Anno tricesimo

Georgii II. Regis.

An Act for enlarging the Terms and Powers granted by Two Acts of Parliament of the First and Seventeenth Years of the Reign of His present Majesty, For repairing and amending several Roads leading to and from the Borough of *Evesham*, in the County of *Worcester*; and for explaining and making more effectual the said Acts; and also for amending, widening, and keeping in Repair, several other Roads in the Counties of *Worcester*, *Warwick*, and *Gloucester*.

WHEREAS by an Act of Parliament passed in the First Year of the Reign of His present Majesty, intituled, An Act for repairing and amending several Roads leading to and from the Borough of *Evesham*, in the County of *Worcester*; several Tolls, Duties, and Powers, were given and granted for the repairing and amending the said Roads; which said Act was to take place from the Thirtieth Day of May, One thousand seven hundred and twenty eight, and to continue for the Term of Twenty one Years: And whereas by another Act passed in the Seventeenth Year of His said present Majesty's Reign, intituled, An Act for continuing

Preamble, reciting the Acts 1 *Geo.* II. and 17 *Geo.* II.

nuing the Term and Powers granted by an Act passed in the First Year of His present Majesty's Reign, intituled, *An Act for repairing and amending several Roads leading to and from the Borough of* Evesham, *in the County of* Worcester; *and for making the same more effectual*; the said First recited Act, and all and every the Authorities, Powers, and Clauses therein contained (except such Clauses, Matters, and Things, as were by the said last recited Act altered or varied) were thereby enacted to be and continue in full Force and Effect, and to be executed for the Purposes in the said recited Acts mentioned; and that, from and after the Expiration of the Term by the said First Act granted, the said Term, and all the Powers and Authorities thereby given, were enlarged and continued for the further Term of Twenty one Years, and from thence to the End of the then next Sessions of Parliament: And whereas the Trustees appointed to put the said above-mentioned Acts in Execution have, in pursuance thereof, and of the several Powers thereby respectively given, borrowed divers Sums of Money upon the Credit of the said Acts, and there is now due and owing thereupon the Sum of Two thousand eight hundred Pounds Principal Money; which, together with the Tolls and Duties thereby arising, have for the most part been applied in repairing of the Great Road leading from the Town of Pershore, across the Vale, to the Top of Broadway Hill, and from the Borough of Evesham to Stonebow Bridge, in the said County of Worcester; And whereas many Parts of the Roads, directed by the said Acts to be repaired, still continue in a very bad and ruinous Condition, and cannot be effectually repaired and supported, and the Money now due on the Credit thereof repaid, unless the Tolls and Duties thereby granted and created are augmented, and the Terms and Powers therein contained further continued and enlarged, and the said Acts made more effectual: And whereas the several and respective Roads herein after mentioned, that is to say, the Road leading from the Elm in Bengworth Field, called Bengworth Elm, to the lower End of Wickhamford, and from thence through a Lane called Condercup Lane, by a House called Condercup House, through Willersey Field, to Willersey, and up Willersey Hill, to a House called Gun's House; and from thence, over Saintbury Weston and Campden Hills, through a Lane called Dyer's Lane, to Chipping Campden, in the County of Gloucester; and from Gun's House aforesaid to a Piece of Land called No-man's Ground, near or adjoining to Broadway Hill; and also the Road leading from the Top of Broadway Hill, in the County of Worcester (where the Evesham Turnpike begins) through a Lane

called Upton Wold Lane, to the Top of Bourton Hill, in the County of Glouceſter (where the Moreton or Chipping Norton Turnpike ends;) and alſo the Road leading from the End of Upton Wold Lane aforeſaid, through Seaſincourt Lane, and the Pariſhes of Longborough, Donnington, Broadwell, and Upper Swell, to Stow, in the ſaid County of Glouceſter; and alſo the Road leading from Norton, in the County of Worceſter (where the Eveſham Turnpike ends) through Norton aforeſaid, and through Norton and Harvington Fields, to The New Inn, in the Pariſh of Salford, in the County of Warwick; and from thence to Ruſhford, and acroſs Dunnington Heath, to a Lane called Wheathley Lane; and through the ſaid Lane called Wheathley Lane, along a certain Road or Place, in the Counties of Worceſter and Warwick, called The Ridgeway, to a certain Inn or Houſe ſtanding in or near to the ſaid Ridgeway, called The New Inn; and from thence to a certain Place called Crabb's Croſs, in the Counties of Worceſter and Warwick; and alſo the Road leading from a Place called The Mill Tail, in Perſhore, to The Blue Bell, in the Pariſh of Earl's Cromb, near Upton upon Severn, in the ſaid County of Worceſter; are become very ruinous, and in many Parts narrow and dangerous, and in the Winter Seaſon not ſafe for Travellers, and cannot be effectually widened and repaired by the ordinary Means of Law: Wherefore, and to the End that the ſaid ſeveral Roads mentioned and directed to be amended in and by the ſaid former Acts, and alſo the ſaid new or additional Roads, may be amended, widened, and hereafter kept in good Repair; and that the Money now due, or hereafter to be lent or advanced on the Credit of the ſaid former Acts, and this preſent Act, with the growing Intereſt thereof, may be repaid; May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Two above-recited Acts, and all and every the Term and Terms, Authorities, Powers, Articles, Rules, Penalties, Forfeitures, and Clauſes, therein and herein contained (except ſuch as are hereby altered or varied) ſhall, from and after the paſſing of this preſent Act, be, and continue in full Force and Effect, and ſhall extend and be executed for the Purpoſes herein, and in the ſaid former Acts, contained, as well touching the Reparation and Amendment of the ſaid new or additional Roads, and all Matters relating thereto, as

The recited Acts further continued for 21 Years.

to the said Roads by the said former Acts directed to be amended, as fully and amply, to all Intents and Purposes, as if the same had been repeated and re-enacted in the Body of this present Act, and the said new Roads had been inserted in the said former Acts, and thereby directed to be repaired; and that from and after the Expiration of the Term and Terms by the said former Acts, or either of them, granted and continued, or granted and continued in and by a certain other Act of Parliament, made in the Twenty eighth Year of the Reign of His present Majesty, intituled, An Act to amend an Act made in the Twenty sixth Year of the Reign of His present Majesty, intituled, *An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto*; (which said several Terms are also hereby extended to the said new or additional Roads;) all the Powers and Authorities by the said former Acts, of the First and Seventeenth Years of the Reign of His present Majesty, or either of them (except such as are hereby altered or varied) and also all the Powers, Authorities, and Provisions, in this present Act contained, shall be, and the same are hereby declared to be in Force and have Continuance for the further Term of Twenty one Years, and from thence to the End of the then next Sessions of Parliament; which said additional Term, as well as the Term and Terms now subsisting in the said Roads by the said Two former Acts, or either of them, or by the said Act of the Twenty eighth Year of His said Majesty's Reign, shall be, and the same is and are hereby made subject and liable to the Payment of the Money now due, or hereafter to be borrowed on the Credit of the said former Acts and this present Act, for the Intents and Purposes therein and herein respectively mentioned and contained, as fully and effectually as if the said former Acts were here again repeated and re-enacted in the Body of this present Act; any thing in the said former Acts contained to the contrary thereof in any wise notwithstanding: But if at any Time before the Expiration of the said further Term of Twenty one Years hereby granted, any particular Branch or District of the Roads hereby, and by the said former Acts, intended to be repaired, shall be effectually raised, widened, and repaired, and all Monies now due, or hereafter to be due or borrowed on the Credit of any such particular Branch or District, shall be fully paid and discharged, and a sufficient Sum appropriated for supporting and keeping in Repair the said several and respective Roads; that then the Tolls, Duties, Powers, and Authorities hereby, and by

If the Road shall be sufficiently amended before the Expiration of the Term granted by this Act, and Debts paid, Tolls, &c. to cease.

the said former Acts, given or granted, so far as the same relate to such particular Branch or District, shall wholly cease and determine; any thing herein, or in the said former Acts, contained to the contrary thereof in any wise notwithstanding.

And, for the more effectual putting this Act, and the said former Acts, in Execution, be it further enacted by the Authority aforesaid, That Sir Thomas Sebright, Sir William Temple, Sir Robert Throckmorton, Sir Robert Keyt, Sir Edward Winnington, Sir Francis Skipwith, Sir Hilderbrand Jacobs, Baronets; the Honourable and Reverend George Talbot Clerk, the Honourable Bulkeley Coventry, Henry Archer, William Acton, Henry Crabb Boulton, Richard Crabb, Samuel Savage, John Knottesford, Thomas Chambers, John Forteſcue, John Forteſcue the younger, Phillips Lyttleton, Phillips Lyttleton the younger, John Dawes, William Parker, John Stanford, Reginald Lygon, Thomas Byrch Savage, Edward Stanford, James Stanford, Joſiah Dineley, Richard Fullwood, Charles Stanford, Richard Bourn, John Newport, Thomas Thornberry, Holland Cookſey, Edmund Pytts, Francis Bourn Page, Benjamin Johnſon, William Acton, Vincent Acton, John Ruſhout, Thomas Edwards Freeman, William Batſon, William Dowdeſwell, Nicholas Lechmere, John Knottesford, Charles Cocks, John Cocks, John Martin the younger, James Cocks, Guy Dickens, John Head, John Scott, Clarke, Robert Fettiplace, Jackſon Brown, William Rayner, Thomas Kemble, John Bird, William Bateſon, Edmund Chamberlayne, Crayle Crayle, John Soley, James Lenox Dutton, Marſhe Dickinſon, Marſhe Dickinſon the younger, John Thornelowe, John Cocks, Thomas Horde, Samuel Ingram, George Auguſtus Killigrew, William Leigh, James Leigh, William Moore, Powell Snell, Powell Snell the younger, John Scott, William Snooke, Robert Tracey, Thomas Tracey, William Wanley, William Whitmore, William Wyndham, Reginald Wynniatt, Eſquires; the Reverend Daniel Kemble, Thomas Burton, Thomas Chamberlayne, Robert Foley, Theophilus Leigh, Richard Ruſſell, Doctors in Divinity; the Reverend John Dolben, John Porter, John Jowling, Hemmington, Jackſon Vicar of Feckenham, Richard Jackſon, John Vaughan, John Bell, John Crew, Edward Ellins, Stanwix Whittingdale, John Arnold, Richard Fullwood, John Windle, Edward Aſtley, John Aſtley, Roynon Jones, Rowland Broadſtock, George Baker, Samuel Woolley, Henry Hammond, William Whitehead, Henry Savage, Gilbert Heath, John Drake, John Benſon, Samuel Holcomb, Thomas Vernon, Wells

Additional Truſtees Names.

Wells of Earls Cromb, Brookes of Baughton, Matthew Bloxham, Weston Vicar of Campden, Congreve Vicar of Blockeley, Selwyn of Blockeley, Thomas Baghott, John Chamberlayne, John Fancourt, Richard Hippesley, John Parsons, Joseph Somerscales, William Vernon, John Upton, George Upton, Robert Burgis, Josiah Smart, John Reynalds, Clerks; John Perkins, Thomas Perkins, John Wilson, William Rawlins, John Hemming, Robert Hunt, Robert Hunt the younger, John Bonaere, Charles Parry, John Dyson, John Huband, William Whissell, Thomas Clarson, Joseph Badger, John Brandis, Cheston, Thomas Chamberlain, Nicholas Marshall of Salford, Nicholas Marshall of Harvington, Robert Lunn, Jonathan Norris, Francis Bartlam, Thomas Marshall, Joseph Godfrey, Richard Windle, Henry Harvey, Russell Laugher, William Harrison, Palmer Hatch, James Wilkes, William Adams, Thomas Wright, Richard Woodward Roberts, William Soley, Thomas Bedford, George Rickards, Thomas Alcocks, Francis Alcocks, Nicholas Cole, Thomas Bushell, Joseph Crump, Henry Benton, Thomas Weston, John Stephens, James Hilsby, Yarrow Arrowsmith, Obediah Arrowsmith, John Skey, Richard Dunn, Edward Brockhirst, Thomas Brydges, Edward Fletcher, John Rogers, Anthony Compere, John Bayzand, Michael Johnson, Thomas Perrin, Benjamin Brookes, Edward Wilson, Robert Mason, Thomas Bird, John Jones, William Tandy, William Phillips, John Wheeler, Thomas Wilkes of Blockeley, Benjamin Bliss, John Compere, Joshua Head, and Richard Jervis, Gentlemen; shall, from and after the passing of this Act, be added to, and joined with, the Trustees appointed to put the said former Acts, and this present Act, in Execution; and that the Trustees nominated and appointed by and in pursuance of the said former Acts, together with those herein before-named, and the Survivors of them, shall be, and they are hereby, to all Intents and Purposes, authorized and impowered to put this Act and the said former Acts in Execution; and that they, or such of them as shall act for the said several and respective Roads, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall authorize and appoint, shall and may erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, upon, across, or on the Sides of, any Part or Parts of the said new Roads hereby intended to be repaired; that is to say, One or more Turnpike or Turnpikes upon, across, or on the Sides of, any Part or Parts of the said new intended Roads leading from and

Trustees of the former Acts, to put this Act in Execution.

Trustees may erect Side-Gates, &c.

and between the said Top of Broadway Hill and Bourton on the Hill, or between Broadway and Stow aforesaid; and from and between The Mill Tail, in Pershore, and The Blue Bell, near Upton upon Severn, in the said Parish of Earl's Cromb; and from and between Norton and Crabb's Cross aforesaid, at such proper and convenient Places as the Trustees appointed to put this Act and the said former Acts in Execution, or such of them as shall act for the said several and respective Roads, or any Five or more of them, shall think fit; and shall and may have, receive, demand, and take, such and the same Tolls and Duties at all and every Gate and Gates, Turnpike or Turnpikes, already erected by virtue of the said former Acts, or hereafter to be erected by virtue of this present Act, as are given, granted, and directed to be had, received, and taken, at any Turnpike or Turnpikes already erected by virtue of the said former Acts, or either of them, for all such Cattle and Carriages as are mentioned in the said former Acts, in such and the same Manner and Proportion as in the said former Acts, or either of them, is mentioned and directed; which Tolls so to be raised are and shall hereby be vested in the said Trustees, and the same and every Part thereof shall be paid, applied, disposed, or assigned, to and for the several Uses, Intents, and Purposes, and in such Manner as is herein aftermentioned and declared; and they the said Trustees, or any Five or more of them, are hereby impowered by themselves, and all and every Person and Persons authorized and impowered by them, or any Five or more of them, by Writing under their Hands and Seals, shall be and are hereby authorized and impowered to levy the Tolls or Duties hereby, and by the said former Acts, directed and required to be paid upon all and every Person and Persons who shall, after Demand thereof made, neglect or refuse to pay the same, by such Distress and Sale, and in such and the same Manner and Form, as is directed and appointed in and by the said former Acts, or either of them.

and take Tolls thereat.

Tolls vested in the Trustees.

Tolls to be levied by Distress and Sale.

And be it further enacted and declared by the Authority aforesaid, That no Person or Persons whatsoever, travelling through any Turnpike or Turnpikes, to be by virtue of this Act erected upon either of the said new or additional Roads, shall be permitted to pass through such Turnpike or Turnpikes, or either of them, with any Carriage or Cattle whatsoever, without paying all such Tolls and Duties as are imposed, and directed to be paid, at any Turnpike or Turnpikes already erected by virtue of the said former Acts, or either of them; and that on Non-payment, or on Refusal to pay, the said Tolls

Not to pass the Turnpikes on the new Roads without paying the Toll appointed by the former Acts.

and Duties, it shall and may be lawful to and for all and every Person and Persons hereafter to be appointed Turnpike-keeper or Turnpike-keepers, Collector or Collectors of the said Tolls or Duties, at any Turnpike or Turnpikes, so to be erected on the said last above-mentioned Roads, or either of them, to levy the same on all and every such Person and Persons, by such Distress and Sale of the Offender's Goods, and in such and the same Manner as is mentioned and directed for Non-payment of the Tolls and Duties given and granted by the said former Acts, or either of them.

Only a Moiety of the Tolls to be paid between *Broadway Hill*, &c. and *Stow*.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all and every Person and Persons to pass through any Turnpike or Turnpikes, to be erected by virtue of this Act, upon any Part or Parts of the Roads hereby intended to be repaired, lying between Broadway Hill and Bourton on the Hill, and between Upton Wold Lane and Stow aforesaid, upon his or their paying at such Turnpike or Turnpikes, with or for any Sort of Cattle and Carriages whatsoever, One Moiety only of the Tolls or Duties directed and appointed to be received and taken at any Turnpike or Turnpikes already erected by virtue of the said Acts of the First and Seventeenth Years of His present Majesty's Reign, or either of them, for such Cattle and Carriages; any thing herein, or in the said former Acts, contained to the contrary notwithstanding.

Penalty on Persons going through private Grounds,

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall pass through any Gate, Inclosure, or private Way, either in his or her own Occupation, or in the Occupation of any other Person, with any Horse, Cattle, or Carriage, liable to the Payment of Toll, whereby the Payment of any of the said Tolls, or any Part thereof, shall be lessened or avoided; or if any Person shall take off, or cause to be taken off, any Horse or other Cattle from any such Carriage as aforesaid, to avoid paying any of the said Tolls, or any Part thereof, or shall leave, or cause to be left, upon or near to any of the said Roads, any Cattle or Carriage as aforesaid, with Intent to avoid Payment of the Toll, every Person so offending in any of the Cases aforesaid, shall, for every such Offence respectively forfeit and pay the Sum of Twenty Shillings; to be recovered and applied in such Manner as the Forfeitures for the same Offences are, by the said Act of the First Year of His present Majesty's Reign, directed and appointed to be recovered and applied; any thing in the said former Acts contained to the contrary notwithstanding.

or taking off Horses, &c. to avoid Payment of the Tolls.

And

And whereas by the said Act of the First Year of his said present Majesty's Reign, no Person or Persons, having paid the Toll or Duty by the said Act appointed to be taken at any Gate or Turnpike erected upon the Highways or Roads thereby directed to be repaired, and producing a Note or Ticket as therein is mentioned, is or are liable to pay any Toll or Duty at any other Gate or Turnpike erected on the same Roads, upon the same Day: And whereas the Tolls collected upon the aforesaid Roads have been found very insufficient for repairing the same: And whereas the Trustees, acting for that Part of the Road leading from The Mill Tail at Pershore, to The Great Bridge at Evesham aforesaid, have borrowed divers Sums of Money upon the Credit of the Tolls of that particular Road, which Money, together with the Tolls collected upon the said Road, have been laid out and applied in repairing the same; but a considerable Part of the said Road is still in a ruinous Condition; be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act, no Person or Persons travelling with any Horse, or other Cattle, Coach, Waggon, or other Carriages, upon any Part of the Roads by the said former Acts directed to be repaired, shall be permitted to pass through any or either of the Gates or Turnpikes at present erected upon the said Roads; that is to say, The several Gates commonly known or understood by the Names of The Bengworth, Battlewell, Hinton, Pershore, and Little Hampton Gates, without Payment of the same Tolls as are appointed to be paid by the said Act of the First Year of his said present Majesty's Reign, at each or any of the said respective Gates.

Tolls to be paid at *Bengworth*, *Battlewell*, *Hinton*, and *Pershore* Gates.

Provided always, and it is hereby further enacted by the Authority aforesaid, That no Person who shall have paid Toll for passing through any Turnpike already erected, or to be erected, by virtue of this present Act, shall be subject to the Payment of Toll for afterwards passing through the same Turnpike the same Day, or before Twelve of the Clock of the Night of any such Day with the same Cattle, Coach, Waggon, or other Carriage, such Person producing a Ticket of the Payment of such Toll; which Ticket the Collector or Receiver at each Gate is hereby directed to give on Receipt of the Toll.

Tolls to be paid but once a Day.

Provided always, That no Person or Persons having paid Toll at Little Hampton Turnpike, and producing such Note or Ticket as aforesaid, which Note or Ticket the Turnpike Keeper there is hereby required to give, shall be subject to the Payment of any further Toll for passing or repassing at the said Pershore or Little Hampton

Ticket taken at *Little Hampton* Gate, to pass through *Pershore*; and, at *Pershore*, through *Little Hampton* Gate.

Turnpikes on that Day, or before Twelve of the Clock at Night of the same Day, with the same Cattle or Carriage; and in like Manner, no Person or Persons having paid at Pershore Turnpike, and producing a Note or Ticket as aforesaid, shall be subject to the Payment of any further Toll or Duty, for passing or repassing at the said Little Hampton or Pershore Gates, on that Day, or before Twelve of the Clock at Night of the same Day, with the same Cattle or Carriage; any thing herein, or in the said former Acts contained to the contrary thereof in any wise notwithstanding.

Provided also, That nothing in this Act contained shall extend, or be construed to extend, to subject any Person or Persons, residing within the said Borough of Evesham, to the Payment of any Tolls Twice in One Day, for One and the same Horse, rode or used by such Person or Persons passing through either of the said Bengworth, Hinton, Little Hampton, or Battlewell Turnpikes; but that all and every such Person and Persons, paying at either of the said Gates, shall and may pass through any other of the said Gates on the same Day, with One and the same Horse, such Person or Persons producing a Ticket, denoting the Payment of the said Tolls, at either of the said Turnpikes as aforesaid, on that Day.

And whereas it is in and by the said Act of the First Year of His said present Majesty's Reign provided, That in case there should be more than One Gate or Turnpike in or across the Highways or Roads therein mentioned, and thereby intended to be repaired, no Person or Persons having paid the Toll or Duty thereby granted at any Gate or Turnpike, through which such Person or Persons should pass, and producing a Note or Ticket that the said Toll or Duty was paid, should be liable to pay any Toll or Duty at any other of the said Gates or Turnpikes, upon the said Highways or Roads thereby directed to be repaired, such Person or Persons delivering the said Note or Ticket to the Receiver or Receivers, Collector or Collectors of the said Toll or Duty, at the latter Gate or Turnpike, the same Day; and that no Person having occasion to pass the Place or Places where the Toll was taken, and should return the same Day before Ten of the Clock at Night, between the Twenty fifth of March and the Twenty ninth Day of September, and before Nine of the Clock at Night during the other Part of the Year, with such Cattle and Carriages as therein are mentioned, should be liable or compelled the same Day to pay the said Toll or Duty a Second Time,

other than and except as therein is mentioned; and it is in and by the same Act also provided, That in case any Person or Persons travelling through the said Roads with such Cattle and Carriages, as therein are mentioned, should come into the Borough of Evesham, or Town of Bengworth, and lodge there all Night, and having occasion to travel further, should proceed on his, her, or their Journey, the next Day before Twelve of the Clock at Noon, such Person or Persons should be exempt from paying the Toll a Second Time, upon producing the Ticket indorsed, as therein is mentioned, of the Payment of the Toll at the Gate or Gates through which he, she, or they, had before passed; be it therefore enacted by the Authority aforesaid, That the said Two above mentioned Clauses or Provisoes, and every Thing therein contained, shall, from the passing of this Act, be, and the same, and every Part and Parts thereof, is and are hereby repealed. The recited Clauses repealed.

Provided nevertheless, and be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, all Waggons, Wains, and Carts, loaden or unloaden, having paid the Toll at Bengworth Turnpike, and staying all Night within the Borough of Evesham, shall be allowed to pass Toll-free through the said Turnpike, at any Time before Twelve of the Clock at Noon the next Day, the Driver thereof producing a Ticket denoting such Payment; which Ticket the Collector at such Gate is hereby required to give upon Receipt of the Toll as aforesaid; any thing herein, or in the said former Acts, contained to the contrary thereof in any wise notwithstanding. Waggons, &c. having paid Toll at *Bengworth*, and staying all Night at *Evesham*, may pass Toll-free next Day before 12 at Noon.

Provided also, and it is hereby further enacted, That in case there shall be more than One Gate or Turnpike erected upon either of the said new Roads hereby directed and intended to be repaired, no Person having paid Toll at any One Gate or Turnpike, through which such Person shall pass, upon each or either of the said new Roads, and producing a Ticket denoting the Payment of such Toll, which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give, shall, on the same Day, or before Twelve of the Clock at Night of any such Day, be liable to pay any Toll or Duty at any other Gate or Turnpike to be erected upon the same new Road; but such Ticket shall not carry any Person through any Turnpike erected, or to be erected, upon any other of the several Roads hereby, or by the said former Acts, directed to be repaired. Ticket of Toll paid at any One Gate to carry through the rest of the Roads.

Penalty of forging or using forged Tickets.

Provided always, That in case any Person shall alter, forge, or counterfeit, any Ticket, or make use of any forged Ticket, or other Ticket not delivered to such Person by the Keeper of the Turnpike or Turnpikes, or use or tender any Ticket, delivered by any Turnpike-keeper to such Person, for the Purpose of passing through any Turnpike or Turnpikes with any other Horse than the Horse for which such Ticket was delivered, in order to avoid the Payment of the said Tolls or Duties, or any Part thereof, such Person shall, for every such Offence, forfeit the Sum of Forty Shillings; to be recovered and applied in such Manner as the Forfeiture for making use of forged Tickets is, by the said Act of the First Year of His said present Majesty's Reign, directed and appointed to be recovered and applied; any thing in the said former Acts contained to the contrary notwithstanding.

Exemptions granted by former Acts, extended to this.

Provided always, and it is hereby further enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to charge any Waggons, Carts, or other Carriages, or any Sort of Cattle, with any Tolls, Duties, or Penalties, which are exempted, or intended to be exempted therefrom, by the said former Acts, or by the said Act of the Twenty eighth Year of His present Majesty, or by any other Law or Laws now in Being.

Turnpikes and Toll-houses vested in the Trustees.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all and every Fence and Fences, Stops, Gates, Turnpikes, and Toll-houses, erected and provided, or to be erected and provided, by virtue of this and the said former Acts, and all the Materials for repairing the same, and also for repairing the several Roads by this and the said former Acts directed to be repaired, shall be, and the same is and are hereby vested in the Trustees appointed, or to be appointed, to put this and the said former Acts in Execution; and they, or any Five or more of them, in their respective Districts, shall and may, and are hereby respectively impowered to proceed, by Action or Indictment, either in their own Names, or in the Name or Names of One or more of them, or of their respective Clerk or Clerks, Treasurer or Treasurers for the time being, against any Person or Persons who shall steal, take, or carry away, any such Materials, or who shall throw down, spoil, damage, or destroy, the said Fences, Stops, Gates, Turnpikes, or Toll-houses, or any ways disturb the said respective Trustees, or any Person or Persons by them employed, in the Pos-

session

session thereof, or in the getting or using the said Materials, or any Part thereof.

Expences of the Act defrayed out of the several Roads proportionably.

And be it further enacted by the Authority aforesaid, That all Expences attending the procuring and passing this present Act, shall, in the First Place, be borne and paid in the Proportions following; that is to say, One Sixth Part thereof out of the First Tolls to be collected on the said Road leading from The Mill Tail in Pershore, to The Blue Bell in the Parish of Earl's Cromb, near Upton aforesaid, or out of the First Money to be borrowed on the Credit of the said Road; One other Sixth Part thereof, out of the First Tolls to be collected at any Gate or Gates to be erected between Broadway and Bourton, and between Broadway and Stow, or out of the First Money to be borrowed on the Credit of the said last-mentioned Roads; One other Sixth Part thereof, out of the First Money to be collected at any Turnpike or Turnpikes to be erected between Norton and Crabb's Cross aforesaid, or out of the First Money to be borrowed on the Credit of the said last-mentioned Road; One other Sixth Part thereof, out of the Money already collected, or to be collected, at the said Little Hampton and Pershore Gates; One other Sixth Part thereof out of the Money already collected, or to be collected, at the said Battlewell Gate; and the remaining Sixth Part out of the Money collected, or to be collected, at the said Bengworth and Hinton Gates: And that the Expences of erecting all the new or additional Turnpikes or Toll-houses, to be erected by virtue of this present Act upon the several new Roads hereby directed to be repaired, shall, after Payment of the Expences of obtaining this present Act in the Proportions aforesaid, be paid and discharged by and out of the Money to be collected upon such several and respective Roads, or borrowed, or to be borrowed, on the Credit of the same respectively: And that from and after all the said Charges and Expences shall be paid and discharged as aforesaid, that then all the Money arising, or to arise, by the Tolls collected, or to be collected, at the several Turnpikes already or hereafter to be erected on the said several and respective Roads, and also all Money that shall or may hereafter be borrowed on the Credit of this and the said former Acts, shall be laid out and applied in the repairing, amending, raising, and widening, the several Roads by the said former Acts, and this present Act, directed to be repaired, in Manner as herein after is mentioned.

New Turnpikes to be erected out of the Tolls of the respective Roads.

And, for preventing any Differences or Disputes which may happen to arise as to the applying any of the Money to be raised by virtue of the said former Acts, and this

this present Act, be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all the Money arising or to arise by, or to be collected at, all and every Turnpike or Turnpikes to be erected between Broadway and Bourton on the Hill, or between Broadway and Stow, as also any Money that shall be borrowed on the Credit of those Tolls, shall be laid out and expended, in the First Place, in repairing, amending, raising, and widening the Road leading from The Fish at the Top of Broadway Hill to Bourton on the Hill aforesaid; and that from and after that Part of the said Road shall be sufficiently repaired, that then all the rest of the Money arising or to arise by the said Turnpike or Turnpikes to be erected between Broadway and Bourton, or between Broadway and Stow aforesaid, shall be laid out and expended in amending, supporting, and widening the Road leading from the End of a certain Lane in Broadway Town, called Russel's Lane, to The Fish upon Broadway Hill aforesaid; and that after the said last-mentioned Roads shall be well repaired, and a sufficient Sum appropriated for supporting and keeping the same Roads between the said Russel's Lane and Bourton on the Hill in good Repair, that then all the rest of the Money arising by the said last-mentioned Turnpike or Turnpikes to be erected between Broadway and Bourton, or between Broadway and Stow aforesaid, and the Money to be borrowed on the Credit of those Tolls, shall be laid out and expended in the amending, widening, and keeping in Repair, the Road from Upton Wold Lane to Stow aforesaid.

Application of Tolls on the Hills between *Broadway*, *Bourton*, and *Stow*.

Application of the Tolls at *Bengworth* and *Hinton Turnpikes*.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all the Money collected at, or arising by, the said Turnpike at Bengworth, and also at the said Gate called Hinton Turnpike, shall, in the First Place, be laid out and applied in widening, supporting, and keeping in good Repair, the said Road leading from Bengworth to Russel's Lane, in Broadway aforesaid, and from thence (until the said Road from the Top of Broadway Hill to Bourton on the Hill shall be repaired as aforesaid) to The Fish at the Top of Broadway Hill, and in making the said Hill more commodious for Travellers and Carriages; and after the same shall be repaired and widened, and a sufficient Sum appropriated for supporting and keeping the said last-mentioned Road in good Repair, that then all the rest of the Money arising, or to arise, by the said Bengworth and Hinton Turnpikes, shall be laid out and expended in repairing and widening such other of the Roads by the said former Acts directed and intended to be repaired, as the Trustees acting for the

same Roads, or any Five or more of them, shall direct and appoint; any thing herein, or in the said former Acts, or either of them, contained to the contrary notwithstanding.

Application of the Tolls at *Battlewell* or *Evesham Turnpike*.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all Money collected at, or arising by, the Turnpike now erected at or near Battlewell, near Evesham aforesaid, called Battlewell or Evesham Turnpike, shall be laid out and expended in and upon the Road leading from and between Evesham and Stone Bow, and from and between the said Evesham Turnpike, and Norton aforesaid, until the same shall be effectually repaired.

Piddle and *Stone Bow* Bridges to be made passable in Times of Flood, and in general more commodious.

And whereas Two Bridges, the One called Piddle Bridge, and the other Stone Bow Bridge, lying upon the said last-mentioned Road, are too low and narrow for Travellers to pass over the same with Waggons, Carts, and other Carriages; by reason whereof, in Flood-times, all Travelling with Carriages is stopped; and it is likewise, at such Times, frequently dangerous for Travellers on Horseback to ride over the said Bridges; for Remedy whereof, be it further enacted and declared by the Authority aforesaid, That from and after the passing of this Act, the Trustees acting for the said last-mentioned Road, or any Five or more of them, or any Person or Persons to be by them employed for that Purpose, shall and may (from and after the Roads from Evesham to Stone Bow and Norton are effectually repaired) by and out of the Monies arising out of the said Battlewell Turnpike, take down, rebuild, alter, raise, or widen, the said Bridges, or any Part or Parts thereof, so as to make the same at all Times passable for Carriages, in such Manner as they the said Trustees, or any Five or more of them, shall direct and appoint; and that the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and impowered to treat, compound, and agree, with all and every Person and Persons, Bodies Corporate and Politick (as is, are, or may be, subject or liable by Law to the Repairs of the said Bridges, or either of them, or any Part or Parts thereof, either in their, or any or either of their own Right or Rights, or in respect of their Tenures, or otherwise) of, for, and concerning the repairing, rebuilding, altering, widening, or raising, the said Bridges, or either of them, for the Purposes aforesaid: And that after the said Roads leading from Evesham to Stone Bow, and from Evesham Turnpike to Norton aforesaid, shall be effectually repaired, and both the said Bridges raised, widened, and made passable, as aforesaid,

Further Application of *Battlewell* Tolls after altering Bridges.

said, and a sufficient Sum of Money appropriated for supporting and keeping the same Roads and Bridges in Repair, that then all the rest of the Money arising by the Tolls of the said Evesham or Battlewell Turnpike, shall be laid out and expended in such other of the Roads by the said former Acts directed to be repaired, as the Trustees acting for the same Roads, or any Five or more of them, shall direct and appoint; any thing herein, or in the said former Acts, or either of them, contained to the contrary notwithstanding.

Mortgages, and other Charges, relating to the old Roads, to be discharged out of the Tolls.

Provided always, and it is hereby further enacted and declared, That all the Money already borrowed, or hereafter to be borrowed, by virtue of the said former Acts, or of this present Act, on the Credit of the Tolls of the said Bengworth, Battlewell, and Hinton Gates, or any Part thereof, together with the Interest now due, or to grow due, for the same; and also, all or any Charges or Expences incurred, or to be incurred, on account or by reason of putting the said former Acts in Execution, other than such as relate to the Road between Evesham Bridge and The Mill Tail, in Pershore aforesaid, shall, from time to time, be paid and discharged out of the Money arising from the Tolls collected, or to be collected, at any or either of the said last mentioned Gates, in such Manner and Proportion as the said Trustees, or any Five or more of them, shall direct and appoint; any thing herein, or in the said former Acts, contained to the contrary notwithstanding.

General Application of Tolls after old Roads are repaired.

And be it further enacted by the Authority aforesaid, That after the said Roads leading from Bengworth to The Fish at the Top of Broadway Hill, and also the several other Roads by the said former Acts directed and intended to be repaired, shall be effectually repaired, and both the said last-mentioned Bridges raised, widened, and made passable and effectual for the Purposes aforesaid; and so soon as a sufficient Sum and Sums of Money shall be appropriated for supporting and keeping all the said last-mentioned Roads and Bridges in Repair; and all Sum and Sums of Money borrowed, or to be borrowed, upon the Credit of the Tolls arising, or to arise, by the said Bengworth, Hinton, Battlewell, Little Hampton, and Pershore Turnpikes, and the Interest thereof, shall be fully paid and satisfied, that then, and not before, the rest of the Money arising from the said Tolls shall be laid out and expended on such of the new Roads, by this Act directed to be repaired, as lie between Evesham and Campden, and between Gun's House and No-man's Ground aforesaid,

aforesaid; as the Trustees acting for the same Roads, or any Five or more of them, shall direct and appoint.

Application of the Tolls at *Little Hampton* and *Pershore Gates*.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all Money arising by the Tolls of the said Little Hampton and Pershore Turnpikes, shall be laid out and applied in raising, amending, widening, and keeping in Repair, the Road leading from and between the said Great Bridge at Evesham and The Mill Tail at Pershore aforesaid; and in making the same Road, and every Part thereof, passable for Travellers and Carriages in Times of Flood, without Danger or Inconvenience, at such Time or Times, and in such Manner, as the Trustees acting for the same Road, or any Five or more of them, shall think fit; and that it shall and may be lawful to and for the said Trustees, or any Five or more of them, and they, or any Five or more of them, are hereby authorized to pull down any old Causeways or Bridges now standing or being upon any Part of the said Road between Evesham Bridge and Pershore (except the Great Bridge across the River Avon, at or near Pershore) and shall and may use and dispose of the Materials thereof, for and towards making the said Roads passable in all Places in Flood Times, as aforesaid.

Power to make Roads between *Evesham* and *Pershore* passable in Times of Flood.

Application of the Tolls between *Pershore* and *Upton upon Severn*.

And be it further enacted by the Authority aforesaid, That all the Money arising, or to be collected at any Turnpike or Turnpikes to be erected upon or across any Part of the said Road between Pershore and the Sign of the Blue Bell in the Parish of Earl's Cromb, near Upton upon Severn aforesaid, shall be laid out in repairing the said Road between Pershore and the Blue Bell, in the Parish of Earl's Cromb aforesaid, and in making the same Road passable in Times of Flood for Travellers and Carriages, without Danger or Inconvenience, in such Manner as the Trustees appointed by this and the said former Acts, or such of them as shall act for the said last-mentioned Road, or any Five or more of them, shall direct and appoint.

Tolls collected on last-mentioned Road not to repair the Town of *Pershore*.

Provided always, That nothing herein contained shall extend, or be construed to extend, to subject the Tolls arising, or to be collected upon the said last-mentioned Road, to the Repairs of any Part of the Streets in the Town of Pershore.

Application of the Tolls between *Norton* and *Crabb's Cross*.

And be it further enacted by the Authority aforesaid, That all Monies arising, or to arise, or to be collected at or by all and every Turnpike or Turnpikes to be erected between Norton and Crabb's Cross aforesaid, shall be laid out and expended in repairing and supporting the said

Road between Norton and Crabb's Cross aforesaid, until the same shall be sufficiently and effectually repaired, in such Manner as the Trustees acting for the same Road, or any Five or more of them, shall direct and appoint.

Trustees may erect Sidegates;

And be it further enacted by the Authority aforesaid, That the said Trustees, or such of them as shall act for the said several and respective Roads, or any Five or more of them, shall and may, in their respective Districts, and they, or any Five or more of them, are hereby authorized and impowered to erect, or cause to be erected, One or more Turnpike or Turnpikes across any Bye Lane or Lanes, Way or Ways, contiguous and leading into any of the Roads hereby, and by the said former Acts, directed to be repaired; and there to cause the Tolls hereby and by the said former Acts granted to be collected; but so as not to subject any Person or Persons to the Payment of double Toll, contrary to the true Intent and Meaning of this Act.

and take Tolls thereat.

No Turnpike to be erected within 4 Miles of *Alcester*.

Provided always, and it is hereby enacted, That no Turnpike or Turnpikes shall, at any Time during the Continuance of this present Act, be set up or erected upon any Part or Parts of the Roads hereby directed to be repaired, nearer than Four Miles to the Town of Alcester; any thing herein contained to the contrary in any wise notwithstanding.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees appointed to put this present Act and the said former Acts in Execution, or any Five or more of them, shall meet together on the First Day of July, One thousand seven hundred and fifty seven, at the Town Hall in Evesham aforesaid, and shall then adjourn themselves, and afterwards meet there, or at any other Time or Times, Place or Places, where the said Trustees, or any Five or more of them, shall think proper and convenient, and afterwards adjourn themselves respectively as often as it shall be necessary for putting this and the said former Acts in Execution; and at all and every such Meeting and Meetings the said Trustees shall defray their own Expences.

Trustees to defray their own Expences.

Trustees residing upon the several Roads may act separately.

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, or such of them as do or may reside upon or near the said several Roads leading from Pershore to the Blue Bell in the Parish of Earl's Cromb aforesaid, and from Broadway to Bourton and Stow aforesaid, and from Norton to Crabb's Cross aforesaid, from time to time, as often as they, or such of them as reside near to each of the said respective Roads,

Roads, or any Five or more of them, shall think fit, to meet at any convenient Places near or contiguous to the said respective Roads, for the doing the necessary Business relating to each particular Road; and to keep separate Books of Accounts, and make separate Orders touching the same, distinct from any other Books, Orders, or Accounts, concerning any other Roads by this, and the said former Acts, directed to be repaired; and, from time to time, to appoint any Meeting or Meetings for that Purpose; and at all such or any other Meeting or Meetings to compound and agree with any Person or Persons whatsoever travelling through, or living near to, any Turnpike or Turnpikes erected, or to be erected, upon any of the said Roads hereby, and by the said former Acts, directed to be repaired, with all or any Sort of Carriages or Cattle, for any Sum or Sums of Money to be paid quarterly, from time to time, after such Agreement or Agreements shall be made, to the Receiver or Collector of the said Turnpikes respectively, or the Treasurers, for the time being, of the said respective Roads; and to transact and do all other Acts, Matters, and Transactions whatsoever, relating to the said respective Roads; and that the several Acts and Transactions, hereafter to be done by the Trustees authorized to act and acting for the said Roads respectively, or any Five or more of them, relating to the same respective Roads only, shall be good, valid, and effectual in the Law, to all Intents and Purposes; any thing in this, or the said former Acts, or either of them, contained to the contrary in any wise notwithstanding.

Justices in the several Counties of *Worcester*, &c. to determine Statute-work, and other Matters relating to the Roads.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for the Justices of the Peace for the several Counties of Worcester, Glouçester, Warwick, and the Borough of Evesham, and they are hereby authorized and required at any Petty or Special Sessions of the Peace, upon Application made to them by any Two or more of the Trustees appointed or to be appointed to put this and the said former Acts in Execution, or of such of them as shall live near to, and act for, the several and respective Roads hereby and by the said former Acts directed to be repaired (upon Proof being first made by One or more Witness or Witnesses to such Justices, that the Trustees, or any Two or more of them, had given Three Days Notice at least, in Writing, to the Surveyor or Surveyors of the Highways of any Parish, Township, or Place, through which the Roads here-

by, and by the said former Acts, directed and intended to be repaired, or any Part or Parts thereof, do lie, or to One of them, for the time being, of their Intention of making such Application to such Justices at such Petty or Special Sessions) to adjudge and determine what Part or Proportion of the Statute-work shall be done by the Inhabitants of such respective Parish, Township, or Place, upon such Part of the Road so intended to be repaired, as lieth within the said Counties of Worcester, Gloucester, Warwick, and the Borough of Evesham respectively; and that in case the Surveyor or Surveyors of the Highways of any Parish, Township, or Place, in the said Counties of Worcester, Gloucester, Warwick, or the said Borough, or any other Inhabitant or Inhabitants of any Parish, Township, or Place through which the said Roads hereby, and by the said former Acts, directed and intended to be repaired, or any Part or Parts thereof, do lie, shall refuse to comply with, or shall in any wise disobey any Order or Orders which at any Time during the Continuance of the said former Acts, and this present Act, shall be made by any Justice or Justices of the Peace for the said Counties of Worcester, Gloucester, Warwick, and the said Borough respectively, touching what Proportion of Statute-work shall be done by the respective Inhabitants of any Parish, Township, or Place, through which the Roads hereby, and by the said former Acts, intended to be repaired, or any Part or Parts thereof, do lie; that then and in all and every such Case and Cases, it shall and may be lawful for such Justice and Justices, and they are hereby authorized and required to inflict upon the Surveyor or Surveyors of every such Parish, Township, or Place, in the said Counties of Worcester, Gloucester, Warwick, and the Borough aforesaid, for the time being, and upon all and every Inhabitant and Inhabitants of such Parish, Township, or Place respectively, through which the Roads hereby, and by the said former Acts, intended to be repaired, or any Part or Parts thereof, do lie (neglecting, refusing, or in any wise disobeying such Order or Orders) such and the same Pains, Penalties, and Forfeitures, as they the said Justices may or can inflict upon any Surveyor or Surveyors, or any other Inhabitant or Inhabitants of or residing in any Parish, Township, or Place, within the said Counties of Worcester, Gloucester, and Warwick, and the said Borough respectively, for Neglect of their Duty or Duties on the Highways, by virtue or Authority of any Law or Laws now in being; and all and every Constable and Constables, and other Officers of the Peace,

and all and every Surveyor and Surveyors of every Parish, Township, or Place, through which the said Roads, or any Part thereof, do lie, is and are hereby authorized and required to execute all Warrants and Precepts, which, during the Continuance of this present and the said former Acts, shall be made by such Justice or Justices; and also, that it shall and may be lawful to and for the said Justices of the Peace for the said Counties of Worcester, Gloucester, Warwick, and for the Borough aforesaid, and they are hereby authorized and required to put this and the said former Acts, and every Clause, Matter, and Thing, therein and herein contained, in Execution, and to hear and determine all Offences, and to levy, or cause to be levied, all Pains, Penalties, and Forfeitures, incurred or to be incurred by any Person or Persons whomsoever for any Offence or Offences whatsoever committed or done, or to be committed or done, in Breach of the said former Acts, or this present Act, or any Clause, Article, or Proviso, therein or herein contained with respect to so much and such Parts of the Roads hereby, and by the said former Acts, directed to be repaired, as lie within their respective Jurisdictions, in as full, ample, and effectual Manner, to all Intents and Purposes, as any Justice or Justices of the Peace in and for the said Counties of Worcester and Gloucester, is or are authorized to put this and the said former Acts, or any Clause, Matter, or Thing, therein or herein contained, in Execution; and for Neglect of Duty of any such Constable or Constables, Surveyor or Surveyors, or Peace Officer or Officers, as aforesaid, it shall and may be in the Power of such Justice or Justices, in the said respective Counties of Worcester, Gloucester, Warwick, and for the Borough aforesaid, to oblige such Constables, or other Officers, to find Sureties for his or their Appearance at the then next General Quarter Sessions of the Peace to be holden for the said Counties respectively, in order that such Constables, and other Officers, may be there proceeded against for such his and their Contempt or Neglect of Duty; and for want of such Sureties, to commit such Constables, or other Officers, to Prison; any Law, Usage, or Custom, to the contrary notwithstanding.

No Lands subject to Statute-work except such as were before chargeable.

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend to subject any Lands or Tenements to the Performance of any Statute-work, upon any Part of the Roads herein mentioned, unless such Lands and Tene-

ments have heretofore been customarily charged to the repairing of such Part of the said Roads respectively.

Trustees, who are in Commission of the Peace, may act as Justices.

And be it further enacted by the Authority aforesaid, That such of the Trustees appointed and to be appointed, to put this and the said former Acts in Execution, as are or shall be in the Commission of the Peace for the several Counties in which the said Roads do lie, shall and may, within their respective Divisions or Districts, act as Justices for the putting in Execution the several Powers herein and in the said former Acts contained; any thing in the said former Acts, or in this present Act, contained to the contrary notwithstanding.

Tolls may be assigned for Money borrowed.

And it is hereby further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for the several and respective Trustees, acting for the said several and respective Roads, or any Five or more of them, at any publick Meeting or Meetings to be had and held for the respective Districts or Divisions, and they are hereby authorized and impowered, from time to time, during the Continuance of this and the said former Acts, by any Certificate, or other Writing or Writings, under their Hands and Seals, without Stamps, to borrow and raise any Sum and Sums of Money, on the Credit of the Tolls arising, or to arise, upon each of the said respective Roads, in such Manner, and by such Ways and Means, as such Trustees respectively shall judge most proper and convenient for carrying on and compleating the Repairs of the said several and respective Roads, and for other Purposes in the said former Acts and this present Act contained; any thing therein, or in either of them, contained to the contrary thereof in any wise notwithstanding.

14 Days Notice to be given of borrowing Money.

Provided always, That no Money shall be borrowed by the respective Trustees appointed, and to be appointed, for putting this and the said former Acts in Execution, upon the Credit of the Tolls which shall arise, or be collected, at any Gates or Turnpikes within their several Divisions, unless Fourteen Days Notice for that Purpose shall be affixed upon the several Gates erected, or to be erected, on each separate Road; nor shall the Tolls hereafter to be collected at any of the respective Turnpikes, already or hereafter to be erected by virtue of the said former or of this present Act, or any Money already or hereafter to be borrowed upon the Credit of the Tolls granted by the said former Acts, or either of them, or upon the Credit of the Tolls of any particular Branch or District of the new or additional Roads hereby intended to be repaired, be subject or liable to the Repairs or Debts of any other of the Roads

hereby

hereby intended to be repaired, than to that particular Branch or District on which such Money shall be so collected or borrowed as aforesaid; any thing herein contained to the contrary thereof in any wise notwithstanding.

This Act not to divest the Trustees living near *Pershore* of the Privilege of acting separately.

Provided also, That nothing herein contained shall extend, or be construed to extend, to divest the Trustees acting, or who shall or may act, for the said Road between Evesham Bridge and The Mill Tail, in Pershore, by virtue of the said Act of the Seventeenth Year of his present Majesty's Reign, of any Powers or Authorities to them thereby given and granted; any thing herein, or in the said former Acts, or either of them, contained to the contrary thereof in any wise notwithstanding.

Trustees may adjourn from time to time.

Provided nevertheless, That the Trustees acting, or hereafter to act, for the said Road between Evesham Bridge and The Mill Tail, at Pershore, and also all other the Trustees acting, or to act, for any other District or Districts, or any Five or more of them, do and shall, from time to time, at all and every their Meeting and Meetings, make Adjournments, and give Notice of all future Meetings for putting this Act and the said former Acts in Execution, in such Manner as in the said former Acts, or either of them, is mentioned, with respect to any Part of the Roads hereby, and by the said former Acts, directed to be repaired; and in case a sufficient Number of Trustees shall not appear at any such future Meeting or Meetings, to make such Adjournments, that then the Clerk to the said Trustees shall and may give Notice of any future Meeting or Meetings for putting the said former Acts and this Act in Execution; but the Trustees acting for any separate District shall not, at any Meeting for such separate District, interfere with, or do any Act relating to or respecting any other Part or Parts of the Roads hereby intended to be repaired, than the Roads lying within the District for which such Trustees shall so act respectively.

And whereas not only a Part of the Great Road leading from Broadway towards Worcester, but likewise divers Parts of several other of the Roads, by the said former Acts directed to be repaired, do lie within the Parish of Bengworth, the Inhabitants of which Parish have always been, and now are, liable to the Payment of the Tolls at Bengworth Gate, as well as to the Performance of the Statute Duty of the said Parish of Bengworth: And whereas most of the said Roads, which lie within the said Parish of Bengworth, are very ruinous and bad, and incapable of being repaired by the Statute Duty of the said Parish; but a Doubt having arisen, whether the Road or hollow Way leading from Bengworth Turnpike to the Foot

of The Great Bridge at Evesham aforesaid (which is very incommodious for Travellers) ought to be repaired by the respective Inhabitants of Bengworth, for or in respect of their Tenures, or whether the same shall be taken as Part of the Roads intended by the said former Acts and this present Act to be repaired: Be it therefore enacted and declared,

Roads in *Bengworth* Parish, and the Hollow Way, shall be repaired out of the Tolls

That that Part of the said Road, which lies between Bengworth Turnpike and Evesham Bridge aforesaid, shall be deemed and taken to be a Part of the Roads hereby, and by the said former Acts, intended to be repaired; and that from and after the passing of this Act, the same shall be widened, raised, and repaired, out of the Tolls collected, or to be collected, at the said Bengworth Turnpike; and that the Statute Duty of the said Parish shall, from time to time, be applied on such other Parts of the said Roads, lying within the said Parish of Bengworth, as the Trustees acting for that Part of the said Road, or any Five or more of them, shall direct and appoint; any thing herein, or in the said former Acts, contained to the contrary notwithstanding.

And whereas by the said Act of the First Year of His said present Majesty's Reign, all and every Person and Persons to be elected and appointed Trustee and Trustees, in the room of any Trustee or Trustees dying, refusing to act, or being removed, was and were to live in the said County of Worcester; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Trustees hereby, and by the said former Acts, impowered to act as aforesaid, or any Seven or more of them, at any Publick or General Meeting, as often as any Trustee or Trustees shall die, refuse to act, or be removed, by any Writing or Writings under their Hands and Seals, from time to time to elect and appoint One or more other fit and proper Person or Persons, living or residing on or near to any of the said Roads hereby, and by the said former Acts, directed to be repaired, in the Place of such Trustee or Trustees so dying, refusing to act, or being removed; and all such Persons, so elected and appointed, shall be joined with such surviving Trustees, and they are hereby impowered to act, in putting this and the said former Acts in Execution, to all Intents and Purposes, as fully and amply as if such Person or Persons had been particularly named and appointed Trustees in and by this or the said former Acts (the like Notice being given previous to such Election, as by the said Act of the First Year of His said present Majesty's Reign is directed and appointed) any thing herein, or in the said former Acts, or either of them, contained to the contrary thereof notwithstanding.

On Death, &c. of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That the several Trustees appointed or to be appointed to put the said former Acts and this present Act in Execution, in their respective Districts or Divisions, or any Five or more of them, are hereby authorized and required to take such Security from their Treasurer or Treasurers, or any other Officer or Officers to be appointed for the Purposes of the said former Acts and this present Act, for the due Execution of his and their Office and Offices, as to the said respective Trustees, or any Five or more of them, shall seem meet. Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That no Person or Persons keeping an Inn, Alehouse, or other House of Publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors, by Retail, shall be capable of holding or enjoying any Place or Places of Trust or Profit under this present or the said former Acts, during such Time as he or they shall keep such Inn, Alehouse, or other Publick House of Entertainment, or shall sell Ale, Wine, Brandy, or other Spirituous Liquors, by Retail. No Victualler, &c. to accept of a Place or Profit.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, during the Continuance of the said former Acts, or this present Act, shall hale, draw, or cause to be haled or drawn, upon, in, or along, any of the Roads by the said former Acts and this Act directed to be repaired, or any Part thereof, any Tree or Trees, or Piece or Pieces of Timber, otherwise than and except upon Wheels and Carriages; every such Person or Persons, for every such Offence, shall forfeit the Sum of Twenty Shillings, to be recovered and applied in such Manner as the Penalties and Forfeitures are by the said former Acts and this Act directed to be recovered and applied. Penalty on drawing Timber otherwise than on Wheel-Carriages.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without specially pleading the same. Publick Act.

FINIS.