ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lii.

An Act for continuing and amending Three Acts for repairing ſeveral Roads in the Counties of *Devon* and *Cornwall*, leading to the Borough of *Launceſton*.

[12th *May* 1815.]

WHEREAS an Act was paſſed in the Thirty-third Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for amending, widening, and keeping in Repair, ſeveral Roads leading to the Borough of* Launceſton, *in the County of* Cornwall: And whereas another Act was paſſed in the Twenty-firſt Year of the Reign of His preſent Majeſty King *George* the Third, intituled *An Act for continuing and amending an Act made in the Thirty-third Year of His late Majeſty King* George *the Second, for amending, widening, and keeping in Repair, ſeveral Roads leading to the Borough of* Launceſton, *in the County of* Cornwall: And whereas another Act was paſſed in the Forty-firſt Year of the Reign of His ſaid preſent Majeſty, intituled *An Act for continuing and amending Two Acts ſeverally paſſed in the Thirty-third Year of the Reign of His late Majeſty King* George *the Second, and in the Twenty-firſt Year of the Reign of His preſent Majeſty, for repairing and improving ſeveral Roads leading to the Borough of* Launceſton, *in the County of* Cornwall; *and alſo for extending the Proviſions of the ſaid Acts to the Road leading from the Weſt Gate under* Madford, *in the Borough of* Launceſton *aforeſaid, by* Docacre, *to the North Gate in the ſame Borough:* And whereas in purſuance of the ſaid recited Acts, or ſome of them, divers Sums of Money have been borrowed, and are now due on the Credit and Security of the Tolls thereby granted;

33 G. 2. c. 59.

21 G. 3. c. 86.

41 G. 3. c. 10.

granted; which Sums cannot be repaid, nor can the ſaid Roads be maintained and kept in good and ſufficient Repair, unleſs the ſaid Acts be continued for a further Term, and the Tolls and Powers thereby granted, altered and increaſed; and it is alſo expedient that divers of the Powers and Proviſions contained in the ſaid recited Acts, or ſome of them, ſhould be altered, amended, or repealed, and that other Powers and Proviſions ſhould be enacted, for more effectuating, repairing and improving the Roads comprized in the ſaid Acts: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts of the Thirty-third Year of the Reign of His late Majeſty King *George* the Second, and of the Twenty-firſt and Forty-firſt Years of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, Proviſions, Matters and Things therein contained, and now in force, (except ſo far as the ſame are hereby altered, varied, or repealed), and alſo the Tolls, Powers, Authorities, Clauſes and Proviſions in this Act contained, ſhall be and continue in full Force and Effect, for and during the Term hereinafter mentioned, for repairing, widening, improving, maintaining, and keeping in Repair, the ſeveral Roads comprized in the ſaid Acts, and hereinafter more particularly deſcribed, (that is to ſay,) the Highways or Roads leading from *Comb Bow Bridge*, in the Pariſh of *Thruſtleton*, through the ſeveral Pariſhes of *Thruſtleton* aforeſaid, *Lewtrenchard*, *Mariſtow*, *Stowford* and *Lifton*, in the County of *Devon*; *Lawhitton*, *Saint Mary Magdalen*, the Town and Borough of *Launceſton* aforeſaid, *South Petherwin*, *Saint Thomas the Apoſtle*, *Trewen*, *Laneaſt*, *Treneglos*, and *Davidſtowe*, to *Halworthy* in the ſaid Pariſh of *Davidſtowe* in the County of *Cornwall*; and from a certain Place called *Pennigillam Pool*, in the Road aforeſaid, in the Pariſh of *Saint Mary Magdalen* aforeſaid, through the ſeveral Pariſhes of *Saint Mary Magdalen* and *South Petherwin* aforeſaid, to a certain Place called *Trekellearn Bridge*, in the ſaid Pariſh of *South Petherwin* in the County of *Cornwall*; and from the Borough of *Launceſton* aforeſaid, in the Road aforeſaid, through the ſeveral Pariſhes of *Saint Mary Magdalen* and *Lawhitton* aforeſaid, and *Lezant* to *Greyſton Bridge*, in the ſaid Pariſh of *Lezant*, and from a certain Place called *Laburnick Croſs*, in the ſaid Road and Pariſh of *Lawhitton*, through the ſaid Pariſh of *Lawhitton*, to a certain Place called *Jonas's Shop*, in the ſaid Pariſh of *Lezant* and County of *Cornwall*; and from a certain Place called *Page's Croſs* in the Road aforeſaid, in the ſaid Pariſh of *Saint Mary Magdalen*, to a certain Place called *Hurdon Water* in *Saint Mary Magdalen* aforeſaid; and from *Launceſton* to the Village of *Bennacott*, in the Pariſh of *Boyton*; and from *Launceſton* to the Village of *Sittacott*, in the Pariſh of *Saint Giles in the Heath*; and from *Launceſton* to the Village of *Egloſkerry*, in the Counties of *Cornwall* and *Devon*; and alſo the Road leading from the Weſt Gate under *Madford*, in the Borough of *Launceſton* aforeſaid, by *Docacre*, to the North Gate, in the ſame Borough; which ſaid Term hereby granted ſhall be and is hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing on the Credit and Security of the ſaid Acts, or any of them, and of ſuch Sums of Money as ſhall be borrowed in purſuance of this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Recited Acts continued.

II. And

Trustees.

II. And be it further enacted, That the Honourable *William Eloit*, *John Hearle Tremayne*, *George Welsh Owen*, *William Arundell Harris*, *William Baron*, *Thomas Phillipps*, *William George Royse*, *Nathaniel Thomas Royse*, *John Beavis Bignell*, *Parr Cunningham Hockin*, *John Spurrier*, *John King Lethbridge*, *Charles Henry Lethbridge*, *Samuel Hart* Clerk, *John Rowe* Clerk, *William Augustus Morgan* Clerk, *Edmund Spettigue* Clerk, and *George Thomas Plummer* Clerk, together with such other Persons, not exceeding Ten, as shall be nominated by the said Trustees, or any Five or more of them, shall be and they are hereby appointed Trustees for carrying the said recited Acts and this Act into Execution, and they are hereby added to and joined with the Trustees appointed by and in pursuance of the said recited Acts or any of them, and (being qualified according to the Directions thereof) they are hereby empowered to act in the Execution of the said Acts and this Act, as fully and effectually to all Intents and Purposes as the Trustees appointed by or in pursuance of the said recited Acts, or any of them.

Former Tolls to cease.

III. And be it further enacted, That from and immediately after the First Day of *June* in the present Year, all the Tolls granted by the said recited Acts, or any of them, shall cease, determine, and be no longer paid or payable, and that instead and in lieu thereof there shall be demanded and paid, at each of the Toll Gates or Turnpikes to be continued or erected by virtue of the said Acts and of this Act, or any of them, (but under and subject to such Limitations, Qualifications and Restrictions as the said Trustees shall from Time to Time order, direct, or appoint) the several Tolls or Sums of Money herein-after mentioned, before any Cattle or Carriage, or other Thing upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

New Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, Curricle, Calash, Hearse, or other such Carriage, drawn by any Number of Horses or other Beasts, a Sum at the Rate of Sixpence for each Horse or other Beast drawing the same:

For every Horse, Mare, Gelding, Mule or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny, except when employed in carrying or conveying Fuel or Lime, as herein-after mentioned:

For every Drove of Oxen, Cows or Neat Cattle, the Sum of One Shilling and Three-pence *per* Score; and so in Proportion for a greater or less Number:

For every Drove of Calves, Hogs, Goats, Sheep or Lambs, the Sum of Ten-pence *per* Score; and so in Proportion for a greater or less Number:

For every Waggon, Wain, Cart or other such Carriage, drawn by Four or any greater Number of Horses or other Beasts, a Sum at the Rate of Nine-pence for each Horse or other Beast drawing the same; and drawn by Three or any less Number of Horses or other Beasts, a Sum at the Rate of Sixpence for each Horse or other Beast; except when employed in carrying or conveying Fuel or Lime, as herein-after mentioned:

For every Horse, Mare, Gelding, Mule or other Beast, drawing any Carriage laden or unladen, when solely employed in carrying or conveying Coals, Wood for Fuel, or Fuel of any other Kind, the Sum of Three-pence:

For every Yoke of Oxen, drawing any Waggon, Cart, or other Carriage, when solely employed as last aforesaid, the Sum of Four-pence;

For every Horſe, Mare, Gelding, Mule, or other Beaſt of Burden, laden or unladen, and not drawing, when ſolely employed as laſt aforeſaid, the Sum of One Penny:

For every Horſe, Mare, Gelding, Mule, or other Cattle, drawing any Carriage, laden or unladen, when ſolely employed in carrying or conveying Lime, the Sum of One Penny:

For every Horſe, Mare, Gelding, Mule, or other Beaſt of Burden, laden or unladen, and not drawing, when ſolely employed as laſt aforeſaid, the Sum of One Half Penny:

And on every *Sunday* (to be computed from Twelve of the Clock in the preceding *Saturday* Night, to Twelve of the Clock in the next ſucceeding Night) Double the Tolls which ſhall for the Time being be authorized to be collected on any other Day, under or by virtue of this Act.

And all ſuch Tolls and Duties are hereby veſted in the Truſtees for the Time being for carrying the ſaid recited Acts and this Act into Execution, and ſhall be received and taken at each and every of the Toll Gates or Toll Bars to be continued or erected upon the ſaid Roads in purſuance of the ſaid recited Acts and this Act, or any of them, and ſhall be paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of and aſſigned in ſuch Manner, and with, under, and ſubject to ſuch Limitations and Reſtrictions as the Tolls and Duties granted by the ſaid recited Acts, or any of them, are thereby authorized and directed to be received, paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of and aſſigned, except as by this Act is otherwiſe particularly directed.

Diſputes concerning Tolls to be ſettled by a Juſtice, who may give Coſts.

IV. And be it further enacted, That if any Diſpute ſhall happen about the Amount of Toll due, or the Charges of keeping or ſelling any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain the ſame, or the Money ariſing by the Sale thereof, as the Caſe may happen, until the Amount of ſuch Toll and the Charges of making ſuch Diſtreſs, and of keeping and ſelling the ſame, ſhall be aſcertained by ſome Juſtice of the Peace of the County, Borough, Town or Place where ſuch Diſpute ſhall happen, who, upon Application to him made for that Purpoſe, ſhall examine the Matter upon Oath of the Parties or other Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby authorized to adminiſter) and ſhall determine the Amount of the Tolls due, and ſuch Juſtice may aſſeſs and order ſuch Coſts as he ſhall think reaſonable to be paid by either of the Parties to the other of them; and in caſe of Non-payment thereof on Demand, ſuch Coſts ſhall, by virtue of a Warrant under the Hand and Seal of ſuch Juſtice, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party liable to pay the ſame.

Tickets to ſpecify the Gates to be freed thereby.

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

Regulations as to Toll Collectors.

VI. And be it further enacted, That every Toll Collector being a Leſſee of the ſaid Tolls, or being appointed either by the ſaid Truſtees, or by any Leſſee or Leſſees, to collect the Tolls payable at any Turnpike Gate to be continued

continued or erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board, in legible Characters, in the Front or in some other conspicuous Part of the Toll House or Toll Gate, immediately on his beginning to collect such Toll, or coming on Duty, each of the Letters of such Name or Names to be at least One Inch in Length, and of a Breadth in Proportion, and painted in Black Letters on a White Ground; and shall continue the same so placed during the whole Time he shall collect such Toll, or be upon such Duty; and if any Collector of the same Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall demand and take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and claim such Exemption, or shall refuse to permit or suffer, or shall in any ways hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same, on having paid the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket to denote the Payment of the Tolls when demanded, or shall unnecessarily detain any Passenger or Passengers, or shall make use of any scurrilous or abusive Language to any Traveller or Passenger, then and in every such Case every such Toll Collector shall forfeit and pay any Sum not exceeding Forty Shillings, for every such Offence, as the Justice or Justices before whom the Information shall be laid shall adjudge.

Limitation of Number of Tolls.

VII. Provided also, and be it further enacted, That no more than Two full Tolls shall be demanded or taken from any Person or Persons for passing and repassing during the same Day, to be computed in Manner aforesaid, with the same Horses, Cattle, or Carriages respectively, through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, upon the whole Extent of the said Roads; and that it shall be lawful for the said Trustees, or any Five or more of them, by an Order for that Purpose, to direct and appoint which of the said Toll Gates shall be Pay Gates, and which of them Ticket Gates, with respect to each other.

Exemptions from Tolls.

VIII. And be it further enacted, That from and after the said First Day of *June* One thousand eight hundred and fifteen, all and every Exemption or Exemptions from the said Tolls and Duties granted and made payable by the said recited Acts, or any of them, shall cease and be no longer allowed; and that in lieu thereof the several Exemptions from Tolls hereinafter mentioned shall be allowed, (that is to say), that no Toll shall be demanded or taken for any Horse or Carriage passing through any of the Toll Gates or Toll Bars which shall be continued or erected upon the said Roads, or on the Sides thereof, by virtue of this Act, when going or returning laden or unladen, and solely employed in carrying or conveying Stones, Bricks, Lime, Timber, Wood, Heath, Chalk, Gravel or other Materials to be used on or about the said Roads, or any of them, or any Part thereof, or any Highways in the Parishes, Townships, Districts or Places which are liable to perform Statute Duty thereupon; or Hay, Corn in the Straw, or other Produce of Lands not sold or disposed of, but going to be laid up in the Houses, Out-houses, Barns or Yards of the Owners thereof; or any Ploughs and Harrows, or other Implements of Husbandry to be used in the Cultivation of Lands, or any Mould, Dung,

Compoſt, or Manure, to be uſed or laid upon Lands, Gardens or Grounds; nor ſhall any Toll be paid by any Rector, Vicar, or Curate going to officiate or returning from officiating at any Church, Chapel, or other Place of religious Worſhip, or when viſiting his ſick Pariſhioners, or upon any other his Parochial or Miniſterial Duty, or by any other Perſon or Perſons, or any Horſes or Carriages in the employ of any Perſon or Perſons, when going to or returning from Church, Chapel or other Place of Religious Worſhip, or attending the Funeral of any Perſon who ſhall die or be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts or Places; nor for any Horſes, Mares, Geldings, Mules, Aſſes or Cattle going to or returning from Work in cultivating the Lands within the ſame, or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, Goats or Hogs, going to or returning from Paſture on the Commons, or other Grazing Grounds, or Watering Places, or Blackſmith's Shops to be ſhod, or having been ſhod; nor for any Horſe, or other Beaſt of Draught, or Carriage, going or returning laden or unladen, and ſolely employed in carrying or conveying any Furze, Peats, Turves, or Heather for Fuel; nor when carrying or conveying any Serges or other manufactured Woollen Goods of or belonging to any Perſons, being Inhabitants of any ſuch Pariſhes, Townſhips, Diſtricts or Places as aforeſaid, between their Houſes, and Fulling Mills, Tenters or Racks; nor when carrying or conveying any Raw Hides, Skins, or Leather, of or belonging to any ſuch Perſons, between their Tan Pits and Yards or Workhouſes; nor for any Horſes or Carriages of whatſoever Deſcription employed in conveying the Mails of Letters and Expreſſes, under the Authority of His Majeſty's Poſt Maſter General, either when employed in conveying, fetching or guarding the ſame, or in going for, or in returning from conveying the ſame, nor for the Horſes of Soldiers on the March or on Duty, or Carriages or Horſes or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; nor for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, or rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption; nor for any Waggon, Wain, Cart or other Carriage whatſoever, nor the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; nor for any Carriage, Horſe or other Beaſt, employed in the Conveyance of Vagrants travelling with legal Paſſes, or travelling with Vagrants ſent by legal Paſſes; nor for any Horſe or Carriage going to or returning from any Election of a Repreſentative or Repreſentatives to ſerve in Parliament for the Counties of *Cornwall* or *Devon*, or the Borough of *Launceſton*, on the Day or Days of any ſuch Election, or on the Day before or after any ſuch Election ſhall begin or be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled thereto, or ſhall make uſe of any Fraud whatſoever, whereby the Payment of the ſaid Toll, or any Part thereof, ſhall be evaded, every ſuch Perſon for every ſuch Offence ſhall forfeit and pay any Sum not exceeding Five Pounds.

IX. And

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

IX. And be it further enacted, That no Person owning or driving any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject or liable to any Penalty or Forfeiture for Overweight; nor shall any Waggon, Wain, Cart, or other Carriage be stopt 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 Acts or Act of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithstanding.

Provision in former Act to prevent the Tolls being evaded repealed.

X. And be it further enacted, That so much of the said recited Act of the Thirty-third Year of His late Majesty King *George* the Second as enacts, that if any Person or Persons whomsoever, owning, renting, or occupying any Land near unto any of the said Highways or Roads, or unto any Turnpike erected in pursuance of the same Act, should knowingly or wittingly permit or suffer any Person or Persons whomsoever to pass through any Ground, Field, Gateway or Passage belonging to such Owner, Renter, or Occupier; or if any Person or Persons should go or pass through any such Ground, Field, Gateway or Passage, the same not being a Common Road, with any Carriage or Cattle, whereby the Payment of any of the Tolls or Duties by this Act granted should be avoided; or if any Person or Persons should give to or receive from any other Person, except the Toll Gatherer or Collector of the said Tolls, any Note or Ticket of the Day by the same Act directed to be given by the Collectors or Receivers of the Tolls, or should make use of any forged Note or Ticket; or if any Person or Persons driving or owning any Carriage should at any Time or Times take off, or cause or suffer to be taken off from such Carriage, any Horse, Ass, Mule, Ox or other Cattle, at or before the same should come to any of the Gates or Turnpikes erected by virtue of this Act; or if any Person or Persons should leave, in any House or Place upon or near the the said Roads, any Carriage or Cattle chargeable with or liable to pay any or either of the Tolls by the same Act granted, whereby or by Means whereof, or of either of the Offences aforesaid, the Payment of any of the said Tolls should be evaded or lessened, that then and in either of the Cases aforesaid every Person so offending, and being thereof convicted upon the Oath of One or more Witness or Witnesses before the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of the Peace for the Borough of *Launceston*, or for the County where the Offence should be committed (which Oath the said Trustees, or any Two of them, or the said Justice or Justices, was and were thereby empowered to administer), should for every such Offence forfeit and pay to the said Trustees, or to their Treasurer for the Time being the Sum of Forty Shillings, to be recovered and applied in Manner therein-after mentioned, should be and the same is hereby repealed and made void.

To prevent the Tolls being evaded.

XI. And be it further enacted, That if any Person or Persons whomsoever owning, renting, or occupying any Lands or Grounds near to the said Roads, or any Part thereof, shall knowingly or wilfully permit or suffer any Person or Persons not being Part of his, her, or their Family or

in his, her, or their Service or Employ, to pass through any Ground, Gate, Passage, or private Way with any Horse, Beast, Cattle, or Carriage on or in respect of which a Toll is by this Act imposed, in order to evade the Payment of the said Toll; or if any Person or Persons owning, going in, or driving any such Carriage, or owning, riding, or driving any such Horse, Beast or Cattle, shall therewith pass through any such Ground, Gate, Passage or private Way, in order to evade the Payment of the said Toll or any Part thereof; or if any Person or Persons shall unload or cause to be unloaded any Goods or other Thing, or shall take off or cause to be taken off any Horse or other Beast of Draught from any Carriage, either before or after the same shall have passed through any of the Toll Gates to be continued or erected by virtue of this Act, or having passed through any of the said Toll Gates, shall afterwards add or put any Horse or Beast to any Carriage, for the Purpose of drawing the same upon any Part of the said Roads, in order to avoid or evade the Payment of any of the Tolls hereby imposed, or shall forge, counterfeit, or alter, or shall deliver to or receive from any other Person or Persons (except the Person or Persons appointed to receive the Tolls hereby made payable) any Note or Ticket, in order to avoid or evade the Payment of the said Tolls or any Part thereof; or if any Person or Persons liable to the Payment of any of the said Tolls shall forcibly pass or attempt to pass any of the said Toll Gates or Turnpikes, without Payment thereof at such Gate or Gates, each and every Person and Persons offending in any Manner as aforesaid, and being thereof convicted, shall respectively for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Provision in the former Act for getting Materials to repair the Roads repealed.

XII. And be it further enacted, That so much of the said recited Act of the Thirty-third Year of His late Majesty King *George* the Second as enacts, that it should be lawful for the Surveyor or Surveyors, appointed by the Trustees of the said Act, or such Person or Persons as he or they should appoint and employ for that Purpose, to dig, cut, gather, take, and carry away, or cause to be dug, cut, gathered, taken, and carried away any Gravel, Chalk, Furze, Heath, Sand, Stones, and other Materials, out of any River or Brook, Waste or Common, in any Parish, Town, Village, or Hamlet lying near the therein-mentioned Roads, to be used, disposed of, and applied in repairing the said Roads, without paying any Thing for the same, the said Surveyor or Surveyors, or other Person or Persons filling up the Pits, or levelling or fencing round the Ground from which such Materials shall be taken as aforesaid, or causing the same to be done, and for want of sufficient Gravel, Chalk, Furze, Heath, Sand, Stones, or other Materials in such Wastes or Commons, River or Brook as aforesaid, that it should be lawful for the said Surveyor or Surveyors, or other Person or Persons as aforesaid, to dig and gather the same out of the several Grounds of any Person or Persons (not being a House, Garden, Orchard, Yard, planted Walk or Walks, Park or Avenue to an House, or any Piece or Parcel of inclosed Ground, planted, set apart, and used as a Plantation or Nursery for the Forest or Apple Trees) where any such Materials could or might be found, and from Time to Time to carry away so much thereof as the said Surveyor or Surveyors should adjudge necessary for repairing and amending the Roads aforesaid, paying such Rates and making such Satisfaction for the Damage done such Grounds, only to the Owner or Owners of the Ground where and from whence the same should be digged, cut, gathered, taken or carried away, or over which the

the ſame ſhould be carried, as the ſaid Truſtees, or any Five or more of them, adjudge reaſonable; which Satisfaction the ſaid Truſtees, or any Five or more of them, were thereby empowered to pay out of the Money which ſhould be borrowed, collected or raiſed by virtue of that Act; and in caſe of any Difference concerning the ſame between ſuch Owner or Occupier and the ſaid Truſtees, touching ſuch Damage as aforeſaid, the Juſtices of the Peace at their next General Seſſion or Law Court to be holden in and for the ſaid Borough of *Launceſton*, or at the next General Quarter Seſſion to be holden in and for the ſaid Counties of *Cornwall* or *Devon*, in which the ſaid Lands ſhould reſpectively lie and be ſituate, or the major Part of them then preſent at ſuch Seſſion, ſhould adjudge, aſſeſs, and finally determine the ſame; the Perſon or Perſons who ſhould think himſelf or themſelves aggrieved or injured by ſuch Determination of the ſaid Truſtees, giving Ten Days Notice of ſuch Application to the Seſſions, to the Clerk or Clerks of the ſaid Truſtees, or the Surveyor of the ſaid Road where ſuch Lands lie or to the Owner or Occupier of ſuch Grounds or Lands, or to any one of his or their Family, to be left at his or their reſpective Places of Abode; and that it ſhould be lawful for the Surveyor and Surveyors, and ſuch other Perſon and Perſons as they ſhould direct and appoint, from Time to Time to enter into any Lime Quarry, Marble Quarry, or other Quarry, and to take and carry away the Chipping and Rubbiſh thereof, without paying or making any Satisfaction for the ſame to the Owner or Occupier, or ſome Perſon appointed by him being preſent, or Notice being given to ſuch Owner or Occupier, or his known Servant, or left at the uſual Place of Abode of ſuch Owner or Occupier, at leaſt Forty-eight Hours before ſuch taking and carrying away as aforeſaid; ſhall be, and the ſame is hereby repealed and made void.

Power for getting Materials to repair the Roads.

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

Difference between ſuch Owners and Occupiers and the ſaid Truſtees judge reaſonable.

But not from private Grounds without Conſent, or Order from Juſtices.

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

In caſes of not making out Titles.

XV. And be it further enacted, That in caſe any Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded or aſſeſſed for any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of the ſaid recited Acts and this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make out a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees, or any Five or more of them; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded or aſſeſſed as aforeſaid cannot be found, or if the Perſon or Perſons ſo entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered; then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, to order any Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt

or

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.

Perſons in Poſſeſſion to be deemed well entitled.

XVI. Provided always, and be it further enacted, That when 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 recited Acts and this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments 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 the Poſſeſſion of ſuch Lands, Tenements, and 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, and Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court; 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 and Intereſt therein.

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

XVII. Provided always, 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 and this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court of Chancery, and to be applied in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes in purſuance of the ſaid recited Acts and 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 the ſaid recited Acts and this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money as the Court ſhall direct.

Regulations as to Performance of Statute Duty.

XVIII. And be it further enacted, That ſo much of the ſaid recited Acts or of any of them as relate to the Performance of Statute Labour on the ſaid Roads ſhall be and the ſame is hereby repealed, and that all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace within their reſpective Juriſdictions and they are hereby required, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Treaſurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon

upon the ſaid Roads by the Inhabitants and Occupiers of Lands, Tenements, and Hereditaments in 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 or Treaſurers; and in order thereunto it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons within Seven 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 are or may be directed by any Law or Statute in force for the Repairs of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done on ſuch Days and at ſuch Times, (not being Seedtime, Haytime or Harveſt), and on ſuch Parts of the ſaid Roads, as the ſaid Truſtees, or any Five or more of them, or their Surveyor or Surveyors ſhall from Time to Time order, direct or 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 or any One or more of ſhall direct; and in Default of Payment thereof the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chartels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts or any of them authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor or Clerk to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject and liable to by any Law or Statute in force for the Repair of the Public Highways; and if any Perſon who ſhall come or be ſent to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Roads, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and diſmiſs the Perſons who ſhall be found idle or negligent as aforeſaid; and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid, as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Roads; all which Forfeitures ſhall be paid to the Treaſurer

to the ſaid Truſtees, and applied towards amending the ſaid Roads; and in caſe the Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes 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; the ſaid ſeveral Forfeitures and Penalties laſt aforeſaid to be recovered as any Forfeiture or Penalty impoſed by the ſaid recited Acts, or any of them, is thereby authorized to be recovered.

Surveyors may remove Annoyances.

XIX. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the ſaid Roads, and ſuch Perſon or Perſons as he or they ſhall appoint, from Time to Time (ſuch Surveyor or Surveyors having a general Order for that Purpoſe from the ſaid Truſtees or any Five or more of them) to remove and prevent all Annoyances and Obſtructions on any Part of the ſaid Roads, by Filth, Dung, Aſhes, Rubbiſh, Straw or otherwiſe, and to depoſit the ſame, and to carry the Soil or other Materials neceſſary to be removed for the above Purpoſes into any of the adjoining Lands, not being a Garden, Orchard, Yard, Park, Paddock, Plantation or Nurſery of Trees, paying or tendering Payment to the Owners or Occupiers of ſuch Lands and Grounds, for the Damage done thereto, as the ſaid Truſtees or any Five or more of them ſhall adjudge reaſonable, in all Caſes in which the Occupiers of ſuch Lands are not by Law obliged to remove the ſame, and to turn any Ditches, Watercourſes, Sinks or Drains running into, along, or out of the ſaid Roads, to the Prejudice thereof; and to open, ſcour, cleanſe, widen, or make deeper any Ditches, Watercourſes, or Drains running into or out of the ſaid Roads, to the Prejudice thereof, and to make the ſame as deep and large as he or they ſhall think neceſſary.

Regulations as to cutting Hedges, &c. and removing Annoyances, &c.

XX. And whereas by an Act paſſed in the Thirteenth Year of His preſent Majeſty's Reign, intituled *An Act to explain, amend and reduce into One Act of Parliament, the Statutes now in being for the Amendment and Preſervation of the Public Highways, within that Part of* Great Britain *called* England, *and for other Purpoſes*, Power is given to Surveyors to cauſe the Hedges, Buſhes, and Trees to be cut, pruned, plaſhed, and lopped, at any Time between the laſt Day of *September* and the laſt Day of *March*; and great Injury is ſuſtained by the ſaid Roads, for want of a preciſe Time being fixed, as well for the Completion of the ſaid cutting, pruning, plaſhing, and lopping, as for the clearing, ſcowering, and cleanſing of the Ditches, Drains, and Watercourſes adjoining to the ſaid Roads, and for carrying off the Soil ariſing from the ſaid clearing, ſcowering, and cleanſing; be it therefore further enacted, That the cutting, pruning, plaſhing, and lopping of all Hedges, Buſhes, and Trees adjoining the ſaid Roads, as directed by the ſame Act, except any Tree in any Garden, Orchard, Yard, Park, Paddock, Plantation or Nurſery, or planted for Shelter or Ornament to a Houſe, ſhall be perfected and completed on or before the Fifteenth Day of *October* in each Year; and the clearing, ſcowering, and cleanſing of all Drains, Ditches, and Watercourſes in or adjoining the ſaid Roads, and the Removal of the Soil ariſing from ſuch clearing, ſcowering, and cleanſing, ſhall take place Twice in the Year at the leaſt, Once in the Months of *October* or *November*, to be completed before the Fifteenth of the latter Month, and Once in the Month of *February*, to be completed before the

First Day of *March* on general Notice, and as much oftener as to ſuch Surveyors ſhall appear neceſſary, on giving particular Notice to the Occupiers of Lands, according to the Proviſions of the ſame: Provided always, that general Notice, to be given by the Surveyor to the Occupiers of Lands, and affixed ſome Time in the Months of *January* and *September*, or either of them, as the Caſe may require, on the Doors of the Church of each Pariſh through which ſuch Roads ſhall paſs, ſhall be deemed ſufficient Notice to compel the Performance of ſuch Periodical Duties, to be completed in the Months of *February*, *October*, and *November* reſpectively; and the Penalties impoſed by the before recited Act for Non-performance of ſuch Duties ſhall immediately attach on the Occupiers of Lands adjoining to thoſe Roads, if the ſaid Duties of cutting, pruning and lopping, and of clearing, ſcouring, and cleanſing the Ditches, Drains, and Watercourſes, and of carrying off the Soil and other Matters ariſing therefrom, are not completed within the Periods hereby preſcribed; and if any Perſon or Perſons to whom any Hedge or Trees ſtanding or that ſhall ſtand in or by the Side of any of the ſaid Roads, to the Prejudice or Annoyance of the ſame, ſhall belong, or who of Right ought to ſcour or cleanſe any Ditch, Drain, or Watercourſe lying or which ſhall lie in or lead into or out of any of the ſaid Roads, or any Part or Parts thereof, or who ought to remove any other Annoyance or Obſtruction, or any Filth, Dung, Aſhes, Rubbiſh, Straw or other Matter, ſhall not in a proper and effectual Manner cut down ſuch Hedges and lop ſuch Trees, ſo that the Sun and Air may have free Acceſs to the ſaid Roads, and ſhall not ſufficiently ſcour and cleanſe ſuch Ditches, Drains, and Watercourſes, and carry off the Soil and other Matter ariſing from the ſame, and remove ſuch Annoyances and Obſtructions as aforeſaid within the Space of Ten Days next after Notice ſhall for that Purpoſe be given unto him, her, or them reſpectively, or left at his, her, or their reſpective Places of Abode, or with the reſpective Tenant or Tenants, Occupier or Occupiers of the Land upon which ſuch Hedges or Trees ſhall grow or to which ſuch Ditch, Drain, or Watercourſe ſhall belong, or on which ſuch Annoyances or Obſtructions ſhall have been occaſioned (ſuch Notice to be given either under a General or a Special Order of the ſaid Truſtees, or any Five or more of them), then and in either of ſuch Caſes the ſaid Surveyor or Surveyors may and he is hereby authorized and required to cauſe ſuch Hedges and Trees to be properly and effectually cut and lopped, and ſuch Ditches, Drains, and Watercourſes to be ſcoured and cleanſed, and ſuch Annoyances and Obſtructions to be removed, and to pay for the cutting, lopping, ſcouring and cleanſing the ſame, and carrying away the Soil and other Matters ariſing therefrom, over and above all Penalties enacted by the ſame Act; and if the Perſon or Perſons, whether Owner, Tenant or Occupier, ſhall not upon Demand repay the Money ſo paid, together with the Amount of the ſaid Penalties, the ſame ſhall be levied and recovered in ſuch Manner as any other Penalties or Forfeitures may be levied and recovered: Provided always, that the Surveyor or Surveyors who ſhall be charged with the Repair and Maintenance of any Part of the ſaid Roads ſhall and is hereby made liable to Double the Amount of the Penalties attaching upon the Occupiers of Lands and on other Perſons offending againſt the Proviſions of this Act, in all the aforeſaid Caſes, if he ſhall wilfully neglect to enforce the Performance of the ſaid Duties, or the Removal of the ſaid Annoyances and Obſtructions, after receiving due Notice, either in Perſon, or in Writing to be left at his, her, or their Place or Places of Abode,

Abode, from any Perſon, of ſuch Annoyance, Obſtruction, Omiſſion, or Neglect, within the Diſtrict committed to his Care, for the Space of Double the Number of Days required to be given as Notice, in each ſimilar Caſe, to the Occupiers of Land or other Perſons liable to perform or remove the ſame, ſuch Notice ſpecifying in a particular Manner the Duty neglected, or the Annoyance or Obſtruction required to be removed.

Penalties how to be recovered.

XXI. And be it further enacted, That all the Penalties, Forfeitures and Fines, impoſed or authorized to be impoſed by the ſaid recited Acts and this Act, or any of them, ſhall, upon Proof of the Offences, and the Conviction of the Offenders reſpectively, before any One Juſtice of the Peace for the County, Borough, or Place wherein the Offence ſhall be committed, either by the Confeſſion of the Party or Parties offending, or by the Oath of One or more Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby empowered and required to adminiſter), be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of ſuch Juſtice, (which Warrant or Warrants ſuch Juſtice is hereby empowered to grant), and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale, are recovered and deducted, ſhall be returned or paid upon Demand unto the Owner or Owners of ſuch Goods and Chattels; and all ſuch Penalties, Forfeitures, and Fines, (if not otherwiſe directed by this Act) ſhall be paid to the ſaid Truſtees or their Treaſurer, and applied for the Purpoſes of this Act; and in every Caſe where by the ſaid recited Acts or this Act, or any of them, a Diſtreſs is directed to be taken, and ſufficient Diſtreſs ſhall not be found, and ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for ſuch Juſtice and he is hereby required, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Priſon for the ſaid County, Borough, or Place, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month for the Firſt Offence, and for the Second and every other Offence of the ſame Kind, for any Time not exceeding Three Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges ſhall be ſooner paid and ſatisfied.

XXII. And for the more eaſy and ſpeedy Conviction of Offenders, be it further enacted, That it ſhall be lawful for all and every Juſtice or Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt the ſaid recited Acts and this Act, or any of them, to cauſe the Conviction to be drawn up in the Form or to the Effect following; (that is to ſay),

Form of Conviction.

County of } ‘ BE it remembered, That on [*Time of Conviction*] at [*Place*
to wit. } ‘ *of Conviction*] *A. B.* [*Name of Offender*] of [*his addition*]
‘ was duly convicted before me [*or*, us, *Name and Style of convicting Juſtice*
‘ *or Juſtices*] for that the ſaid *A. B.* [*Name of Offender*], on [*Time of com-*
‘ *mitting Offence*] did [*here ſtate the Offence againſt this Act, according to*
‘ *the Fact*] contrary to the Form of the Statute made in the Fifty-fifth
‘ Year of the Reign of His Majeſty King *George* the Third, intituled [*here*
‘ *ſet forth the Title of this Act*], and I [*or* we] do therefore declare and
‘ adjudge that the ſaid *A. B.* [*Name of Offender*] has forfeited for the ſaid
‘ Offence the Sum of [*Fine*] or ſhall be committed to [*Place of Impriſon-*
‘ *ment*]

'*ment*] for the Space of [*Time of Impriſonment*]. Given under my Hand and
'Seal (*or*, our Hands and Seals) the Day and Year firſt above written.'

Collectors, &c. not incompetent Witneſſes.

XXIII. And be it further enacted, That in caſe any Diſpute, Suit or Litigation ſhall ariſe, touching any Tolls or Penalties, or any other Matter or Thing relative to the Execution of the ſaid recited Acts, and this Act, no Perſon or Perſons appointed to collect the ſaid Tolls, nor any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall by reaſon thereof be declared incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation.

Expences of this Act.

XXIV. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act ſhall be paid out of any Money already collected or received, or out of the firſt Monies hereafter to be collected or received by virtue of the ſaid recited Acts and this Act, or any of them.

Public Act.

XXV. 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 Act.

XXVI. And be it further enacted, That this Act ſhall commence upon the Firſt Day of *June* One thouſand eight hundred and fifteen; and ſhall continue in force 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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