ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 24.

An Act for repairing the Road from *Ipſwich* to *Stratford Saint Mary*, in the County of *Suffolk*.

[20th *March* 1812.]

WHEREAS the Road leading from the *Half Moon* and *Star Inn*, in the Pariſh of *Saint Matthew*, in *Ipſwich*, to the End of the Bounds of *Stratford St. Mary*, in the County of *Suffolk*, is much out of Repair, and in ſome Places narrow and incommodious for Travellers and Carriages, and cannot be effectually repaired, widened, altered, improved, and kept in good Repair, by the ordinary Courſe of Law; 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 *Dykes Alexander*, *Samuel Alexander* the Younger, *Richard Dykes Alexander*, *William Aſhmore*, *George Alderton*, *John Reaſon Allen*, *Joſeph Anſell*, *Charles Berners* the Younger, *Henry Denny Berners* Clerk, *Robert Bradſtreet*, *Edward Buſk*, *Robert Baker*, *George Bickmore*, *Cooper William Brooke*, *John Brooke*, *George Bridges*, *Charles Streynſham Collinſon*, *John Cobbold*, *Golden Conſtable*, *Walter Clerk*, *John Cook* of Holton, *John Cook* of Belſtead, *Robert Freeman Cook*, *Herbert Cotton*, *William Deane* Clerk, *William Deane*, Sir *William Eaſt* Baronet, *Iſaac Everet*, Major-General the Honourable *George De Grey*, *Peter Godfrey*, *John Goſnal*, Sir *Robert Harland* Baronet, *John Hollick*, *Robert Hoy*, *John Hicks*, the Members in Parliament of the Borough of *Ipſwich* for the time being, the Bailiffs of the Borough of *Ipſwich* for the Time being, *John Joſſelyn* the Younger, *James Joſſelyn*, *Eleazar* Truſtees.

Eleazar Lawrance, *Benjamin Keene*, *William Mannock*, *James Martin*, *John Nunn*, *Robert Pretyman*, *William Pearson*, *Robert Partridge*, *Charles Prieſt*, Sir *William Rowley* Baronet, *Joſhua Rowley* Clerk, *Robert Ruſſel*, *William Ranſon*, *John Ranſon*, *Robert Rand*, *Robert Riſt*, the Members in Parliament for the County of *Suffolk* for the time being, *Ambroſe Harbord Steward*, *John Newman Stubbin* Clerk, *James Stutter*, *John Stubbing*, *John Ruſſell Sewell*, *Joſeph Tweed* Clerk, *George Thomas*, *Thomas Weſtern*, *Thomas Woodward*, *Nathaniel Whimper*, *Thomas Woodgate*, *Jonathan Waſpe*, *John Waller*, and *Thomas Whitmore*, ſhall be and they are hereby appointed Truſtees for repairing, widening, improving, and keeping in repair the Road hereinbefore deſcribed, and for putting this Act into Execution.

Appointment of new Truſtees on Vacancies.

II. And be it further enacted, That when and as often as any of the Truſtees hereby appointed, or to be elected in manner hereinafter mentioned, ſhall die or refuſe to act, or become incapable of acting in the Execution of this Act, it ſhall be lawful for the ſurviving or remaining Truſtees, or any Three or more of them, from Time to Time to elect and appoint ſome other Perſon to be a Truſtee in the Room of every Truſtee dying or refuſing to act, or becoming incapable of acting as aforeſaid, (Ten Days public Notice of the Meeting for every ſuch Election being given in ſome Newſpaper publiſhed or circulated in the ſaid County, and alſo upon every Turnpike or Toll Gate which ſhall be then ſtanding upon or acroſs the ſaid Road); and every Perſon who ſhall be ſo elected a Truſtee, and being qualified according to the Direction of this Act, ſhall be joined with the ſurviving or remaining Truſtees, and ſhall be and is hereby empowered to act in the Execution of this Act, to all Intents and Purpoſes as if he had been named and appointed a Truſtee in and by this Act.

Qualification of Truſtees.

III. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Meſſuages, Lands, Tenements, or other Real Eſtate, of the clear yearly Value of Fifty Pounds, or ſhall be Heir Apparent of ſome Perſon having ſuch an Eſtate of the clear yearly Value of One hundred Pounds, or ſhall be poſſeſſed of a Perſonal Eſtate to the Amount of One thouſand Pounds; nor (except in adminiſtering the Oath hereinafter mentioned) until he ſhall have taken and ſubſcribed before any Three or more of the ſaid Truſtees, an Oath in the Words or to the Effect following; (that is to ſay,)

Oath or Affirmation.

'I *A. B.* do ſwear [*or*, being one of the People called Quakers, do ſolemnly affirm,] that I truly and *bona fide* am in my own Right, [*or*, in the Right of my Wife,] in the actual Poſſeſſion and Enjoyment [*or*, Receipt] of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds above Reprizes; [*or*, am Heir Apparent of *A. B.* who to the beſt of my Knowledge and Belief is ſeiſed of ſuch an Eſtate, of the clear yearly Value of One hundred Pounds; *or*, am poſſeſſed of a Perſonal Eſtate of the Amount of One thouſand Pounds, after all my Debts are paid, *as the caſe may be.*] So help me GOD.'

And

And which Oath any One of the Truſtees hereinbefore named, who ſhall attend ſuch Firſt Meeting, is hereby authoriſed to adminiſter; and if any Perſon, not being ſo qualified, ſhall nevertheleſs act as a Truſtee in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or on the Caſe, or by Bill, Suit, or Information; and every Perſon ſo proſecuted, ſhall prove that he is qualified, or otherwiſe ſhall pay the ſaid Penalty, upon Proof given of his having acted as a Truſtee in the Execution of this Act; provided nevertheleſs that all Acts and Proceedings which ſhall have been done and performed by any ſuch Perſon, touching the Execution of this Act, previous to his being convicted of the Offence before mentioned, ſhall, notwithſtanding ſuch Conviction, be as valid and effectual as if ſuch Perſon had been qualified according to the Directions of this Act: Provided always, that ſuch of the ſaid Truſtees as are or ſhall be in the Commiſſion of the Peace for the County of *Suffolk*, may nevertheleſs act as Juſtices of the Peace in the Execution of this Act, except only in ſuch Caſes where they ſhall be individually intereſted; but no Perſon ſhall be capable of acting as a Truſtee in the Execution of this Act in any Caſe where he ſhall be concerned in Intereſt, or during the Time he ſhall hold any Place of Profit under this Act.

Penalty on acting, not being qualified.

Truſtees may act as Juſtices of the Peace, but not to hold Places of Profit or act where intereſted.

IV. And be it further enacted, That the ſaid Truſtees ſhall meet at the Houſe called or known by the Name or Sign of the *White Elm*, ſituate in *Copdock*, in the ſaid County of *Suffolk*, upon the Fourth *Monday* next after this Act ſhall have received the Royal Aſſent, between the Hours of Eleven of the Clock in the Forenoon and One of the Clock in the Afternoon, and proceed to the Execution of this Act; and ſhall adjourn themſelves and afterwards meet at the ſame or any other Place or Places near the ſaid Road, as often as the ſaid Truſtees ſhall think neceſſary for putting this Act into Execution; and that all Meetings of the ſaid Truſtees ſhall conſiſt of Three Truſtees at the leaſt, but Two Truſtees ſhall be ſufficient for the Purpoſe of Adjournment only; and if it ſhall happen that there ſhall not appear at any Meeting a ſufficient Number of Truſtees to act or to adjourn, or in caſe the Truſtees at any Time aſſembled ſhall not adjourn themſelves, the Clerk or Clerks to the ſaid Truſtees ſhall adjourn the Meeting to the Place where the laſt Meeting was appointed to have been held, at ſuch Time as he or they ſhall think fit, not exceeding the Space of Twenty-one Days from the Time of the laſt Default, and ſhall give Notice thereof in Writing, to be affixed on the Turnpike Gate then erected upon or acroſs the ſaid Road, and ſhall alſo cauſe Notice thereof to be inſerted in ſome Newſpaper printed or circulated within the ſaid County of *Suffolk*; and in caſe no ſuch Adjournment, Notice, or Appointment for Meeting ſhall be made or given by ſuch Clerk or Clerks, then it ſhall be lawful for any Three or more of the ſaid Truſtees to cauſe Notice in Writing to be affixed upon the Turnpike Gate then erected upon or acroſs the ſaid Road, and to cauſe ſuch Notice to be inſerted in ſome ſuch Newſpaper as laſt mentioned, appointing the Truſtees to meet at ſuch Time and Place near the ſaid Road, as they the ſaid Truſtees or any Three or more of them ſhall think proper, not exceeding

Meetings of Truſtees.

Trustees at Meetings to pay their own Expences.

exceeding Twenty-one Days, nor sooner than Six Days from the Time of affixing such Notice and inserting the same in such Newspaper as aforesaid; and the said Trustees shall at all and every their Meetings defray their own Charges and Expences; and that all Acts, Orders, and Determinations in the Execution of this Act, shall be made at Meetings to be held in pursuance of this Act, and not otherwise (except in such Cases as are hereby otherwise expressly mentioned) and that no Act, Order, or Determination, shall be valid unless done at a Meeting as aforesaid, and unless the major Part of the Trustees present shall concur and agree therein; and provided also, that the whole Number present at any such Meeting, shall not be less than Three; and all Orders and Determinations so made at such Meeting shall be as valid and effectual to all Intents and Purposes as if made by all the said Trustees: Provided always, that no such Order made at any Meeting to be held in pursuance of this Act, shall be revoked or altered at any subsequent Meeting, unless the Number of Trustees present at the Meeting, revoking, or altering the same shall be Nine at least, and the Majority present shall concur therein; and unless the Person or Persons applying to revoke or alter such Orders shall give Notice thereof to the Clerk to the said Trustees; and also unless he shall cause Notice specifying such Revocation or Alteration, to be inserted in some Newspaper published or circulated within the said County, and to be affixed on the Turnpike or Toll Gate which shall be then standing upon or across the said Road, at least Fourteen Days previous to any Meeting to be held for that Purpose, any Thing hereinbefore contained to the contrary notwithstanding.

All Orders and Determinations of Trustees to be made by the Majority present at any Meetings, the whole Number present not being less than Three.

Meetings on Emergencies.

V. And be it further enacted, That if, after any Adjournment of the said Trustees, it shall be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, then the Clerk or Clerks to the said Trustees, on an Order in Writing signed by any Three or more of the Trustees, (although not assembled at a Meeting), mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof by Writing to be affixed on the Turnpike Gate then erected upon or across the said Road, and cause the same to be inserted in some such Newspaper as aforesaid, and of the Time and Place which shall be mentioned in the Order of the said Trustees, (such Time not being sooner than Fourteen Days after such Notice), and such earlier Meeting shall or may be held accordingly; and all the Proceedings of the Trustees at all such Meetings, shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

Proceedings of the Trustees to be entered.

VI. And be it further enacted, That all Orders and Proceedings of the said Trustees in the Execution of this Act, shall from Time to Time be entered in a Book to be kept for that Purpose, and such Orders and Proceedings so entered, being signed by the Clerk to the said Trustees, shall be taken and deemed to be Originals; and the said Book, and also the Book directed to be kept for registering the said Mortgages, Assignments, and Transfers, may be produced, and shall be received in Evidence in all Courts whatsoever.

VII. And

Truſtees may appoint Officers.

VII. And be it further enacted, That the ſaid Truſtees may and they are hereby empowered from Time to Time to appoint a Treaſurer and Clerk, and alſo ſuch Collectors of the Tolls, Surveyors, and other Officers, as they ſhall think neceſſary, and may from Time to Time remove any ſuch Officers when they ſhall ſee occaſion, and appoint others in their ſtead: Provided nevertheleſs, that when any Collector of the Tolls to be appointed by virtue of this Act, ſhall die, reſign, or become incapable of performing his Duty, it ſhall be lawful for any Three or more of the ſaid Truſtees (although not aſſembled at a Meeting), by Writing under their Hands, to appoint a Collector of the Tolls in the ſtead of ſuch Collector as ſhall die, reſign, or become incapable of performing his Duty as aforeſaid; and the Perſon ſo appointed ſhall have the ſame Authority for the collecting and recovering of the Tolls hereby granted, as the Perſon he ſhall ſucceed was inveſted with, until the ſaid Truſtees ſhall, at a Meeting, appoint a Collector of the Tolls in his ſtead.

Three Truſtees may appoint a temporary Collector.

Officers to account.

VIII. And be it further enacted, That all ſuch Officers as ſhall be appointed by virtue of this Act as aforeſaid ſhall, as often as required by the ſaid Truſtees, render and give to them or to ſuch Perſon or Perſons as they ſhall for that Purpoſe appoint, a true, exact, and perfect Account in Writing under their reſpective Hands, with the proper Vouchers, of all Monies which they ſhall reſpectively to the Time of rendering ſuch accounts have received, paid, and diſburſed by virtue of this Act, or for or on account or by reaſon of their reſpective Offices, and ſhall verify ſuch Accounts upon Oath, if thereunto required by the ſaid Truſtees (which Oath the ſaid Truſtees or any Two of them are hereby empowered to adminiſter); and in caſe any Money ſo received by any ſuch Officer, ſhall remain in his Hands, the ſame ſhall be paid to the ſaid Truſtees or to ſuch Perſon or Perſons as they ſhall in Writing under their Hands authorize and empower to receive the ſame; and if any ſuch Officer ſhall refuſe or wilfully neglect to render and give ſuch Acconnt, or to produce and deliver up ſuch Vouchers, or to verify ſuch Account upon Oath as aforeſaid, or ſhall, for the Space of Fourteen Days after being thereunto required by the ſaid Truſtees, refuſe or neglect to render and give up to them or to ſuch Perſon or Perſons as they ſhall appoint, all Books, Papers, Writings, Too's, Matters, and Things in his Hands, Cuſtody, or Power, relating to the Execution of this Act, or which he ſhall have diſpoſed of without the Conſent and Approbation of the ſaid Truſtees; that then any Juſtice of the Peace for the County where the Officer ſo making Default ſhall be or reſide, may and ſhall, upon Application made to him for that Purpoſe, by or on the Behalf of the ſaid Truſtees, make enquiry of and concerning any ſuch Default as aforeſaid in a ſummary Way, as well by the Confeſſion of the Party as by the Teſtimony of any credible Witneſs upon Oath (which Oath ſuch Juſtice is hereby empowered and required to adminiſter without Fee or Reward), and by Warrant under his Hand and Seal, to cauſe ſuch Money as ſhall appear to him to be due and unpaid, to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer, rendering to him the Overplus (if any) after the Money remaining due, and the Charges and Expences of making ſuch Diſtreſs and Sale, ſhall be deducted; and if ſufficient Diſtreſs cannot be found, or if it ſhall appear to any ſuch Juſtice in Manner aforeſaid, that any

Power to compel an Account or Payment.

such Officer shall have refused or wilfully neglected to give such Account, or to verify the same in Manner aforesaid, or to deliver up all Books, Papers, Writings, Tools, Matters, and Things in his Custody or Power relating to the Execution of his Office, or of this Act as aforesaid, such Justice shall commit him to the Common Gaol or House of Correction of the County where such Offender shall then reside, there to remain, without Bail or Mainprize, until he shall make and give a true and perfect Account, and verify the same in Manner aforesaid, and shall produce and deliver up the Vouchers relating thereto, and shall have paid the Money (if any) remaining in his Hands as aforesaid, according to the Directions of the said Trustees, or compounded with the said Trustees for such Money, and paid such Composition according to their Direction (which Composition the said Trustees are hereby empowered to make and receive), or until he shall deliver up such Books, Papers, Writings, Tools, Matters, and Things as aforesaid, or have given Satisfaction to the said Trustees concerning the same; but no such Officer who shall be committed as aforesaid, shall be detained in Prison, on account of his not having sufficient Goods and Chattels as aforesaid, for any longer Time than Six Calendar Months; and the said Trustees shall and may, out of the Money arising by virtue of this Act, make such Allowance to every such Clerk, Collector, Surveyor, and other Officer, for and in respect of his Care and Pains in the Execution of his Office, and to such other Persons as shall have been employed in the Execution of this Act, as to the said Trustees shall seem reasonable; but no Person shall be capable of holding any Place of Trust or Profit under the said Trustees, who shall sell any Wine, Ale, Spirituous Liquors, or Provisions by retail.

No Victualler to hold any place of Profit under this Act.

Officers to give Security.

IX. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to take sufficient Security from every such Treasurer or Receiver to be appointed for the Purposes of this Act, for the due and faithful Execution of his Office, and if they shall think proper, may also take such Security from any other Officer to be appointed under or by virtue of this Act.

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

X. And be it further enacted, That in all Actions, Causes, Suits, Bills, Plaints, Indictments, Prosecutions, Trials, or Proceedings at Law, to be had, brought, or prosecuted or defended by virtue or in pursuance of this Act, the said Trustees may sue and be sued in the Name of their Clerk or Treasurer, or in the Name or Names of any Three or more of the said Trustees, or in the Names of the Trustees who may be Parties to any Deed or Instrument in Writing upon which any Action shall or may be brought; and that no Action, Suit, or Proceeding, to be brought or commenced or defended by the Direction of or against the said Trustees in their Names, or in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death, Incapacity, or Removal of any Trustee or Trustees, Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees or any Three or more of them; but that the Clerk or Treasurer for the Time being to the said Trustees, in case such Action shall be brought against or defended in the Name of such Clerk or Treasurer, shall be deemed to be Plaintiff or Defendant (as the

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Caſe may be) in every ſuch Action: Provided always, that ſuch Truſtees, Clerk, or Treaſurer, in whoſe Names or Name any Action, Suit, or Proceeding ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall be fully reimburſed and paid, out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Charges, Damages, and Expences, as by the event or in conſequence of any ſuch Action or Proceedings, they or he ſhall bear, pay, expend, or be put unto or become chargeable with, for or by reaſon of their or his being ſo made Plaintiffs or Defendants, or Plaintiff or Defendant as aforeſaid.

Truſtees may erect a Turnpike.

XI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees and they are hereby required to cauſe a Turnpike or Toll Gate to be erected upon or acroſs the ſaid Road at or within One Mile of *Lattinford Bridge*, in the ſaid County of *Suffolk*, and alſo a Toll Houſe adjoining or near to the ſaid Turnpike or Toll Gate, as to the ſaid Truſtees ſhall ſeem requiſite and expedient, and may, if they think proper, take in and incloſe from the ſaid Road a convenient Garden Spot to ſuch Toll Houſe, not exceeding Half of an Acre.

Truſtees to erect Side Gates.

XII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees or any Three or more of them, to cauſe to be erected, ſet up, and provided, any Turnpike or Turnpikes, Toll Gate or Toll Gates, Toll Houſe or Toll Houſes, on the Side or Sides of the ſaid Road and acroſs any Lane or Way leading into the ſame, and to cauſe ſuch Tolls to be collected and levied at ſuch reſpective Turnpikes or Toll Gates as are by this Act made payable upon the ſaid Road; ſo that the ſame do not extend to a double Charge, or ſubject any Perſon to the Payment of a larger Toll than is by this Act appointed to be paid, for afterwards paſſing or repaſſing the ſame Day through the ſaid Turnpike or Toll Gate to be erected by virtue of this Act acroſs the ſaid Road.

Turnpike may be removed.

XIII. And be it further enacted, That the ſaid Truſtees or any Nine or more of them may and they are hereby empowered from Time to Time, when and as often as they ſhall think proper, (with the Conſent and Approbation of ſuch Perſon or Perſons as ſhall be entitled to Two-third Parts at the leaſt of the Money which ſhall be then due and owing upon the Credit of the ſaid Tolls, but not otherwiſe,) to cauſe any Turnpike or Toll Gate, or any Weighing Engine which ſhall be erected by virtue of this Act, in, upon, or acroſs the ſaid Road, to be taken down and removed, and the ſame or any other Turnpike or Toll Gate and Weighing Engine, in lieu of the Turnpike or Toll Gate and Weighing Engine ſo taken down and removed, to be erected in, upon, or acroſs ſuch other part of the ſaid Road, as to the ſaid Truſtees or any Nine or more of them ſhall appear convenient; and from Time to Time, as often as they ſhall think fit, again to remove the ſaid Turnpike or Toll Gate and Weighing Engine, and to cauſe the ſame to be erected, in, upon, or acroſs ſuch Part of the ſaid Road whereon the ſame formerly ſtood, or in, upon, or acroſs any other Part or Parts thereof; Provided nevertheleſs, that no ſuch Removal ſhall be made unleſs at a Meeting to be held after Twenty Days previous Notice,

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such Notice specifying the Intention to remove the same, shall have been given in some Newspaper published or circulated within the said County, and also upon the Turnpike or Toll Gate which shall be then standing upon the said Road.

Property of Turnpikes vested in Trustees.

XIV. And be it further enacted, That the Right and Property of and in all the Turnpikes or Toll Gates, and Toll Houses, Weighing Engines, Tunnels, Arches, Bridges, Walls, and other Erections and Buildings which shall or may be erected on the said Road, or provided by virtue of this Act, and their respective Appurtenances, and the Materials of which the same shall consist, and all other Materials, Tools, Implements, Matters, and Things which shall be provided for the Purposes of the said Road, shall be and are hereby vested in the said Trustees, and they are hereby authorized and empowered to dispose of the same as they shall think fit, for the Purposes of this Act, and to bring or cause to be brought any Action in the Name of any One or more of them, or of their Treasurer or Clerk, and to prefer and prosecute, or order and direct the preferring and prosecuting of any Indictment or Indictments against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy any of the said Turnpikes or Toll Gates, or Toll Houses, Weighing Engines, and other Erections and Buildings, or any of the Materials or Things aforesaid, or who shall do any act to injure or obstruct any Persons employed by the said Trustees in the Execution of this Act.

Tolls.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed by virtue of this Act, Collector or Collectors as aforesaid, to demand and take the several Tolls and Duties following, at the aforesaid Turnpike or Toll Gate, and at any Side Gate or Side Gates to be erected upon the said Road, and on every Day, (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night); that is to say,

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

For every Coach, Diligence, Berlin, Landau, Chariot, Carivan, Hearse, Litter, Calash, Chaise Marine, Chaise, Sociable, Curricle, Chair, Car, or other such like Carriage, drawn by Six Horses, Mares, Geldings, Mules, or Asses, One Shilling and Sixpence; and drawn by Four or Three Horses, Mares, Geldings, Mules, or Asses, One Shilling; and drawn by Two Horses, Mares, Geldings, Mules, or Asses, Nine Pence; and drawn by One Horse, Mare, Gelding, Mule, or Ass, Sixpence:

For every Cart called a Taxed Cart, and liable to Duties as such, drawn by One Horse, Mare, Gelding, Mule, or Ass, Sixpence:

For every Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth or Gauge than Nine Inches from Side to Side, and drawn by Four or Five Horses or other Beasts going at length, One Shilling and Sixpence; and drawn by Three Horses or other Beasts going at length, One Shilling; and drawn by Two Horses or other Beasts going at length, Nine Pence; and drawn by One Horse or other Beast, Three Pence.

For

For every Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth or Gauge than Nine Inches from Side to Side, drawn by Four or more Horses or other Beasts going all or any Two of them abreast, or in a Pair or Pairs, One Pound Fifteen Shillings and Sixpence; and drawn by Three Horses or other Beasts, any Two of them going abreast or in a Pair, Fifteen Shillings; and drawn by Two Horses or other Beasts going abreast or in a Pair, Two Shillings:

For every Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth or Gauge of Nine Inches or upwards, from Side to Side, or having the Fellies of the Wheels of the Breadth or Gauge of Six Inches or upwards from Side to Side, such last-mentioned Wheels being cylindrical and rolling a flat Surface, drawn by Eight or Seven Horses or other Beasts, Three Shillings; and drawn by Six or Five Horses or other Beasts, Two Shillings and Sixpence; and drawn by Four, Three, or Two Horses or other Beasts, One Shilling and Sixpence:

For every Drove of Oxen, Cows, or other Neat Cattle, One Shilling and Three Pence *per* Score; and so in Proportion for any less Number; and for every Drove of Calves, Hogs, Sheep, or Lambs, Three Pence *per* Score; and so in Proportion for any less Number:

How to be recovered.

And the said respective Tolls shall be demanded and taken before any Horse or Horses or other Beast or Beasts, Cattle or Carriage whatsoever, shall be permitted to pass through the said Turnpike or Toll Gate or Side Gates; and which said Tolls shall be and the same are hereby vested in the said Trustees appointed or to be appointed for putting this Act into Execution; and if any Person or Persons subject to the Payment of any of the said Tolls shall, after Demand thereof made by any Collector or Collectors to be appointed as aforesaid, neglect or refuse to pay the same or any Part thereof, it shall be lawful for such Collector or Collectors, or other Person or Persons whom he or they shall take to his or their Assistance therein, to seize and distrain any Horse or other Beast, Cattle, or Carriage, upon which any such Tolls are by this Act imposed, or any of the Goods or Chattels carried or drawn by such Horse or Horses, or other Beast or Cattle, or any other Goods or Chattels of or belonging to any Person or Persons so neglecting or refusing or liable to pay the Tolls aforesaid, or any of them (except the Bridle or Reins of any Horse or other Beast separate from such Horse or other Beast); and if such Tolls, and the reasonable Charges of such Seizure and Distress, and of detaining and keeping the same, shall not be paid within the Space of Five Days next after such Seizure and Distress made, the Person or Persons so seizing or distraining may sell the Horse or other Beast, Cattle, or Carriage, or Goods, or Chattels so seized and distrained, rendering the Overplus (if any) on Demand to the Owner or Owners thereof, after such Tolls and all reasonable Charges shall be deducted.

Tolls to be paid but once a Day.

XVI. Provided always, and be it further enacted, That every Person who shall have paid the Tolls hereby granted, at the said Turnpike or Toll Gate to be erected by virtue of this Act, in, upon, or across the said Road, shall on the same Day (to be computed from Twelve of the

the Clock at Night to Twelve of the Clock in the ſucceeding Night,) be permitted to paſs and repaſs at any Time or Times, as often as he or ſhe ſhall think proper, with the ſame Horſe or Horſes, or other Beaſt or Beaſts, Cattle or Carriage, for or in reſpect of which ſuch Tolls ſhall have been paid, through the ſaid Turnpike or Toll Gate, and alſo through any of the Turnpikes or Toll Gates to be erected or ſet up at or near the Side or Sides of the ſaid Road, or acroſs any Road, Lane, or Way leading into the ſame, without being ſubject to the Payment of any further Toll, ſuch Perſons reſpectiyely producing Notes or Tickets denoting ſuch Payments, which Notes or Tickets the Collectors of the Tolls are hereby required to give *gratis* upon Receipt of the Tolls.

Penalty on evading Tolls.

XVII. And be it further enacted, That if any Perſon or Perſons ſhall, with Intent to evade Payment of the ſaid Tolls, or any of them, with any Horſe or other Beaſt, or Cattle, or Carriage whatſoever, paſs through any Land or Ground, (not being the Owner or Occupier thereof,) adjoining to or lying near the ſaid Turnpike or Toll Gate, or any Side Gate to be erected by virtue of this Act, the ſame not being a Public Highway; or if the Owner or Occupier of any ſuch Land or Ground ſhall knowingly permit or ſuffer any Perſon or Perſons with any Horſe or other Beaſt, or Cattle, or Carriage, to paſs through the ſame, whereby the Payment of any of the ſaid Tolls ſhall be avoided; or if any Perſon ſhall give to or receive from any Perſon other than the Collectors of the ſaid Tolls, any Ticket by this Act directed to be given by the ſaid Collectors, or ſhall forge or counterfeit any ſuch Ticket, or make uſe of any ſuch forged or counterfeited Ticket, knowing the ſame to be forged or counterfeited, with the Intent that and whereby the Payment of any of the ſaid Tolls ſhall be avoided; or if any Perſon ſhall forcibly paſs through any of the ſaid Turnpikes or Toll Gates with any Horſe or other Beaſt, or Cattle, or Carriage, without Payment of the Tolls for the ſame, or ſhall take off or cauſe to be taken off any Horſe or other Beaſt or Cattle from any Carriage, or ſhall leave or cauſe to be left upon or near any Part of the ſaid Road, any Horſe or other Beaſt or Cattle, or any Goods, with Intent to avoid the Payment of the ſaid Tolls or any Part thereof; every Perſon ſo offending in any of the Caſes aforeſaid, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Diſputes concerning Tolls to be ſettled by a Juſtice.

XVIII. And be it further enacted, That if any Diſpute or Diſputes ſhall happen or ariſe between the Collector or Collectors of the ſaid Tolls, his or their Servants, Agents, or Aſſiſtants, and any Paſſenger or Paſſengers travelling on the ſaid Road, relative to the Amount of the Tolls due, or the Charges of keeping or ſelling any Diſtreſs or Diſtreſſes as aforeſaid, ſuch Diſpute ſhall be ſettled and determined by ſome Juſtice of the Peace for the ſaid County, who, upon Application made to him for that Purpoſe, ſhall examine the Matter by 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 the Charges of ſuch Diſtreſs and Sale and other reaſonable Coſts.

XIX. And

Collectors, &c. may give Evidence.

XIX. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall happen or ariſe, touching or in anywiſe concerning or relating to the Tolls to be collected on the ſaid Road, or the Recovery of ſuch Tolls, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being appointed to collect the ſaid Tolls, or acting under the Authority of the ſaid Truſtees as aforeſaid.

Exemptions from Tolls.

XX. Provided always, and be it further enacted, That no Toll ſhall be demanded or taken for any Horſe or Horſes, or other Beaſt or Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame day, any Stones, Bricks, Timber, Wood, Gravel, or other Materials for making or repairing the ſaid Road, or any of the Roads in the Townſhips or Pariſhes in which any Part of the ſaid Road lies, or with Seed for ſeeding the Ground, or Hay, Turnips, Straw, or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Houſes, Barns, Outhouſes, or Yards, or on the Lands of the Owners thereof, or for any Horſe, Beaſt, or other Cattle or Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying on the ſame Day, any Ploughs, Harrows, or Implements of Huſbandry, or any Mould, Dung, Soilage, Chalk, Compoſt, or Manure employed in Huſbandry, or for manuring or improving Lands, or any other thing employed in the Management of any Farm or Lands, or for any Horſes or other Beaſts going to or returning from Paſture or Watering-place, or going to be or returning from being ſhoed or farried, or from any Perſon or Perſons going to or returning from his, her, or their proper Parochial Church, Chapel, or other Place of Religious Worſhip on *Sundays*, or any other Day on which Divine Service is ordered by Authority to be celebrated, or going to or returning from attending the Funeral of any Perſon who ſhall die and be buried in any of the Pariſhes in which the ſaid Roads lie, or from any Clergyman going to viſit or returning from viſiting any ſick Perſon, or on other his parochial or miniſterial Duty, or for any Horſes or Carriages, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter-General, either when employed in conveying or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame, or for the Horſe or Horſes of any Officers or Soldiers on their March or on Duty, or for any Horſe or Horſes, or other Beaſt, or any Cart, Carriage, or Waggon, employed in carrying or conveying or returning therefrom, having been employed only in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying or conveying any ſick, wounded, or diſabled Officers or Soldiers, or for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, or Barrack or Commiſſariat or other public Stores of or belonging to His Majeſty,

jesty, or for the Use of His Majesty's Forces, or returning from having been so employed, or for any Horse, Mare, or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements, according to the Regulations of such Corps, at the Time of claiming the Exemption, or for Horses, Carts, or Waggons travelling with Vagrants sent by legal Passes, or returning after having been so employed, or for any Horses, Coaches, or other Carriages going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Suffolk*, on the Day or Days of such Election, or the Day before or Day after such Election shall begin or be concluded; and if any Person shall by any fraudulent or collusive Means whatsoever claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act.

Passengers on Election Days for Knights of the Shire for the County.

Exempting Carriages conveying King's Stores, &c. from Penalties for Overweight.

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

Tolls may be lessened.

XXII. And be it further enacted, That the said Trustees, or any Seven or more of them, may, and they are hereby authorized and empowered from Time to Time as they shall think proper to lessen or reduce all or any Part or Parts of the several Tolls hereby granted at the said Turnpike or Toll Gate to be erected by virtue of this Act, and afterwards to raise them again to any Amount not exceeding the Tolls by this Act granted; and so that such Reduction be made with the Consent of the several Persons who shall be entitled to Five-sixth Parts at least of the Money then due on the Credit of such Tolls; but such Reduction shall not be made unless Notice in Writing shall be given of a Meeting to be held for that Purpose, by affixing such Notice upon the Turnpike Gate then erected across the said Road, and also by advertising the same in some weekly Newspaper usually circulated in the Neighbourhood of the said Road, at least Fourteen Days before the making of such Reduction, and such Tolls so lessened or reduced, or raised again, shall be vested in the said Trustees, and shall be collected, recovered, levied, paid,

paid, and applied, in the ſame Manner as the Tolls hereby granted are directed to be collected, recovered, levied, paid, and applied.

Tolls may be compounded for.

XXIII. And be it further enacted, That the ſaid Truſtees may and they are hereby empowered from Time to Time, as they ſhall ſee convenient, to compound and agree for any Term not exceeding One Year at any one Time, with all or any of the Inhabitants of the ſeveral Towns, Pariſhes, Hamlets, or Places, near to or through which the ſaid Road, hereby directed to be repaired, ſhall lead, for the paſſing of their, his or her Horſes, Carriages and other Beaſts or Cattle through the ſaid Turnpikes or Toll Gates to be erected by virtue of this Act; which Compoſition Money ſhall be paid in advance Quarterly or otherwiſe, and in Default thereof, the Compoſition or Agreement with the Perſon or Perſons making ſuch Default, ſhall be void.

Tolls may be let.

XXIV. And be it further enacted, That the ſaid Truſtees may and they are hereby authorized and empowered, by Writing under their Hands and Seals, at any Time to ſet, demiſe and to farm-let the Tolls by this Act granted, or any Part thereof, and alſo the Turnpikes, Toll Houſes, and Weighing Engines to be erected as aforeſaid, for any Term not exceeding Three Years at any One Time, unto any Perſon or Perſons who ſhall be willing to take or farm the ſame (Twenty-one Days Notice of the Intention of ſuch letting or ſetting being given in ſome Newſpaper publiſhed or circulated within the ſaid County, and alſo upon the Turnpike or Toll Gate which ſhall be then ſtanding in, upon or acroſs the ſaid Road,) for the beſt Rent or Rents they can get for the ſame, payable to the ſaid Truſtees or their Treaſurer, at ſuch Times and under ſuch Covenants as the ſaid Truſtees ſhall direct or appoint.

Leſſees, or Perſons appointed by them, may collect the Tolls.

XXV. And be it further enacted, That during ſuch Time as the ſaid Tolls or any Part or Parts thereof ſhall be leaſed, demiſed, or in farm to any Perſon or Perſons whomſoever, it ſhall be lawful for the Leſſee or Leſſees, Farmer or Farmers thereof, or ſuch other Perſon or Perſons as he or they ſhall by Writing or Writings under his, her, or their Hand or Hands authorize or appoint to demand and take the ſaid Tolls, and to uſe all ſuch Means and Methods for the Recovery thereof, in caſe of Non-payment or Evaſion, as the Collectors appointed under or by virtue of this Act are by this Act empowered to uſe.

Power to borrow Money, and aſſign the Tolls as a Security.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees to borrow and take up at Intereſt ſuch Sum and Sums of Money as they ſhall from Time to Time think fit, upon the Credit of the Tolls ariſing by virtue of this Act, or any Part or Parts thereof; and by Writing under their Hands and Seals, to aſſign over or mortgage the ſaid Tolls or any Part or Parts thereof (the Coſts and Charges of ſuch Aſſignments or Mortgages to be paid out of the ſaid Tolls), to any Perſon or Perſons, for any Term during the Continuance of this Act, as a Security or Securities for the Payment of the ſeveral Sums that ſhall be ſo borrowed, with the Intereſt thereof; Which Aſſignments or Mortgages ſhall or may be according to the Form following:

Form of Assignment.

'BY virtue of an Act of Parliament made in the Fifty-second Year of the Reign of King *George* the Third, intituled, [*Insert the Title of this Act*] We, Three or more of the Trustees for carrying the said Act into Execution, in Consideration of the Sum of to the Treasurer of the Road by the said Act directed to be repaired, in hand paid by do hereby grant, bargain, sell and demise unto the said his Executors, Administrators, and Assigns, such Proportion of the Tolls arising by virtue of the said Act, as the said Sum of doth or shall bear to the whole Sum advanced or to be advanced on the Credit of the said Tolls; to be had and holden from this Day of for and during the Continuance of the said Act, unless the said Sum of with the Interest thereof, shall be sooner paid and satisfied. Given under our Hands and Seals this Day of :

And Copies of all such Mortgages and Assignments shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees; but no Money shall be borrowed unless Notice be for that Purpose given in some Newspaper published or circulated within the said County, and also upon the Turnpike or Toll Gate which shall be then standing in, upon or across the said Road, at least Fourteen Days before the borrowing thereof; and all Mortgages or Assignments which shall be made in the Manner and Form aforesaid, shall be good, valid, and effectual, to all Intents and Purposes; and all Persons to whom any such Mortgages or Assignments shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time, by Writing under their respective Hands and Seals, transfer their Right, Title, Interest, or Benefit to the Principal or Interest thereby secured, to any Person or Persons whomsoever, by Indorsement on such Mortgage or Assignment in the Presence of any credible Witness; which Transfer shall be according to the Form following:

Assignments may be transferred.

Form of transfer.

'I Do transfer this Mortgage, and all the Principal and Interest now due thereon, unto Executors, Administrators, and Assigns. Witness my Hand and Seal, this Day of :

All which Transfers shall be produced and notified to the said Clerk, who shall cause an Entry or Memorial to be made thereof, containing the Dates, Names of the Parties, and Sums of Money, in a Book to be kept for that Purpose, for which the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence and no more; and after such Entry made, every such Transfer shall entitle the respective Assignees, or Persons to whom the same shall be made, their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon, and it shall not be in the Power of any Person making any such Transfer to make void, release, or discharge the same or any Monies thereby due, or any Part thereof; and all Persons to whom such Mortgages, Assignments, or Transfer shall be made as aforesaid, shall be, in proportion to the Sums therein respectively mentioned, Creditors on such Tolls in equal Degree one with another, and shall have no Preference in

in reſpect to the Priority of advancing any ſuch Monies, or the Dates of ſuch Aſſignments, and all Monies ſo borrowed ſhall be veſted in the ſaid Truſtees for the Purpoſes of this Act.

Application of the Tolls and Money borrowed.

XXVII. And be it further enacted, That out of the firſt Monies ariſing by the Tolls which ſhall be collected by virtue of this Act, or out of the firſt Monies which ſhall be borrowed upon the Credit thereof, the ſaid Truſtees ſhall in the firſt Place pay and diſcharge all the Charges and Expences incident to and attending the obtaining and paſſing of this Act; and after Payment, Satisfaction, and Diſcharge thereof, the Reſidue and Remainder of ſuch Monies ſhall from Time to Time be applied in erecting Turnpikes or Toll Gates, Toll Houſes and Weighing Engines, and in amending, widening, and repairing the Road by this Act intended to be widened, amended, and repaired, and in defraying the neceſſary Coſts, Charges, and Expences attending the ſame, and the Execution of this Act, and in Payment of the Principal Monies charged or borrowed by virtue thereof, and the Intereſt due and to grow due thereon, and to and for no other Uſe, Intent, or Purpoſe whatſoever.

Power to widen or alter the Courſe of the Road.

XXVIII. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, and they are hereby authorized and empowered to widen and alter the Courſe or Path of any Part or Parts of the ſaid Road within the Limits hereinafter mentioned, in, upon, through, or over any private Lands or Grounds, firſt making Satisfaction to the Owners thereof and Perſons intereſted therein, for the Damage they may ſuſtain thereby; and for that Purpoſe it ſhall be lawful for the ſaid Truſtees, and for their Surveyors or Surveyor and Workmen, with or without Carriages and Cattle, from Time to Time to enter upon the Lands and Grounds through which or whereupon the ſaid Road or Alterations, hereby authorized to be made, is or are intended to paſs, and alſo upon any adjoining Lands or Grounds, and to ſtake out the ſaid Road or Alterations, and alſo to cut and make any Drains or Ditches, Arches or Tunnels, through, into, or upon any Lands or Grounds adjoining or lying contiguous to any Part of the ſaid Road; and alſo to make a temporary Way or Ways upon, through, or over any ſuch adjoining Lands and Grounds, to be made Uſe of as a public Highway, whilſt the narrow or ruinous Parts of the Road are widening or repairing, and until the ſaid Road ſhall be made ſafe and convenient for the Paſſage of Travellers and Carriages, in ſuch Manner as the ſaid Truſtees ſhall think neceſſary or proper, without being deemed a Treſpaſſer or Treſpaſſers, and without being ſubject or liable to any Fine, Penalty, or Puniſhment for entering or continuing upon any Part or Parts of ſuch Lands or Grounds reſpectively, for any of the Purpoſes of this Act, making Satisfaction to the Owners and Occupiers of ſuch Lands and Grounds for the Damages that ſhall be thereby occaſioned, ſuch Damages to be aſcertained and ſettled, in caſe of Diſpute concerning the ſame, in the ſame Manner as diſputed Value of Lands to be purchaſed or uſed by virtue of this Act, is hereinafter directed to be aſcertained and ſettled; and if any Perſon ſhall pull up, remove or deſtroy any of the Stakes or other Marks uſed in laying out ſuch Road

or

or Alterations, every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

No Premises to be used for altering the Road but such as are described in the Plan, &c.

XXIX. And whereas a Map or Plan describing the Line of the said Road, and the Lands and Premises where or upon which, the proposed Alterations are to be made, together with a Book of Reference containing a List of the Owners and Occupiers of such Lands and Premises, have been deposited at the Office of the Clerk of the Peace for the said County of *Suffolk*; 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 Time 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 at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts; and that the said Trustees in making the said Alteration, 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, Premises such Deviation shall be made.

Such as are marked in the Plan, may be used notwithstanding Errors in the Book of Reference.

XXX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said proposed Alterations of Road into, upon, through, across, or over the several Lands, Hereditaments, and Premises of any Person or Persons who is or are or may be Owner or Owners of Land or Premises 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 omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Houses or Gardens not to be used without Consent of Owners.

XXXI. Provided always, and be it further enacted, That the Powers and Authorities hereby given, shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, Planted Walk, or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, other than and except such as are marked or described in the said Plan and Book of Reference, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Power to purchase Lands.

XXXII. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person by them duly authorized, to treat, contract, and agree with the Owners of and Persons interested in any such Lands and Hereditaments as may be necessary for the Purposes of this Act, for the Purchase thereof, or for the Loss or Damage such Owners or Persons interested therein, or any of them, shall or may in any-

anywiſe ſuſtain, or by means of ſuch widening the Courſe or Path of any Part of the ſaid Road; and it ſhall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Committees, Huſbands, Guardians, or other Truſtees for or on behalf of any Infants, Femes Covert or Ceſtuique Truſts, Idiots, Lunatics, or other Perſons under Diſability, and for all and every other Perſon and Perſons who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any ſuch Lands or Premiſes, to contract and agree with the ſaid Truſtees for the Sale of ſuch Lands or Hereditaments, or for their Intereſt therein, or for the Satisfaction to be made for ſuch Damages as aforeſaid, or to ſell and convey to the ſaid Truſtees all or any of ſuch Lands or Hereditaments as Occaſion ſhall be or require; and all Contracts, Sales, and Conveyances which ſhall be ſo made, ſhall be valid and effectual in the Law to all Intents and Purpoſes, any Law, Statute, Uſage, or any other Matter or Thing to the contrary notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

Value of Land to be aſcertained by a Jury, if the Parties cannot agree.

XXXIII. And be it further enacted, That if any ſuch Body Politic or Corporate, or other Owners of or Perſon or Perſons intereſted in any ſuch Lands or Hereditaments as aforeſaid, or any ſuch Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees, ſhall refuſe to treat or ſhall not agree for the Sale of any ſuch Lands or Grounds, or for their Intereſt therein, or by reaſon of Abſence ſhall be prevented from treating, and the ſaid Truſtees, within Ten Days at the leaſt before any General or Quarter Seſſions of the Peace to be holden for the Diviſion of the ſaid County in which ſuch Lands or Premiſes ſhall be ſituate, ſhall cauſe Notice in Writing to be given to ſuch Owners or Perſons intereſted, Feoffees, Executors, Adminiſtrators, Guardians, or other Truſtees reſpectively, or to the principal Officer of any ſuch Body Politic or Corporate, or to be left at the Houſe of the Tenant in Poſſeſſion of the Lands or Premiſes intended to be purchaſed or uſed, purporting that the Value thereof, and the Amount of ſuch Damages, will be adjuſted and ſettled by a Jury at the ſaid Seſſions; then and in every ſuch Caſe the Juſtices at ſuch Seſſions, upon Proof made to them of ſuch Notice having been given or left as aforeſaid, are hereby authorized and required to charge the Jury which ſhall attend at ſuch Seſſions, or ſome other Jury of Twelve honeſt Men, to be then and there impannelled and returned by the Sheriff of the ſaid County, without Fee or Reward, and cauſe them to be ſworn, well and truly on their Oaths to aſſeſs the Value of the Lands or Grounds mentioned or deſcribed in the ſaid Notice, and the Damages and Recompence to be given for the ſame, or ſuch Part or Parts thereof as ſhall be intended to be taken or uſed for the Purpoſes of this Act, to the reſpective Owners and Perſons intereſted, according to their reſpective Intereſts therein; and the ſaid Truſtees and all Perſons intereſted ſhall have their lawful Challenges againſt any of the ſaid Jury when they come to be ſworn; and the ſaid Jury being ſworn and charged as aforeſaid, and after proper Evidence upon Oath to them given, (which Oath, and alſo the Oath to the ſaid Jury, the ſaid Juſtices are hereby authorized and required to adminiſter,) concerning the Nature,

Witneſſes may be examined on Oath.

Quantity, and Value of ſuch Lands or Premiſes, or ſuch Part or Parts thereof as aforeſaid, and alſo after having viewed the Place in queſtion, (if judged neceſſary by the ſaid Juſtices in Seſſions aſſembled) on the Application of the ſaid Truſtees, or any of the Parties intereſted, ſhall by their Verdict aſſeſs, declare, and aſcertain the Quantum of the Damages and Recompence to be given for the ſame to ſuch reſpective Owners and Perſons, according to their reſpective Intereſts therein; and ſuch Verdict of the ſaid Jury ſhall be binding, final, and concluſive to the ſaid Truſtees and to all Perſons and Parties intereſted in the ſaid Lands or Premiſes.

Expences of Jury, &c. by whom to be borne.

XXXIV. And be it further enacted, That in caſe any Jury ſhall give in and deliver a Verdict or Aſſeſſment for more Money as a Recompence or Satisfaction for the Right, Intereſt, or Property of any Perſon or Perſons in any Lands or Hereditaments, or for any Damage as aforeſaid, than ſhall have been agreed to and offered by the ſaid Truſtees, or any Perſon by them, authorized on their Behalf before the impannelling of the Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, Property, or Damage as aforeſaid, then the Coſts and Expences of the Jury and Witneſſes, and all other Expences attending the hearing and determining of ſuch Difference, ſhall be borne and paid by the ſaid Truſtees out of the Money to ariſe by virtue of this Act; but if ſuch Jury ſhall give in and deliver a Verdict or Aſſeſſment for no more or for leſs Money than ſhall have been agreed to and offered by the ſaid Truſtees, or ſuch Perſon on their Behalf, before the impannelling of the ſaid Jury as aforeſaid, as a Recompence and Satisfaction for any ſuch Right, Intereſt, Property, or Damage as aforeſaid, then the Coſts and Expences of the Jury and Witneſſes, and all other Expences attending the hearing and determining of ſuch Difference, ſhall be paid and borne by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute; which ſaid Coſts and Expences having been aſcertained and ſettled by ſome Juſtice of the Peace for the ſaid County, not intereſted in the Matter in queſtion, and who is hereby authorized and required to ſettle the ſame, ſhall or may be deducted out of the Money ſo adjudged or aſſeſſed, as ſo much Money advanced 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, to be a Payment and Tender of the whole Sum or Sums ſo adjudged or aſſeſſed, or otherwiſe ſuch Coſts and Expences, in caſe the ſame be not paid on Demand after being aſcertained and ſettled as aforeſaid, may be recovered by the ſaid Truſtees by the ſame Ways and Means as are hereinafter provided for the Recovery of Penalties and Forfeitures: Provided always, that in caſe any Perſon ſhall by reaſon of Abſence have been prevented from treating, ſuch Coſts and Expences ſhall be borne and paid by the ſaid Truſtees out of any Money to be received by virtue of this Act.

On Payment of Purchaſe Money, Land may be made uſe of.

XXXV. And be it further enacted, That all Sums of Money or Recompence to be agreed for or aſſeſſed as aforeſaid, ſhall be and the ſame are hereby charged upon the Monies which ſhall be collected or raiſed by virtue of this Act, and ſhall be paid thereout accordingly by the ſaid Truſtees or by their Treaſurer, to the Perſons reſpectively entitled thereto, or to their Agents; and upon Payment thereof to ſuch Perſons or their Agents, or in caſe of Refuſal to accept the ſame after Tender thereof,

thereof, then upon depoſiting the ſame in the Bank of *England*, in Manner by this Act directed, as the Caſe ſhall be, ſuch Lands, Hereditaments, and Premiſes, ſhall be veſted in the ſaid Truſtees; and it ſhall be lawful for the ſaid Truſtees, their Surveyors, Workmen, or Agents, to enter into the Poſſeſſion of ſuch Lands and Premiſes, and to cauſe the ſame to be laid into and made Part of the ſaid Road; and the ſaid Lands and Premiſes ſhall to all Intents and Purpoſes whatſoever become and be deemed and taken to be a public and common Highway, and be from thenceforth Part of the ſaid Road for ever, and ſhall be fenced and repaired and kept in Repair by the ſaid Truſtees, and alſo by ſuch Ways, Means, and Methods in all Reſpects, as the Road hereby directed to be amended or widened, was or ought to have been kept in Repair; and all Parties and Perſons ſhall for ever thereafter be diveſted of all Right and Title to ſuch Lands and Premiſes.

Application of Money awarded above 200l.

XXXVI. 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 this Act for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Perſon or Perſons under any other Diſability or Incapacity, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the ſaid Truſtees, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or 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, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, and Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking effect; and in the Meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid High Court of Chancery, upon Application thereto, be inveſted by the ſaid Accountant-General in his Name, in the Purchaſe of Three *per Centum* Conſolidated, or Three *per Centum* Reduced Bank Annuities; and in the Meantime, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities, ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to

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the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, ſo to be purchaſed under the Authority of this Act, in caſe ſuch Purchaſe or Settlement was made.

When leſs than 200l. and above 20l.

XXXVII. 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 Bank of *England*, in the Name and with the Privity of the ſaid Accountant-General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner hereinbefore 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 Three or more of the ſaid Truſtees, for executing this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties); in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in Manner hereinbefore 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.

Where under 20l.

XXXVIII. 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 Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees, or any Three or more of them, ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out a good Title, or Perſon cannot be found, the Purchaſe Money to be paid into the Bank, ſubject to the Order of Chancery on Petition.

XXXIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees, or any Three or more of them; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded, as aforeſaid, cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered; then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees, or any Three or more of them, to order the ſaid 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 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 High Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding or otherwise, as to the 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 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 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.

In case of disputed Titles.

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

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

XLI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the High 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 be lawful for the said High Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by

by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Power to get Materials.

XLII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors to be appointed by virtue of this Act, or for any other Person or Persons by him or them, or by the said Trustees for that Purpose employed, to cut, dig, gather, take, and carry away any Furze, Heath, Stones, Gravel, Chalk, Limestones, Sand, Flints, or other Materials proper for repairing the said Road, in, upon, out of, or from any Waste or Common Ground, or from any River or Brook in any Parish, Town, Hamlet or Place, in, adjoining to, or lying near the said Road, or in any neighbouring Parish, Town, Hamlet, or Place, to be used in repairing the said Road, without paying any Thing for the same; such Surveyor or Surveyors or other Person or Persons filling up the Pits and levelling the Ground from whence such Materials shall be taken, or railing or fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; and also by Order in Writing of the said Trustees, to cut, dig, gather, take, and carry away any such Materials as aforesaid, in, upon, or out of, and from or over the private Lands or Grounds of any Person or Persons, to be used in or towards the repairing the said Road, (such private Lands or Grounds not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Plantation, Nursery, or inclosed Ground planted with any Avenue or Nursery of Trees,) paying or tendering Payment of such Rates or Sums of Money for such Materials, and for the Damage which shall be done to the Owners or Occupiers of the private Lands and Grounds where and 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 Ground, Common, River, or Brook, shall be conveyed, as the said Trustees shall adjudge reasonable.

Differences to be settled at the Quarter Sessions.

XLIII. And be it further enacted, That in case of any Difference between any such Owners and Occupiers as aforesaid, and the said Trustees, touching the Damage aforesaid, the Justices of the Peace at the General Quarter Sessions to be holden at *Ipswich*, in and for the said County, on Eight Days Notice thereof, being given in Writing by either Party to the other, shall, upon Application for that Purpose, by or on Behalf of either Party, hear, settle, and determine the Matter of such Payment and Damages, and the Judgment or Order of the said Justices therein shall be final and conclusive to the Parties; provided nevertheless, that it shall not be lawful for any Surveyor or any other Person or Persons under the Authority of this Act, to dig, gather, take, and carry away Materials for the Purpose aforesaid, from any inclosed Lands, until Notice in Writing under the Hands of any Three or more of the said Trustees, shall have been given to the Owner and Occupier of such Lands or Grounds, or left for him at his usual Place of Residence, to appear before the said Trustees, or any Three or more of them, or Two Justices of the Peace for the said County, at such Time and Place as shall be mentioned in such Notice, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner and Occupier, or his or their Agent or Agents, shall attend pursuant to such Notice, the said Trustees or such Justices shall, if they think fit, after having

having heard the Matter, authorize any such Surveyor or other Person or Persons as aforesaid, to dig, gather, take and carry away such Materials at such Time or Times as the said Trustees or such Justices shall think proper; and if such Owner or Occupier shall, without sufficient Excuse, neglect or refuse to appear by himself or his Agent, the said Trustees or such Justices shall make such Order therein as they shall think fit, in like Manner and the same shall be as effectual as if such Owner and Occupier or his or their Agent or Agents had attended.

Penalty on taking away Materials.

XLIV. And be it further enacted, That if any Person shall take away any Materials which shall have been dug, got, or gathered under the Authority of this Act, in any Lands, Fields, Wastes or Commons, River or Brook, for the Purposes of the said Road, or shall dig, get, or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of procuring Materials for the said Road, before the Surveyors or their Workmen shall have discontinued working therein for the Space of One Calendar Month (except the Owner and Occupier of any private Ground, and Persons authorized by such Owner or Occupier), every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For removing and preventing Annoyances or Encroachments on the said Road.

XLV. And be it further enacted, That it shall be lawful for any Surveyor or Surveyors under this Act, and such Person or Persons as he or they shall appoint, having an Order in Writing from the said Trustees for that Purpose, from Time to Time to remove, take, and carry away all Annoyances by Filth, Dung, Ashes, Soil, Compost, Clay, Rubbish, or otherwise, and also all Obstructions by Gates or otherwise, which are or shall be in or upon the said Road, or any Part or Parts thereof, and at proper Seasons of the Year to cut down, lop, top, plash, and trim up any Trees or Bushes growing in the said Road or in the Hedges or Banks adjacent thereto, in case the Owner or Owners, Occupier or Occupiers shall neglect to cut down, lop, top, plash, or trim up such Trees or Bushes, or to remove such Annoyances, for the Space of Twenty-one Days after Notice in Writing given for that Purpose under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof (to be settled by the said Trustees) shall be reimbursed and paid to the Surveyor or Surveyors by such Owner or Owners, Occupier or Occupiers so neglecting to cut down, lop, top, plash, or trim up the said Trees or Bushes, or to remove such Annoyances as aforesaid; and in Default of Payment thereof upon Demand, the same shall be levied and recovered in such Manner as any Penalty or Forfeiture for Offences against this Act is hereinafter directed to be levied and recovered; and if after Removal of any of the said Annoyances, any Person or Persons shall again offend in like Manner, or if any Person or Persons shall wilfully or negligently throw, cast, or spill any Water, Soil, or other Filth upon the said Road, or any Part thereof, to the Prejudice of the said Road, or to the Prejudice and Annoyance or Inconvenience of Persons travelling thereon, or shall set or place any Waggon, Wain, Cart, or other Carriage, so as any-ways to obstruct the free Passage on any Part of the said Road, every such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence; and no Person or Persons whomsoever shall make, raise,

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or ſet any new Shed or other Building, Wall or Walls, Hedge or Hedges, Fence or Fences of Thorns or Quickſets, or any other Fences whatſoever, in or upon the Lands or Grounds next adjoining to the ſaid Road, on either Side of the Ditches thereof, nearer than the Space of Fifteen Feet from the Centre of the ſaid Road; and if any Perſon or Perſons ſhall make any Incloſure, Wall, Hedge, or Fence, on the Side of the ſaid Road, contrary to the Directions of this Act, then and in ſuch Caſe the ſaid Truſtees, or any Three or more of them, from Time to Time, on their View or Sight of ſuch Incloſure ſo made, ſhall give Notice in Writing under their Hands to the Owner or Owners thereof, or the Perſon or Perſons who ſhall have made or cauſed the ſame to be made, requiring him, her, or them, to remove the ſame within Thirty Days after ſuch Notice; and in caſe of Refuſal or Neglect of ſuch Owner or Owners, or other Perſon or Perſons, to remove the ſame, then it ſhall be lawful for the ſaid Truſtees, or any Three or more of them, at a Meeting, to order and direct that ſuch new Incloſure, Wall, Fence, or Hedge, ſhall be levelled, thrown down, or removed, and to cauſe the ſame to be done accordingly by the Surveyor or Surveyors of the ſaid Road, or by his or their Order, and to levy the Expence thereof upon ſuch Offender or Offenders, in and by ſuch Ways and Means and in ſuch and the ſame Manner as any Penalties or Forfeitures by this Act are hereinafter directed to be levied and recovered: Provided always, that Timber Trees or Stands, or any other Tree whatſoever ſtanding Fifteen Feet or more from the Crown or Centre of the ſaid Road, or any Timber Tree or Stand or other Tree whatſoever ſtanding in any Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Plantation, Nurſery, or incloſed Ground now planted with Trees, adjoining to the ſaid Road, although within leſs Diſtance than Fifteen Feet from the Crown or Centre of the ſaid Road, ſhall not be liable to be cut down, lopped, plaſhed, or trimmed up by virtue of this Act.

Ditches, &c. to be cleanſed.

XLVI. And be it further enacted, That if any Perſon or Perſons who of Right ought to widen, deepen, ſcour, or cleanſe any Ditch, Drain, or Watercourſe lying in or over or leading into or out of the ſaid Road, ſhall not in a proper Manner widen, deepen, ſcour, or cleanſe ſuch Ditch, Drain, or Watercourſe, or cauſe the ſame to be done within the Space of Twenty-one Days, after Notice in Writing under the Hand of any ſuch Surveyor as aforeſaid ſhall for that Purpoſe be given to him, her, or them reſpectively, or ſhall be left at his, her, or their Place or Places of Abode by Order of the ſaid Truſtees, the ſaid Surveyor may and is hereby authorized and empowered to cauſe ſuch Ditch, Drain, or Watercourſe to be widened, deepened, ſcoured, and cleanſed, and to pay for the ſcouring and cleanſing the ſame; and if ſuch Perſon or Perſons ſhall not repay the Money ſo paid by ſuch Surveyor, upon Demand thereof upon him, her, or them made, either in Perſon or by Writing to be left at his, her, or their Place or Places of Abode, ſuch Money ſhall be levied and recovered in the like Manner as any Penalty or Forfeiture for Offences againſt this Act is hereinafter directed to be levied and recovered.

Roads to be meaſured and Mile Stones erected.

XLVII. And be it further enacted, That the ſaid Truſtees ſhall and they are hereby empowered to cauſe the ſaid Road to be meaſured, and Stones or Poſts to be ſet up on the Sides thereof, with Inſcriptions

thereon denoting the Distance of every such Stone or Post from any Town or Place, as they shall think fit; and may also, if they think fit, erect Posts at the several Roads leading out of the Road hereby directed to be repaired, with Inscriptions thereon denoting to what Place or Places the said Roads respectively lead; and may also cause the Name of every Parish or Place upon the said Road to be painted in White Letters upon a Black Ground on some conspicuous Part of some House or other Building, with the Consent of the Owner thereof, at each End of every such Town, Village, Parish, or Place.

Causeways, Drains, &c. may be made.

XLVIII. And be it further enacted, That it shall be lawful for such Surveyor or Surveyors as aforesaid, and such Person or Persons as shall or may be appointed by Order of the said Trustees, to make or cause to be made any Causeways in or along the Sides of the said Road, and to cut and make Drains or Watercourses, and to erect and keep in Repair Arches of Brick or other Materials, Trunks or Tunnels; and also to cause Ditches or Trenches to be made in such Places and in such Manner as such Surveyor or Surveyors, by Order of the said Trustees, shall adjudge necessary for the better amending the said Road and keeping the same in Repair.

Persons liable to repair the Roads to continue so.

XLIX. And be it further enacted, That in case any Owner, Proprietor, or Occupier, or any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees, Trustees, or any other Person or Persons who now are or at any Time have been liable or chargeable towards repairing any Bridge or Bridges built across or adjoining to the said Road or any Part thereof, shall still remain liable and chargeable to such Repairs in such Manner as they would have been if this Act had not been made; and that in case any Lands, Tenements, or Hereditaments, or any Rents or Profits issuing out of any Lands, Tenements, or Hereditaments, now are or shall hereafter be liable and chargeable towards the amending any Part or Parts of the said Road, such Lands, Tenements, Hereditaments, Rents, and Profits, shall still remain so liable and chargeable, and the Possessors and Occupiers thereof are hereby required and directed to pay such Rents and Profits as ought to be applied towards the Repairs of the said Road to the said Trustees or to their Treasurer; and upon Default of Payment thereof, the same shall or may be levied and recovered in like Manner as any Penalties or Forfeitures for Offences against this Act are hereinafter directed to be levied and recovered.

Statute Labour.

Justices to determine Differences touching Statute Work.

L. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road 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 for the said County, and they are hereby empowered and required, (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor, by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the said Road lies, 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, ſhall be by him, her, or them, paid to the ſaid Truſtees or to their Treaſurer; and in order thereunto, it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within Fourteen Days after the ſerving of ſuch Summons) of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid; which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in force and effect for the Repairs of the public Highways; and out of ſuch Liſts ſuch Juſtices ſhall or may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads, as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay Time or Harveſt) and on ſuch Parts of the ſaid Road, as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices 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 Times or Time as the ſaid Juſtices ſhall direct, and in Default of Payment thereof, the ſame ſhall or may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, (after Notice in Writing given to or left for him, her, or them at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, ſigned by the Surveyor or Surveyors to the ſaid Truſtees,) ſhall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force and effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or who ſhall be ſent with any Team or Draught to work on the ſaid Road, ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments 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 Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards amending the ſaid Road; and in

caſe

caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

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

Surveyors of Pariſhes to give immediate Notice of any Proſecution, &c. to the Treaſurer or Clerk of the Truſtees.

LII. And be it further enacted, That in caſe any Complaint, Indictment, or Proſecution ſhall be preferred or brought, or any Notice given of any Complaint, Indictment, or Proſecution being intended to be preferred or brought, to the Surveyor or Surveyors of the Highways of any Pariſh or Place in which the ſaid Road or any Part thereof doth lie, by reaſon or on Account of the ſaid Road being out of Repair, or on any other Account relating thereto, then ſuch Surveyor or Surveyors is and are hereby directed and required forthwith to give Notice thereof in Writing to the Treaſurer or Clerk to the ſaid Truſtees; and in caſe ſuch Surveyor or Surveyors ſhall neglect or refuſe to give ſuch Notice as aforeſaid, he or they ſhall for every ſuch Default forfeit and pay to the ſaid Truſtees, or to their Treaſurer for the Time being, any Sum not exceeding Thirty Pounds, to be levied and recovered in like Manner as other Penalties are directed to be recovered and levied by this Act.

Penalty for damaging Road and for other Offences.

LIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, pull down, dig up, injure, or deſtroy any Mile Stones or Poſts to be erected upon the ſaid Road, or eraſe, obliterate, or deface any of the Inſcriptions thereon, or any Inſcription upon any Houſe or other Building as aforeſaid, or cauſe or procure the ſame to be done; or if any Perſon ſhall haul or draw, or cauſe to be hauled or drawn upon any Part of the ſaid Road, any Tree or Piece of Timber, or any Stone, otherwiſe than upon Wheel Carriages, or ſhall ſuffer any Part of any Tree, or Piece of Timber or Stone, which ſhall be carried on Wheel Carriages, to drag upon any Part of the ſaid Road to the Prejudice thereof; or if any Perſon owning or driving any Pigs or Swine upon the ſaid Road, ſhall ſuffer the ſame to root up or damage the ſame or any Part thereof, or the Fences, Hedges, Bankings, or Copſe on either Side thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Tumbril,

bril, Cart, or other Carriage upon the ſaid Road, and meeting another Coach, Chaiſe, Waggon, Tumbril, Cart, or other Carriage, ſhall not keep his Carriage on the left Side of the ſaid Road, or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing him, her, or them, upon the ſaid Road, or the Coach, Chaiſe, Waggon, Tumbril, Cart, or other Carriage under his Care; or if any Perſon ſhall make, or aſſiſt in making, any Fire or Fires commonly called Bonfires, or ſhall ſet fire to, let off, or throw any Squib, Rocket, Serpent, or Firework whatſoever, on any Part or Parts of the ſaid Road; or if any Perſon ſhall without ſufficient Cauſe, leave any Coach, Chaiſe, Waggon, Wain, Tumbril, Cart, or other Carriage, in, upon, or on the Side of any Part of the ſaid Road, longer than may be neceſſary for loading or unloading the ſame, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, or while unloading, ſhall not place the ſame during ſuch Time, as near to the Side of the ſaid Road as conveniently may be, or ſhall lay any Timber, Wood, Straw, Dung, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Road, or on the Side or Sides thereof, to the Prejudice of the ſaid Road, or to the Prejudice or Annoyance of Perſons travelling thereon; every Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence, One Moiety whereof ſhall be paid to the Informer, and the other Moiety ſhall be applied towards repairing the ſaid Road.

Penalty on Collectors, &c. for Miſbehaviour.

LIV. And be it further enacted, That if any Collector of the Tolls hereby granted, or any Perſon or Perſons by him or them employed, ſhall under colour of his Office, unneceſſarily delay or detain any Paſſenger or Paſſengers, Horſe or Horſes, Beaſts, Cattle, or Carriage; or if any ſuch Collector or Collectors, or his or their Servants, Agents, or Aſſiſtants, or other Perſons by them employed, ſhall make uſe of any ſcurrilous or abuſive Language to any Perſon or Perſons travelling the ſaid Road; or if any Perſon or Perſons ſhall break or damage any Lamp or Lamps, Lamp Iron or Poſt, or do any Injury to any Toll Gate, Toll Houſe, Weighing Machine, or Appurtenances to the ſame belonging; then and in any of the ſaid Caſes, it ſhall be lawful for any Juſtice of the Peace for the County where any ſuch Offence or Offences ſhall be committed, upon Complaint of the Perſon or Perſons ſo aggrieved, detained, or delayed, or of any Perſon who ſhall ſee ſuch Offence committed, to cauſe ſuch Collector or Collectors, his, her, or their Servants, Agents, or Aſſiſtants, or any Perſon or Perſons by him or them employed, or other Perſons ſo complained of, and all other Perſons concerned, to appear and be brought before ſuch Juſtice of the Peace, by Warrant under his Hand and Seal, and to make Enquiry of and concerning ſuch Offence or Offences in a ſummary Way, as well by the Confeſſion of the Parties themſelves, as by the Teſtimony of the Perſon or Perſons aggrieved, or who ſhall ſee ſuch Offence committed, upon Oath (which Oath ſuch Juſtice is hereby empowered and required to adminiſter); and if ſuch Collector or Collectors, his or their Servants, Agents, or Aſſiſtants, or any other Perſon or Perſons by him or them employed, or any of them, or other Perſon ſo complained of, ſhall be convicted by ſuch Juſtice of any ſuch Offence or Offences, ſuch Perſon or Perſons ſo convicted ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Forty Shillings, at the Diſcretion of the Juſtice

of

of the Peace before whom he, she, or they shall be so convicted, together with all reasonable Costs, Charges, and Expences attending such Conviction.

Recovery of Penalties.

LV. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise particularly directed,) shall upon Proof of the Offences respectively before any Justice of the Peace for the said County of *Suffolk*, or any Justice of the Peace for the County or Place where the Offender shall be or reside, either by the Confession of the Party or Parties, or by the Oath of any credible Witness, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby authorized and required to grant for those Purposes, and also to administer such Oath); and the Overplus (if any) after such Penalties, Forfeitures, and Fines are recovered, and the Charges of levying and recovering the same, shall have been deducted, shall be returned on Demand to the Owner and Owners of such Goods and Chattels; and all such Penalties, Forfeitures, and Fines (where not otherwise directed to be applied by this Act) shall from Time to Time be paid to the Treasurer to the said Trustees, and applied for the Purposes of this Act; and in case sufficient Distress cannot be found, or such Penalties, Forfeitures, or Fines shall not be forthwith paid, it shall be lawful for any such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender and Offenders to be committed to the House of Correction or Common Gaol for the said County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, or Fines, and all reasonable Charges shall be sooner paid and satisfied.

For securing transient Offenders.

LVI. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed by virtue of this Act; be it further enacted, That it shall be lawful for any of the said Trustees or their Clerk, or their Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them, before any Justice of the Peace for the County or District near to the Place where the Offence or Offences shall be committed.

For convicting Offenders.

LVII. And for the more easy and speedy Conviction of Offenders against this Act, or the General Turnpike Act; be it further enacted, That all and every Justice and Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act or the said General Turnpike Act, shall cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (that is to say)

'To wit. } 'BE it remembered, That on the Day of in the Year of our Lord A. B. is convicted before me C. D. One of His Majesty's Justices of the Peace for the County of ' [*or*, Counties of and ' *as the Case may be*] of having [*specifying the Offence, and the Time and* ' *Place when and where the same was committed, as the Case may* ' *be*]. Given under my Hand and Seal, the Day and Year first above ' written.'

Distress not to be deemed unlawful for Want of Form.

LVIII. And be it further enacted, That where any Distress shall be made for any Money to levied by virtue of this Act, such Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Distress or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for any special Damage, in an Action upon the Case.

Proceedings not to be quashed for Want of Form.

LIX. And be it further enacted, That no Order made, touching or concerning any of the Matters aforesaid, or any Proceedings to be had, touching the Conviction of any Offender against this Act, shall be quashed or vacated for Want of Form only, or removed or removeable by *Certiorari*, or any other Writ or Process, into any of His Majesty's Courts of Record at *Westminster*.

Power to compel Payment of Subscriptions.

LX. And be it further enacted, That the several Persons who have subscribed or shall subscribe any Sum or Sums of Money towards amending and repairing the said Road, or for or towards defraying the Expences of obtaining and passing this Act, and their respective Heirs, Executors, and Administrators, shall, and they are hereby required to pay the respective Sums so subscribed, to the Treasurer to the said Trustees, within such Time or Times and in such Parts and Proportions as the said Trustees shall order and direct, and in Default thereof it shall be lawful for the said Trustees to sue for and recover the same in the Name of the Treasurer or Clerk, in any of His Majesty's Courts of Record, by Action of Debt or on the Case, and all such Monies shall be vested in the said Trustees for the Purposes of this Act.

Appeal.

LXI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief is hereby particularized and appointed, such Person or Persons may, within the Space of Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the said County, every such Appellant first giving or causing to be given Fourteen Days Notice at the least in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or

or Treaſurer to the ſaid Truſtees, and within Seven Days next 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 to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſions; and the Juſtices at their ſaid Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſe and Matter of every ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt, as the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices at ſuch Quarter Seſſions, ſhall be final, binding, and concluſive to all Intents and Purpoſes.

Limitation of Actions.

LXII. And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be brought within Six Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the County where the Cauſe of Action ſhall ariſe, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall or may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to be ſo done, or if ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be laid or brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſhall diſcontinue his or their Action, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant hath for Coſts of Suit in any Caſe by Law.

General Iſſue.

Coſts.

Public Act.

LXIII. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices and others, without being ſpecially pleaded.

Commencement and Term of the Act.

LXIV. And be it further enacted, That this Act, and all the Tolls and Powers hereby given, ſhall commence and take effect on the paſſing thereof, and ſhall be put in Execution and continue in Force from thenceforth for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1812.