manner and with the ſame Remedies upon Refuſal, as in caſe of any other Toll now paid or payable at any Turnpike Gate on the ſaid Road; and the Owner or Owners of every Car laden as aforeſaid, without being boarded as aforeſaid, ſhall forfeit the Sum of Ten Shillings upon Conviction, on the Oath of One credible Witneſs, before any Juſtice of the Peace within his Juriſdiction; which Sum ſhall be levied and applied in the Manner herein-after directed.

Drains and Ditches under the Management of the Truſtees.

XXXVII. And be it further enacted, That if any Perſon ſhall ſcour, deepen, fill up or widen any Drain or Ditch, or any Part of any Drain or Ditch, on the Side of any Part of the ſaid Road, without the Order of the ſaid Truſtees, or any Three of them, it ſhall and may be lawful for the ſaid Truſtees, or any Three of them, to cauſe the ſame to be filled up or ſcoured, as they may think fit, and to levy the Expence thereof by Diſtreſs and Sale of the Goods of ſuch Perſon.

Truſtees may cauſe Ditches to be filled up, and make others with their Backs to the Road.

XXXVIII. And be it enacted, That it ſhall be lawful for the ſaid Truſtees to cauſe the Ditches on the Sides of the ſaid Road to be filled up, wherever they ſhall think proper, and to make other Drains or Trenches inſtead thereof, with the Back or Bank next the Road, and to make Compenſation out of the Tolls of the ſaid Road to the Perſons whoſe Land may be waſted thereby; and if any Perſon ſhall oppoſe the ſaid Truſtees or the Perſons by them employed therein, or ſhall remove any Part of the Materials which ſhall have been placed in any of the ſaid Ditches, or ſhall take down any Part of the Backs or Banks which are or

ſhall

ſhall be raiſed between the ſaid Road, and the Drains or Trenches on the Sides of it, without the Order of the ſaid Truſtees, or any Three of them, and ſhall be thereof convicted on his own Confeſſion or the Oath of One credible Witneſs, before any Juſtice of the Peace within his Juriſdiction, ſuch Perſon ſhall forfeit any Sum not exceeding Forty Shillings for every ſuch Offence, to be applied and recovered in Manner hereby directed.

Penalty on travelling with Scythes mounted.

XXXIX. And be it further enacted, That if any Perſon ſhall go or travel on the ſaid Road with a Scythe or Scythes mounted or fixed in the Handle, every Perſon ſo offending ſhall forfeit the Sum of Five Shillings upon Conviction, before any Juſtice of the Peace, upon the View of ſuch Juſtice, or the Oath of One credible Witneſs, or the Confeſſion of the Party.

Application of Penalties.

XL. And be it further enacted, That all Fines and Forfeitures under this Act ſhall be levied by Diſtreſs and Sale of the Offenders Goods, or of the Cattle and Carriages, Harneſs or Accoutrements belonging to the ſame, by Warrant under the Hand and Seal of a Juſtice of the Peace, together with the Expences attending the levying of the ſame, and ſhall be paid One Half to the Informer or Proſecutor, and the other Half to the Poor of the Pariſh where the Offence ſhall have been committed; and that in caſe any Fine or Forfeiture cannot be levied, from want of a Sufficiency of Goods to produce the Amount thereof, it ſhall be lawful for the Juſtice of the Peace to commit the Offender to Gaol, there to remain without Bail or Mainprize for any Time not exceeding One Month, or until the ſaid Fine or Forfeiture ſhall be paid.

Appeal.

XLI. And be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Thing done in purſuance of the ſaid recited Act or this Act, ſuch Perſon or Perſons ſhall and may appeal to the Juſtices of the Peace at the Firſt General or Quarter Seſſions of the Peace to be holden for the County where the Cauſe of Complaint ſhall ariſe, next after the Expiration of Three Calendar Months from the Time ſuch Matter of Appeal ſhall have ariſen, the Perſon or Perſons appealing having firſt given Ten Days Notice at the leaſt of his, her, or their Intention to bring ſuch Appeal and of the Matter thereof, to the Treaſurer or Clerk to the ſaid Truſtees, and within Four Days after ſuch Notice, entering into a Recognizance before ſome Juſtice of the Peace for ſuch County, with Two ſufficient Sureties conditioned to try ſuch Appeal, and abide the Order and Award of the ſaid Court thereon; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice and Recognizance having been given and entered into, are hereby authorized and required to hear and determine the Matter of ſuch Appeal in a ſummary Way, and to make ſuch Determination therein, and to award ſuch Coſts to either of the Parties or otherwiſe as they ſhall judge proper; and all ſuch Determinations ſhall be final, binding, and concluſive to all Parties, and to all Intents and Purpoſes whatſoever.

Continuance of this and former Acts.

XLII. And be it further enacted, That this Act, and the ſaid recited Acts paſſed in the Thirteenth and Fourteenth, and Fifteenth, and Sixteenth Years of the Reign of His preſent Majeſty, except ſo far as the ſame is altered by this Act, ſhall continue in force for Twenty-one Years, and

and from thence to the End of the then next Seſſion of Parliament; and that all the Powers and Proviſions of the ſaid Acts not hereby altered, ſhall be applied in the Execution of this Act; and that the ſaid recited Acts and this Act ſhall be conſtrued together as One Act.

Public Act. XLIII. 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.

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