ANNO TERTIO

GEORGII IV. REGIS.

Cap. lxviii.

An Act for more effectually repairing the South District of the Road from *Royston* in the County of *Hertford*, to *Wandesford Bridge* in the County of *Huntingdon*. [24th *May* 1822.]

WHEREAS an Act was passed in the Ninth Year of the Reign of Queen *Anne*, intituled *An Act for repairing and amending the Highways leading from* Royston *in the County of* Hertford, *to* Wandesford Bridge *in the County of* Huntingdon: 9 Ann. c. 7.
And whereas another Act was passed in the Twelfth Year of the same Reign, intituled *An Act for more effectually amending the Highways leading from* Royston *in the County of* Hertford, *to* Wandesford Bridge *in the County of* Huntingdon: 12 Ann. c. 16.
And whereas another Act was passed in the Thirteenth Year of the Reign of King *George* the First, intituled *An Act for the more effectually amending the Highways leading from* Royston *in the County of* Hertford, *to* Wandesford Bridge *in the County of* Huntingdon, whereby the said Highways were divided into Three distinct Divisions, called the *North Division*, the *Middle Division*, and the *South Division*: 13 G. 1. c. 32.
And whereas another Act was passed in the Fourteenth Year of the Reign of King *George* the Second, intituled *An Act to enlarge the Terms and Powers granted by Three several Acts made in the Ninth and Twelfth Years of the Reign of Her late Majesty Queen* Anne, *and in the Thirteenth Year of the Reign of His late Majesty King* George *the First, for amending the Highways leading from* Royston *in the County* 14 G. 2. c. 13.

of Hertford, *to* Wandesford Bridge *in the County of* Huntingdon, *so far as the same relate to the Roads lying in the Middle and South Divisions of the said Highways:* And whereas another Act was passed in the Fifth Year of the Reign of His late Majesty King
5 G. 3. c. 77. *George* the Third, intituled *An Act for enlarging the Terms and Powers of several Acts of the Ninth and Twelfth Years of Queen* Anne, *and of the Thirteenth of King* George *the First, and of the Fourteenth of His late Majesty, for repairing the Highways leading from* Royston *in the County of* Hertford, *to* Wandesford Bridge *in the County of* Huntingdon, *so far as relates to the Middle and South Divisions of the Road comprized in the said Acts, and for amending the Road from the Town of* Huntingdon *to the Causeway at or near the West End of the Town of* Somersham, *in the said County of* Huntingdon: And whereas another Act was passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, inti-
30 G. 3. c. 89. tuled *An Act for continuing the Term, and altering and enlarging the Powers of certain Acts of Parliament for repairing the Roads from* Royston *in the County of* Hertford, *to* Wandesford Bridge *in the County of* Huntingdon, *and from the Town of* Huntingdon *to the Causeway at or near the West End of the Town of* Somersham *in the County of* Huntingdon, *so far as relates to the Middle and South Divisions, and separate Districts of the said Roads:* And whereas another Act was passed in the Forty-first Year of the Reign of His said late Majesty
41 G. 3. c. 80. King *George* the Third, intituled *An Act for more effectually repairing and improving the South District or Division of the Roads from* Royston *in the County of* Hertford, *to* Wandesford Bridge *in the County of* Huntingdon, *and for continuing and amending an Act passed in the Thirtieth Year of the Reign of His present Majesty, so far as the said Act relates to the said District:* And whereas the Trustees appointed by or in pursuance of the said Acts for the Care and Management of the said South Division have borrowed several Sums of Money upon the Credit of the Tolls thereby granted, which now remain due and owing, and cannot be repaid, nor can the said Division of the said Road be maintained and kept in Repair unless the Terms and Powers of the said recited Acts, as far as the same relate to the said Division, are enlarged; and as the Powers and Provisions of the said recited Acts have been found in many Respects defective and insufficient, it would be more convenient for the Trustees, and beneficial to the said Road, if the said recited Acts, as far as the same relate to the said South District or Division, were repealed, and more effectual Powers granted in lieu thereof: 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 from and after the passing of this Act the said recited Acts, as far as the same relate to the Road lying in the said South District or Division, shall be and the same are hereby repealed and made void, and that this Act shall from thenceforth commence and take effect for the Purpose of maintaining, repairing, and improving the Road extending from the South Termination of the said Middle District, where the said Road enters the County of *Cambridge* to the Town of *Royston* in the County of *Hertford*, being the Road comprised in the said South District or Division, for and during the

Recited Acts, so far as relate to the Road lying in the South District, repealed.

Road described.

Term herein-after mentioned; and this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Money now due and owing from the said South District or Division on the Credit of the said recited Acts, or any of them, or the Tolls and Duties made payable thereby, or that may hereafter be borrowed in pursuance or by virtue of this Act, and all Interest due and to grow due for the same respectively.

Subject to existing Debts.

II. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Cambridge* for the Time being, the Right Honourable *Charles Yorke*, Sir *Charles Ethelstone Nightingale* Baronet, Sir *George Leeds* Baronet, *Richard Beaumont*, *John Beldam*, *Joseph Beldam* senior, *William Beldam*, *Thomas Butterfield*, *John Butler* of *Royston*, *John Butler* of *Bourn*, *Nicholson Calvert*, *Charles Madryll Cheere*, *William Henry Cheere*, *John Cheap* Clerk, *Samuel Cautherley* Clerk, *Edward King Fordham*, *John Fordham*, *James Carpenter Gape* Clerk, *William Herbert*, *Wortham Hitch*, *Matthew Holworthy* Clerk, *John Hitch* senior, *Joshua Lilley*, *John Lucas*, *George Milner*, *William Nash*, *Wedd William Nash*, *George Pennington* Clerk, *Francis Pym* junior, *James Piggot*, *Walter Peck*, *John D'Arcy*, *Jervis Preston* Clerk, *Thomas Quinton*, *Peter Spence*, *William Seaby*, *Simeon Leete Sell*, *Robert Thomson* Doctor in Divinity, *Hale Wortham*, *Thomas Wortham* senior, *James Wortham*, and *Joseph Pattisson Wedd*, and their Successors, to be elected in manner herein-after mentioned, shall be and they are hereby appointed Trustees for maintaining, repairing, and improving the said Road, and for otherwise putting this Act in Execution.

Trustees.

III. And be it further enacted, That it shall be lawful for the said Trustees at their first or any subsequent Meeting to be holden in pursuance of this Act, to elect any additional Number of fit and proper Persons, not exceeding Five in the whole, to be Trustees for the Purposes of this Act; and such Trustees when so elected shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed Trustees in or by virtue of this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That when and so often as any Trustees named in this Act, or to be appointed in manner herein-after mentioned, save and except the said Justices, shall become by Bankruptcy, Insolvency, or Reduction of Property, or in any other manner disqualified to act, or shall die, neglect, or refuse to act, or shall cease to reside for Two Years together in the said County of *Cambridge*, then and in every such Case it shall be lawful to and for the remaining Trustees from Time to Time, at any Meeting of the said Trustees, of the Time and Place of which Meeting Notice shall be given by any Two or more of the said Trustees, or by the Clerk or Clerks to the said Trustees, by affixing the same in Writing upon all the Turnpike Gates then erected upon the said Road, or on the Sides thereof respectively; and also by inserting the same in some public Newspaper circulating in the Neighbourhood through which the said Road passes at least Ten Days previously to such Meeting, by Writing under their Hands to elect One other Person living in the said County

Election of new Trustees on Vacancies arising.

County of *Cambridge* to be a Trustee in the Room of each Trustee so disqualified to act, or dying, or neglecting or refusing to act as aforesaid; and every Person so to be elected shall be and he is hereby empowered to act in the Execution of this Act in as full and ample a Manner to all Intents and Purposes as the Trustee in whose Room or Stead he shall be so elected could or might have done.

Qualification of Trustees.

V. 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 or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or shall be Heir Apparent of a Person who shall be in the actual Possession or Receipt of the Rents and Profits of Freehold or Copyhold Lands, Tenements, or Hereditaments of the clear yearly Value of Two hundred Pounds above Reprizes, or shall have and be possessed of or entitled to a Personal Estate of the Value of Six thousand Pounds; nor shall any Person be capable of acting as a Trustee in the Execution of this Act (save and except in administering the Oath or Affirmation following to the other Trustees) until he shall have taken and subscribed the Oath or Affirmation following, before any Two or more of the said Trustees (who are hereby authorized and required to administer the same) in the Words or to the Effect following; (that is to say),

Oath.

'I do swear, [*or being a Quaker*, do solemnly affirm], 'That I am in my own Right [*or*, in the Right of my Wife], truly 'and *bonâ fide* seised of or entitled to and in the actual Possession 'or Receipt of the Rents and Profits of Freehold, *or* Copyhold 'Lands, Tenements, or Hereditaments of the clear yearly Value of 'One hundred Pounds above Reprizes; [*or*, that I am Heir Apparent 'of , who to the best of my Knowledge and Belief is truly 'and *bonâ fide* seised of or entitled to and in the actual Possession 'or Receipt of the Rents and Profits of Freehold or Copyhold Lands, 'Tenements, or Hereditaments of the clear yearly Value of Two 'hundred Pounds above Reprizes; *or*, am actually possessed of a 'clear Personal Estate of the Amount or Value of Six thousand 'Pounds]; and that I will truly, faithfully, and impartially act in the 'Execution of the Powers and Trusts reposed in me by virtue of 'an Act passed in the Third Year of the Reign of His Majesty King 'George the Fourth, intituled [*here set forth the Title of this Act.*]

'So help me GOD.'

And if any Person not being so qualified, or being disqualified for any of the Reasons in this Act contained, or not having taken and subscribed such Oath as aforesaid, or being a Quaker, not having made and subscribed such Affirmation as aforesaid, shall 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, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or elsewhere, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law,

Law, or more than one Imparlance shall be allowed; and every Person so sued shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Trustee in the Execution of this Act.

Acts of unqualified Trustees valid.

VI. Provided always, and be it further enacted, That all Acts done by any Person acting as a Trustee in the Execution of this Act, although not duly qualified as aforesaid previously to his being convicted of such Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual, as if such Person had been qualified according to the Directions of this Act.

Persons holding any Place of Profit not to act as Trustees.

VII. And be it further enacted, That no Person appointed or to be appointed a Trustee for putting this Act into Execution, who shall have or accept any Place of Profit under the Authority of this Act, or who shall be interested or concerned in any Contract, or a Lessee or Farmer of the Tolls granted by this Act, shall, during the Continuance of such Office or Interest, be capable of acting as a Trustee in the Execution of this Act.

Victuallers, &c. incapable of acting.

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

Trustees may act as Justices; except where interested.

IX. And be it further enacted, That such of the said Trustees as are or shall be Justices of the Peace, shall and may in their respective Jurisdictions, and they are hereby empowered to act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except only in such Cases where he or they shall be personally interested; and that no Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls granted by this Act, or receiving Interest for the same, shall on that account be deemed disqualified to act as a Trustee.

Mortgagee or Assignee may act as Trustee.

Meetings of the Trustees.

X. And be it further enacted, That from and after the passing of this Act the said Trustees shall and they are hereby required to hold Four General Quarterly Meetings in every Year during the Continuance thereof; that is to say, on the First *Thursday* in the Months of *January*, *April*, *July*, and *October*, at the Places following; that is to say, in *January* at the *Old Crown Inn* at *Royston*, in *July* at the *George Inn* at *Caxton*, and in *April* and *October* at the *Hardwicke Arms Inn* at *Arrington*, or at such other Houses in the said Towns

and Places as shall from Time to Time be ordered or appointed by the said Trustees, or the major Part of them present at any General Meeting for putting this Act into execution (which Meetings shall be deemed General Meetings, at which all Accounts relating to the said Trust shall be examined, settled, and adjusted); and the said Trustees shall and may from Time to Time, at their Discretion, at any such Meetings, adjourn themselves to some convenient Place upon or near the said Road for putting this Act in execution; and if it shall happen that at any such Meeting there shall not appear a sufficient Number of Trustees to proceed in the Execution of this Act, or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, the Clerk or Clerks to the said Trustees shall from Time to Time in either of such Cases (by Notice in Writing to be affixed on all the Turnpike Gates then erected on the said Road, and also inserted Once in some public Newspaper circulated in the Neighbourhood through which the said Road passes, at least Ten Days before the next Meeting), appoint the Trustees to meet at the Place where the last Meeting was appointed to be held, on such Day as shall be specified in such Notice, not exceeding Three Weeks next after the Day on which such last Meeting was appointed to be held;

If Clerk shall omit or neglect to call such Meeting Trustees may do it.

and in case the Clerk or Clerks to the said Trustees shall in the Cases aforesaid neglect, or shall by any Means be prevented from giving Notice as aforesaid, it shall and may be lawful for any Three or more of the said Trustees (although not assembled at a Meeting held pursuant to this Act), at any Time after the Space of Ten Days from such Neglect or Prevention, by Notice in Writing under their Hands, to be affixed and inserted in manner aforesaid, to appoint the Trustees to meet at the House where the last Meeting was held or appointed to be held, or at some other convenient House or Place upon or near to the said Road, at any Time not less than Ten Days next after the Date of such last-mentioned Notice, the first of which said General Meetings shall be held on whichever of the said Days shall first happen after the passing of this Act; but no Business shall be proceeded upon at any Meeting to be held by the said Trustees under this Act before the Hour of Ten in the Forenoon, nor later than Four of the Clock in the Afternoon of the Day on which such Meeting shall be appointed;

Trustees to pay their own Expences, except for Room.

and the said Trustees at all their Meetings shall defray their own Expences (save and except the Charges for the Room in which such Meetings shall be held; which Charges the Treasurer to the said Trustees is hereby authorized to pay); and all Acts, Orders, and Proceedings relating to this Act, which are authorized or directed to be had, made, done, or exercised by or before the said Trustees, shall and may be had, made, done, and exercised by or before any Three or more of them (except in such Cases where any other Number is herein mentioned);

Three Trustees a Quorum.

and all Orders and Proceedings had, made, or done by or before such Three Trustees shall have the same Force and Effect, and be as binding on all Persons, to all Intents and Purposes, as if the same were had, made, done, or executed by or before all the said Trustees: Provided always, that no Order or Proceedings shall be or be deemed to be valid,

Orders to be made at Meetings only.

unless made or had at a Meeting held in pursuance of this Act (except as herein is particularly mentioned), unless there shall be present at such Meeting Three Trustees at the least, nor unless the Majority of the Trustees present

shall concur therein; nor shall any such Order or Proceeding be revoked or altered at any subsequent Meeting, unless Five Trustees at the least shall be present (of which Meeting Ten Days previous Notice shall be given in manner herein-before mentioned by any Two or more of the said Trustees, or by their Clerk or Clerks, by an Order in Writing signed by any Two or more of the said Trustees), nor unless a Majority of the Trustees present at such subsequent Meeting shall concur in such Revocation or Alteration; and at every Meeting of the said Trustees a Chairman shall be appointed; and when and as often as it shall happen that there shall be an Equality of Votes at any such Meeting upon any Question (including the Vote of the Chairman), then and in every such Case the Chairman shall have and he is hereby empowered to give a double or casting Vote.

Orders not to be revoked unless Notice given, and a Majority of Five Trustees consent.

XI. And be it further enacted, That if after any Adjournment of the said Trustees it shall at any Time be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, it shall and may be lawful for any Two or more of the said Trustees, or for their Clerk or Clerks (upon an Order in Writing signed by any Two or more of the said Trustees, although not assembled at a Meeting) forthwith to give Notice thereof in the Manner before directed (and in such Notice shall be specified the Time, Place, and Purpose of such Meeting), and such earlier Meeting (not being less than Three Days next after such Notice) shall and may be held accordingly; and all the Proceedings of the Trustees thereat shall be as valid and effectual as they would have been in case such Meeting had been held in pursuance of Adjournment.

Meetings on Emergencies.

XII. And be it further enacted, That the said Trustees shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all their Acts, Orders, Appointments, and Proceedings relative to the Execution of this Act, and of the Names of the Trustees who shall be present at their several Meetings; and all Entries in such Book or Books, being signed by the Chairman then present, shall be deemed Originals, and shall be allowed to be read in Evidence in all Cases, Suits, Actions, Informations, Prosecutions and legal Proceedings touching or concerning any thing done in pursuance of this Act; and that such Books shall at all seasonable Times be open to the Inspection of all and every the said Trustees, and of the Creditors on the Tolls hereby granted and made payable; and that any of the said Trustees and Creditors shall and may have and take Copies thereof, paying for every One hundred Words the Sum of Sixpence, and so in proportion for any greater Number of Words.

Proceedings to be entered in a Book.

XIII. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts, or any of them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Books used under former Acts to be Evidence.

XIV. And be it further enacted, That the said Trustees in widening or altering the said South District of Road shall not deviate more than

Trustees not to deviate more than

100 Yards from the present Road.

than One hundred Yards from the present Line of the said Road, without the Consent and Approbation in Writing of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

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

XV. And be it further enacted, That the said Trustees shall and they are hereby required, from Time to Time and at all Times during the Continuance of this Act, to direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the said Road, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Trustees, or any of them, or any Creditor or Creditors on the Tolls hereby granted, without Fee or Reward; and the said Trustees and Creditors respectively, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case such Clerk shall refuse or neglect on Demand to permit, or shall not permit, such Trustees or Creditors, or any of them, to inspect such Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk so offending shall forfeit and pay for every such Offence any Sum of Money not exceeding Five Pounds.

Trustees may appoint Officers.

XVI. And be it further enacted, That the said Trustees shall and may at their first or any subsequent Meeting, as occasion shall require, elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, and all such other Officers respectively, as they shall from Time to Time think proper; and that the said Trustees shall and may from Time to Time remove such Clerks, Treasurers, Collectors, and other Officers, or any of them, and from Time to Time appoint others in the Room of such of them as shall be so removed, or shall die, or resign, or refuse, or neglect to perform or become incapable of performing their Duty; and the said Clerks, Treasurers, Collectors, and other Officers, who shall be employed in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall from Time to Time, as often as they shall be called upon for that Purpose, produce unto the said Trustees true and perfect Accounts in Writing under their respective Hands, of all Monies which shall have been by them respectively collected or received, and how and to what Uses the same have been paid and applied, together with proper Receipts and Vouchers for such Payments, and shall pay all such Monies as shall remain in their Hands to the said Trustees, or to such Person or Persons as the said Trustees shall direct or appoint; and if any of the said Officers shall refuse to give such Account as aforesaid, or to produce and deliver to the said Trustees the Receipts and Vouchers relating to the same, or to pay any Sum or Sums of Money which shall appear to remain in his or their Hands, or shall not deliver to the said Trustees, within Fourteen Days next after having been thereunto required as aforesaid, all the Books, Papers, and Writings in his or their Custody or Power, relating to the Execution of this Act, then and in any of the said Cases it shall be lawful for any One Justice of the

the Peace for the County or Place where such Officer shall reside (and such Justice is hereby authorized and required) to make inquiry concerning such Default in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of One or more Witness or Witnesses upon Oath (which Oath the said Justice is hereby empowered and required to administer without Fee or Reward); and if any Person shall be thereof convicted, such Justice shall commit the Party to the Common Gaol or House of Correction of the County or Place aforesaid, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account, and shall have delivered up all such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said Trustees; and in case any of the said Officers shall refuse or neglect to pay any Sum or Sums of Money which shall appear to remain in his or their Hands, it shall be lawful for any One Justice of the Peace of the County or Place where such Person or Persons shall reside, to make inquiry touching such Neglect or Refusal in a summary Way in Manner aforesaid, and by Warrant under his Hand and Seal to cause such Sum or Sums of 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 the Overplus (if any) upon Demand, after the Money remaining due, and the Charges of making such Distress and Sale, shall be deducted, unto the Party on whom such Distress or Distresses shall be made; and if sufficient Distress or Distresses cannot be made, then the said Justice shall commit such Person or Persons to the Common Gaol or House of Correction of the County or Place aforesaid, there to remain without Bail or Mainprize until he or they shall have paid over such Money in manner aforesaid, or compounded for the same, and paid the Composition Money to the said Trustees, or to such Person or Persons as they shall appoint to receive the same, which Composition the said Trustees are hereby empowered to make: Provided always, that no such Person who shall be committed to Prison for want of sufficient Distress, shall by virtue of this Act remain in Prison for a longer Space of Time than Six Calendar Months.

Clerk not to be appointed Treasurer, and vice versâ.

XVII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the same Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the same Person who has been or may be appointed to act as their Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Trustees to appoint temporary Collectors, and discharge those misbehaving, and appoint others till the next Meeting.

XVIII. And be it further enacted, That as often as any Collector of the Tolls shall die, or shall neglect or become incapable of performing his or their Duty, or shall abscond, or absent or misbehave himself or themselves, any Two or more of the said Trustees (though not assembled at a Meeting of the said Trustees appointed by virtue of this Act) shall and may discharge such Collector so neglecting or becoming incapable of performing his or their Duty, or absconding, or absenting or misbehaving himself or themselves, and shall and may nominate and appoint a proper Person to be a Collector of the said Tolls to continue until the then next Meeting of the said Trustees, in the Stead of such first-named Collector, and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all respects, as the Person in whose Place he was appointed; and if any Collector of the said Tolls who shall be discharged from his Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or other Representatives of any Collector who shall die or be discharged, or any other Person or Persons, shall refuse to deliver up the Possession of any Toll House or Building erected, or being in and upon or on the Side or Sides of the said Road, by virtue of this Act, for the Space of Three Days next after Demand made thereof, and Notice in Writing given for that Purpose by any Two of the said Trustees (although not assembled at a Meeting), or by their Clerk or Clerks, Treasurer or Treasurers for the Time being, then and in any of the said Cases it shall and may be lawful for any Justice of the Peace for the County or Place where such Toll House or Building shall be situate, by Warrant under his Hand and Seal, to order any Constable for the same County or Place, with such Assistance as shall be necessary, to enter such House or Building in the Day-time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and to put the said Trustees, or any One or more of them, or their new appointed Officer, into the Possession thereof.

Trustees may allow Salaries.

XIX. And be it further enacted, That out of the Money to arise by virtue of this Act, such Salaries or Allowances shall be made to the Collectors, Clerks, Treasurers, Surveyors, and such other Persons, as shall be assisting in the Execution of this Act, as to the said Trustees shall seem reasonable.

Treasurer, &c. to give Security.

XX. Provided always, and be it further enacted, That the said Trustees shall take such Security from their Treasurers, Clerks, Collectors, and other Officers, for the due Execution of their respective Offices, and accounting for the Money received by them respectively, as to the said Trustees shall seem meet.

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

XXI. And be it further enacted, That the said Trustees may sue and be sued in the Name or Names of any One or more of them, or in the Name or Names of their Treasurer or Treasurers, Clerk or Clerks; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees by virtue of this Act, shall abate or be discontinued by the Death or Removal of the Person in whose Name or against whom the same shall be brought or commenced,

menced, nor by the Act of such Person or Persons done without the Consent of the said Trustees; but no such Trustee, Treasurer, or Clerk, or any of them, shall be subject to the Payment of any Debt, Costs, or Expences, on account thereof, but the same shall be wholly defrayed out of the Monies to be received by virtue of this Act.

Officers under the former Acts to account to the Trustees for executing this Act.

XXII. Provided also, and be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Acts, or shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things, relating to the said Road, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are herein-before inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of this Act.

Trustees may continue or alter Turnpike Gates.

XXIII. And be it further enacted, That the said Trustees shall and may either continue the present Turnpike Gates and Weighing Machine or Machines which now stand upon or across the said Road, or set up in lieu thereof, or in addition thereto respectively, One or more Turnpike Gate or Turnpike Gates, and Weighing Machine or Machines, in, upon, or across the said Road, or across any Lane or Way leading into, from, or out of the same respectively; and may also erect, build, and set up, or cause to be erected, built, and set up, such and so many Toll Houses for the Convenience thereof, with suitable Outbuildings thereto, as they shall think necessary; and also inclose from any waste Grounds thereto adjoining convenient Garden Plots for the said Toll Houses respectively, not exceeding in the whole One-eighth Part of a Statute Acre for each Toll House, as they may judge proper; and may cause all or any of such Turnpikes, Toll Gates, and Toll Houses, from Time to Time to be taken down and set up again, and to be removed or altered in such other Situations as they shall judge proper.

Turnpikes, Toll Houses, &c. vested in the Trustees.

XXIV. And be it further enacted, That the several Turnpikes or Toll Gates, and Toll Houses, and other Erections and Buildings, and the several Conveniences and Appurtenances thereto respectively belonging, now or hereafter to be erected or provided in or upon and across the said Road, or the Sides thereof, and the Materials for building or altering the same, and all Materials and Things which shall be provided, collected, or made use of for repairing the said Road, shall be and the same are hereby vested in the said Trustees, and they are hereby authorized and empowered to sell and dispose of the same, or any Part or Parts thereof, as they shall think proper, and to bring or cause to be brought any Action or Actions in the Name of their Clerk or Clerks, or to prefer and prosecute, or cause to be preferred and prosecuted, at the Expence of the Revenues of the said Road, any Bill or Bills of Indictment against any Person or Persons who shall steal, take, carry away, break down, or damage the same, or any Part thereof, or disturb them or their Agents or Servants in the Possession of the same, or any Part thereof, in which Bill or Bills of Indictment, it shall be sufficient to state generally such

Articles,

Articles, Matters, and Things, to be the Property of the Clerk or Clerks for the Time being to the said Trustees.

Power to take Tolls.

XXV. And be it further enacted, That the respective Tolls following shall be demanded and taken (subject to the Orders, Regulations, and Resolutions of the said Trustees), by such Person or Persons as the said Trustees shall from Time to Time appoint for that Purpose, before any Horse or Beast, or any Cart or Carriage whatsoever shall be permitted to pass through any of the several Turnpike Gates or Toll Gates now erected and set up, or hereafter to be erected and set up by virtue of this Act; (that is to say);

Tolls.

For every Horse or other Cattle drawing any Coach, Berlin, Landau, Chariot, Calash, Chaise, Chair, Hearse, or Litter, if drawn by more than Two Horses or other Cattle, the Sum of Seven-pence Halfpenny; and if drawn by One or Two Horses, or other Cattle, the Sum of One Shilling:

For each Horse or other Cattle drawing any Waggon, Wain, Cart, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Four-pence:

For each Horse or other Cattle drawing any Waggon, Wain, Cart, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches, the Sum of Five-pence:

For each Horse or other Cattle drawing any Waggon, Wain, Cart, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of a less Breadth than Four Inches and a Half, the Sum of Seven-pence:

For every Horse or other Cattle drawing any Waggon, Wain, Cart, Caravan, or other such Carriage, having the Fellies of the Wheels thereof of a greater Breadth than Six Inches, the Sum of Four-pence:

For every loaded Cart or other Carriage fixed or fastened to any Stage, Waggon, or other Carriage, the Sum of One Shilling and Nine-pence; and if empty or wholly unloaded, the Sum of Eight-pence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three-pence:

For every Drove of Oxen or other Neat Cattle, the Sum of One Shilling and Nine-pence *per* Score; and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Sixpence *per* Score; and so in proportion for any greater or less Number.

Tolls vested in Trustees.

Which said respective Tolls or Duties herein-before granted or mentioned, and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be and the same are hereby vested in the said Trustees for the Time being, and the same and every Part thereof shall be received, recovered, levied, paid, applied, disposed of, and assigned in such Manner as in this Act is mentioned.

Power to erect Side Bars.

XXVI. And be it further enacted, That it shall be lawful for the said Trustees to cause to be erected and set up and provided One or more Turnpike Gate or Turnpike Gates, Toll House or Toll Houses, on

on the Side or Sides of the said Road, or across any Highway leading into the same, and to cause such Tolls to be collected and levied at such respective Turnpikes or Side Gates as are by this Act made payable at the other Turnpikes or Toll Gates upon or across the said Road: Provided always, that the said Tolls be not paid at more than Two Gates for passing over the whole of the Road in the said Division.

Tolls to be paid but Once for passing and repassing, except as herein excepted.

XXVII. Provided always, and be it further enacted, That every Person who shall have paid the full Toll hereby authorized to be taken for any Horse or Beast, drawing any Carriage whatsoever or not drawing, shall, upon producing a Ticket denoting such Payment, return Toll-free the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night), with the same Horse or Beast in respect of which he or she shall have paid such full Toll.

Waggons, &c. to pay each Time of passing.

XXVIII. Provided also, and be it further enacted, That the Tolls by this Act granted shall be paid for and in respect of all Horses or other Cattle drawing any Waggon, Caravan, or other Carriage carrying Passengers or Goods for Pay or Reward, every Time of passing or repassing through the Turnpike Gates now erected or hereafter to be erected by virtue of this Act.

Stage Coaches and Post Chaises to pay each Time of passing, the Driver delivering a Ticket denoting a fresh Hiring.

Horses travelling for Hire to pass Toll-free on returning, though not on the same Day.

XXIX. And be it further enacted, That subject to the Restrictions herein-before contained the Tolls hereby granted shall be paid for and in respect of all Horses or Mules drawing any Stage Coach every Time of passing or repassing through the Turnpike Gates now erected or hereafter to be erected by virtue of this Act; and also for and in respect of all Horses or Mules travelling Post or for Hire, and drawing any Post Chaise or other such Carriage travelling for Hire, every Time they shall pass through any such Turnpike Gate on the same Day, provided the Driver thereof shall deliver a Ticket denoting a fresh Hiring; provided nevertheless, that all Horses travelling for Hire, and drawing or having drawn any Chaise or other Carriage for which any Toll shall have been paid at any Turnpike erected or to be erected on the said Road, shall, on returning without a Ticket denoting a fresh Hiring being produced, be permitted to repass Toll-free, although such Horses, Chaise, or Carriage shall not have passed through such Turnpike on the same Day.

Table of Tolls to be set up.

XXX. And be it further enacted, That a Table of the Tolls payable under this Act shall be affixed on all the Toll Houses erected or to be erected on the said Road, and the Name of the Turnpike Gate adjoining thereto respectively shall be placed over the said Table of Tolls.

Trustees to provide Tickets denoting the Payment of Tolls.

XXXI. And be it further enacted, That the Collectors of the Tolls granted or made payable by this Act shall, on the Receipt of such Tolls, deliver or tender to the Person or Persons paying the same, a Ticket or Tickets denoting such Payment, and specifying and naming thereon the Gate at which such Payment shall have been made, and also the Gate or Gates (if any) to be freed or exempted from Toll by such Payment; and if any Person shall offer or dispose of any such

Ticket, with Intent to evade the Payment of any of the Tolls hereby authorized to be taken, every such Person so offering or disposing of any such Ticket, and the Person using the same for such Purpose, shall respectively forfeit and pay any Sum not exceeding Forty Shillings.

On Non-payment of Toll Collectors may distrain.

XXXII. And be it further enacted, That if any Person subject or liable to the Payment of any of the said Tolls, shall after Demand thereof made, neglect or refuse to pay the same, or any Part or Parts thereof, it shall be lawful for the Person or Persons authorized and appointed to collect such Tolls, by himself, herself, or themselves, and with such Assistance as he, she, or they shall think necessary, to seize and distrain any Horse or Horses, Beast or Beasts, Cattle, or other Thing or Things upon or in respect of which such Toll is hereby imposed, together with its or their respective Bridles, Saddles, Geers, Harness, Accoutrements, or Loading (except the Bridle, Halter, or Reins of any Horse or Beast, separate and apart from such Horse or Beast); and if such Tolls, and the reasonable Charges of such Seizure and Distress, shall not be paid within the Space of Four Days next after such Seizure and Distress made, the Person or Persons so seizing and distraining shall and may, as soon as convenient afterwards, sell the Things so seized and distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale (if any) and what shall remain unsold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure, Distress, and Sale, shall be deducted.

Toll Collectors to put up their Names.

XXXIII. And be it further enacted, That every Toll Collector, being a Lessee or Renter of the said Tolls, or being appointed either by the said Trustees, or by any Lessee or Renter to collect the Tolls payable at any Turnpike, Toll Gate, or Toll Bar, to be continued or erected by virtue of this Act, shall and he is hereby required to place his Christian and Surname painted on a Board in legible Characters in the Front or some other conspicuous Part of the Toll House or Toll Gate, immediately on his beginning to collect such Tolls, or coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length, and of a Breadth in proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he shall collect such Tolls, or be upon such Duty; and if any Collector of the Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid, or shall wilfully demand or take a greater or less Toll from any Person or Persons than he shall be authorized to do by virtue of this Act, or shall demand or take a Toll from any Person or Persons who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit or suffer to be read, or shall in anywise hinder any Person or Persons from reading such Christian and Surname, or shall refuse to tell his Christian and Surname to any Person or Persons who shall demand the same, on having paid or tendered the said Tolls, or any of them, or shall in answer to such Demand give a false Name or Names, or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls, and naming and specifying

Penalties on Collector not doing his Duty.

the

the Gate at which such Payment shall have been made, and also the several Gates freed by such Payment (if any), or shall make use of any scurrilous or abusive Language to any Person or Persons travelling on the said Road, or shall without a sufficient Cause detain or delay any Person or Persons travelling thereon, then and in every such Case every such Collector shall, on being duly convicted thereof on the Oath of One Witness, forfeit and pay any Sum not exceeding Five Pounds for every such Offence, as the Justice or Justices before whom the Information shall be laid, shall adjudge.

Tolls may be leased.

XXXIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to demise or let to farm, or agree to demise or let to farm, all or any of the Tolls arising by virtue of this Act, and all or any of the Toll Houses, and the Conveniences and Appurtenances thereto belonging, for any Term not exceeding Three Years, upon public Bidding to the highest Bidder, and for the best Price or Rent such Trustees can at the Time get for the same, payable Two Calendar Months in advance, or at such other Time or Times as the said Trustees shall think proper, to any Person or Persons who shall be willing to take or farm the same, under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees shall think fit, without being compelled to put up the said Tolls at the Sum at which they were last let, or to have any other Meeting for the Letting thereof; and at such Letting the Trustees present shall have and be entitled to One or more Bidding or Biddings for the said Tolls, either by themselves or their Clerk or Treasurer, or other Person by them authorized; and in case at any Time or Times hereafter when the said Tolls shall be put up to Auction, there shall be no Bidder or Bidders, or in case the same shall not be let at such Auction, then it shall be lawful for the said Trustees to accept a private Tender for the same for such Letting, and to demise or let to farm, or agree to demise or let to farm, all or any of such Tolls, at any Sum not less than the Sum at or for which they shall have been then last let, any thing in any Law or Statute to the contrary notwithstanding; and the Rent or Money arising by such Letting shall be applied in such manner as the Tolls under this Act are directed to be applied.

Rent of Tolls to be paid always One Month in advance.

XXXV. Provided always, and be it further enacted, That on every Letting of any Tolls the said Trustees shall take from the respective Renters or Farmers thereof One Month's Rent in advance before they shall put such Renters or Farmers in Possession of the Toll Gate, Toll House, or Turnpike at which Tolls are to be collected; and that in every Agreement to be entered into for letting any Tolls, the Rent or Money payable for such Tolls shall be made payable monthly and in advance; and that there be contained in such Agreement, Clauses, and Conditions, that if the Rent or Money to be paid at the Commencement of any Month shall not be paid within Three Days after the same shall become due and payable, the said Agreement shall be void if the Trustees shall think proper, and they shall be entitled to take Possession of the Toll Gate, Toll House, or Turnpike at which such Tolls shall be received; and the respective Renters or Farmers of such Tolls shall produce Two sufficient Sureties to join in the said Agreement,

Agreement, undertaking on their Parts for the due and punctual Payment of the Rent or Sum of Money to be paid for the said Tolls; and in every Case where the Terms of such Agreement shall not be fulfilled, the said Trustees shall and they are hereby empowered, if they shall think proper, to re-enter and take Possession of any such Toll Gate or Toll House, and the Tolls there collected, and to relet the same in manner herein-before directed, or to appoint a Collector to receive the same; and it shall be lawful for any Justice of the Peace acting for the said County of *Cambridge*, by Warrant under his Hand and Seal (which Warrant such Justice is hereby empowered and required to grant upon the Request of the said Trustees), to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such Toll House or Toll Houses, and take Possession of such Gates, Turnpikes, or Bars and Premises, and to remove the Person and Persons who shall be found in such Toll House or Toll Houses, together with his, her, and their Goods, out of the said Houses and Premises, and to put such Person or Persons into Possession of the said Toll House or Toll Houses, Gates, Turnpikes, Bars, and Premises, and into the Receipt and Collection of the said Tolls, and to do such other Acts in the Premises as the said Trustees shall appoint.

Lessees and Persons appointed by them may collect the Tolls.

XXXVI. And be it further enacted, That during such Time as the said Tolls or Duty, or any Part or Parts thereof, shall be let or agreed to be let to any Person or Persons whomsoever, it shall and may be lawful to and for the Farmer or Taker, Farmers or Takers thereof, or such other Person or Persons as he or they shall authorize and appoint, to demand and take the same Tolls or Duty, with the like Powers for Recovery thereof, to all Intents and Purposes whatsoever, as any Collector of the said Tolls appointed by the said Trustees is hereby invested with, to demand, take, and recover the same; and such Farmer or Taker, Farmers or Takers, or other Person or Persons as aforesaid, shall be subject to the like Pains, Penalties, and Forfeitures, and shall be liable to the like Actions and Prosecutions as any Collector of the said Tolls appointed by the said Trustees is subject or liable to.

Collectors declared competent Witnesses.

XXXVII. And be it further enacted, That in case any Dispute, Suit, Prosecution, or Litigation shall arise, be had, or brought under or by virtue of this Act in any Court of Law or Equity whatsoever, or before any Justice of the Peace, no Person or Persons shall be incompetent, on account of his being appointed to collect such Tolls, to give Evidence in such Dispute, Suit, Prosecution, or Litigation, or by reason of his being a Trustee of the said Road, or a Mortgagee or Creditor of the Tolls thereof, or a Farmer, Lessee, or Collector of such Tolls, or in any manner acting under or employed by the said Trustees, or any Inhabitant of any Township, Parish, or Place through which the said Road does or shall pass, (unless otherwise personally interested).

Tolls may be reduced.

XXXVIII. Provided always, and be it further enacted, That the said Trustees may, and they are hereby authorized and empowered, from Time to Time during the Continuance of this Act, to reduce

all or any of the several Tolls hereby granted, and to raise the same again, so as that the same do not exceed the Tolls hereby authorized to be taken, and so that such Reduction be made with the Consent of the several Persons who shall be entitled to Five-sixth Parts of the Money then due and owing upon the Credit of the said Tolls, and such Tolls so reduced shall be collected, levied, and applied respectively in the same Manner as the Tolls by this Act granted are directed to be collected, levied, and applied respectively.

A Halfpenny to be taken where the Tolls amount to a fractional Part of a Halfpenny.

XXXIX. Provided always, and be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Trustees empowered to compound for Tolls.

XL. And be it further enacted, That the said Trustees, or any Five or more of them, 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 any Person or Persons, for the Toll of any Horses or other Cattle or Beast drawing any Carriage or not drawing, passing through any of the said Turnpikes, so that no Composition shall be made with any Person or Persons for the Toll of any Horse, or other Cattle or Beast, drawing any Carriage employed in carrying for Hire; and all such Composition Money shall be paid in advance, otherwise such Agreement or Composition to be void.

General Exemptions from Tolls.

XLI. And be it further enacted, That no Tolls shall be demanded or taken for any Horse or Carriage attending His Majesty, or any of the Royal Family, or returning therefrom; nor 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 Materials for making or repairing the said Road, or any Bridges thereon, or any other Highways, Roads, or Bridges in any of the Parishes, Townships, Districts, or Places in which the said Road lies; or with Seed for seeding the Ground, or Grass, Hay, Straw, or Corn in the Straw, or other Produce of Lands not sold or disposed of, or passing to be sold or disposed of, but passing to be laid up in the Houses, Outhouses, Barns, or Yards of the Owners thereof; nor for any Horse, Beast, or other Cattle or Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning after having been employed only in carrying or conveying on the same Day, any Ploughs, Harrows, or other Implements of Husbandry to be used in the Cultivation of Lands; or any Mould, Dung, Compost, Lime, or Manure, to be laid and spread for improving Land; or any Stone, Bricks, or other Materials used for draining Lands, or for wearing against any Rivers within the Limits of this Act; or for any Horses or other Beasts going to or returning from Plough or Harrow, or to or from Pasture or Watering Place, or going to be or returning from being shoed or farried; nor shall any

Toll be paid by any Rector, Vicar, or Curate, when going to officiate or returning from officiating at his proper Parish Church, Chapel, or other Place of Religious Worship, or when visiting his sick Parishioners, or upon any other his parochial or ministerial Duty; nor by any other Person going to or returning from his, her, or their proper parochial Church, Chapel, or other usual Place of Religious Worship, tolerated by Law, on a *Sunday*, or on 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 or Persons who shall die and be buried in any of the said Parishes or Places in which the said Road lies; nor for any Horses or Carriages of whatsoever Description employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding the same, or in returning back from conveying the same; nor for the Horse or Horses of Officers or Soldiers, Militiamen, or Local Militiamen, on March or on Duty; or for any Horse or Horses, or other Beasts, or any Cart, Carriage, or Waggon, employed in carrying or conveying, or returning empty from carrying or conveying (having been employed only in carrying or conveying) the Arms or Baggage of any such Officers or Soldiers; or employed only in carrying or conveying, or returning empty from 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, employed in conveying any Ordnance, Barrack, Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed; or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by such Person in going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, provided such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption; or for any Horses or Carriages travelling with Vagrants, sent by legal Passes, or Prisoners in Custody under any legal Warrant, or returning empty, having been so employed; or for any Horse or 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 *Cambridge*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall by any fraudulent or collusive Means whatsoever, claim or take the Benefit of any of the Exemptions aforesaid, not being entitled thereto, every such Person, for every such Offence, shall forfeit and pay a Sum not exceeding Five Pounds, One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied to the Purposes of this Act, and the same shall be levied and recovered in the same Manner, and by such Ways and Means, as are by this Act provided for recovering Penalties and Forfeitures hereby imposed; and in all Cases the Proof of Exemption shall lie on the Person claiming the same.

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

XLII. And be it further enacted, That no Person owning or driving or causing to be driven any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight; nor shall any Waggon, Wain, Cart, or other Carriage, or the Horse or Horses drawing the same, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen; but it shall be lawful for the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to any 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.

Mitigatory Tolls on Overweight.

XLIII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to mitigate any additional Toll or Tolls that shall or may at any Time or Times become due and payable for or in respect of any Waggon, Cart, or Carriage passing or being drawn on the said Road, and being of a greater Weight with the Loading thereof than by Law is allowed, provided no such additional Toll shall be mitigated to any Sum less than One Half Part thereof.

Exemptions by 55 G. 3. c. 119.

XLIV. Provided always, and be it further enacted, That all Waggons, Wains, Carts, and other such Carriages, having the Wheels and Axletrees formed as directed by an Act passed in the Fifty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Trustees of Turnpike Roads to abate the Tolls on Carriages, and to allow of their carrying extra Weights in certain Cases*, and the Horses and other Cattle drawing the same, shall have and enjoy the Privileges and Exemptions granted thereby.

Penalty on permitting private Passage, &c. or evading Tolls.

XLV. And be it further enacted, That if any Person or Persons shall ride, drive, go, or pass with any Horse, Beast, Cattle, or Carriage, through or over any Gate, private Passage, Land, Ground, or Place lying by the Side of or near to any Part of the said Road (except the Owner or Occupier of such Land, Ground, or Place, or any of his, her, or their Family, Servant or Servants); or if any Person or Persons owning or occupying any Passage, Land, Ground, or Place situate as aforesaid, shall knowingly or wilfully permit or suffer any Person or Persons, not being of his, her, or their Family, or his, her, or their Servant or Servants, to go or pass with any Horse, Beast, Cattle, or Carriage, through or over such Gate, private Passage, Land, Ground, or Place, in order or with Intent thereby to evade the Payment of the Tolls hereby granted, or any of them, or any Part thereof; or if any Person shall forge, counterfeit, or alter, or shall deliver to or receive from any Person or Persons, except a Collector of the Tolls, any Ticket by this Act directed to be given by the Collectors or Receivers of the said Tolls, or any Note or Writing purporting to be such, for the Purpose of evading the said Tolls, or any of them, or shall forcibly, fraudulently, or wilfully pass through or over any Turnpike Gate with any Horse, Carriage, Cattle, or Beast without Payment of Toll, or shall

shall not pay such Toll upon Demand, or shall take off or cause to be taken off any Horse, Beast, or other Cattle from any Carriage, or after passing through any Turnpike Gate shall put on an additional Horse or Beast to any such Carriage, or shall unload or cause to be unladen any Goods, Wares, Merchandize, or other Things from or out of any Carriage, in order to evade the Payment of any of the Tolls herein-before mentioned, or any Part thereof, all and every such Person or Persons so offending in any of the Cases aforesaid, shall for each and every Offence forfeit and pay any Sum not exceeding Five Pounds.

Penalty on Persons obstructing the Execution of this Act.

XLVI. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause to be assaulted, interrupted, or hindered, any Collector of the Tolls, or other Person employed in the Execution of this Act, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Act not to affect the Payment of 70*l.* a Year to the South District.

XLVII. And whereas it is by the said recited Act of the Twelfth Year of the Reign of Her late Majesty Queen *Anne*, enacted and continued by the subsequent Acts herein-before recited, that there should be paid yearly and every Year, during the Continuance thereof, out of the Tolls collected upon the Middle Division of the Road from *Royston* in the County of *Hertford*, to *Wandesford Bridge* in the County of *Huntingdon*, to the Treasurer for the Time being of the said South Division of the said Road, the Sum of Seventy Pounds, towards repairing that Part of the said Road which lies in the said South Division, and which said Sum of Seventy Pounds a Year hath been and still is constantly paid: And whereas considerable Sums of Money have been borrowed on the Credit thereof, and unless the same is continued and re-enacted there will not be sufficient to pay to the respective Creditors the Sums of Money due to them upon their said respective Securities; now, therefore, be it enacted, That the said yearly Sum of Seventy Pounds shall continue to be payable during the Term of this Act, by the Trustees of the Middle Division of the said Road, by quarterly Payments out of the Duties and Profits arising by the Tolls of *Godmanchester* in the County of *Huntingdon*, to the Trustees of this Act, their Treasurer, or other Person authorized to receive the same, by equal quarterly Payments, commencing from the Day up to which the same hath been last paid before the passing of this Act, which said yearly Sum of Seventy Pounds shall, during the Continuance of this Act, be vested in the said Trustees, and collected, levied, and recovered in such Manner, and by such Ways and Means, as any other Sum or Sums of Money now due and owing on the Credit and Security of the Tolls granted and made payable on the said Middle Division of Roads can or may be collected, levied, and recovered; and the said Money when received shall be laid out and expended in the Repairs and Improvement of the said South Division or District of the said Road.

Trustees may borrow Money.

XLVIII. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and may and they are hereby authorized and empowered to borrow and take up at Interest such Sums of Money as they may think necessary, upon the Credit of the Tolls

Tolls, or other Monies arising by virtue of this Act, and at any Meeting or Meetings to assign over or mortgage all or any of the Tolls or other Monies to be collected and arising under and by virtue of this Act, and also the Turnpike Gates, Toll Houses, Erections, and Buildings for collecting the same (the Charges of such Mortgages or Assignments to be paid out of the said Tolls), for any Term during the Continuance of this Act, as a Security for any Sums of Money so to be borrowed, to such Person or Persons, his, her, or their Executors, Administrators, and Assigns, who shall advance and lend the same, to secure the Repayment thereof, with such legal Interest as the said Trustees, or any Seven or more of them, shall think proper, which said Money so to be borrowed shall be applied and disposed of in such Manner as the Tolls to arise or be collected at the said several Turnpikes are hereby directed to be applied and disposed of; and that such Mortgage or Mortgages, Assignment or Assignments, shall and may be in the Form following, or such other Form as the Trustees making the same shall think proper; (that is to say),

Form of Mortgage.

'BY virtue and in pursuance of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled '*An Act, &c.* [*here insert the Title of this Act,*] and in consideration 'of the Sum of to *A. B.* the Treasurer 'appointed by the said Trustees for putting the said Act into Execution, having been on the Day of paid 'by *C. D.* of we whose Names are hereunto 'subscribed, and Seals affixed, being of the said 'Trustees, do grant and assign unto the said *C. D.* 'Executors, Administrators, and Assigns, such Proportion of the 'Tolls arising upon the Road in the said Act mentioned, and of the 'Turnpikes and Toll Houses, Weighing Machines, and other Engines 'for collecting the said Tolls, and all Pensions and annual Sums 'payable from the Trustees of the Middle District or Division of 'the said Road, or the Toll Bars there, as the said Sum of doth or shall bear to the whole Sum due and 'owing on the Credit of the said Tolls, or charged thereupon, for 'the Term of this Act, to have, hold, receive, and take such Proportion of the said Tolls, Turnpikes, and Toll Houses, Weighing 'Machines, and other Engines and Premises, with the Appurtenances, unto the said *C. D.* Executors, Administrators, 'and Assigns, for the Residue and Remainder now to come and 'unexpired of the Term of Years, for which the 'said Tolls are granted by the said Act, subject to the Proviso following; (that is to say), Provided always, that if the said Sum of shall be repaid to the said *C. D.* 'Executors, Administrators, or Assigns, together with Interest for 'the same after the Rate of *per Centum per Annum,* 'without any Deduction whatsoever, on or before the 'Day of next ensuing, then this Assignment shall be 'void, or else shall remain in full Force. In witness whereof we have 'hereunto set our Hands and Seals, this Day of 'One thousand eight hundred and .'

Copies of all which Mortgages or Assignments shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks to the said Trustees,

Copies to be entered.

Trustees not liable in their private Capacities.

Trustees, for which the said Clerk or Clerks shall be paid the Sum of Ten Shillings and Sixpence, and no more; but nothing in this Act shall extend or be construed to extend to charge the said Trustees, or any of them, or the Persons appointed to receive the said Money, or any Part thereof, to any Repayment of the same by reason of their or any of their signing any such Mortgages, Assignments, or other Securities to be made in pursuance of this Act; and all and every Person and Persons to whom any such Mortgage or Assignment shall be made as aforesaid, or who shall be entitled to the same, or to the Money thereby secured, may from Time to Time transfer his, her, or their Right, Title, Interest, or Benefit to the said Mortgage, and the Principal and Interest thereby secured, to any Person whomsoever, by Indorsement on the Back of such Security, or by any other Writing or Writings, before Two credible Witnesses, in the following Words, or in Words to the like Effect; (that is to say),

Mortgages may be assigned.

Form of Transfer.

'I do transfer this Mortgage [*or*, a certain Mortgage, &c. *as the Case may be*] with all my Right and Title to the 'Principal thereby secured, and to all Interest now due and to become due upon the same, unto Executors, Administrators, and Assigns. Dated this Day of One thousand eight hundred and

'*A. B.*'

All which Assignments or Transfers shall be produced to the Clerk or Clerks to the said Trustees within Sixty Days after the Date thereof, who shall cause an Entry to be made thereof in the before-mentioned Book, containing the Dates, Names, and Additions of the Parties, and Sums of Money therein mentioned, to be assigned or transferred, for which the said Clerk or Clerks shall be paid the Sum of Ten Shillings, and no more; and which said Book shall and may at all seasonable Times be perused and inspected by the said Trustees and Creditors, without any Fee or Reward; and after such Entry so made, and not otherwise, such Assignment or Transfer shall entitle such Assignee or Assignees, his, her, or their Executors, Administrators, or Assigns, to such Mortgage or Assignment, and the Monies thereby secured, and so assigned or transferred, and to the Benefit thereof, and Payment thereon; and such Assignee or Assignees, his, her, or their Executors or Administrators, shall and may in like Manner assign or transfer again, and so *toties quoties*, and it shall not be in the Power of any Person or Persons who shall have made any such Assignment or Transfer, to make void, release, or discharge the same, or any Monies due thereon.

No Priority of Mortgages.

XLIX. Provided nevertheless, and be it further enacted, That no Preference shall be given to any Person who shall advance any Sum or Sums of Money upon the Credit of this Act, or who shall have already advanced any Sum or Sums of Money on the Credit of the said former Acts, in respect to the Priority of advancing or of having advanced any such Sum or Sums of Money, but that all Persons to whom such Mortgages or Assignments have been or shall be made as aforesaid, shall be (in proportion to the Sums of Money due to them), Creditors on this Act, in equal Degree one with another.

Regulations as to Mortgagees in Possession.

L. And be it further enacted, That if any Mortgagee or Mortgagees shall seek to obtain Possession of the said Turnpikes, Weighing Machines, Engines, Toll Houses, and Buildings, in order to pay himself, herself, or themselves the Principal Money and Interest, or any Part thereof, due to him, her, or them, it shall be competent for him, her, or them, as Lessor or Lessors of the Plaintiff, and upon his, her, or their Demise only, and without uniting in such Demise the other Mortgagees of the said Tolls and Premises, to obtain such Possession; but such Person or Persons who shall obtain the Possession thereof shall not apply the Tolls which may consequently be received by him, her, or them, to his, her, or their own exclusive Use and Benefit, but to and for the Use and Benefit of all the Mortgagees of the said Tolls, Toll Gates, Toll Houses, Buildings, and Premises, *pari passu*, and in proportion to the several Sums which may be due to them as such Mortgagees respectively.

Application of the Money.

LI. And be it further enacted, That all the Monies and other Effects which the said Trustees, or any of them, or any Treasurer, or other Person on their Behalf, are or is possessed of or entitled to by virtue of the said recited Acts, or any of them, for or in respect of the said South Division of the said Road, shall be by the said Trustees applied for the Purposes of this Act; and that out of the Monies arising or to arise by virtue of the said recited Acts or this Act (after Payment of the Expences of obtaining and passing this Act, as herein-after mentioned) shall from Time to Time be applied first in paying the Interest of all Monies now due and owing on the Credit of the said recited Acts, or which may hereafter become due and owing on the Credit of this Act, then in amending, repairing, widening, altering, improving, and keeping in repair the said Road, and afterwards in otherwise defraying the Expences attending the Execution of this Act, and lastly in reducing, paying off, and discharging the said several principal Sums.

Two Justices empowered to levy a Highway Rate, not to exceed 100*l.* per Ann.

LII. Whereas by the said recited Act of the Twelfth Year of the Reign of Her said late Majesty Queen *Anne*, the Trustees are empowered to order the several Towns, Parishes, and Places in which the Highways thereby directed to be repaired are situate, to levy and gather, within their respective Parishes, Townships, and Places, any Sum not exceeding Three-pence in the Pound, for and towards repairing and amending the said Highways: And whereas, from the great Difficulty of procuring Materials fit and proper for the Repairs of Highways, the Assessments, Rates, and Provisions authorized to be made, raised, and levied, by the Laws and Statutes now in force for the Repair of public Highways have been found insufficient for the Repair of such public Highways in the several Parishes, Townships, and Places through which the said Road passes, and as the Tolls hereby granted are of themselves insufficient to repair the said Road, it is necessary that further Provisions should be granted; be it therefore enacted, That it shall and may be lawful for any Two Justices of the Peace for the said County of *Cambridge*, and they are hereby required (upon an Order for that Purpose under the Hands of the said Trustees), from Time to Time to raise and levy, by an equal Pound Rate upon all and every the Occupier and Occupiers of all Lands, Tenements, and Hereditaments, Woods, Underwoods, Leasehold and Copyhold Estates, and all other

other Estates liable to the Repairs of the Highways within the several Parishes, Townships, and Places through which the said Road passes, in addition to the Sums now authorized to be raised by the Laws in force for the Repair of the public Highways, such Sum or Sums of Money towards the Repair of the said Road, as the said Trustees shall direct; provided that no greater or larger Sum than One hundred Pounds shall be collected in any one Year; which Sum or Sums of Money, when so raised and levied, shall be paid over to the said Trustees or their Treasurer or Treasurers, and applied for the Purposes of this Act.

13 G. 3. c. 78. to be in force for the Purposes of this Act.

LIII. And be it further enacted, That all and every the Powers, Provisoes, Authorities, Exemptions, Matters, and Things contained in an Act made and passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to explain and amend and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purposes*, and in the several Laws and Statutes now in force for the Repair of the public Highways, shall be in full force and effect, and shall be good, valid, and effectual for the Purposes of this Act, save and except such Parts thereof as are hereby altered, varied, or repealed, or are repugnant to the Powers and Provisions herein contained, in as full and ample a Manner, to all Intents and Purposes, as if the same had been repeated and re-enacted in the Body of this Act; any Act or Acts of Parliament to the contrary notwithstanding.

Surveyors may make Causeways, &c.

LIV. And be it further enacted, That it shall be lawful for the said Trustees, or their Surveyor or Surveyors, or such Person or Persons as he or they shall appoint, to make Causeways and Footpaths, and also Ditches and Drains in and upon the said Road, and also through any Grounds lying contiguous thereto; and also to make a Road through any Ground adjoining or lying near to any hollow Way, or narrow or ruinous Part of the said Road (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Land planted and set apart as a Nursery for Trees), to be made use of as a public Highway whilst the old Road is repairing; and also to build, erect, and repair any Bridge or Bridges, Arch or Arches, Culvert or Culverts, upon any Part of the said Road, and across any River, Brook, Stream, Water, Ditch, or Drain thereon or contiguous thereto, making such Recompence to the Owners and Occupiers of the private Grounds respectively for the Damage they shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees; and in case of any Difference concerning the Amount of such Damages, any One Justice of the Peace for the County or Place where such Difference shall arise (on Six clear Days Notice thereof to be given by the said Surveyor or Surveyors to such Owner or Owners, Occupier or Occupiers, or by such Owner or Owners, Occupier or Occupiers to the said Surveyor or Surveyors, or to be left at his or their respective Places of Abode), shall hear, settle, and determine the Matter of such Damages, and the Costs attending the hearing and determining the same, whose Judgment and Order therein shall be final and conclusive to all Parties; but no Satisfaction shall be

be made for doing or performing any of the Works aforesaid upon or through any Common or Waste Lands.

Trustees may contract for Repairs.

LV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to contract and agree with any Person or Persons for repairing the said Road, or any Part or Parts thereof, or for doing any other Work in pursuance of or in the Execution of this Act, in such Manner and for such Sum or Sums of Money, annually or otherwise, or for such Considerations as the said Trustees shall think proper.

Surveyors may get Materials in Wastes, &c. without paying for the same;

LVI. And be it further enacted, That it shall be lawful for the said Trustees, or for the Surveyor or Surveyors of the said Road, and such Persons as shall be employed by or under the Authority of the said Trustees, and they are hereby empowered to cut, dig, gather, take and carry away any Stone, Gravel, Sand, or any other Materials proper for making or repairing the said Road, out of or from any Common or Waste Grounds, common River or Brook, in any Township, Parish, or Place in which any Part of the said Road shall lie or be situate, or in any Township, Parish, or Place adjoining thereto, or in any Township, Parish, or Place nearest to the said Road, in which Materials fit and proper for the Repairs of the said Road can be found, whether the same shall be situate in the County of *Cambridge* or in any adjoining County, without paying any thing for the same, such Surveyor or other Person or Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same may not be dangerous to any Passengers and Cattle; and where there is not a Sufficiency of any such Materials to be procured in any such Common or Waste Grounds, common River or Brook as aforesaid, such Surveyor or Surveyors, or other Persons as aforesaid, may, by Order of the said Trustees, cut, dig, gather, take, or carry away all such Materials as aforesaid in, upon, or out of, from, and over the Lands of any Person or Persons, Bodies Politic or Corporate (not being a Yard, Garden, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees), in any such Township, Parish, or Place as last herein-before mentioned, and paying or tendering Payment for such Materials, and for the Damage done to the Owners and Occupiers of the Grounds whereon or from whence the same shall be cut, gathered, taken, or carried away, or upon, over, or through which the same, or any other Materials so cut, dug, and gathered as aforesaid, shall be conveyed, such Equivalent in Money as the said Trustees shall judge reasonable; and in case of any Differences between the Trustees, or their Surveyor or Surveyors, or other Persons appointed or employed as aforesaid, and the Owners or Occupiers of private Lands or any of them, concerning such Payments and Damages as aforesaid, then and in every such Case any Justice of the Peace of the County or Place wherein such Lands or Grounds shall lie, (on Three clear Days Notice thereof being given by the said Surveyor or Surveyors to such Owner or Owners, Occupier or Occupiers, or by such Owner or Owners, Occupier or Occupiers to the said Surveyor or Surveyors, or to be left at his or their

and in private Lands, making Satisfaction.

Differences to be settled by Justices.

Places of Abode), shall hear, settle, and determine the Matters of such Payment and Damage, and the Costs attending the hearing and determining the same.

Surveyors not to get Materials in private Grounds till after Notice.

LVII. Provided nevertheless, and be it further enacted, 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, or carry away any Materials for making or repairing the said Road, out of or from any inclosed Lands or Grounds, without the Consent of the Owner or Occupier thereof, until Ten Days Notice in Writing shall have been given to such Owner or Occupier, or left at his or her last or usual Place of Residence, to appear before any One or more Justices of the Peace for the County or Place in which the Lands are situate, to show Cause why such Materials should not be had from such Lands; and in case such Owner or Occupier shall attend pursuant to such Notice, such Justice or Justices shall hear and determine the same, and if sufficient Cause shall not be shown to the contrary, shall authorize such Surveyor or other Person or Persons, to dig, gather, take, and carry away such Materials, at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall refuse or neglect to appear by himself or herself, or his or her Agent, such Justice or Justices shall and may make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes, as if such Owner or Occupier, or his or her Agent, had attended, and the Order of such Justice or Justices shall be final and conclusive upon all Parties.

Penalty on taking away Materials gotten by Surveyor.

LVIII. Provided also, and be it further enacted, That if any Person whomsoever shall take and carry away any Materials which shall have been provided or gathered for the Purpose of making, improving, and repairing the said Road, or shall get or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road, before the said Surveyor or Workmen shall have discontinued working therein for the Space of Thirty Days (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials for his own private Use only, and not for Sale), every Person so offending shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

Surveyors may remove Annoyances.

LIX. And be it further enacted, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, from Time to Time to remove and prevent all Nuisances and Annoyances on any Part of the said Road, by Rails, Steps, Cellar Holes, Sign Posts, Walls, Windows, Shutters, Projections, Watering Troughs, or otherwise; and to turn, stop, or cover any Watercourse, Ditches, Sinks, or Drains, running into, along, out of, or by the Side of any Part of the said Road, to the Prejudice or Injury thereof, and to open, scour, and cleanse any Ditch, Sink, Drain, or Watercourse, adjoining to or leading into or out of any Part or Parts of the said Road, not being in any Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a House, and to make the same as deep and large as the said Trustees shall think

proper and necessary, and at proper Seasons of the Year to cut down, lop, or top any Branches of Trees, Shrubs, or Bushes, growing in or by the Side of any Part of the said Road, or in the Hedges or Banks adjoining thereto, not being Shrubs or Bushes planted as a Shelter or Ornament to a House or other Building, or standing in any Garden, Orchard, Yard, Paddock, planted Walk, or Avenue to a House, (in case the Person or Persons who ought to cleanse such Ditch or Watercourse, or to cut down or lop such Branches of Trees, Shrubs, or Bushes, shall neglect so to do for the Space of Fourteen Days next after Notice in Writing given for that Purpose, signed by the Surveyor or Surveyors for the Time being, the reasonable Charges whereof shall be reimbursed to the said Surveyor or Surveyors by the Person or Persons refusing or neglecting as aforesaid; and in case any such Person or Persons shall not, upon Demand, pay and reimburse to such Surveyor or Surveyors such Charges as aforesaid, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of such Person or Persons, in like Manner as is herein authorized or directed for the Recovery of any Penalty inflicted by this Act); and if after the Removal of any of the said Annoyances, any Person shall again offend in like Manner, every such Person shall for every such Offence (over and above such Charges as aforesaid) forfeit and pay any Sum not exceeding Five Pounds.

Trustees may divert the Road.

LX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, from Time to Time to divert, shorten, vary, alter, widen, and improve the Course or Path of any Part or Parts of the said Road herein-before mentioned and described, through any Waste Grounds or uncultivated Lands, without making Satisfaction for the same, and also through any private Grounds or Hereditaments within the Limits herein-before mentioned, first tendering Satisfaction to the Owners thereof and Persons interested therein, for the Damage they shall sustain thereby; and such Roads when diverted and turned under the Authority of this Act shall, and they are hereby declared to become common Highways to all Intents and Purposes, and shall be thenceforward repaired and maintained by the Inhabitants of the respective Parishes, Townships, Hamlets, or Places in which the same are situate, by such Means as the common Highways of this Kingdom are by Law to be repaired and maintained by the Inhabitants of the Parishes in which they are situate.

Trustees not to pull down Houses, &c. except as herein mentioned.

LXI. Provided always, and be it further enacted and declared, That the Powers and Authorities herein given to the said Trustees shall not extend to taking down any Dwelling House or other Buildings, or to the taking in of any Orchard, Yard, Court, Park, inclosed Shrubbery, planted Walk, or Avenue to a House, without the Consent of the Owners and Proprietors thereof respectively.

Trustees may erect and set up Lamps, &c.

LXII. And be it further enacted, That the said Trustees shall and may, if they shall think proper, and they are hereby empowered, to cause such and so many Lamp Irons or Lamp Posts to be made, erected, and put up upon the Wall or Palisade of any of the Toll Houses, or of any other Buildings erected or to be erected upon the said

said Road, or adjoining thereto, as they shall think proper; and also to cause such Number of Lamps to be provided, with all necessary Materials, and supplied with Oil or otherwise, and lighted in such Manner, and at such Times, as they the said Trustees shall think necessary for lighting the said Road: Provided always, that nothing herein contained shall empower the said Trustees to light any of the Towns or Villages through which the said Road passes.

Trustees may purchase and incapacitated Persons sell Lands and other Hereditaments wanted for the Purposes of this Act.

LXIII. And be it further enacted, That for the Purposes of this Act it shall be lawful for the said Trustees to contract with the Owners of and Persons interested in any Lands or Hereditaments for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by making, diverting, turning, or altering the Course or Path of any Part or Parts of the said Road through such Lands or Hereditaments, and to pay for the same by and out of the Tolls and other Monies to be raised by virtue of this Act; and it shall be lawful for all Bodies Politic and Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, and all Feoffees in Trust, Executors, Administrators, Guardians, Committees, or other Trustees whatsoever, for and on the Behalf of any Infants, Femes Covert, Cestuique Trusts, and all other Persons whomsoever, to contract and agree with the said Trustees for the Purchase of such Lands, Grounds, or Hereditaments, or any Part thereof, or for their Interest therein, for the Purposes aforesaid, and to sell and convey the same as occasion shall be and require; and all such Contracts, Agreements, Sales, and Conveyances shall be valid to all Intents and Purposes, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Persons shall be and they are hereby indemnified for what they shall do by virtue or in pursuance of this Act.

If Parties cannot agree or the Owner cannot make a Title, the Value of the Premises to be settled by a Jury.

LXIV. And be it further enacted, That if any such Bodies, Politic or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Executors, Administrators, Husbands, Guardians, Trustees, Feoffees, Committees, Tenants in Tail or for Life, or any other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to him or them given, or left in Writing at the Dwelling House or Dwelling Houses, or Place or Places of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politic or Corporate, Ecclesiastical or Civil, or at the House of the Tenant in Possession of the Lands, Grounds, and Hereditaments which the said Trustees are by this Act empowered to purchase, shall for the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Damage, Value, or Recompence to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Persons, Men of the County of *Cambridge*, from the Neighbourhood of the Place where such Lands and Hereditaments do lie; and in order thereto, the said Trustees are hereby empowered and required, from Time to Time as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whomsoever who shall be thought

thought necessary or proper to be examined concerning the Premises, (which Oath any one or more of the said Trustees is and are hereby empowered to administer), and such Trustees shall, by ordering a View or otherwise, use all Ways and Means, as well for their own as for the said Jury's better Information in the Premises; and after the said Jury shall have inquired of and assessed such Damage, Value, or Recompence, they the said Trustees shall thereupon order, adjudge, and appoint the Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners and other Persons interested in the said Lands and Hereditaments respectively, according to the Verdict or Inquisition of such Jury, which said Verdict, or Inquisition and Judgment, Order, and Determination thereupon, shall be binding and conclusive to all Intents and Purposes against all Parties and Persons whomsoever claiming or to claim any Estate in Possession, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunatics, Idiots, and Persons under any other Disability whatsoever, Bodies Politic, Corporate, and Collegiate, Corporations Aggregate and Sole, as well as all and every other Person and Persons whomsoever; and for summoning and returning such Juries, the said Trustees are hereby empowered to issue their Warrant or Warrants to the Sheriff of the said County of *Cambridge*, thereby commanding him to impannel, summon, and return an indifferent Jury of Twenty-four Persons from the Neighbourhood of the Place where such Lands lie, qualified to serve upon Juries, to appear before such Trustees at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number of Persons accordingly, and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees shall and they are hereby empowered and required to swear or cause to be sworn Twelve Men, who shall be a Jury for the Purposes aforesaid, and in default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Trustees acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines upon such Sheriff, or his Deputy or Deputies, Bailiff or Bailiffs, Agent or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, or appearing shall refuse to be sworn on the said Jury, or being sworn, shall refuse to give or shall not give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury shall refuse or neglect to appear after having been paid or tendered a reasonable Sum for their Costs, Charges, and Expences, or appearing, shall refuse to be sworn and examined, or to give Evidence, so that no Fine be more than Five Pounds on any one Person for one Offence, which said Fine or Fines shall be levied and applied as the Penalties for Offences against this Act are herein-after directed to be levied and disposed of.

Trustees to issue Warrant to the Sheriff to impanne a Jury.

Trustees may impose Fines on the Sheriff making Default, or on the Jury or Witnesses.

How the Expences of the Jury and Witnesses are to be borne and paid.

LXV. And be it further enacted, That in case any Jury or Juries to be summoned and sworn pursuant to the Authority of this Act, 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 such Lands or Hereditaments, or for any such Loss or Damage, than what shall have been agreed to and offered by the said Trustees before the summoning and returning of the said Jury or Juries as a Recompence or Satisfaction for any such Right, Interest, or Property, or for any Loss or Damage as aforesaid, then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference, (such Costs and Expences having been previously ascertained and determined by some Justice of the Peace for the said County of *Cambridge*), shall be borne and paid by the said Trustees out of the Tolls, Duties, or Monies arising by virtue of this Act, or out of any Money borrowed upon the Credit thereof, and shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being; but if any Jury or Juries so summoned and sworn as aforesaid, 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 before the summoning or returning the said Jury or Juries, as a Recompence and Satisfaction for any such Right, Interest, or Property in any such Lands or Hereditaments, or Loss or Damage as aforesaid, then the Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences aforesaid, shall be borne and paid 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, who is hereby required to settle the same, shall and may be deducted out of the Money so assessed and adjudged as so much Money advanced to and for the Use of such Person or Persons; and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes, to be a Payment or Tender of the whole Sum or Sums of Money so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand, after having been so ascertained and settled as aforesaid, may be levied and recovered by the Ways and Means herein-after provided for levying and recovering of Penalties and Forfeitures: Provided always, that in all Cases where any Person or Persons shall by reason of Absence out of the Kingdom have been prevented from treating about such Recompence or Satisfaction as aforesaid, such Costs and Expences shall be borne and paid by the said Trustees as aforesaid.

Money allowed for Lands how to be paid.

LXVI. And be it further enacted, That every Sum of Money or Recompence to be agreed for or assessed and ascertained as aforesaid, shall be paid out of the Tolls and Duties hereby granted, or out of the Money borrowed or to be borrowed on the Credit thereof, to the Parties or Persons respectively entitled thereto, or to their Agents; and upon Payment thereof, or depositing the same in the Bank of *England*

England as herein-after directed (as the Case may be), and after Eight Days Notice thereof given to such Parties or Persons, or their Agents, or to the Tenant in Possession of the Premises, such Lands or Hereditaments shall be laid into and made Part of the said Road, in such Manner as the said Trustees shall direct, and shall be by them, or by such Person or Persons as they shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose; and shall to all Intents and Purposes whatsoever become and be deemed and taken to be a common Highway, and be from thenceforth Part of the said Road for ever thereafter.

Lands purchased to become Part of the Roads.

LXVII. 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 Body Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Feoffees, Releasees in Trust, Guardians, Committees, or other Trustees, or from any Femes Covert, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, or of any Tenant or Tenants for Life, or for any other particular Estate, 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 there, *ex parte* the Trustees for executing this Act, or any Two or more of them, 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, and 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 charged therewith, and settled or assured to the same or the like Uses, Intents, and 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 so 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 Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the 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

Application of Compensation where exceeding 200*l.*

from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200*l.* but not less than 20*l.*

LXVIII. 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 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, and 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 by 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 herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option, and approved of by the 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 herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

Application where the Money is less than 20*l.*

LXIX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as herein-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, and Hereditaments, so purchased, taken, or used as aforesaid, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

LXX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case 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 and may be lawful to and for the said Trustees to order the said Sum or Sums

of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary way of Proceeding or otherwise, as to the same Court shall seem meet, to judge and determine respecting the Right and Title of the Person or Persons so applying, and to order the said Money to be paid to such Person or Persons, if the said Court shall think fit, or to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to the Money.

LXXI. 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 Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in the Possession of any Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons respectively, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Lands, Tenements, or Hereditaments, until the contrary shall be shewn to the Satisfaction of the said 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 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 Expences to be paid by Trustees.

LXXII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, 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 Court of Chancery, and

and to be applied in the Purchase of other Lands or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Trustees empowered to sell Ground not wanted for the Purposes of this Act.

LXXIII. And whereas by reason of the Purchases which the said Trustees are hereby empowered to make, or by reason of the diverting of some Part or Parts of the said Road, or otherwise, they may happen to be seised of some Piece or Parcel of the said old Road, or of some other Piece or Parcel of Land over and above what may be necessary for effecting the Purposes of this Act; be it further enacted, That it shall be lawful for the said Trustees to sell and dispose of the said Piece or Pieces of Ground, or Piece or Pieces of the said old Road, either together or in Parcels, as they shall think proper, to such Persons as shall be willing to contract for and purchase the same; provided that the said Trustees, before they shall sell and dispose of any such Piece or Pieces of the said old Road or other Land, shall first offer the same to the Person or Persons whose Lands shall adjoin thereto; and that the said Trustees, before they shall sell or dispose of any Piece or Pieces of overplus Ground, shall first offer to resell the same to the Person from whom they shall have purchased such Piece or Pieces of Ground; and in case such Persons shall refuse to purchase or re-purchase the same respectively, on an Affidavit being made and sworn to before a Master or Master Extraordinary in the High Court of Chancery, or before One of His Majesty's Justices of the Peace for the County or Place where such Piece or Parcel of old Road or Ground shall lie, by some Person or Persons not interested in the said Piece or Pieces of old Road or Ground, stating that such Offer was made by or on the Behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused by the Person to whom the same was so offered, shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and refused by the Person to whom it was made (as the Case may be), and the Money to arise by the Sale or Sales which may be made by the said Trustees of such Pieces or Parcels of Ground as aforesaid, shall be applied to the Purposes of this Act, but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Non-application of such Money.

Persons whose Lands adjoin to have the Preference.

Penalty on Persons damaging Direction Posts, and for preventing Nuisances on the Road.

LXXIV. And be it further enacted, That if any Person or Persons shall pull up or damage any Direction Posts, Mile Posts, or Milestones, now erected or to be erected upon or on the Side or Sides of or adjoining the said Road or any Part thereof, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon, or shall break, throw down, damage, or injure the Lamps, Lamp Posts, or other Works to be placed upon, adjoining, or near, or on the Side or Sides of the said Road, or shall put out or extinguish the Lights therein, or shall ride upon any Footway adjoining to the said Road, or shall drive any Horse, Cattle, or Swine, or any Truck, Sledge,

Wheelbarrow, Handbarrow, or other Hand Carriage thereon; or shall cause any Damage to be done to such Footway, or 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 wheeled Carriages), or shall suffer any Part of any Tree or Piece of Timber or Stone which shall be carried upon any wheeled Carriage, to drag upon any Part of the said Road to the Prejudice thereof; or shall bait, drive, or worry any Bull or Bear with Dogs or otherwise, upon the said Road or any Part thereof; or when driving any Pigs or Swine upon the said Road or any Part thereof, shall suffer them to root up or damage the same, or any Part thereof, or the Fences, Hedges, Backings, or Copse on either Side thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the Left Hand Side of the Middle of the said Road; or if any Person having the Care of or driving any Waggon, Cart, or other such Carriage upon the said Road, or any Part thereof, shall ride within or upon the said Waggon, Cart, or other Carriage, or shall ride upon the Shafts, or either of them, of such Waggon, Cart, or other Carriage; or if any Person driving or riding upon any Horse or Beast of Draught carrying Milk Cans, Crates, Cans, or Panniers, shall not keep the said Horse or other Beast of Draught on the Left Hand Side of the Middle of the said Road; or shall ride or drive his or her Horse or other Beast of Draught opposite to or abreast of any other Person driving or riding any other Horse or Beast of Draught, carrying Milk Cans, Crates, Cans, or Panniers, so that Two or more such Horses or other Beasts of Draught shall be abreast or opposite to each other in travelling upon the said Road; or if any Person, after having blocked up any Carriage whatsoever in going up any Hill or rising Ground, shall leave on the said Road, or any Part thereof, the Stone or other Thing used in such blocking; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or them upon the said Road, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall shoe, farry, or bleed any Horse or Cattle on the said Road, (except in case of Accident), or shall slaughter any Cattle, or singe any Pigs upon the said Road; or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent, or Fire-work whatsoever on the said Road, or any Part thereof respectively, or within Eighty Feet of the Centre thereof; or play at Football, or any other Game, to the Annoyance of any Passenger or Passengers on any Part or Parts of the said Road; or if any Person riding, attending, or driving any Horse or other Beast on the said Road, and carrying Iron Bar, or Rod, Basket, or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, across such Horse or other Beast, in such Manner as the same shall project more than Thirty Inches from either Side of such Horse or other Beast, or so as in any Manner to obstruct, impede, or endanger the Passage or Progress of any other Person, or any Horse, Beast, Cattle, or Carriage, travelling or going along the said Road; or if any Hawker, Pedlar, Gipsey, or other Person or Persons travelling with any Machine, Vehicle, Cart, or other Carriage whatsoever, with or without any Horse, Mule, Ass, or other Beast, shall pitch or place

place any Tent, or shall encamp upon or by the Side or Sides of the said Road, or any Part thereof; or if any Person shall leave any Coach, Chaise, Waggon, Wain, Cart or other Carriage in, upon, or on the Side of any Part of the said Road, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever (except Materials for the Repairs of the said Road deposited by or by the Order of the Surveyor thereof) on any Part of the said Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Annoyance or Prejudice of any Person or Persons travelling along the same; or if any Person or Persons shall lay any Hay, Straw, or other Matter or Thing, upon any Part of the said Road to be made into Manure; or shall without the Consent of the said Trustees scrape off the same any Mud, Soil, or other Matter or Thing, which shall be or lie upon any Part of the said Road with an Iron Rake, or other Instrument with sharp Points, whereby the said Road, or any Part thereof, shall be damaged; or if any Blacksmith, or other Person occupying a Blacksmith's Shop, having Doors or Windows to the Front of the said Road, shall not by good and close Shutters, every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from such Shop shining into the said Road; or if any Person or Persons shall do any other wilful Act, Damage, or Injury, to the said Road, or any Part thereof, or shall in any Manner whatsoever obstruct or impede the Passage upon the said Road, or turn out or suffer his Cattle to be at large upon the said Road, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For securing transient Offenders.

LXXV. And whereas Offences may be committed against this Act by Persons unknown to the Collectors, Surveyors, or other Officers appointed to put this Act into Execution, be it therefore enacted, That it shall be lawful for any of the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his, her, 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 as soon as practicable before any Justice of the Peace of the County or Place where the Offence shall have been committed; and such Justice is hereby empowered and directed to proceed with all convenient Speed to the hearing and determining of the said Complaint.

Penalty on Witnesses not attending when summoned.

LXXVI. And be it further enacted, That if any Person or Persons, after having been summoned as a Witness or Witnesses to give Evidence before any Justice of the Peace touching any Matter of Fact contained in any Information or Complaint for any Offence against this Act, shall refuse or neglect to appear at the Time and Place for that Purpose appointed (after having been paid or tendered a reasonable Sum of Money for his, her, or their Expences), without a reasonable Excuse for his, her, or their Refusal or Neglect, or appearing shall refuse to be examined upon Oath, or being a Quaker, on Affirmation, and give Evidence before such Justice of the Peace, then and in either of

of the said Cases, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For impounding Cattle or Swine straying on the Roads, &c.

LXXVII. And be it further enacted, That if any Horse, Ass, Cattle, or Swine shall be found wandering, straying, or lying about the said Road or on the Sides of any Part thereof, except on such Part or Parts of the said Road where the same is not fenced in on both Sides, or is open on either Side to any Common or Waste Ground, the Owner of such Horse, Ass, Cattle, or Swine shall respectively forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, to be recovered in such Manner as other Penalties are herein directed to be recovered and levied; and the Surveyor and Surveyors of the said Road, or any other Person or Persons, is and are hereby authorized to cause such Horse, Ass, Cattle, or Swine as shall be found wandering or depasturing upon the said Road or on the Sides thereof, except as aforesaid, to be impounded until the Complaint against the Owner thereof can be heard before some One of His Majesty's Justices of the Peace for the County of *Cambridge*, until the Owner of such Horse, Ass, Cattle, or Swine shall pay the said Penalty, which shall be applied towards repairing the said Road; and in case such Penalty shall not be paid within Five Days, then such Justice shall and may order the Horse, Ass, Cattle or Swine so impounded to be sold, and apply the Produce thereof towards discharging such Penalty and the Costs, Charges, and Expences of such Sale, rendering the Overplus, if any, to the Owner of such Horse, Ass, Cattle, or Swine.

Punishment of Persons guilty of Pound Breach.

LXXVIII. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cow, Horse, Ass, Swine, or other live Stock or Cattle which shall be seized for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release or attempt to rescue or release any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other live Stock or Cattle seized or so impounded, or such Distress or Levy so made shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One of His Majesty's Justices of the Peace for the County of *Cambridge*, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, (and which Oath the said Justice is hereby authorized and empowered to administer), be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction of the said County of *Cambridge*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

Gates not to swing into the Road.

LXXIX. And be it further enacted, That no Gate of any Park, Paddock, Field, or Inclosure whatsoever, adjoining the said Road, shall be made to open into or towards any Part of the said Road, or suffered to continue so to open, except the Hanging Posts thereof shall be so far removed from the Centre of the said Road as that no

Part of such Gate when open shall project over any Part of the said Road, or any Footpath or Causeway belonging thereto; and if any Occupier or Occupiers of the Lands upon which any Gate or Gates is or are or shall be constructed so as to open and swing outward towards the said Road, shall not within Ten Days after Notice to him, her, or them given, either personally or in Writing from the Clerk or Surveyor of the said Road, cause such Gate to be hung so that no Part thereof when open shall project over any Part of the said Road, or any Footpath or Causeway belonging thereto, the Clerk or Surveyor of the said Road is hereby authorized to cause such Gate to be hung according to the Directions of this Act, and the Person or Persons guilty of such Neglect or Default shall, upon Complaint made thereof to any Justice of the Peace acting in and for the said County, and Proof of such Neglect or Default by the Oath of any credible Witness, pay to such Clerk or Surveyor such Sum as the said Justice shall direct, to defray the Expence of making the Alteration and hanging such Gate, and shall also forfeit and pay a further Sum not exceeding Forty Shillings.

Persons liable to the Repair of the present Roads to continue so.

LXXX. And be it further enacted, That all Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees of any Lands, Tenements, and Hereditaments, and all other Person or Persons liable by reason of any Tenure, Inclosure, Prescription, Custom, or other lawful Cause of Obligation, to the amending, maintaining, or repairing, or to contribute to the amending or repairing of any Part or Parts of the said Road, or any Bridge, Causeway, Drain, Arch, or Sewer therein, shall, notwithstanding any thing herein contained, still remain liable and chargeable in such Manner as they were before the passing of this Act, or have been held and considered liable during the Term of the said recited Acts.

Parishes, &c. to be liable to Repairs.

LXXXI. And be it further enacted, That all the Inhabitants of the several Parishes, Townships, Hamlets, or Places through which the said Road passes, shall be liable to the Repair of such Parts of the said Road as are within their respective Parishes, Townships, Hamlets, or Places, in such and the same Manner as they are liable to the Repair of any other common public Highways within the same, or have been held and considered liable during the Term of the said recited Acts.

Statute Work.

LXXXII. 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 County or Place in which the said Road lies, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Treasurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said 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 as aforesaid, 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 of every such Parish or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as are or may be directed by any Law or Statute in force or effect for the Repairs of the public Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear 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 Road 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, or appoint; and the said Justices shall and may order and direct the Persons who by such Lists shall be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the Surveyor or Surveyors of any such Parish or Place, to be by him or them paid over to the said Trustees or their Treasurer, at such Time or Times as such Justices shall direct; and in default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid (after Notice in Writing given to or left for him, her, or them at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor 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 Fines, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for the Repair of the public Highways; and if any Pesson 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 dismiss the Person who shall be found idle or negligent as aforesaid, and in that case every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, in such and the same Manner 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

shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Road; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall not collect and pay over the several Sums due for Composition Money in manner aforesaid, every Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be levied, recovered, paid, and applied in such and the same Manner as Penalties are by this Act directed to be levied, recovered, paid, and applied.

Trustees may compound for Statute Work.

LXXXIII. Provided always, and be it further enacted, That it shall and may be lawful for the Surveyor or Surveyors of any Parish or Place through which the said Road passes, or any other Person or Persons appointed for that Purpose at any Vestry or other public Meeting of the Inhabitants of such Parish or Place who shall be summoned together for that Purpose, to compound and agree from Time to Time with the said Trustees for a certain Sum of Money by the Year or otherwise, in lieu of the Statute Work to be performed by such respective Inhabitants upon any Part of the said Road; and in case such Composition Money shall not be paid to the said Trustees, or to such Person as they shall appoint to receive the same, within Ten Days next after the same shall become due and be demanded, it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Cambridge*, upon Oath made before him or them of such Default, which Oath the said Justice or Justices is or are hereby empowered to administer, and he or they is and are hereby required to issue a Warrant under his or their Hand and Seal or Hands and Seals, empowering such Person, so by the said Trustees appointed, to receive such Composition Money, or to levy the same by Distress of the Goods and Chattels of the Person or Persons who hath or have made such Composition as aforesaid; and such Goods and Chattels so distrained, after the Space of Five Days (such Composition Money and the reasonable Charges of such Distress and keeping the same not being sooner paid), to sell, rendering the Overplus (if any there be), to the Owner or Owners thereof upon Demand, after the Composition Money, and all reasonable Charges of such Distress and Sale, shall be deducted, which Composition Money shall be applied to the Purposes of this Act; and such Surveyors and other Persons by whom such Composition shall be made on behalf of any of the said Parishes or Places as aforesaid, shall be reimbursed such Composition Money in such Manner as the Surveyors of the Highways are by the Laws now in being to be reimbursed the Monies by them expended in buying Materials for repairing the Highways.

Roads to be measured and Milestones, &c. erected.

LXXXIV. And be it further enacted, That the said Trustees may cause the said Road to be measured, and Stones or Posts to be continued or placed in or near the Sides of the said Road, at the Distance of One Mile from each other, with such Inscriptions thereon, denoting the Number of Miles and Distances from Places, as they shall think proper.

LXXXV. Provided

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

LXXXV. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose, by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees, or to their Treasurer for the Time being, as the Case may be.

Distress not to be deemed unlawful for Want of Form.

LXXXVI. And be it further enacted, That where any Distress shall be made for any Penalty, or Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be done by the Party or Parties so distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the Special Damage in an Action on the Case: Provided always, that no Plaintiff shall recover in any Action for such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceeding, before such Action brought, and the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, may at any Time before Issue joined pay into Court such Sum of Money as he or they shall think fit, whereupon such Proceedings, Orders, or Judgments, shall be had, made, and given, in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover if Tender of Amends.

Penalties when recovered how to be applied.

LXXXVII. And be it further enacted, That all Penalties, Forfeitures, and Fines, hereby inflicted or authorized to be imposed, the Manner of levying and Recovery whereof is not herein otherwise directed,

directed, shall upon Proof of the Offences respectively before any One Justice of the Peace for the said County of *Cambridge*, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses, (which Oath such Justice is hereby empowered and required to administer) be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice (which Warrant or Warrants such Justice is hereby empowered to grant for those Purposes), and the Overplus, after such Penalties, Forfeitures, or Fines, and the Charges of and previous to such Distress and Sale, are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels, and the Penalties, Forfeitures, or Fines, when paid or recovered, shall be (if not otherwise directed to be applied by this Act) paid One Half to the Informer, and the other Half to the said Trustees, or to their Clerk or Treasurer, to be applied for the Purposes of this Act; and in case such Penalties or Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice and he is hereby authorized and required to order the Offender or Offenders so convicted to be detained and kept in safe Custody, until Return can conveniently be made to such Warrant of Distress, unless the Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his, her, or their Appearance before such Justice, on such a Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Ten Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise; but if upon return of such Warrant, it shall appear that no sufficient Distress can be had thereupon, then and in such Case it shall be lawful for such Justice of the Peace as aforesaid, or any other Justice of the Peace for the County of *Cambridge*, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the said County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges shall be sooner paid and satisfied.

For the more easy Conviction of Offenders.

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

Form of Conviction.

‘ County of } BE it remembered, That on the Day
‘ to wit, } 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 [*specifying the Offence,*
‘ *Time and Place when and where the same was committed, (as the*
‘ *Case may be) without further setting forth the Information or Evidence*
‘ *against the Defendant*]. Given under my Hand and Seal the Day
‘ and Year first abovementioned.’

And

And that no Objection shall be made, or Advantage taken, for Want of Form in any such Conviction by any Person or Persons whomsoever; and that no Proceedings of any Nature or Kind soever to be had touching any Offender or Offenders against this Act, shall be quashed, vacated, or discharged for want of Form only. Proceedings not to be quashed for Want of Form.

LXXXIX. And be it further enacted, That if the said Trustees, or any Person or Persons, shall think himself, herself, or themselves aggrieved by any thing done by virtue or in pursuance of this Act, and for which no particular Method of Relief hath been herein-before appointed, such Trustees, or Person and Persons, shall and may appeal to the Justices of the Peace at the next or following General Quarter Sessions of the Peace to be holden in and for the County or Place where the Cause of Appeal shall arise next after the Matter of such Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Twenty-one Days Notice to the other Party at the least, in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof; and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of the said Quarter Sessions; and the said Justices at their said Sessions, upon due Proof of such Notice having been given, and of the entering into such Recognizance, shall hear and finally determine such Appeal in a summary Way, and if they see Cause may by Order of such Session mitigate at their Discretion all or any of the said Penalties, or quash or annul any Conviction or Convictions, Orders, or other Proceedings of any Justice or Justices of the Peace, or otherwise may ratify and confirm the same, and award such Costs to either of the Parties, or otherwise, as they may think proper; and may also order such further Satisfaction to be made to the Party injured as they shall judge reasonable, and the Determination of the said Justices shall be binding and conclusive upon all Parties to all Intents and Purposes. Allowing an Appeal. Twenty-one Days Notice of Appeal to be given. Recognizance to be entered into.

XC. And be it further enacted, That no Action or Suit shall be brought or commenced by any Person or Persons for any thing done by virtue of this Act till after Fourteen clear Days Notice thereof in Writing shall be given to the Person or Persons against whom such Action or Suit shall be intended to be so brought or commenced, thereby fully setting forth the Cause of such Action or Suit, and the Nature thereof, or left at his or their last or usual Place of Abode; and that every Action or Suit commenced or brought for any thing done as aforesaid, shall be brought within the Space of Three Calendar Months next after the Cause thereof shall arise, and shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere, and the Defendant or Defendants therein may plead the General Issue, and give this Act, and the Special Matter in Evidence, and that the same was done by virtue thereof; and if on the Trial of such Action it shall appear that the same was brought before the Expiration of Fourteen Days next after such Notice shall have been so given or left as aforesaid, or after the End of Three Calendar Months next after the Cause thereof shall have arisen, or if such Action shall be brought or laid in any other County than Limitation of Actions. General Issue.

than as aforesaid, or after sufficient Tender of Amends shall have been made to the Party or Parties aggrieved, then and in every of the Cases aforesaid the Jury on the Trial of such Action shall find for the Defendant or Defendants therein; and in all Cases where any Verdict shall be found for any Defendant or Defendants in such Action, or the Plaintiff or Plaintiffs therein shall discontinue the same after the Defendant or Defendants shall have appeared thereto, or shall be nonsuited, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, the Defendant or Defendants in such Action shall have Treble Costs, and shall also have the like Remedies for recovering the same as Defendants have for recovering their Costs in other Cases of Law.

Treble Costs.

Expences of the Act.

XCI. And be it further enacted, That all Costs, Charges, and Expences incident to and attending the obtaining and passing this Act shall be paid and discharged by the said Trustees out of the first Money which shall arise by virtue of this Act, with lawful Interest from the Time of advancing or disbursing the same.

Public Act.

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

Commencement and Continuance of this Act.

XCIII. And be it further enacted, That this Act shall commence and take Effect from the passing thereof, and shall continue and be in force 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. 1822.