Anno primo

Georgii III. Regis.

An Act for amending and widening the Road from the Town of *Stone* to *Wordſley Green Gate;* and from the Weſt End of *Bilſton Street* in *Wolverhampton*, to the *High Street* oppoſite the *Old Buſh* in *Dudley;* and from a Place called *Burnt Tree*, near *Dudley*, to *Birmingham;* and from the Market Croſs in *Wolverhampton*, to *Cannock*, in the Counties of *Stafford*, *Worceſter*, and *Warwick*.

WHEREAS the Road leading from the Town of Stone, in the County of Stafford, to a certain Gate in the Borough of Stafford, called Gaol Gate; and from a certain Gate on the South Side of the ſaid Borough, called Green Gate, through the Towns of Dunſton and Penkridge, to a Road called Streetway, in the Road to Wolverhampton, in the ſaid County of Stafford; and alſo the Road leading from the ſaid Road called Streetway, through the Towns of Wolverhampton, Upper Penn, Himley, and Part of Kingſwinford, to a Gate on the common Highway in the Liberty of Wordſley, in the ſaid County of Stafford, called Wordſley Green Gate; and from the End of Bilſton Street, opening into Dudley Street in Wolverhampton aforeſaid, along the remaining Preamble.

maining Part of Dudley Street, through the Town of Sedgley, in the said County of Stafford, to that Part of a Street called High Street, opposite the Old Bush in Dudley, in the County of Worcester; and also the Road leading from a Place called Burnt Tree, near Dudley aforesaid, through the Hamlets of Oldbury and Smethwick, to the Town of Birmingham, in the County of Warwick; and from the Market Cross in Wolverhampton aforesaid, down Lichfield Street (across the Horse Fair) Stafford Street, and The Four Ashes, and by a Brook called Cranmore Brook, in the Road to Hilton; and from thence through Part of the Village of Shareshill, and across Cheslyn Hay, to Cannock, in the said County of Stafford; which said several Roads are in a ruinous Condition, and in many Parts very narrow and incommodious for Travellers and Carriages, and cannot be effectually amended, widened, and kept in good Repair, by the ordinary Course of Law: May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, High Steward, Recorder, Aldermen, and capital Burgesses, of the Borough of Stafford, for the time being, Thomas Anson, George Adams, William Bagot, Brooke Boothby, William Beard, Robert Barbor, John Bourne, Esquires; Edward Byrd, James Ball Clerk, John Buchanan, Michael Barbor, William Bill, John Brindly, John Lord Viscount Chetwynd in the Kingdom of Ireland, the Honourable William Richard Chetwynd, William Chetwynd of Stafford, William Chetwynd of Haywood Park, William Chetwynd of Brockton, Esquires; George Cookes, William Corne, Charles Clarke, William Clark, Joseph Dickenson Clerk, Thomas Devy, John Dearle, Jeremiah Egginton, John Eld, Francis Eld, Esquires; John Emery, James Egginton, George Fieldhouse, William Feepound, Thomas Fernyhough, Robert Fowler Clerk, the Right Honourable George Harry Grey, commonly called Lord Grey; the Honourable Baptist Leveson Gower, Thomas Gilbert, Esquires; James Hinckes Clerk, John Hall, John Holt, Robert Hopley, John Hassard, Robert Hodgson, John Hurbutt, Abraham Hatherton, Thomas Hatrell, Swinfen Jervis Esquire, Newton Ikin, Thomas Jones, William Jervis, Sir Edward Littleton, Fisher Littleton Esquire, Francis Lycet senior, Francis Lycet junior, Obadiah Lane Clerk, Thomas Lawton, Edward Mainwaring Esquire, Edward Minors, John Murhall, Thomas Mills, Hugo Meynell, George

Trustees for the First District.

George Parker, Esquires; Michael Peake, John Rutter, George Ridgway, William Robinson Clerk, Jeremiah Robinson Clerk, John Spencer, William Swinnerton, Ralph Sneyd, Esquires; Thomas Salt senior, Thomas Salt junior, Thomas Scot, Thomas Smallwood, John Stevenson Mercer, John Stevenson Watchmaker, John Savage, Thomas Shelley, Thomas Stevenson, John Stevenson junior, the Honourable Henry Frederick Thynne, John Turton, Richard Townsend, Esquires; Henry Turner, Robert Turner, Henry Vernon, the Honourable John Ward, Edward Whitby, John Williamson, Esquires; Thomas Unett, Samuel Walker, Clerks; John Wise, Thomas Wright, William Westbrook, shall be, and they and their Successors, to be elected in the Manner herein after-mentioned, are hereby appointed Trustees for repairing, widening, and keeping in Repair, that Part of the said Road which leads from the Town of Stone, in the County of Stafford, to a certain Gate in the Borough of Stafford, called Gaol Gate; and from a certain Gate on the South Side of the said Borough, called Green Gate, through the Towns of Dunston and Penkridge, to a Road called Streetway, in the Road to Wolverhampton, in the said County of Stafford, which shall be called the First District of the said Road; and for putting all the Powers of this Act in Execution, so far as the same relate to such Part of the said Road as lies within the said District: And that Sir John Astley Baronet, John Amphlet Esquire, the Reverend Henry Antrobus, the Reverend John Atwood, Thomas Addenbrook, Jeremiah Addenbrook, Sir Walter Wagstaff Bagot Baronet, William Bagot Esquire, the Reverend Edward Best Clerk, William Bendy, John Baddily, Edward Badger, Sir Orlando Bridgman Baronet, Benjamin Brettle, Henry Bridgman Esquire, Jeremiah Brettle, George Bridgman Esquire, Elizah Barrow, William Bowyer, John Brown, William Barker, Francis Barker, William Barrett, Josiah Blakemoor, James Bagnall, Edward Banton the elder, John Bradley, Mark Bolton, John Bridgwater, Thomas Brett, John Bolton, Henry Baddily, John Bate, Benjamin Bate, Benjamin Bickley, John Bickley, Richard Bennett Surgeon, Jeremiah Caswell, Richard Croydon, Richard Crutchley, Charles Corbett Esquire, William Coleborn, Moses Cottrell, William Cox, Edward Cox the younger, Richard Crane the elder, Ferdinando Cardale, Joseph Cartwright, William Crowder, Edward Crowder, the Reverend Henry Bowles Downing, the Reverend Joseph Dixon, William Denham, John Ditheridge, James Devey, Thomas Davenhill, William Dean, Rupert Dovey, John Dunton, Joseph Dixon Walther, William Dudley Surgeon, John Eykin, Francis

Trustees for the Second District.

Francis Freckleton, William Finch, John Finch, John Fleeming, John Fleeming the younger, Humfrey Fleeming, Stephen Faulkner, Thomas Fellow, Daniel Fellow, Thomas Forster, the Right Honourable George Harry Grey, commonly called Lord Grey, the Honourable Booth Grey, the Honourable John Grey, the Honourable John Grey the younger, Walter Gough Esquire, the Reverend Thomas Gough, the Reverend Richard Groome, John Groome, John Gibbons, Thomas Gibbons the younger, William Gibbons, Joseph Green, Jonathan Green, John Gorton, Stephen Gorton, John Godwin, John Granger, Thomas Gibbons the elder, William Gibbons of Ettingsal, Michael Grazebrook, Benjamin Gibbons, John Green, Sir Lister Holt Baronet, Thomas Hoo, John Hodgetts, Samuel Hellier Esquire, Thomas Homer, Richard Homer, Harry Homer, John Homer, the Reverend Charles Harris, the Reverend Joseph Honeyborne, Thomas Hodgetts, Corbett Hale, William Hodgetts, Waldron Hill, Thomas Hill the younger, Joſ Hill, Robert Honeyborne the elder, Thomas Hill the elder of Colebornbrook, Robert Honeyborne the younger, Edward Hickman, Jeſſon Homfray, Francis Homfray the elder, Francis Homfray the younger, Richard Hickman, John Haden, John Haycock the elder, John Haycock the younger, Edward Harper, John Heſketh, Thomas Hickin, Thomas Hodgetts of Dudley, James Haden, Herbert Hancox, Abiathar Hancox, Thomas Hawkes, Thomas Hickin of Harritſhayes, William Homer, John Hanſon, Sir Edward Littleton Baronet, Fiſher Littleton Esquire, Luke Iddins, Thomas Iddins, Richard Jorden, Richard Jorden the younger, Thomas Jorden, Thomas Jackſon the younger, John Keelinge, Richard Keelinge, Samuel King, Willis Kempſon, William Bradley Keelinge, John Lowe, William Lea, Edward Low, Richard Law, Walter Acton Moſely Esquire, James Moſely, Simon Mountfort, William Maſon, James Mallen, Benjamin Male, Richard Moore, Robert Pigott, Dryden Walter Pigott, Richard Perſehowſe Esquire, the Reverend William Pigott, the Reverend Richard Parker, the Reverend Otho Philpot, John Newton, John Newton of Sedgley, John Nock, John Parſons, Thomas Peach, Samuel Peach, Peter Payton, Thomas Parker, William Parkes, Benjamin Pickrell, Phillips Penn, Henry Payton, James Payton, Edward Perſehowſe, William Pargiter, John Pidcock, Bromwell Powell, William Plymley, Samuel Parkes, Robert Pretty, Edward Pearſon, Richard Parſons, John Parker, John Pretty, George Pearpoint, Sheldon Porter, Edward Ruſſell, Edward Ruſſell junior, Robert Robinſon, Edward Rhodes, John Sheldon of Tryſull, Thomas Sheldon, Benjamin

jamin Stokes, Ignatius Smith, John Southwick, Richard Savage, Daniel Shaw, Adam Read Shaw, Joseph Stokes, John Stone, Thomas Seager, William Sheldon, William Sheldon the younger, William Stokes, John Stokes, Francis Stokes, John Sheldon, Thomas Sheldon, Edward Shadwell, Thomas Symkiss, Samuel Stubbs, Daniel Short, John Simmons, George Southall, Thomas Saunders, Humphrey Short, John Tongue, William Tongue, Thomas Talbot, John Turton, John Turton of the Brades, William Turton, Tomkiss of Harritshayes, the Honourable John Ward, the Honourable William Ward, the Reverend Sir Richard Wrottesley Baronet, John Wrottesley, Edward Whitby, Esquires; the Reverend William Wight, the Reverend Matthew Willmot, Henry Wainwright, John Williams, Edward Walters, Pinson Wilmot, Thomas Wainwright Surgeon, John Wood the younger, Benjamin Winwood, John Walford, John Winkle, Joseph Walters, Thomas Walters, Thomas Wight, Richard Yates, William Archer, Joseph Aston, Thomas Baker, John Baker, Edward Bambrook, Nathaniel Bradshaw, Aaron Bourn, Francis Butter, Richard Blackburn, John Brett, William Brett, Thomas Bradley Esquire, Thomas Bourn, Thomas Birch, Thomas Boulton, John Biddulph Esquire, the Reverend Master Bromley, Myles Bourn, Anthony Badily, Rowland Carr, Benjamin Clement Clerk, Benjamin Corson, the Reverend Master Congreve, William Conolly Esquire, Joseph Cotterel, Richard Crane senior, John Michael Dayly M. D. John Davis, Henry Dixon, William Deakin, Matthew Drakeford, Oliver Dixon, Thomas Dudley, John Dunton, the Reverend Joseph Dixon, James Eykin, Vincent Edwards, Thomas Evans, Edward Evans, Roger Eykin, James Evans, Jeremiah Eginton, Gentlemen; the Reverend William Eginton, Edward Farmer, James Fieldhouse, Richard Fryer, John Fryer, Benjamin Fieldhous Clerk, William Finch, John Finch, James Green, Thomas Gibbons Maltster, George Gibbons, William Gaskill, Henry Gough, Gentlemen; William Gibbons of Sedgley, John Gorton, William Geast, William Horton, Edward Hope, James Horton, Peter Hinckes, the Reverend Thomas Hartshorn, Gregory Hickman, Abraham Hill, William Hilliard, Francis Holyoake, William Haslewood, Daniel Hiccox, Walter Hopkins, William Huskinson, William Horton of Mosely, Benjamin Hughes, James Hancox, Thomas Hodgetts senior, Thomas Hodgetts junior, John Jesson Attorney, John Jesson Chapman, John Jellico, John Jervis, the Reverend Master Inge, William Jennings, Joseph Jones, Joseph Knight, Robert Lilly, John Leebridge, Joseph Lane, William Lott,

John

John Manley, the Reverend James Marſh, Benjamin Molineux, Thomas Mullender, John Marſhall, John Molineux, Thomas Marſton, Francis Moſs, Thomas Maunder, Walter Manſell, William Manſell, Michael Nickin, John Offley of Wolverhampton, Thomas Offley of Wolverhampton, John Offley of Merrydale, William Perks Attorney, James Perry, John Perſhouſe, Joſeph Pearſon, John Pearſon, Richard Price, Benjamin Pountney, John Pountney, Thomas Watſon Perkes, Gentlemen; James Raby, James Rolaſton, Thomas Rogers Eſquire, Edward Shaw Clerk, Francis Stuart, William Salt, Joſiah Smart, Walter Snow, John Snow, John Henry Smith, George Saunders, John Smith Stevens, Jeremiah Smith Eſquire, Burſlem Sparrow, George Sparrow Clerk, John Weſton Smith, John Scott, Samuel Swynfen Eſquire, Chriſtopher Saunders Eſquire, Thomas Birch Savage Eſquire, James Shaw, Gilbert Stewart M. D. Lawrence Tucker, Joſeph Turton Eſquire, Thomas Turton, Joſeph Turton junior, Jonathan Taylor, Henry Vernon Eſquire, Thomas White, Bernard Wilkes, John Wilkes, William Wenman, Samuel Whitehouſe, Thomas Wilkins, Henry Wood ſenior, Henry Wood junior, William Webb, Thomas Wightwick, Thomas Webb, Francis Whitegrave Eſquire, Moreton Wallhouſe Eſquire, Jeremiah Whitehouſe Clerk, Thomas Willington, Wightwick of Tunſtall Eſquire, Thomas Anſon Eſquire, George Adams Eſquire, William Averns, Thomas Jeſſon Averns, Thomas Averns Clerk, Thomas Boodle, John Biddulph Eſquire, Richard Blyth, Joſeph Britain, Thomas Birch, Walter Bagot Clerk, Richard Bagot Eſquire, Thomas Boulter, the Reverend Maſter Congreeve, William Chetwynd Eſquire, William Chetwynd Eſquire, Edward Cheney, Henry Charles, Robert Crockett, Thomas Collier, Thomas Dovey, Thomas Deakin, Thomas Evitts, James Eginton, William Emery, Thomas Fletcher, John Fowler, George Fieldhouſe, John Foot Clerk, Richard Fieldhouſe, William Fieldhouſe, Thomas Homer, Thomas Hughes, Phineas Huſſey Eſquire, John Huſſard, Edward Harding, Stephen Hitchcox, George Harvey, Chriſtopher Horton Eſquire, Herbert, Hatherſtich, Thomas Johnſon, Francis Kempſon, Thomas Lavadall, John Lyſett, Robert Lander Eſquire, Edward Lightfoot, Samuel Lee, Nathaniel Liſter Eſquire, Jeremiah Lovatt, William Mansfield, William Mansfen, William Mansfen junior, Francis Moſs, Edward Moy Clerk, Samuel Newton Eſquire, John Newton, John Nicklin, Joſeph Phillips, Robert Philips, John Petit Eſquire, Dormer Parkhurſt Eſquire, John Pegg, Thomas Peake, Edward Plant, William

William Roberts Esquire, Stephen Ryley, William Robinson, Joseph Ryley, Marshall Ryder Esquire, Joseph Richards Esquire, Thomas Reynolds, George Stubbs, Edward Sant, William Smith, James Stafford Clerk, Thomas Salt, William Spencer, Thomas Birch Savage Esquire, John Sneyd Esquire, William Bill Saunders Esquire, John Tyrear, the Reverend John Taylor, Charles Trubshaw, George Venables Vernon Esquire, Richard Vernon Esquire, Henry Vernon Esquire, John Underhill, Sir William Woolsley Baronet, Simeon Weston, Ralph Weston, Robert Wright, Thomas Webb of Yoxall, Thomas Webb of Blacknell, William Welch, Christopher Watson, Abraham Ward, shall be, and they and their Successors, to be elected in the Manner herein after-mentioned, are hereby appointed Trustees, for repairing, widening, and keeping in Repair, such Part of the said Road as leads from the said Road called Streetway, through the Towns of Wolverhampton, Upper Penn, Himley, and Part of Kingswinford, to a Gate on the common Highway in the Liberty of Wordsley, in the said County of Stafford, called Wordsley Green Gate; and from the End of Bilston Street, opening into Dudley Street, in Wolverhampton aforesaid, along the remaining Part of Dudley Street, through the Town of Sedgley, in the said County of Stafford, to that Part of a Street called High Street, opposite the Old Bush in Dudley, in the County of Worcester; and from a Place called Burnt Tree, near Dudley aforesaid, through the Hamlets of Oldbury and Smethwick, to the Town of Birmingham, in the County of Warwick; and from the Market Cross in Wolverhampton aforesaid, down Lichfield Street (across the Horse Fair) Stafford Street, and The Four Ashes, and by a Brook called Grammore Brook (in the Road to Hilton) and from thence to Cannock, in the said County of Stafford, which shall be called the Second District of the said Road; and for putting all the Powers of this Act in Execution, so far as the same relate to such Part of the said Road as lies within the said Second District.

Trustees may erect Turnpikes and Toll-houses, for the First District.

And be it further enacted by the Authority aforesaid, That the said respective Trustees for repairing the said several Roads, within their said respective Districts, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall, from time to time, authorize and appoint, shall and may erect, or cause to be erected, One or more Gate or Gates, Turnpike or Turnpikes, in, upon, across, or on the Sides of, any Part or Parts of the said Roads, within their said respective Districts; and also a Toll-house or Toll-houses,

upon or on the Side or Sides of the said respective Roads, at or near the Places where such Gates or Turnpikes shall or may be erected; and the Tolls following shall be demanded and taken, by such Person or Persons as the said Trustees for the First District of Road, or any Seven or more of them, shall, from time to time, appoint to receive the same, at each and every of the said Turnpikes in the First District of the said Road, before any Horse, Cattle, Beast, or Carriage, shall be permitted to pass through the same; that is to say,

and take the following Tolls thereat.

Tolls for the First District.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any Carriage, the Sum of Three Pence.

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten Pence per Score; and so in Proportion for any greater or less Number.

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five Pence per Score; and so in Proportion for any greater or less Number.

And the Tolls following shall be demanded and taken by such Person or Persons as the said Trustees for the said Second District of Road, or any Seven or more of them, shall, from time to time, appoint to receive the same, at each and every of the said Turnpikes in the said Second District of Road, before any Horse, Cattle, Beast, or Carriage, shall be permitted to pass through the same; that is to say,

Tolls for the Second District.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any Carriage, the Sum of Three Pence.

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

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of Ten Pence per Score; and so in Proportion for any greater or less Number.

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five Pence per Score; and so in Proportion for any greater or less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll: And if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect

Tolls may be levied by Distress and Sale.

or

or refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed as aforesaid for the collecting the said Tolls, to seize and distrain any Horse, or other Cattle, Beast, or any Goods, or Carriages, upon which any such Toll is by this Act imposed, or any of the Goods and Chattles of such Person or Persons so neglecting or refusing to pay the same: And if such Tolls, and the reasonable Charges of such Seizure and Distress, and of detaining and keeping the same, shall not be paid within the Space of Four Days next after such Seizure and Distress made, that then the Person or Persons so distraining, shall and may sell the Horse, Cattle, Beast, Carriage, Goods, and Chattles, so distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Tolls, and all reasonable Charges, shall be deducted and paid: And that all the Tolls, collected or levied by virtue of this Act, shall be, and are hereby, vested in the said respective Trustees, acting for the said respective Districts, and shall be applied or assigned in such Manner as is herein after mentioned.

And be it further enacted by the Authority aforesaid, That in case there shall be more than One Gate or Turnpike in, or across, or on the Sides of, the said Roads, leading from the Town of Stone, in the County of Stafford, to and through the Towns of Stafford, Dunston, and Penkridge, to a Road or Highway called Streetway, in the said County of Stafford, being the First District, no Person or Persons, having paid the Toll or Duty at any of the Gates or Turnpikes in the said District, and producing a Note or Ticket to the Collectors of the Tolls, that the said Toll or Duty hath been paid (which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give to each Passenger gratis) shall be liable to pay any Tolls or Duties at any other of the said Gates or Turnpikes, upon any Part of the said Roads within the said District, such Person or Persons producing the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors, of the said Tolls or Duties, at any other of the Gates or Turnpikes upon the said last-mentioned Roads, the same Day; and that no Person or Persons, having Occasion to pass the Place or Places where the Tolls or Duties are taken, upon the said last-mentioned Roads, and who shall return the same Day, upon or with the same Horse, Ass, Mule, Cattle, Coach, Landau, Chariot, Berlin, Chaise, Chair, Calash, Waggon, Cart, or other Carriage, shall be liable and compellable the same Day to pay the said Toll or Duty more than Once: And also that in case there shall

be

be more than One Gate or Turnpike in, or across, or on the Sides of, the said Road, leading from Streetway aforesaid, through the Towns of Wolverhampton, Upper Pen, Himley, and Part of Kingswinford, to a Gate on the common Highway in the Liberty of Wordsley, in the said County of Stafford, called Wordsley Green Gate, and from that Part of Dudley Street, next Bilston Street, in Wolverhampton aforesaid, through the Town of Sedgley, in the said County of Stafford, to that Part of a Street called High Street, opposite the Old Bush in Dudley, in the County of Worcester, and from a Place called Burnt Tree, near Dudley aforesaid, through the Hamlets of Oldbury and Smethwick, to the said Town of Birmingham, in the County of Warwick, and from the Market Cross in Wolverhampton aforesaid, down Lichfield Street, across the Horse Fair, Stafford Street, and The Four Ashes, and by a Brook called Cranmore Brook (in the Road to Hilton) and from thence to Cannock, in the said County of Stafford; no Person or Persons having paid the Toll or Duty at the First Gate or Turnpike within the said Second District, through which such Person or Persons shall pass, and producing a Note or Ticket that the said Toll or Duty was paid (which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give to each Passenger gratis) shall be liable to pay any Tolls or Duties at any other of the said Gates or Turnpikes upon the said last-mentioned Roads within the said Second District, such Person or Persons producing the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors, of the said Tolls or Duties, at any other of the Gates or Turnpikes upon the said last-mentioned Roads, the same Day; and that no Person or Persons, having Occasion to pass the Place or Places where the Tolls or Duties are taken upon the said last-mentioned Roads within the said Second District, and who shall return the same Day, upon or with the same Horse, Ass, Mule, Cattle, Coach, Landau, Chariot, Berlin, Chaise, Chair, Calash, Waggon, Cart, or other Carriage, shall be liable or compellable the same Day to pay the said Toll or Duty more than Once.

No Gate shall be erected nearer to *Wordsley Green Gate* than *Womborn Brook*, &c.

Provided always, and be it further enacted by the Authority aforesaid, That no Gate or Gates, Turnpike or Turnpikes, shall be erected nearer to Wordsley Green Gate than a Place called Womborn Brook, in the Parish of Womborn, nor nearer to the Town of Sedgley than Half a Mile.

And

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, with any Horse, Cattle, Beast, or Carriage, pass through any Land, Ground, or Hereditament, lying near any Turnpike which shall be erected by virtue of this Act (the same not being a public Highway) or if any Owner or Occupier of such Ground, Land, or Hereditament, shall knowingly permit or suffer any Person or Persons to pass with any Horse, Cattle, Beast, or Carriage whatsoever, through any such Land, Ground, or Hereditament as aforesaid; or if any Person or Persons shall give to or receive from any Person or Persons any Ticket, or shall forge or counterfeit any Ticket, by this Act directed to be given, whereby the Payment of any of the said Tolls, or of any Part thereof, shall or may be avoided; or if any Person or Persons shall forcibly pass through any such Turnpike, with any Horse or other Cattle or Beast, without Payment of Toll, or shall take off, or cause to be taken off, any Horse or other Cattle or Beast from any Carriage, or shall leave, or cause to be left, upon or near to any Part of the said respective Roads, any Draught or Carriage, Horse, Cattle, or Beast, with an Intent to avoid the Payment of any of the said Tolls, or of any Part thereof, or with such Intent shall unload any Goods from any Horse, Cattle, Beast, or Carriage, chargeable with any of the Tolls aforesaid, every Person, so offending in all or any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Forty Shillings; whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties and Forfeitures are by this Act directed to be applied.

Penalty on Persons permitting, or going thro' private Passage, &c. or giving or receiving Tickets, or taking off Horses, &c.

Provided always, and be it further enacted by the Authority aforesaid, That no Toll shall be taken for any Carriage, or any Horse, Cattle, or Beast, loaden only with, or going unloaden for, or returning unloaden on the same Day, having been loaden only with Gravel, Stone, or Materials, for repairing any of the Roads aforesaid, or any of the Roads in the Townships in which the said Roads do lie, or Hay, Straw, or Corn in the Straw, only to be laid up or placed in the Outhouses, or on the Lands of the Owner thereof, and not sold or for Sale; or for Ploughs, Harrows, or Implements of Husbandry, or Mould, Soil, or Dung, employed in Husbandry, for manuring or improving of Lands; or for any Person or Persons residing in any Township, in which any of the said Roads do lie, going to or from their proper Parochial Church, Chapel, or other Place of Religious Worship, or attending the Funeral of any Person or Persons who

Exemptions from Toll.

shall die and be buried in any of the said Parishes; or for any Post-horse or Vehicle carrying the Mail or Packquet; or for any Cattle going to or from Water or Pasture; or for the Horses of any Soldiers upon their March, or Carriages attending them, loaden with their Baggage; or for any Cattle or Carriage employed in the Conveyance of Vagrants sent by legal Passes; or for any Coach, Landau, Berlin, Chariot, Calash, Chaise, or Chair, or Passenger on Horseback, going to, or returning from, any Election of a Knight or Knights of the Shire to serve in Parliament for the County of Worcester or Stafford, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded; nor shall any Toll be demanded or taken at any Gate or Turnpike to be erected cross any Lane or Way leading out of any of the Roads hereby directed to be repaired, unless the Horse, Cattle, or Carriage, passing through any such Gate or Turnpike, shall pass the Space of Three hundred Yards on some Part of the Roads by this Act directed to be repaired: And if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, such Person shall forfeit, for every such Offence, the Sum of Forty Shillings.

No Toll on Election Days.

Penalty on claiming Exemptions, not being intitled thereto.

Trustees may lessen the Tolls,

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said respective Trustees, or any Eleven or more of them, at their First Meeting, and from time to time assembled at any subsequent Meeting or Meetings to be held for that Purpose, to lessen or reduce, within their respective Districts, all or any of the Tolls by this Act granted, and for such Time or Times, as they the said respective Trustees, or any Eleven or more of them, shall think proper, and may afterwards, from time to time, advance all or any of the Tolls so lessened, to any Sum or Sums of Money, not exceeding the respective Rates herein before mentioned; and the said respective Trustees, or any Seven or more of them, may from time to time direct the Tolls hereby granted, or so reduced as aforesaid, to be collected in such Parts and Proportions at the Turnpikes within their respective Districts, as they the said respective Trustees, or any Seven or more of them, shall think fit; and such reduced Tolls, and also such Parts and Proportions as aforesaid, shall and may be collected, levied, and applied, in such and the same Manner, as the said respective Tolls are directed to be collected, levied, and applied; but no Reduction of the Tolls shall be made at any Time after the said First Meeting for such District, unless the Person or Persons, who shall be intitled to Two Thirds of the Mo-

and raise them again.

ney which shall have been lent upon the Credit of the Tolls intended to be reduced, shall be consenting thereto; and that no subsequent Meeting shall be held for any of the Purposes aforesaid, unless Twenty Days previous Notice at the least shall be given thereof in Writing, to be affixed upon all the Turnpikes which shall be then erected, by virtue of this Act, within such District.

Application of the Monies.

And be it further enacted by the Authority aforesaid, That out of the Tolls collected and levied within the said Districts, or out of the Monies to be borrowed upon the Credit thereof, the said respective Trustees, or any Seven or more of them, shall, in the First Place, pay all the Expences incurred in and in relation to the obtaining of this Act; and that Two Parts in Five of such Expences shall be defrayed out of the Monies arising within or upon account of the said First District; and the other Three Parts of such Expences shall be defrayed out of the Monies arising within or upon account of the said Second District; and after such Expences shall be fully paid and satisfied, that then all the said Tolls and Monies shall be applied in defraying the Expences of erecting and providing Turnpikes and Toll-houses, and of repairing, widening, altering, turning, and keeping in Repair, the said respective Roads, in the District wherein, or on account whereof, such Tolls are collected or levied, and for which such Monies are borrowed, and of executing all other the Purposes of this Act, within and in relation to such Districts respectively, and to no other Use whatsoever.

Application of the Tolls collected between *Wolverhampton* and *Cannock*;

Provided always, and be it enacted by the Authority aforesaid, That all the Tolls which shall be collected upon such Part of the Road aforesaid, as lies between the Towns of Wolverhampton and Cannock aforesaid (after the Charges and Expences of obtaining this Act shall be defrayed) shall be applied for and towards amending and widening that Part of the Road only; any thing contained in this Act to the contrary notwithstanding.

between *Streetway* and *Wordsley Green Gate*;

Provided also, and be it enacted by the Authority aforesaid, That all the Tolls which shall be collected upon such Part of the Road aforesaid, as lies between that Part of the Road called Streetway (where the First and Second District of Roads aforesaid divide) and Wordsley Green Gate aforesaid, after paying the Charges and Expences of obtaining this present Act, shall be laid out and applied in amending, widening, and keeping in Repair, such Part of the Road as lies between the said Streetway and Wordsley Green Gate, and also such Part of the Road leading from the End of Bilston-street, in Wolverhamp-

ton, towards Sedgley, as lies in the said Parish of Wolverhampton only; any thing contained in this Act to the contrary notwithstanding.

And between *Wolverhampton* and *Birmingham*.

And be it further enacted by the Authority aforesaid, That all the Tolls which shall be collected upon the Roads which lie between Wolverhampton and Dudley, and between a Place called Burnt Tree and Birmingham aforesaid, shall be applied in amending and widening such Parts of the said Roads only as lie between a Lane (where the Parishes of Sedgley and Wolverhampton divide) and the Town of Dudley, and between Burnt Tree aforesaid and Birmingham aforesaid; any thing in this Act contained to the contrary notwithstanding.

Trustees not to repair paved Streets, &c.

Provided always, and be it further enacted by the Authority aforesaid, That no Part of the Tolls by this Act granted, or of the Money to be borrowed on the Credit thereof, shall be laid out or expended in making or maintaining any of the Pavements or Streets in any Town through which any of the Roads aforesaid do lead; any thing contained in this Act to the contrary notwithstanding.

Property of the Turnpikes and Toll-houses, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the Right, Interest, and Property, of all the Toll-houses, Turnpikes, and Gates, Posts, and Rails, to be erected or provided by virtue of this Act, and of the Materials for building the same, and also the Materials which shall be actually got or collected for repairing the Roads in the said respective Districts, or either of them, shall be, and are hereby vested in the said separate Trustees, and they, or any Eleven or more of them, at their publick Meetings, are hereby authorized and impowered to sell and dispose thereof, to such Person or Persons as shall be willing or desirous to purchase the same; and that the said respective Trustees, or any Eleven or more of them, shall and may apply and dispose of the Money arising by such Sale, in such Manner, and for such Ales and Purposes, as the said Tolls and Duties are by this Act directed to be applied and disposed of; and that the said Trustees, or any Five or more of them, shall and may bring Actions, and prefer Bills of Indictment against, or otherwise prosecute, any Person or Persons, who shall steal, take away, break down, or damage, the said Toll-houses, Turnpikes, Gates, Posts, and Rails, or any of the Materials before-mentioned.

Trustees may borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said respective Trustees, or any Eleven or more of them, at their First or at any subsequent Meeting, upon the Credit of the Tolls arising with-

in

in their respective Districts, and in such Manner as they the said respective Trustees, or any Eleven or more of them, shall think proper, to borrow and take up, at legal or less Interest, such Sum or Sums of Money, as they, or any Eleven or more of them, shall think fit; and may, and are hereby impowered, from time to time, by any Writing or Writings under their Hands and Seals, to mortgage or assign over the said Tolls, or any Part or Parts thereof (the Charges of such Mortgages or Assignments to be paid out of such Tolls) to any Person or Persons, for any Time or Term during the Continuance of this Act, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof; and Copies of all such Mortgages or Assignments shall be entered in a Book or Books, to be kept for that Purpose, by the Clerk or Treasurer to the said respective Trustees; but no Money shall be borrowed upon the Credit of the said Tolls after such First Meeting, unless Notice be, for that Purpose, fixed in Writing upon all the Turnpikes within the District for which such Monies shall be borrowed, at least Twenty Days before the borrowing thereof; and all and every Person and Persons, to whom any such Mortgage or Assignment shall be made, or who shall be intitled to the Money thereby secured, is and are hereby impowered, from time to time, by Assignment under his, her, or their Hand or Hands, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings, to be executed under his, her, or their Hand and Seal, or Hands and Seals, in the Presence of Two or more credible Witnesses, to assign over or transfer his, her, or their Right to the Principal or Interest Money thereby secured; and all and every Person and Persons, to whom any such Mortgage or Assignment shall be made as aforesaid, shall be, in proportion to the Sum or Sums therein mentioned, Creditors of such respective Tolls, in an equal Degree one with another, and shall have no Preference in respect to the Priority of advancing any such Monies.

20 Days Notice to be given of borrowing Money.

All Creditors to be deemed equal in Degree.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Eleven or more of them, at their First Meeting, or at any succeeding Meeting, by Writing under their Hands and Seals, shall and may elect, nominate, and appoint, One or more fit Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, of such Tolls and Duties as are by this Act granted and made payable; and also One or more fit Person or Persons to be Surveyor or Surveyors, to view the

Trustees may appoint Officers,

Condition of the said Roads, and to see that the same are duly repaired and amended; and also that the Money arising and expended by virtue of this Act, be duly applied: And the said respective Trustees, or any Eleven or more of them, shall and may, at any General Meeting, from time to time, remove such Clerks, Treasurers, Collectors, Receivers, and Surveyors, or any of them, as they shall see Occasion, and appoint new ones in their Places, in case any such Officers shall die, or be any ways incapable of performing their Duty, or shall be removed, as aforesaid; and all Persons whatsoever, by this Act liable to pay the Tolls or Duties hereby granted, are hereby required to pay the same, after the Rates aforesaid, to the Receiver or Receivers, Collector or Collectors, of the said Tolls or Duties, so from time to time appointed as aforesaid; and the Person or Persons, so appointed for collecting and receiving the said Tolls or Duties, and all such Treasurers, Collectors, and Surveyors, as aforesaid, shall upon Oath, if thereunto required by the said respective Trustees, or any Seven or more of them, before the said respective Trustees, or any Seven or more of them, or before One or more Justice or Justices of the Peace residing near the said Roads (which Oath the said respective Trustees, or any Two or more of them, or such Justice or Justices of the Peace, is and are hereby impowered and required to administer) as often as they shall think necessary, during the Continuance of this Act, give a true, exact, and perfect Account, in Writing, under their respective Hands, of all Sums which he and they, and every or any of them, shall to such Time have received, paid, and disbursed, by virtue or in pursuance of this Act, by reason of their respective Offices; for which Oath no Fee or Reward shall be taken: And in case any Money so received, shall remain in their or any of their Hands, the same shall be paid to the said respective Trustees, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall, by any Writing under their Hands and Seals, authorize and impower to receive the same; and the same shall be disbursed and laid out in amending the said Roads, according to the true Intent and Meaning of this Act, and not otherwise.

and remove them, and appoint others.

Officers to account upon Oath.

Officers not to gain a Settlement by any thing done in pursuance of this Act.

No Victualler, &c. to have a Place of Profit.

Trustees to allow Officers Salaries.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Eleven or more of them, shall and may, out of the Money arising by the said Tolls or Duties, make such Allowance to the said Clerks, Treasurers, Receivers, Collectors, and Surveyors, for and in Consideration of their Care and Pains

respectively taken in the Execution of their Offices; and to all such other Persons, who have been or shall be assisting in or about the procuring the said Roads to be amended and repaired, by advancing or laying out any Monies, or otherwise relating thereunto, as the said respective Trustees, or any Eleven or more of them, at their General Meeting, shall think fit; and in case the said Treasurers, Receivers, or Collectors, or any of them, shall not make such Account and Payment unto such Person or Persons, according to the Orders and Directions of the said Trustees, or any Eleven or more of them, as aforesaid, that then the said Justices of the Peace, at any Special Sessions or Monthly Meeting, or other Meeting or Meetings of themselves to be holden for the Division in which the said Treasurers, Receivers, or Collectors, have acted or been employed, and made such Default as aforesaid, shall make Enquiry of and concerning such Default, as well by Confession of the Parties themselves, as by the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath the said Justices are hereby impowered and required to administer, without Fee or Reward) and if any Person or Persons shall be convicted thereof by such Justices, the said Justices shall, upon such Conviction, commit the Party or Parties to the common Gaol of the County in which such Offence shall be committed, there to remain, without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment, and verified the same upon Oath, as aforesaid.

Officers refusing to account,

Justices to enquire into the Default;

and commit the Offender to Gaol,

till Payment or Composition made.

Provided always, That no such Collector, Surveyor, or other Officer, shall gain a Settlement in any Parish or Place, by reason of his being appointed to or serving in any such Office.

Officers not to gain a Settlement under this Act.

Provided also, and be it enacted by the Authority aforesaid, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant to any Trustee, shall be capable of holding any Place of Profit under this Act.

No Victualler, &c. to have a Place of Profit.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Eleven or more of them, shall take such Security from their Treasurer or Treasurers, Receiver and Receivers, Collector and Collectors, for the due Execution of his and their respective Offices, as the said Trustees, or any Eleven of them, shall think proper.

Treasurer to give Security.

Provided always, That as often as any Collector or Collectors of the said Tolls shall die, or be incapable of performing his Duty, it shall be lawful for any Eleven or more of the Trustees in their respective Districts, though

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

not assembled at a Meeting in pursuance of this Act, by any Writing under their Hands, to appoint any other Person to collect such Tolls, and the Person so appointed shall have the same Authority for Recovery thereof, as the Person he shall succeed was vested with, until the Trustees for such District, or any Eleven or more of them, shall, at a Meeting to be held by virtue of this Act, appoint a Collector or Collectors of such Tolls.

Surveyors may dig Gravel, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such Person or Persons, who shall be appointed Surveyor or Surveyors as aforesaid, and such Person or Persons as he or they shall, from time to time, appoint, to dig, gather, take, and carry away, any Gravel, Furze, Heath, Sand, Stones, or other Materials, Iron-stone and Lime-stone excepted, out of any Waste or Common, River or Brook, in any Parish, Town, Village, or Hamlet, in or near any Part or Parts of the said Roads, without paying any thing for the same; such Surveyor or Surveyors filling up and levelling, or causing to be filled up and levelled, all such Holes and Pits, where any such Materials as aforesaid shall be dug, gathered, taken, and carried away, or railing or fencing off such Parts, so that the same may not be dangerous to Passengers or Cattle; and where sufficient Materials cannot be found in any Common or Waste Grounds, Rivers or Brooks, near or adjoining to the said Roads, it shall and may be lawful to and for such Surveyor or Surveyors, by Order of the said Trustees, or any Seven or more of them, to dig for and gather the same in the Grounds of any Person or Persons (not being a Park or Paddock, planted Walk or Walks, or Avenue to any House, or any Piece or Parcel of Ground, set apart and used as a Plantation or Nursery for Trees) where any such Materials are or can be found, and, from time to time, to take and carry away such Materials, or so much thereof as the said Surveyor or Surveyors shall adjudge proper and necessary for the repairing and amending the said Roads, paying such Rates for such Materials, and for the Damage done to the respective Owners and Occupiers of the Grounds where and from whence the same shall be digged, gathered, and carried away, or over which the same shall be carried, as the said respective Trustees, or any Seven or more of them, shall adjudge reasonable: And in case of any Difference between such respective Owners or Occupiers and the said Trustees, touching such Damages aforesaid, the Justices of the Peace, upon Application made to them, at the next General Quarter Sessions, to be holden in the County where

without paying for the same;

levelling the Pits.

Where sufficient Materials cannot be had there, they may be taken from private Grounds;

making Satisfaction to the Owners of the Ground.

Justices to determine Differences.

where such Materials shall be digged or gathered, and from whence the same shall be carried away, shall and may hear, adjudge, assess, and finally determine the same.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors, and such Persons as he or they shall appoint, from time to time (such Surveyor or Surveyors having an Order for that Purpose from the said respective Trustees, or any Seven or more of them) to remove and prevent all Annoyances on any Part of the said respective Roads, by Filth, Dung, Ashes, Rubbish, Straw, or otherwise; and to turn any Watercourses, Sinks, or Drains, running into, along, or out of the said respective Roads, to the Prejudice thereof; and to open, scour, cleanse, widen, or make deeper, any Watercourses or Ditches adjoining thereto, and make the same as deep and large as he or they shall think necessary; and to cut down, lop, or top, any Trees, Shrubs, or Bushes, growing in the said respective Roads, or in the Hedges or Banks adjacent thereto, notwithstanding in any Park, Paddock, planted Walk, or Avenue to any House, and to take and carry away the same, in case the Owners or Occupiers of the Premisses shall neglect to lop or top, cut down and remove such Trees, Shrubs, or Bushes, or to open, scour, cleanse, widen, or deepen such Watercourses or Ditches, or remove such other Annoyances, in such Manner as the said Surveyor or Surveyors shall require, for the Space of Twenty Days next after Notice in Writing given for that Purpose, under the Hand or Hands of such Surveyor or Surveyors, the Charges whereof, to be settled by the said respective Trustees, or any Seven of them, shall be reimbursed to such Surveyor or Surveyors, by such Owners or Occupiers, and be recovered and applied in such Manner as the Penalties and Forfeitures are herein after directed to be recovered and applied; and if, after Removal of any of the said Annoyances, any such Person shall again offend in like Manner, every such Person shall, for every such Offence, forfeit the Sum of Twenty Shillings.

Surveyors may remove Annoyances,

cut Watercourses, &c.

and cut down Trees, &c.

Owners neglecting to remove the same after Notice;

Penalty of a Second Offence.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint (such Surveyor or Surveyors having an Order for that Purpose from the said respective Trustees, or any Seven or more of them) to make Causeways, and also Ditches or Drains, in and upon the said respective Roads, and also through any Ground lying contiguous thereto; and to erect, rebuild, and keep in Repair, Bridges and

Surveyors may make Causeways,

and erect Bridges, &c.

Arches upon the said Roads, or cross any such Ditch or Drain, where necessary; and also to widen any of the narrow Parts of the said Roads, by opening, cleansing, and laying into the same, any Grounds of any Person or Persons lying contiguous thereto, so as to make such Parts of the said Roads Forty Feet in Width, where it shall be thought necessary; and also to make a Road through the Grounds adjoining or lying near to any hollow Way, narrow or ruinous Part of the said Roads (such Grounds respectively not being a Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees) to be made use of as a publick Highway, whilst the old Road is repairing or widening, making such Recompence to the Owners and Occupiers of the private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said respective Trustees, or any Seven or more of them; but that no Satisfaction shall be made for doing or performing any of the Works aforesaid, upon or through any Moor or waste Grounds.

and make a temporary Road;

making Satisfaction to the Owners of the Grounds.

Surveyors may make Causeways,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, by Order of the said Trustees, or any Seven or more of them, to make, or cause to be made, Causeways, and to cut and make Drains through any Ground lying contiguous to the said Roads, and to erect Arches of Brick, Timber, or Stone thereupon; and also to widen any of the narrow Parts of the said Roads, by opening, clearing, or laying into the said Roads any Grounds of any Person or Persons lying contiguous to such Roads (not being a Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees) and also to cause Ditches or Trenches to be made, in such Places, and in such Manner, as such Surveyor or Surveyors, by Order of the said Trustees, or any Seven or more of them, shall adjudge necessary, for the better amending and keeping the said Roads in good Repair, making such reasonable Satisfaction to the Owners or Occupiers of such Grounds respectively, as shall be so laid in or to the said Roads, through which any such Drain or Drains shall be cut, or on which any such Arch or Arches, Bridge or Bridges, shall be made, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged by the said Trustees, or any Seven or more of them; and in case any Difference happen between such Owners or Occupiers, and the said Trustees, touching such Damages as aforesaid, that then it shall and

erect Bridges, &c.

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences.

may be lawful to and for the Justices of the Peace, or the major Part of them, at the next General Quarter Sessions, to be holden for the County wherein the Matter in Dispute shall be, to hear, settle, adjudge, and finally determine the same: And if any of such Owners or Occupiers of any Watercourses, Ditch or Ditches, adjoining to the said Roads, shall neglect or refuse to scour or cleanse such Watercourses, and to make such Ditches so deep, and in such Manner, as the Surveyor or Surveyors hereby appointed, or to be appointed, shall, from time to time, judge proper and convenient, after Twenty Days Notice shall be given for that Purpose by such Person or Persons as shall be appointed by such Surveyor or Surveyors, to such Owner or Owners, it shall and may be lawful to and for the Surveyor or Surveyors to set any Man or Men to work, to scour, cleanse, and make the same; and by Warrant from any Seven or more of the said respective Trustees, to levy the Charges thereof upon the Person's Goods or Estates of the Owner or Owners, Occupier or Occupiers of such Watercourses, Ditch or Ditches, by Distress and Sale of his, her, or their Goods and Chattles, rendering the Overplus, if any be, after all Charges of such Distress and Sale thereout deducted, to the said Owner or Owners, Occupier or Occupiers, when by him, her, or them, demanded.

Owners neglecting to scour their Watercourses, &c. after Notice given for that Purpose,

the Surveyors may set Men to work thereon, and levy the Charges.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Eleven or more of them, shall be, and are hereby, fully impowered, to divert, turn, or alter, the Course or Path of any Part or Parts of the Road within their respective Districts, through any Wood or Waste Ground, without making any Satisfaction for the same; and also through any private Grounds or Hereditaments, first making Satisfaction to the Owners thereof, and Persons interested therein, for the Damage they may thereby sustain: And, for that Purpose, it shall be lawful for the said respective Trustees, or any Eleven or more of them, to contract and agree with the Owners of, and Persons interested in, any Lands or Hereditaments, for the Purpose thereof, or for the Loss or Damage such Owners or Persons may sustain by the diverting, turning, or altering, the Course or Path, or any Part or Parts, of such Road, through such Lands or Hereditaments: and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also

Trustees may contract for the Purchase of Lands to be taken into the Roads.

Bodies Politick, &c. may contract for the Sale of Lands, &c.

also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Person or Persons whatsoever, and to and for all Femes Covert, who are or shall be seised or interested, in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be possessed of, or interested in, any such Lands or Hereditaments, to contract with the said respective Trustees, or any Eleven or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to sell and convey unto them, or any Eleven or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid; and all Contracts, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding: And all such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, and all other Persons, shall be, and are hereby, indemnified for what they shall do by virtue of this Act:

Where Persons refuse to treat, &c. for Sale of such Lands, &c.

And if any such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, Administrators, or any other Person or Persons, interested in any such Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-house or Houses, or Place or Places of Abode, of such Person or Persons, or of the Principal Officer or Officers of such Body Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of the Lands or Hereditaments, through which any Part of such Road is intended to be diverted, turned, or altered, shall, for the Space of Two Months next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premisses, or, by reason of Absence, shall be prevented from treating; then, and in every such Case, the said respective Trustees, or any Eleven or more of them, shall cause such Damage and Recompence to be inquired into; and in case any Difference shall happen between such Owners or Occupiers and the said respective Trustees, touching such Damages, that then it shall and may be lawful to and for the Justices of the Peace, at their next General Quarter Sessions, to be holden for the County where such Grounds shall respectively lie, or the major Part of such Justices then present, to hear, settle, adjudge, and finally determine the same.

the Damage and Recompence to be inquired into.

Justices may determine Differences.

And

And be it further enacted by the Authority aforesaid, That every Sum of Money or Recompence to be agreed for, or assessed, as aforesaid, shall be paid out of the Tolls arising within or upon account of the respective District wherein such Road is intended to be diverted, turned, or altered, or out of the Monies to be borrowed upon the Credit of the said Tolls, to the Parties or Persons respectively intitled to such Monies, or their Agents; and upon Payment thereof, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Clerk to the said respective Trustees, for the Use of such Parties or Persons, it shall be lawful for any Person or Persons, authorized by Writing under the Hands of the said respective Trustees, or any Seven or more of them, to divert or turn such Road through such Lands or Hereditaments, and to do all and every such Act, Matter, or Thing, with relation to such Lands or Hereditaments, as the said respective Trustees, or any Seven or more of them, shall think fit: And the said respective Trustees, or any Seven or more of them, shall cause such Parts of the said Roads, as shall be diverted or turned through any private Grounds as aforesaid, to be ditched and fenced from the adjoining Lands; and all Lands and Hereditaments, which shall be made a Part or Parts of the said Road, by virtue of this Act, shall be, for ever thereafter, to all Intents and Purposes, a common Highway, and shall be repaired, and kept in Repair, in such Manner as the Road hereby appointed to be repaired, within such respective District, is by this or any other Law to be amended; and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments: And after any such new Road shall be completed, the Lands and Grounds constituting the former Road, unless leading over some Moor or Waste Ground, or to some Village, Town, or Place, to which such new Road doth not lead, shall be vested in, and shall and may be sold and conveyed by, the said respective Trustees, or any Seven or more of them, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied to the Repair of the Road within such respective District.

Money allowed for Lands, &c. how to be charged and tendered.

Lands, &c. when purchased, to be made Part of the Road,

and deemed a publick Highway,

and kept in Repair as such.

Old Road may be sold.

Provided always, That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands or Hereditaments, wherein he shall be particularly concerned in Interest.

Trustees not to act where interested.

Provided also, That if any new Road shall be made as aforesaid, instead of any former Road, over any Moor or Waste Ground, the Inhabitants of the Parish or Place shall

If the Road be made over any Moor, &c. Inhabitants not liable to repair the former Road, &c.

shall not be obliged to repair such former Road, unless the same doth lead to some Town or Place with which such new Road doth not communicate.

And whereas some Part of the Roads by this Act directed to be repaired, lie over several Woors, Commons, Waste Grounds, open Fields, or Pastures, and if the same were to be inclosed, the said Roads may not be left of a sufficient Breadth for the Accommodation of Travellers; be it therefore enacted, That when any Part of the said Roads over any Woor, Common, Waste Grounds, open Fields, or Pastures, shall be made or repaired, in pursuance of this Act, the said Roads shall, for ever thereafter, be and remain Forty Feet broad, and be deemed publick and common Highways.

Road over Moors, &c. to be 40 Feet broad.

And be it further enacted by the Authority aforesaid, That all the Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees, of any Lands, Tenements, Rents, and Annuities, or any Sum or Sums of Money, which have been given or are liable to the amending or maintaining any Part or Parts of the Roads aforesaid, or any Bridge or Bridges therein, shall still remain liable and chargeable to the Repair thereof, in such Manner as they were before the making of this Act.

Owners, &c. chargeable to the Repair of the Highways, to continue so.

Provided always, and be it further enacted by the Authority aforesaid, That in case any Prosecution is now, or at any Time hereafter shall be, depending against any Person or Persons, touching or concerning the Repairs which ought to be done by any such Person or Persons on any Part or Parts of the said Roads, or to any Bridge or Bridges as aforesaid, that then it shall and may be lawful to and for the said respective Trustees, or any Seven or more of them, to cause such Part or Parts of the said Roads, or such Bridge or Bridges as aforesaid, to be repaired in such Manner as they shall think proper; and if such Person or Persons, as aforesaid, shall be adjudged liable to repair such Part or Parts of the said Roads, or such Bridge or Bridges, that then every such Person shall forthwith pay to the said respective Trustees, or any Seven or more of them, or to their Appointment, such Sum and Sums of Money as they shall actually have expended in or upon account of such Repairs as aforesaid; which said Sum or Sums of Money, in case the same shall not be paid within the Space of Twenty Days after the same shall be due, shall be levied and recovered in the same Manner as any Penalty or Forfeiture is by this Act directed to be levied and recovered, and shall be applied in repairing such other Part or Parts of the said Roads as the said respective

Trustees may repair the Road, &c. while Prosecutions are depending, &c.

Trustees, or any Seven or more of them, shall think fit.

And, to the End that the Inhabitants of the several Parishes, through which the Roads hereby directed to be repaired do lead, may duly do and perform some Part of their Statute-work on the said Roads, be it further enacted by the Authority aforesaid, That the respective Surveyors of the Highways, for the time being, of all Parishes or Districts in which the said Roads intended to be repaired do lie, shall yearly and every Year, within Ten Days after Demand made to him or them in Writing by the Turnpike Surveyor or Surveyors appointed or to be appointed by the said separate Trustees, or any Seven or more of them, give and deliver to the said Turnpike Surveyor or Surveyors an exact List or Account in Writing under his or their Hand or Hands, of the Christian and Surnames of all and every Person and Persons in the said respective Parishes or Districts, who is and are by Law chargeable towards repairing the Highways in any of the said Parishes or Districts, and shall set forth and specify in such List or Account what each Person is respectively chargeable with for and towards such Repairs; and the said Parish Surveyor or Surveyors for the time being respectively, within Four Days after Notice shall be given them by the Turnpike Surveyor or Surveyors, of the Time when, and how many of the Persons so chargeable as aforesaid, he or they would have to do Two Days Work in or upon any Part or Parts of the Turnpike Roads, shall summon or give publick Notice thereof to the Persons so chargeable as aforesaid respectively: And if any Parish Surveyor or Surveyors shall neglect or refuse to do as he and they are hereby required and directed, he and they, for every such Neglect or Refusal, shall forfeit and pay the Sum of Forty Shillings; to be recovered, levied, and disposed of, in such Manner as any other Penalty or Forfeiture is by this Act directed to be levied, recovered, and disposed of.

Parish Surveyors, &c. to deliver in List of Persons liable to do Statute-work.

Penalty on Surveyors not delivering in such Lists.

And, for preventing Differences which may arise between the said Trustees and the Surveyors of the Highways, for the time being, for the several Parishes or Places through which the Roads aforesaid lead, touching what Part of the Statute-work in any Parish, Place, or Division, ought to be done on the Roads by this Act directed to be repaired; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Two or more Justices of the Peace of the County or Place where any such Difference shall arise, upon Application

Justices to determine Differences relating to Statute-work.

cation made to them by the said Turnpike Surveyor, to adjudge and determine what Part or Proportion of the Statute-work shall be done on any of the Roads aforesaid by the Inhabitants of each or any of the Parishes in which the said Roads hereby directed to be amended do lie; and in case either of the Parties shall think themselves aggrieved by such Determination, they may appeal to the Justices of the Peace at the then next General Quarter Sessions.

Trustees may compound with Parishes, &c.

Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Eleven or more of them, and they are hereby impowered to compound or agree, by the Year or otherwise, with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees, of Lands, Tenements, or Hereditaments, which are or shall be liable to or chargeable with the Repair of any Part of the Road within their respective Districts, or with any Person or Persons, for the Performance of his, her, or their Statute-work therein; and also that it shall be lawful for the Surveyor or Surveyors of the Highways, or Churchwardens or Overseers of the Poor of any of the said Townships, Parishes, or Places, through which any of the said Roads hereby directed to be repaired do lead, by and with the Consent of the Majority of the Inhabitants of such Townships or Places first had, at any Vestry or other publick Meeting of such Inhabitants, to compound and agree, by the Year or otherwise, with the said respective Trustees, or any Eleven or more of them, for and in lieu of the Statute-work to be performed by such Inhabitants upon any Part of the said respective Roads; all which Composition-monies shall be, from time to time, paid in advance, and shall be applied in the Repair of the said Roads; and all such Surveyors, Churchwardens, or Overseers of the Poor, shall be reimbursed the Monies so by them paid, in such Manner as 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.

Surveyors, with Consent of the Inhabitants, may compound with Trustees for Statute-work, &c.

Inhabitants of *Sedgley*, &c. exempted from Statute-work.

Provided always, That the Inhabitants of the Parishes of Sedgley, Dudley, and Kingswinford, aforesaid, shall not be liable or obliged to perform any Statute-labour, upon any Part of the Roads by this Act directed to be repaired; any Thing herein before contained to the contrary notwithstanding.

Roads to be measured, and Mile-stones erected.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Seven or more of them, may cause the said Roads to be measured, and

Stones

Stones or Posts to be set up, in, upon, or near the Sides thereof, at the Distance of One Mile from each other, with Inscriptons thereon, denoting the Distance of every such Stone or Post from any Town or Place, as they shall think fit: And if any Person or Persons shall wilfully pull down, break, or damage, any such Stone or Post, or obliterate any Inscription which shall have been made thereon, or shall cause or procure the same to be done, and be thereof convicted upon Oath by One or more credible Witness or Witnesses, or by his or her own Confession, before any Justice of the Peace for the County or Place wherein such Offence shall be committed (which Oath such Justice is hereby impowered and required to administer without Fee or Reward) every such Person so offending, shall forfeit the Sum of Forty Shillings for every such Stone or Post so pulled down, broke, or damaged, or Inscription so obliterated; whereof One Moiety shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the Penalties are herein after directed to be applied: And in case such Penalty shall not be forthwith paid, such Justice of the Peace shall commit such Person or Persons to the Common Gaol or House of Correction of the County or Place wherein such Offence was committed, there to remain, without Bail or Mainprize, for any Space not exceeding Two Months, nor less than One Month, unless such Forfeiture, and all reasonable Charges, shall be sooner paid; and every such Offender, in either of the said Cases, shall and may, by the Authority of this Act, and without any other Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and shall be immediately delivered to a Constable, or other Peace Officer, who shall convey such Offender to be dealt with according to the Directions of this Act.

Penalty on defacing Milestones, &c.

And be it further enacted by the Authority aforesaid, That if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone (Mill-stones excepted) otherwise than upon Wheel-carriages, or shall suffer any Part of any Tree or Piece of Timber, which shall be conveyed upon Wheel-carriages, to drag upon any Part of such Roads, to the Prejudice thereof, every such Person shall, for every such Offence, forfeit the Sum of Forty Shillings.

Penalty on drawing Timber, &c. otherwise than on Wheel-carriages.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures hereby inflicted, or authorized to be imposed (the Manner of Levying and Recovery whereof is not otherwise particularly directed)

Penalties and Forfeitures how to be recovered and applied.

shall, upon Proof of the Offences respectively before any of the said respective Trustees, or any Seven or more of them, for the District wherein such Offence shall be committed, or any One Justice of the Peace for the County or Place wherein the Offender shall be or reside, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witness or Witnesses (which Oath any Two of such Trustees, or any One of the said Justices, is or are hereby impowered and required to administer, without Fee or Reward) be levied by Distress and Sale of the Goods and Chattles of the Party or Parties offending, by Warrant or Warrants under the Hands and Seals, or Hand and Seal, of any Seven or more of such Trustees, or of any such Justice (which Warrant or Warrants such Trustees or Justice is or are hereby impowered to grant for those Purposes) and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattles, and the Penalties, Forfeitures, and Fines, when paid or levied, shall be (if not otherwise directed to be applied by this Act) from time to time, paid to any Seven or more of the said Trustees for such District, or to their Treasurer, and shall be applied in the Repair of the Road within such District; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any Seven or more of the said respective Trustees, or such Justice, and he and they is and are hereby authorized and required, by Warrant or Warrants under his and their Hand and Seal, or Hands and Seals (which Warrant or Warrants he and they are hereby authorized and impowered to grant) to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of the County or Place wherein such Offence shall be committed, there to remain, without Bail or Mainprize, for any Time not exceeding Two Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

Overplus of the Money to be returned to the Owner.

For want of Distress Offender to be committed.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at any General Quarter Session of the Peace, to be held for the County or Place wherein the Cause of Complaint shall arise, and within Four Ca-

Persons aggrieved may appeal to the Quarter Sessions, &c.

lendar Months after the Cause of such Complaint shall haveil arisen, such Appellant first giving, or causing to be given, Ten intire Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Trustees, 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 Surties, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at the Quarter Sessions; and the said Justices at the said Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal, in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Session shall be final, binding, and conclusive, to all Intents and Purposes.

Notice of Appeal to be given.

Recognizance to be entered into.

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any 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, on Account of any Default or want of Form in the Summons, Conviction, Notice, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, may recover full Satisfaction for the Special Damage, in an Action upon the Case.

Distress not to be deemed unlawful for want of Form only;

nor the Party distraining be deemed a Trespasser *ab initio*.

And be it further enacted by the Authority aforesaid, That no Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted, in or relating to the Execution of this Act, shall be vacated or quashed for want of Form, or be liable to be removed by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at Westminster; any Law or Statute to the contrary notwithstanding.

Proceedings not to be quash'd for want of Form only;

nor removable by *Certiorari*.

And be it further enacted by the Authority aforesaid, That the Trustees for the said First District, or any Eleven or more of them, shall meet at the House of Edward Birch, known by the Sign of the Star in Staffordto aforesaid, on the First Day of May, One thousand seven hundred

Times and Places of Trustees Meeting.

hundred and sixty one; and that the said Trustees for the Second District, or any Eleven or more of them, shall meet at the House of Robert Silvester, known by the Sign of the George in Wolverhampton aforesaid, on the Fourteenth Day of April, One thousand seven hundred and sixty one; and the said respective Trustees, or any Eleven or more of them, being so assembled, shall proceed to the Execution of this Act, and shall then, and from time to time afterwards, adjourn themselves, and meet at such Place and Places, within or near such respective Districts, as they the said respective Trustees, or any Seven or more of them, shall, from time to time, think most convenient, not exceeding from Lady-day to Michaelmas Two Months, and from Michaelmas to Lady-day Three Months, for putting this Act in Execution: And if at any Meeting or Meetings appointed to be held by virtue of this Act, there shall not appear a sufficient Number of Trustees to act, or to adjourn to another Day, that then the Clerk or Clerks to the said Trustees respectively shall, from time to time, as often as such Case shall so happen, by Notice in Writing, to be affixed upon all the Turnpikes which shall then be erected within the respective District, at least Ten Days before the next Meeting, appoint such Trustees respectively to meet at the Place where the last Meeting was appointed to be held, on the Fourteenth Day after the Day for which such last Meeting was appointed: And the said Trustees, at all their Meetings, shall defray their own Expences; and that all Orders and Determinations of the said respective Trustees, in Execution of this Act, shall be made at Meetings to be held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be made, unless the Majority of the Trustees present at a Meeting shall concur therein, such Majority not being less than the Number of Trustees by this Act authorized to make any such Order or Determination; nor shall any such Order or Determination be revoked or altered at any subsequent Meeting, unless Fifteen Trustees shall be present; nor shall any Trustee be capable of acting in the Execution of any of the Powers hereby granted, during the Time that he shall hold any Place of Profit under this Act; but all such Trustees as are Justices of the Peace, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees.

In Default of a sufficient Number to act,

Notice to be given of another Meeting.

Trustees to defray their own Expences.

Trustees not to act but at a publick Meeting.

No Order made to be reversed by a less Number than were present at the making of it.

No Order made shall be repealed, unless 15 Trustees be present.

No Trustee to accept of any Place of Profit arising from the Tolls.

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

And be it further enacted by the Authority aforesaid, That upon the Death or Refusal to act of any of the Trustees, hereby appointed, or hereafter to be chosen for the said Districts respectively, it shall be lawful for the surviving

On Death or Removal of Trustees, others to be chosen.

or

or remaining Trustees of such District respectively, or any Eleven or more of them, from time to time, to elect One other Person to be a Trustee, in the Room of every Trustee so deceased or refusing to act; but Notice in Writing of the Time and Place of Meeting for every such Election, shall be fixed upon all the Turnpikes, within such respective District, at least Ten Days before every such Meeting; and all Persons who shall be so elected, are hereby vested with the same Powers for the putting this Act in Execution, as the Persons in whose Places they shall be respectively chosen were vested with. Notice to be given of such Election.

Provided always, and it is hereby enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee, in either of the said Districts, in any Case in Execution of this Act, unless, at the Time of his acting therein, he shall have, or be seised of, in his own Right, or in the Right of his Wife, and be in the actual Possession and Enjoyment, or Receipt, of the Rents, Issues, and Profits, of a Real Estate, in Law or Equity, of the clear yearly Value of Fifty Pounds above Reprizes, or possessed of a Personal Estate alone, or a Real and Personal Estate together, to the Amount or Value of One thousand Pounds, or be Heir Apparent of a Person possessed of an Estate in Land of the yearly Value of One hundred Pounds above Reprizes: And if any Person or Persons, hereby disqualified or declared to be incapable to act in the Trust aforesaid, shall in any wise act as a Trustee in the Execution of this Act, every such Person, for every such Offence, shall forfeit the Sum of Fifty Pounds, to be recovered by any Person who shall sue for the same, in any of His Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Bill, Suit, or Information, wherein no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed; One Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety shall be applied in such Manner as the Tolls, granted and made payable by this Act in such respective District, are directed to be applied and disposed of. Qualification of Trustees. Penalty on acting if not qualified.

Provided always, and be it enacted by the Authority aforesaid, That no Nomination, Information, Contract, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by, any Trustee or Trustees, or Justice or Justices of the Peace, or exhibited before them, relating to the Execution of this Act, shall be chargeable with any Stamp Duty whatsoever. Writings to be without Stamps.

Commencement and Continuance of the Tolls.

And be it further enacted by the Authority aforesaid, That the Tolls or Duties hereby granted, shall take Place and have Continuance only from and after the Sixth Day of April, One thousand seven hundred and sixty one, for and during the Term of Twenty one Years, and from thence to the End of the then next Session of Parliament.

Proceedings to be enter'd in a Book.

Provided always, and be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said respective Trustees, or any Seven or more of them, shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings so entered, shall be signed by the Clerk or Clerks, at any Meeting of the said respective Trustees, or any Seven or more of them assembled, as the Case shall require, and such Orders shall

Books may be read in Evidence.

be deemed and taken to be original Orders; which said Book or Books, and also the said Book directed to be kept for registering the said Mortgages, Assignments, or Transfers, or any Transcript thereof, shall and may be produced and read in Evidence in all Courts whatsoever.

Limitation of Actions.

Provided always, and be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, until Twenty Days Notice shall be thereof given to the Clerk or Clerks to the said respective Trustees, or after sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Fact committed; and every such Action or Suit shall be laid or brought in the County where the Offence shall be committed, and not elsewhere; and the Defendant and Defendants, in every such Action or Suit, shall and

General Issue.

may at his Election plead Specially, or the General Issue, Not Guilty, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if the same shall appear to be so done, or that such Action or Suit shall be brought before Twenty Days Notice shall be thereof given as aforesaid, or after a sufficient Satisfaction made, or Tender as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County than as aforesaid; that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendants shall have appeared; or if, upon Demurrer, Judgement shall

be given againſt the Plaintiff or Plaintiffs; then the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch other Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law. Treble Coſts

And be it 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

FINIS.