Anno ſecundo

Georgii III. Regis.

An Act for amending and widening the Road from the Market Houſe in *Stourbridge*, to *Colly Gate* in *Cradley*; and from *Pedmore* to *Holly Hall*; and from *Colly Gate* to *Haleſowen*; and from the Turnpike Road on *Dudley Wood*, to *Rednal Green*, in the Pariſh of *King's Norton*; and from *Carter's Lane* to the *Bell Inn* at *Northfield*, in the Counties of *Worceſter*, *Stafford*, and *Salop*.

WHEREAS the Road leading from the Market Houſe in Stourbridge, in the County of Worceſter, through the Lye, and the Hayes, to Colly Gate, in Cradley, in the ſaid County; and alſo the Road from Pedmore, in the Turnpike Road leading to Bromſgrove, by the Lye Forge over the Thorns, in the Pariſh of Kingſwinford, in the County of Stafford, to Holly Hall, in the Turnpike Road leading to Dudley; and alſo the Road from Colly Gate aforeſaid, to Haleſowen, in the Counties of Worceſter and Salop; and alſo the Roads leading from the Turnpike Road on Dudley Wood, by Withymoor Mill, up Powke Lane, and acroſs Blake Heath, through Long Lane, and through Carter's Lane, Preamble.

in the Pariſh of Haleſowen aforeſaid; and from thence through the Pariſhes of Northfield, Frankley, and King's Norton, in the County of Worceſter, to Rednal Green, in the ſaid Pariſh of King's Norton; and from Carter's Lane aforeſaid through Merrit's Lane to the Bell Inn at Northfield aforeſaid, in the Turnpike Road leading from Birmingham to Worceſter, are in a ruinous Condition, and in ſome Places very narrow and incommodious for Carriages and Paſſengers; and the ſaid Roads cannot be properly 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 Sir John Aſtley Baronet, Thomas Addyes, Clement Acton, John Aſh M. D. John Archer, Edward Audley, Thomas Aſhwell, John Aynſworth, Thomas Archer, George Anderton, Joſhua Allen, Joſhua Aldin, John Ainghworth, Thomas Amphlett, Richard Ainghworth, John Allen, John Aſtbury, Joſeph Auſtin, Nathaniel Adey, Vincent Acton, John Adams, Richard Adams, George Adams, John Aron, William Aron, Jonathan Adey, the Honourable Henry Archer, John Amphlett, the Reverend Henry Antrobus, Thomas Addenbrook, Jeremiah Addenbrook, the Reverend John Atwood, Joſeph Aſton, Sir Orlando Bridgman Baronet, Egerton Bagot, George Birch, Joſeph Bloxſidge, Nehemiah Bague, William Boden, Robert Bloomer, James Bayley, Thomas Bingham, John Baskerville, Daniel Bond, Matthew Boulton, William John Banner, Mathias Barker, Samuel Bradburne, Randal Bradburne, William Bentley, Luke Bell, John Ballaers, James Baker, Stephen Bedford, John Beete, John Barber, John Baddely ſenior, John Baddely junior, John Benton, Edmund Birch, George Birch, John Bedford, Thomas Blockley, Arthur Bagſhaw, Thomas Beſt, John Bate, John Beſt, Benjamin Beſt, Joſeph Beſt, Henry Bate, Thomas Brettell, Edward Bellamy, John Buttler, Joſeph Bradley, John Bradley the younger, John Badger, Wildſmith Badger, Joſeph Badger, George Boraſton, William Boraſton Clerk, Benjamin Beale, Nicholas Bennett, John Baker of Wareſley Green, Thomas Beſt Clerk, John Brook Clerk, John Bradley, William Bowyer, George Birch, John Bellares, Carter Barton, William Burton, William Boraſton, Jacob Bayliſs, John Bate, Samuel Boucher, James Boucher, Edward Blakeway, Francis Beſt, John Blakeway, John Baker of Kidderminſter, John Broome, John Broome junior, Joſeph Brecknell,

Truſtees Names.

C

Brecknell, John Brecknell, Humphirey Brookes, James Brazier, John Bill, John Bell, John Bate of Stone, William Bagott, William Baker, Francis Baker, Thomas Brett, John Baylis, James Bayliſs, Richard Bayley, John Brett, William Brett, Thomas Bourn, Thomas Birch, Thomas Bolton, Bridgewood, the Reverend Edward Beſt of Bilſton, Richard Baker, Philemon Baylies, Michael Biddulph, William Bendy, John Baddily, Edward Badger, Benjamin Brettle, Jeremiah Brettle, Elijah Barrow, John Brown, William Barker, Francis Barker, William Barret, 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, Thomas Bradney, Thomas Bourn of Pen, William Craven, Samuel Cox, Robert Coales, Richard Cleeve, Peter Capper, Thomas Cecill, Henry Carver ſenior, John Cambden, Thomas Carr, Samuel Cotton, Thomas Cox Clerk, John Cooper, Joſeph Cotterell, Henry Carver junior, John Cope, John Caldwell, Edward Cope, John Clarke, John Clark, the Honourable John Bulkley Coventry, Thomas Cookes, Daniel Clark, William Blow Collis, John Creſwell the elder, John Creſwell the younger, Thomas Collins, John Cooke, Joſeph Cox, Samuel Crane, Serjant Crane, George Crow, Richard Colley, John Croſſall, Francis Clare, George Clark, Abraham Crane, Joſeph Cottrell, Thomas Carleſs, the Reverend Robert Job Charlton D. L. John Cooper, Richard Cooper, John Clymer, Richard Clymer, Henry Crane, Henry Crane the younger of Kidderminſter, John Cooper Surgeon, Jonathan Cotton, Joſeph Callow, John Cheeſe, Rowland Carr, Samuel Clarke, Jervoiſe Clarke, Richard Caſe, Jeremiah Caſwell, Richard Croydon, Richard Crutchley, Charles Corbett, William Coleborn, Moſes Cottrell, William Cox, Edward Cox the younger, Richard Crane the elder, Ferdinando Cardale, Joſeph Cartwright, William Crowder, Edward Crowder, William Croft, Richard Croft, John Cox, Richard Dovey Clerk, Anthony Dean ſenior, Anthony Dean junior, James Dolphin, James Dalloway, Joſeph Dalloway, Joſeph Duncomb, John Daws, John Davies, John Dalloway, Thomas Danks, Edward Davies, George Dalloway, William Dowdeſwell, John Dovey, Henry Bowles Downing Clerk, Edward Dovey, Oliver Dixon of Stourbridge, Oliver Dixon of Dudley, Joſeph Dixon the younger, Richard Dancer, Joſiah Durant Clerk, John Durant Clerk, Rupert Dovey, Robert Dallaway, George Davis, George Duncomb, Stint Duncomb, Henry Darby, Henry Dowler, Henry Dowler junior, John Dutton, John Dovaſton, the Reverend Joſeph

ſeph Deakin Clerk, the Reverend Joſeph Dixon, William Deakin, William Denham, John Ditheridge, James Dewey, Thomas Davenhill, William Dean, John Dunton, Joſeph Dixon Walſter, Thomas Dudley, John Dudley, Henry Eaſt, William Evetts, Thomas Everitt, John Eaves, John Evans, Charles Elſton, John Edge Cleth, Meredith Evans, John Edge Clothier, Richard Edge, Homer Edwards, James Evans, James Eykin, John Eykin, William Free, James Farmer, John Farmer, John Fothergill, John Flowry, John Freer, Sampſon Freeth, Samuel Freeth, Thomas Falconbridge, John Foſter, Thomas Fowley, Benjamin Farmer, John Fleeming the younger, Humphrey Fleeming, John Foxall, John Fidkin, Robert Fidkin, Samuel Farmer, Francis Freckleton, William Findl, John Finch, John Fleeming, Stephen Faulkner, Thomas Fellow, Thomas Forſter, the Reverend Benjamin Fieldhouſe, Sir Henry Gough Baronet, the Honourable Harry Grey, commonly called Lord Grey, the Honourable Booth Grey, the Honourable John Grey the elder, the Honourable John Grey the younger, William Groom, William Grove, Thomas Gill, Henry Grove, Stephen Griffin, John Gill, John Godwin, Thomas Golding, Richard Green, John Grove, William Green, William Greaves, Francis Goodhall, John Gold, Thomas Green Clerk, John Gray, Walter Gough, Joſeph Glover, William Groſvenor, John Goddington, William Guiſe, Edward Griffith, John Gardiner of Wolverley, William Gaſhill, Jonathan Greir, William Gueſt, Richard Goſling, the Reverend Richard Groome, John Groome, John Gibbons, Thomas Gibbons the younger, William Gibbons, Joſeph Green, Jonathan Green, William Geaſt, John Gorton, Stephen Gorton, John Godwin, John Granger, Thomas Gibbons the elder, William Gibbons of Ettingſal, Michael Grazebrooke, Benjamin Gibbons, Humphry Gibbons, John Green, Sir Liſter Holt Baronet, Charles Holt, Andrew Hackett ſenior, Thomas Hoo, Andrew Hackett junior, Joſeph Harvey M. D. Henry Hinckley M. D. Bracebridge Hawksford, John Hedger, Thomas Hadley, Thomas Highway, Francis Hurd, Joſiah Honeyborne, John Clay Hallen, William Heath, Moſes Harper, Michael Hutchinſon, Samuel Harvey, Richard Hobbs, Edmund Hector, Henry Henn, Joſeph Harris, John Harris, James Horton, Joſiah Horton, David Hallen, Joſiah Hunt, John Humphrys, William Holden, Abel Humphrys, John Horn, John Haden, Joſhua Hurſt, William Harvey, Thomas Hunt, Thomas Hadley, Samuel Hanſon, Joſeph Hanſon, Corbett Hale, Charles Harris Clerk, John Harris, Jeſton Homfray, Francis Homfray the elder, Francis

Homfray

Homfray the younger, John Haden, Edward Hickman, Gregory Hickman, Thomas Hancox, Francis Hancox, Rowland Hill, Thomas Horton, Joſhua Hemus, Thomas Hill, John Hancox, John Hill, Francis Hill, Joſeph Hancox of Kidderminſter, the Reverend John Hopkins, Thomas Harris, Charles Heath, William Hurtle, Richard Hollins, Thomas Hawkes, John Hodgetts, Richard Hollins, John Harris, John Hurtle, Henry Hollier ſenior, Henry Hollier junior, George Hallen, William Holden, John Holden, James Horton, John Horne, Richard Hicks, Thomas Hicks, Gregory Hicks, Thomas Hornblower, Joſia Hunt, Thomas Hanſon, Thomas Harris, John Hayley, William Hill of Wolverly, Moſes Harper, Charles Heath, Joſeph Holk, Serjeant Hornblower, Benjamin Hanbury, Jacob Heſtop, Francis Hancox, Richard Horton, Thomas Harriſon, John Haynes, John Hill of Stone, Joſeph Holt, William Heath, Edward Hale, John Hale, Haley, John Scott Hylton, Thomas Horton, Peter Hinckes, Samuel Hellier, William Hodgetts, Thomas Hodgetts, Waldron Hill, Benjamin Hughes, Thomas Homer, Harry Homer, the Reverend Joſeph Honeyborne, Thomas Hill the younger, Joſeph Hill, Robert Honeyborne the elder, Robert Honeyborne the younger, Thomas Hill the elder of Colebornbrook, Richard Hickman, John Haycock the elder, John Haycock the younger, Edward Harper, Thomas Hickin, John Heſketh, Thomas Hodgetts of Dudley, James Haden, Herbert Hancox, Abiathar Hancox, Thomas Hawkes, William Homer, John Hanſon, John Hicken of Harritſhayes, Henry Hanneage, John Ireland, Joſeph Johnſon, John Iddins, George Jones the elder, George Jones the younger, John Iddins the younger, Iddins, Walter Jordan, Samuel Jones of Sandy Town, John Jeſſon Attorney, John Jarvis, Joſeph Jones, William Jennings, Richard Jervoiſe, Triſtram Huddleſton Jervoiſe, George Jervoiſe, Richard Jorden the elder, Richard Jorden the younger, Thomas Jorden, Thomas Jackſon the younger, John Kettle, William Kettle, John Kendrick, John Kempſon, James Kempſon, Joſeph Kindon, Edward Knight, Edward Knight junior, James Knight, John Knight, William Kettle, John Kettle, Richard Keelinge, John Keelinge, Willis Kempſon, William Bradley Keelinge, the Honourable Thomas Lyttelton, Sir Edward Littleton Baronet, Simon Luttrell, Thomas Lane, Thomas Lawrence, John Lane, Sampſon Lloyd ſenior, Sampſon Lloyd junior, Mathew Linwood, Jonathan Lawton, Thomas Lutwyche, John Low, Thomas Lewis, Gerrard Langmore, Thomas Low, Samuel Lavender of Wildon, John Lamb, John Lea, John Lea junior, Francis Lea, Joſeph Lea,

Thomas Lea, William Lea, John Lacy, George Linſdale, John Lilley, James Lamb, William Lott, Robert Laſcelles, William Henry Lyttelton, Lloyd, Thomas Lloyd, Humphry Lyttelton, Hancock, John Low, William Lea, Edward Low, Richard Law, Sir Charles Mordaunt Baronet, Anthony Mainwaring, Thomas Minors, Robert Moor, James Male, John Middleton, John Moody, William May, Charles Magenis, John Martin Clerk, Thomas Milward, Joſeph Morris, William Mee, William Mince, Mathews, Stephen Miles, Abraham Miles, John Marſhall, John Molineux, John Manley, James Marſh Clerk, William Manſell, Thomas Manuder, Benjamin Molyneux, John Maſon, William Moor, Thomas Moor, John Marſton, Walter Acton Moſely, James Moſeley, Simon Mountfort, William Maſon, James Mallen, Francis Moſs, Benjamin Male, Richard Moore, Samuel Morris, Thomas Moſs, William Hateley Noble, Jaſper Newberough, Thomas Northall, Richard Nock, Hungerford Oliver, Thomas Orton, Edward Oldnall, William Oldnall the elder, William Oldnall the younger, John Oldnall of Chaddeſley, John Overs, Joſeph Oughton, Walter Oakley, the Reverend Oakes, John Perrott, Girton Peak, the Reverend Pixell, Edward Patteſon Clerk, John Perry Clerk, Samuel Pemberton, John Parks, Richard Parks, James Wyke Perrott, Richard Pardoe, Thomas Pemberton, Francis Perrott, Edward Palmer, Thomas Porter, Henry Perkins, Edmund Wace Patteſon, John Powell, Joſeph Porter, Edmund Pytts, Walford Phillips, John Pidcock, Nathaniel Pidcock, Joſeph Parkes, James Payton, Nicholas Parker, Henry Parker, William Pike, Thomas Pargiter of Cradley, John Pool, William Pool, James Pratt of Wildon, Pickering, William Pargiter the elder, William Pargiter the younger, James Pratt, Thomas Pratt, John Pidcock the younger, James Prattinton, William Prattington, John Patten, John Penn, Adam Prattington, Thomas Prattington, Thomas Prattington junior, Nicholas Pearſball, Nicholas Pearſball junior, Ralph Powell, James Pardoe, Joſeph Prattington, Philip Penn, Nicholas Penn, Henry Penn, Joſeph Pearſon, John Pearſon, Richard Price, Thomas Watſon Priks, Edward Parker, John Pagett, Thomas Pargiter, William Patteſon, William Powell, Joſeph Parſons, Joſeph Palmer, Thomas Price, Richard Perſehowſe, the Reverend William Pigott, the Reverend Richard Parker, the Reverend Other Philpot, Thomas Newton of Corbins Hall, John Parſons, Thomas Peach, Peter Payton, Thomas Parker, William Parkes, John Perſehowſe, Benjamin

Benjamin Pickrell, Phillips Pen, Henry Payton, James Payton, John Roebuck M. D. John Ryland, John Ruſſell, Thomas Ruſſell, Jonathan Ruſton, John Rann, Benjamin Rann, Richard Rabone, William Ruſſell, Samuel Richards, Samuel Ray, Thomas Rogers, Thomas Rogers the younger, Edward Ruſſell the elder, Edward Ruſſell the younger, Richard Roe, Thomas Raybold the elder, Thomas Raybold the younger, Michael Raybold, Thomas Robins, Samuel Read, Joſeph Radnall, Thomas Robins, Samuel Read junior, William Rathbone, Joſeph Read, Thomas Richardſon, John Read, Thomas Radford junior, William Roſe, William Reynolds, Henry Roberts, John Reynolds, William Romney, James Raby, John Reynolds of Henvington, John Richardſon, William Ruſſell, John Rogers, William Richardſon, John Ruſton, William Roe, Joſeph Roe, Abraham Spooner, Charles Stuart, Joſeph Smallwood, Thomas Shaw, Joſeph Smith, Iſaac Spooner, Charles Sanders, John Simons, John Sheperd, Chriſtopher Stedman, John Smith, Thomas Smith, George Smith, John Soley, Jacob Smith, William Sanders, Read Shaw, William Scott, James Shaw, Hayward Shaw, William Scott the younger, John Scott, Thomas Savage, George Southall the elder, George Southall the younger, George Stoakes of Kinfare, John Spencer, Joſeph Smith of Sandy Town, John Symonds, John Spencer, William Smith of Bromſgrove, John Spencer, Richard Stanſall, John Steward of Stone, Joſeph Smith, John Smith, Samuel Stubbs, Walter Stubbs, Thomas Sambrooke, Richard Slaney, John Smith Stephens, Jeremiah Smith, Gilbert Steward, George Smith, Samuel Skye, John Skye, William Skye, Jonathan Skye, Joſeph Sheward, Sheward, Thomas Saunders, Admiral Thomas Smith, William Shenſtone, Thomas Smith, William Smith, John Soley, the Reverend Thomas Lockey Soley Clerk, John Soley junior, Benjamin Stokes, Ignatius Smith, John Smith, John Southwick, Richard Savage, Daniel Shaw, Adam Read Shaw, Joſeph Stokes, John Stone, Thomas Seager, William Sheldon, William Sheldon the younger, John Stokes, Francis Stokes, John Sheldon, Thomas Sheldon, Thomas Symkiſs, Daniel Short, Humphry Short, John Simmons, George Southall, Thomas Saunders, Francis Stuart Attorney, George Saunders, John Taylor, John Turton M. D. William Taylor Druggiſt, William Taylor Button-maker, Thomas Tippin, Thomas Price, William Tovey, Joſeph Thomas, John Taylor junior, James Taylor ſenior, James Taylor junior, John Tibbatts, Samuel Twigg, John Turner, Thomas Thorley, John Turton of the Brades, Price Thomas, John Jennings Thomas, William

Turton, Theophilus Thomas, William Turner, John Triſtram, William Tilt, Matthew Triſtram, Joſhua Tilt, Thomas Tilly, Abraham Turner, George Tomlinſon, Samuel Twamley, William Talbott, Thomas Triſtram, Edward Toye, Samuel Twamley, Samuel Talbott, Edward Thomas, Edward Thomas the younger, Abraham Thomas, William Turner, James Troubee, Thomas Tomkys, Benjamin Taylor, Benjamin Taylor the younger, William Talbott of Wolverley, John Turton, George Taylor, Abraham Turner, John Twigg ſenior, John Twigg junior, William Taylor, John Tomlinſon, Nathaniel Taylor, John Tongue, William Tongue, Thomas Talbot, John Turton of Cotwallend, William Turton, Tomkis of Harritshayes, William Vyſe Clerk, Henry Venout, Thomas Valland, Thomas Vernon, William Vernon Clerk, Thomas Vernon of Bromſgrove, Joſeph Underell, Thomas Warden Clerk, John Wyrley, John Walters, Joſeph Wilkinſon, John Walker, Richard Walters, Joſeph Webſter, John Wheeler, Samuel Walford, Joſeph Walker, William Welch, Thomas Ward, John Ward, John Wilkins, John Walford, John Wateley, Thomas Wateley, Richard Woodward, William Wrenford, Joſeph Willetts, Joſeph White, John White, William Ward, Elias Wallin, the honourable John Ward, the Reverend George Wigan D. D. Paul White Clerk, Francis Whitton, Thomas Worrall, William Waldron the elder, William Waldron the younger, Edmund Wells, John Wells, William Watkins, Thomas Weld, John White, Joſeph White, Paul White, Thomas Whittingham, Thomas Waldron, Edward Waldron, William Wallis, Thomas Wheeler, the Reverend John Welch Clerk, Richard Willitts, John Wood, Benjamin Winwood, Thomas Werrell, John Wall, Richard Wall, John Watſon, William Wallis, Thomas Woodward, William Winnall, William Williams, Thomas Weeler of Wolverley, Thomas Weeler of Hartlebury, Allen Weeler, Thomas Wilkins, Henry Wood ſenior, Henry Wood junior, Samuel Watford, William Williams, John Whately ſenior, John Whately junior, John Wickin junior, John Walter, John Ward, Walter Woodcock, John Waugh Clerk, John Wylde Clerk, William Wallis, Henry Welch, Harry Wagſtaffe, William Whight, William Whitehouſe, the honourable William Ward, the Reverend Sir Richard Wrottesley Baronet, John Wrottesley, Edward Whitby, the Reverend William Wight, Henry Wainwright, the Reverend Matthew Willmot, John Williams, Edward Walters, Thomas Wainwright Surgeon, John Wood the younger, Benjamin Winwood, John Walford, Thomas Bradley Clerk, Thomas Biſſell, Thomas Bate,

Truſtees may ſell Part and all Houſes,

and take the Lowing of Wills thereof.

Bate, James Boucher, William Chance, Capell Cook, William Yate Clerk, Thomas York, Edward Perſehouſe, William Parſiter, Bromwell Powell, William Plymley, Samuel Parkes, Rolt Pretty, Edward Pearſon, Richard Parſons, John Parker, John Pretty, George Pearpoint, Sheldon Porter, Rolt Robinſon, Edward Rhodes, Thomas Adames Clerk, Benjamin Briſcoe Clerk, William Barnſley, Samuel Birch, Jacob Briſcoe, John Bourn, John Crane, Richard Cooks, John Gamblett, Henry Gueſt, Jonathan Green, Richard Goſling, Samuel Galton, John Gueſt, Joſhua Glover, Samuel Garbett, Thomas Gisborne, Thomas Hadley, Muſchamp Jevons, Sir Richard Lyttelton Knight of the Bath, Benjamin Lea Clerk, Charles Lea, William Milward, Samuel Male Clerk, Joſeph Male, John Pearſall Clerk, Edward Paſton, Samuel Powell, William Smith, Ferdinando Smith, Thomas Smith, Edward Spencer, John Saunders, Pinſon Wilmott Clerk, Pinſon Wilmott junior Clerk, Thomas Waite, Thomas Waite junior, Walter Woodcock junior, Joſhua Wakeman, John Saunders, ſhall be, and they and their Succeſſors, ſo be elected in Manner as is herein after mentioned, are hereby appointed Truſtees, for the amending, widening, and keeping in good Repair, the ſaid Roads, and alſo for putting in Execution all the Powers by this Act given and granted.

Truſtees may erect Turnpikes and Toll-houſes;

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall and may, from time to time, cauſe to be erected and ſet up One or more Gate or Gates, Turnpike or Turnpikes, Toll-houſe or Toll-houſes, in, upon, acroſs, or on the Sides of, any Part or Parts of the ſaid ſeveral Roads, or acroſs any Lane or Way leading into the ſame, and alſo remove the ſame, from time to time, as they, or any Seven or more of them, ſhall think proper, the Conſent in Writing of ſuch Perſon or Perſons who ſhall have lent Money thereon being firſt obtained; provided that no Turnpike or Gate be erected on any Part of the Road on Blake Heath, or Penſnet Common, or at any Place between Blake Heath and Penſnet Common; any thing herein contained to the contrary notwithſtanding.

and take the following Tolls thereat.

And be it further enacted by the Authority aforeſaid, That the reſpective Tolls following ſhall be demanded and taken by ſuch Perſon or Perſons as the ſaid Truſtees, or any Nine or more of them, ſhall, from time to time, appoint for that Purpoſe, before any Horſe, Mare, Gelding, or other Cattle, Coach, Waggon, or other Carriage, ſhall be permitted to paſs through any

any Gate or Turnpike to be erected in pursuance of this Act; that is to say,

The Tolls.

For every Horse, Mare, Gelding, or other Beast drawing any Carriage, Three Pence.

For every Horse, Mare, Gelding, 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.

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.

Tolls to be levied by Distress and Sale.

Which said respective Sums of Money shall be demanded and taken in the Name of and 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 or refuse to pay the same, or any Part thereof, it shall be lawful for such Person or Persons appointed to collect the said Tolls as aforesaid, to levy the same by Distress of any Horse or Horses, or other Cattle, together with their Furniture, or of any Carriage, upon which any Toll is by this Act imposed, or of any of the Goods and Chattles carried or drawn by or on such Cattle or Carriage, or of any of the Goods and Chattles of such Person and Persons who ought to pay the said Tolls respectively: And if such Tolls, and the reasonable Charges of such Distress, shall not be paid within the Space of Five Days after such Distress made, such Person or Persons so distraining may sell the Horses, Cattle, Furniture, Carriages, and Goods, so distrained, returning the Overplus (if any) upon Demand, to the Owner thereof, after such Tolls, and reasonable Charges of distraining, keeping, and selling the same, shall be deducted and paid: And that all the Tolls and Money so to be collected or levied, and the Monies borrowed on the Credit thereof, shall be, and are hereby, vested in the said Trustees, and shall be paid, applied, and disposed of, to and for the several Uses, Intents, and Purposes, and in such Manner as is herein after mentioned.

Distress may be sold after 5 Days.

Tolls vested in the Trustees.

Tolls to be paid but Once a Day.

Provided always, and be it further enacted by the Authority aforesaid, That no more than One Toll shall be paid in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) for the same Horse, Beast, Cattle, or Carriage, at all or any of the Turnpikes erected, or to be erected, as aforesaid; but that all Persons, after Payment

ment of One Toll upon any Part of the said Roads, shall afterwards, during the Day on which such Toll shall have been paid, pass with the Horse, Beast, Cattle, or Carriage, in respect whereof such Toll was paid, through all the Turnpikes erected, or to be erected, in pursuance of this present Act, Toll-free, upon producing a Note or Ticket, denoting the Payment of such Toll; which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis on the Receipt of the Toll.

Penalty on giving or receiving Tickets, to avoid Payment of the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall offer or dispose of any such Ticket to any Person or Persons, in order to evade the Payment of any of the Tolls aforesaid, every such Person or Persons so offering or disposing of such Ticket, and the Person or Persons receiving and making use of the same, shall respectively forfeit the Sum of Forty Shillings.

Penalty on Persons going thro' or permitting private Passage, or taking off Horses, &c. to avoid paying the Tolls.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, owning or occupying any Land near to any of the said Turnpikes, shall permit or suffer any Person or Persons to pass through any Gate, Passage, Field, Inclosure, or private Way, with any Coach, Waggon, or other Carriage, Horse, or other Cattle; or if any Person or Persons shall pass through any such Gate, Passage, Field, Inclosure, or Private Way, with any Cattle or Carriage as aforesaid, whereby the Payment of any of the said Tolls, or any Part thereof, shall be avoided; or if any Person or Persons shall take off, or cause to be taken off, any Horse, or other Cattle, from any such Carriage, with an Intent 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 Part of the said Roads, any Cattle or Carriage as aforesaid, with such Intent as aforesaid, every Person so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Forty Shillings.

Exemptions from Tolls.

Provided always, and be it enacted and declared by the Authority aforesaid, That no Tolls shall be demanded or taken for any Cattle or Carriage going empty or unloaden for, or returning loaden only with, Stones, Bricks, Gravel, or other Materials, for repairing the said Roads, or any Part thereof, or for repairing the Highways in any Parish through which the said Roads directed by this Act to be repaired do lead, or in any of the adjoining Parishes; or for any Cattle or Carriage used or employed only in the drawing or carrying of any Dung, Mould, Compost, or other Manure, of what Nature or Kind soever, to be used in manuring or improving of Lands, Lime only excepted; or for any Cattle or Carriage used

or employed in the drawing or carrying of any Hay, Straw, or Corn in the Straw, to be laid up in the Houses, Out-houses, Barns, Yards, or other Places, belonging to the respective Inhabitants of the several Townships in which any Part of the said Roads hereby intended to be repaired do lie (but not to exempt any Carts or Carriages laden with any Hay or Straw for Sale) nor shall any Toll be demanded or taken for any Ploughs, Harrows, Drays, or other Implements of Husbandry, belonging to any of the said Inhabitants, passing in order to the using or repairing the same, or any other Thing whatsoever employed in Husbandry, or for manuring or stocking of Land, in the said several Parishes and Townships in which any Part of the said Roads do lie; nor shall any Toll be demanded or taken for any Cattle belonging to any of the said Inhabitants, which shall be only going to, or returning from, Pasture or Water; or for any Post-horse carrying the Mail or Packet; or for the Horses of Soldiers upon their March, or for Cattle or Carriages attending them, or loaden only with their Arms or Baggage; or for Horses or Carriages travelling with Vagrants sent by Passes; nor for any Coaches, Berlins, Landaus, Chariots, Calashes, Chaises, Chairs, or Passengers on Horseback, going to, or returning from, any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of Worcester, Stafford, Salop, and Warwick, on the Day or Days of such Election, or on the Day before or Day after any such Election shall begin or be concluded; nor shall any Persons be chargeable with any of the Tolls aforesaid for passing through any Turnpike to be erected by virtue of this Act, going to or from Church, or any other Place of Religious Worship, on Sundays, or attending the Funeral of any Person or Persons who shall die and be buried in any of the said several Parishes in which any Part of the said Roads do lie; or for any Clergyman who shall be going to, or returning from, visiting the Sick, or baptizing Children, in any of those Parishes; nor for any Horses, Cattle, or Carriages, unless they shall pass the Space of Three hundred Yards on some Part of the Roads by this Act directed to be repaired (except such Cattle, Horses, or Carriages, as are going empty for, or returning laden with, Coals, Charcoal, Iron in Pigs, Bars, or Rods, or Lime, and shall pass through any Turnpike or Turnpikes to be erected across the Road at or near Brick Lane End, and in such Cases they shall be liable to the Payment of the said Tolls) and if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not

Separate Accounts to be kept of the Tolls

Penalty on making illegal Claims.

not being intitled to the same, such Person, for every such Offence, shall forfeit and pay the Sum of Forty Shillings.

Tolls may be lessened.

And be it further enacted and declared by the Authority aforesaid, That the said Trustees, or any Eleven or more of them, at any Meeting to be held for that Purpose, may, and they are hereby impowered, from time to time, to reduce all or any of the several Tolls hereby granted, and to order such Tolls so reduced to be collected and received in such Manner, Parts, and Proportions, as they shall think fit, so as Fourteen Days Notice be affixed in Writing upon the several Turnpike-gates which shall be erected on such Part of the said Roads where such Tolls are intended to be reduced, and so as such Reduction be with the Consent of the several Persons who shall have advanced any Money on the Credit of the said Tolls, or any Person or Persons who, at the Time of such Reduction, shall have any Money secured thereby, and to raise such Tolls again, or any Part thereof, so as the same do not exceed the respective Rates herein before granted; and such Tolls, so reduced or raised again, shall be collected, recovered, and applied, in the same Manner as the Tolls, herein before granted by this Act, are directed to be collected, recovered, and applied.

Separate Accounts to be kept of the Tolls.

And be it hereby further enacted, That all the Tolls to be collected by virtue of this Act, shall be divided into Four separate and distinct Parts and Allotments; that is to say, The Tolls arising from the Turnpike Gate or Gates, to be erected upon or on the Sides of the Road leading from the Market House in Stourbridge to Colly Gate, into One Part or Lot; the Tolls arising from the Turnpike-gate or Gates to be erected upon or on the Sides of the said Road leading from Colly Gate to Halesowen, into another Part or Lot; the Tolls arising from the Turnpike-gate or Gates to be erected upon or on the Sides of the said Roads leading from Dudley Wood to Rednal Green, and from Carter's Lane aforesaid to the Bell at Northfield, into another Part or Lot; and the Tolls arising from the Turnpike-gate or Gates to be erected upon or on the Sides of the said Road leading from Pedmore to Holly-Hall, into another Part or Lot; and that separate and distinct Accounts shall be kept of the said several Tolls respectively, and also separate and distinct Minute Books of the Transactions and Orders of the said Trustees at their respective Meetings relating to the said Roads respectively.

And

Application of the Monies.

And be it further enacted by the Authority aforesaid, That all the Costs, Charges, and Expences, incident to and attending the obtaining and passing this Act, shall be paid in the First Place in the Proportions following; that is to say, One Fourth Part thereof out of the Monies to be borrowed on the Credit of, or arising from, the Tolls to be collected on the Road leading from the Market House in Stourbridge to Colly Gate; One Fourth Part thereof out of the Monies to be borrowed on the Credit of, or arising from, the Tolls to be collected on the Road leading from Colly Gate to Halesowen; One other Fourth Part thereof, out of the Monies to be borrowed on the Credit of, or arising from, the Tolls to be collected on the Road leading from Pedmore to Holly Hall; and the remaining Fourth Part thereof, out of the Monies to be borrowed on the Credit of, or arising from, the Tolls to be collected on the Roads leading from Dudley Wood to Rednal Green, and from Carter's Lane to the Bell at Northfield; and that out of the Monies so arising from, or to be borrowed on the Credit of, the said respective Roads, after paying the Charges of passing this Act, the Expences of erecting Toll-houses and Turnpike-gates on such Roads respectively shall be paid and discharged; and that the Residue of the Money arising from the said Tolls, or to be borrowed on the Credit thereof respectively, shall be applied and disposed of in Manner following; that is to say, So much thereof as shall arise from, or be borrowed on the Credit of, the said Tolls to be collected on the said Road leading from the Market House at Stourbridge to Colly Gate, shall be applied in amending and keeping that Road in Repair, and all other necessary Charges and Expences attending the same, in such Manner as the said Trustees, or any Seven or more of them, shall direct; and so much thereof as shall arise from, or be borrowed on the Credit of, the Tolls to be collected on the said Road leading from Colly Gate to Halesowen, shall be applied in keeping that Road in Repair, and all other necessary Charges and Expences attending the same, in such Manner as the said Trustees, or any Seven or more of them, shall direct; and so much as shall arise from, or be borrowed on the Credit of, the Tolls to be collected on the said Road, leading from Pedmore to Holly Hall, shall be applied in keeping that Road in Repair, and defraying all other necessary Charges and Expences attending the same, in such Manner as the said Trustees, or any Seven or more of them, shall direct; and so much as shall arise from, or be borrowed on the Credit of, the Tolls to be collected on the said Roads leading from

from Dudley Wood to Rednal Green, and from Carter's Lane to the Bell at Northfield, shall be applied in repairing, and keeping in Repair, those Roads, and in defraying all other necessary Charges and Expences attending the same, in such Manner as the said Trustees, or any Seven or more of them, shall direct.

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

And be it further enacted by the Authority aforesaid, That the Right and Property of all the said Turnpikes and Toll-houses, and of the Materials for building the same, and for repairing the said Road, shall be vested in the said Trustees; and they, or any Seven or more of them, are hereby authorized and impowered to bring Actions in the Name or Names of any One or more of them, or of their Clerk or Clerks, Treasurer or Treasurers, or to prefer Bills of Indictment against any Person or Persons who shall keep Possession of any Gate, Turnpike, or Toll-house, after Notice given by the said Trustees, or any Seven or more of them, or by their Clerk or Treasurer for the time being, to such Person or Persons, to quit the same, or against any Person who shall steal, take away, break down, or damage, any such Gates, Turnpikes, Toll-houses, or Materials, or disturb the said Trustees in the Possession thereof.

Tolls may be assigned for Money borrowed.

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 within their respective Districts, and in such Manner as they the said 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 erected by virtue of this Act, upon such Part of the said Roads on the Tolls of which such Money is

intended to be borrowed, at least Fourteen 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.

Assignments may be transferred.

All Creditors to be deemed equal in Degree.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, at any Meeting to be held for that Purpose, by Writing under their Hands and Seals, shall and may nominate and appoint One or more fit Person or Persons to be Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, and Collector or Collectors, of the Tolls aforesaid; and also may nominate and appoint One or more fit Person or Persons to be Surveyor or Surveyors to view the Condition of the said Roads, and to see that the same be duly repaired and widened; and also such other Officers as they the said Trustees, or any Nine or more of them, shall think necessary to employ in the Execution of this Act; and it shall and may be lawful for the said Trustees, or any Nine or more of them, from time to time, to remove such Clerks, Treasurers, Receivers, Collectors, Surveyors, and other Officers, as they shall see Occasion, and appoint others in Cases of Death or such Removal, Fourteen Days Notice of the Appointment of such several and respective Officers being affixed upon the several Turnpike-gates on such Part of the Roads to which such Officers are to be appointed; and the said Tolls shall be paid after the Rates aforesaid to such Person or Persons as shall, from time to time, be so appointed to receive the same; and the said Treasurers, Receivers, Collectors, Surveyors, and other Officers, and all other Persons who shall be employed in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall from time to time, as often as they or any of them shall be thereunto required by the

Trustees may appoint Officers;

and remove them, and appoint others.

Officers to account upon Oath.

said

said Trustees, or any Seven or more of them, give unto such Trustees true and perfect Accounts in Writing under their respective Hands, of all the Monies which shall have been by them respectively collected or received, and how and to what Uses the same have been paid and applied, together with proper Receipts and Vouchers for such Payments, and shall pay all such Monies as shall remain in their Hands to the said Trustees, or any Seven or more of them, or to such Person or Persons, or to such Uses and Purposes, as they the said Trustees, or any Seven or more of them, shall direct and appoint; and that all such Officers and other Persons shall verify such Accounts upon Oath, if thereunto required by the said Trustees, or any Seven or more of them (which Oath any Two of the said Trustees are hereby impowered to administer) and if any of the said Officers or other Persons shall not give such Account, or shall refuse to verify the same in Manner as aforesaid, that then, and in any or either of the said Cases, it shall be lawful for any Justice or Justices of the Peace for the County or Place where such Officer or other Person shall reside, and such Justice or Justices is and are hereby authorized and required to make Inquiry concerning such Default in a summary Way, as well by Confession of the Parties themselves, as by the Testimony of One or more credible Witness or Witnesses upon Oath (which Oath the said Justice or Justices is and are hereby impowered and required to administer without Reward) and if any such Person shall be thereof convicted, such Justice or Justices is and are hereby required to commit the Party offending to the Common Gaol of the County where the Offence shall be committed, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account, and verify the same in Manner as aforesaid; and in case any of the said Officers or other Persons shall refuse or neglect to pay any Sum or Sums of Money to the said Trustees, or any Seven or more of them, which shall appear to remain in his or their Hands, it shall be lawful for any Justice or Justices of the Peace for the County or Place where such Officer or Person shall reside, and he and they is and are hereby authorized and required to make Inquiry touching such Neglect or Refusal in a summary Way, in Manner as aforesaid, and by Warrant under his or their Hand and Seal, or Hands and Seals, to cause all and every such Sum or Sums of Money, as shall appear to him or them to be due and unpaid, to be levied by Distress and Sale of the Goods and Chattles of such Officer or Officers, Person or Persons,

Officers refusing to account,

Justices may enquire into the Default;

ſons, rendering the Overplus (if any) after the Money remaining due, and the Charges of making ſuch Diſtreſs and Sale ſhall be deducted, unto ſuch Officer or Officers, Perſon or Perſons, upon Demand; and if ſufficient Goods and Chattles cannot be found, then the ſaid Juſtice or Juſtices, or any other Juſtice or Juſtices of the Peace, ſhall and may and he and they is and are hereby required to commit ſuch Officer or Officers, Perſon or Perſons, to Gaol, there to remain without Bail or Mainprize, until he or they ſhall have paid over ſuch Monies in Manner as aforeſaid, or ſhall have compounded for the ſame, and paid ſuch Compoſition-money to the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon as they, or any Seven or more of them, ſhall appoint to receive the ſame; which Compoſition the ſaid Truſtees, or any Seven or more of them, at any Meeting aſſembled, are hereby impowered to make.

and commit the Offender.

Truſtees to allow Officers Salaries.

And be it further enacted by the Authority aforeſaid, That out of the ſaid Tolls, or out of the Monies to be borrowed on the Credit thereof, ſuch Allowances and Compenſation ſhall be made to the Collector and Collectors, Surveyor and Surveyors, Clerk and Clerks, Treaſurer and Treaſurers, Receiver and Receivers, and other Officers to be appointed and employed as aforeſaid, for and in Conſideration of his and their Care and Pains reſpectively taken in the Execution of his and their reſpective Offices, and to ſuch other Perſon and Perſons as ſhall be aſſiſting in and about procuring the ſaid Roads to be amended, widened, or repaired, by advancing or laying out any Money, or otherwiſe relating thereto, as to the ſaid Truſtees, or any Seven or more of them, ſhall ſeem reaſonable.

Surveyors may dig Gravel, &c.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyor and Surveyors, and ſuch Perſon and Perſons as he or they ſhall appoint, to ſearch for, dig, gather, and take away, any Gravel, Furze, Heath, Sand, Stones, or other Materials for repairing the ſaid Roads, in and out of any River or Brook, or out of any Waſte or Common, of or in any Pariſh, Town, Village, Hamlet or Place, in or near which any Part of the ſaid Roads doth lie, without paying any thing for ſuch Materials; ſuch Surveyor or Surveyors cauſing to be levelled all ſuch Holes and Pits, or otherwiſe to be fenced or railed about, where and from whence any ſuch Materials ſhall be digged, gathered, or taken away, in ſuch Manner that the ſame ſhall not be dangerous to any Cattle or Travellers whatſoever, and paying for the Damages done by landing, and for going

without paying for the ſame,

levelling the Pits.

going over or through any Lands or Grounds, for or with ſuch Materials, to be aſcertained as after-mentioned; and alſo it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors, and ſuch Perſon or Perſons as he and they ſhall appoint (ſuch Surveyor or Surveyors firſt having an Order from any Seven or more of the Truſtees for that Purpoſe) to ſearch for, dig, gather, and take away, Materials, in and out of the ſeveral Grounds of any Perſon or Perſons (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Walks, or Avenue to a Houſe, or any Piece of Ground, incloſed, planted, and ſet apart as a Nurſery for Trees) paying ſuch Rates for ſuch Materials, and for the Damage done to the Owners or Occupiers of ſuch Lands and Grounds, where and from whence the ſame ſhall be digged, gathered, and carried away, or over which the ſame or any other Materials for the Repair of the ſaid Roads ſhall be carried, as the ſaid Truſtees, or any Seven or more of them, ſhall adjudge reaſonable; and in caſe of any Difference concerning the ſame, the Juſtices of the Peace, or the major Part of them, at the next General Quarter Seſſions, or at the Second General Quarter Seſſions at the fartheſt, to be holden for the ſaid County where ſuch Difference ſhall happen, ſhall and may adjudge, aſſeſs, and finally determine the ſame.

making Satisfaction to the Owners.

Juſtices to determine Differences.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Surveyor or Surveyors, and ſuch Perſon and Perſons as he or they ſhall appoint, from time to time (ſuch Surveyor or Surveyors having an Order from any Seven or more of the ſaid Truſtees for that Purpoſe) to remove and prevent all Annoyances on any Part of the Roads aforeſaid, by Filth, Dung, Aſhes, Rubbiſh, or otherwiſe; and to turn any Watercourſes, Sinks, or Drains, running into, along, or out of, the ſaid Roads, to the Prejudice thereof; and to open, ſcour, or cleanſe, any Watercourſes or Ditches adjoining to the ſaid Roads, and make the ſame as deep and as large as he or they ſhall think proper and neceſſary; and to make any new Drains in, or adjoining to, any Part of the ſaid Roads, ſo as the ſame be not made through any Garden, Orchard, Yard, Park, planted Walk, or Avenue to a Houſe, or any Plantation or Nurſery for Trees; and to cut down, lop, and top, any Trees or Buſhes growing in the ſaid Roads, or in the Hedges or Banks adjoining thereto (not growing in a Park or Garden) and to take and carry away the ſame; in caſe the Owners or Occupiers of the Premiſſes ſhall neglect to remove the ſame, or to cut down and carry away,

Surveyors may remove Annoyances, &c.

the Owners neglecting to remove the ſame after Notice,

away, such Trees or Bushes as aforesaid, or to open, scour, or cleanse, such Watercourses or Ditches, or remove such other Annoyances, for the Space of Ten 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 Trustees, or any Seven or more of them, shall be reimbursed the said Surveyor or Surveyors by such Owners or Occupiers; the same to be recovered in such Manner as the Penalties and Forfeitures are herein after directed to be recovered: And if, after Removal of any of the said Annoyances, any Person shall again offend in the like Kind, every such Person shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Charges to be reimbursed the Surveyor.

Penalty on a Second Offence.

Surveyors may make Causeways, cut Drains, &c.

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, from time to time, to make or cause to be made, Causeways and Drains in and upon any Part or Parts of the said Roads, and also Ditches and Drains through any Lands or Grounds lying contiguous thereto, and to erect Arches or Bridges upon the said Roads, or any Part thereof, or upon any Grounds lying contiguous thereto; and also to make, or cause to be made, a Road through the adjoining Lands and Grounds of any narrow or ruinous Part or Parts of the said Roads (not being the Ground whereon any House or Houses, or other Buildings stand, or a Garden, Orchard, Yard, 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 by all Passengers, Cattle, Carriages, or otherwise, as a publick Highway, whilst the old Road is repairing or widening, and till such Time as it shall be convenient for Passengers and Carriages to pass along the same, making such reasonable Satisfaction to the Owners or Occupiers of such Lands and Grounds respectively, through which any such Ditch or Drain shall be made, or on which such Arch or Bridge shall be erected, or through which any such temporary Road shall be made, for the Damages which such Owners or Occupiers respectively shall or may sustain thereby, as shall be adjudged reasonable by the said Trustees, or any Seven or more of them; and in case of any Difference concerning the same between such Owners or Occupiers and the said Trustees, that then it shall and may be lawful for the Justices of the Peace, or the major Part of them, assembled at the then next General Quarter Sessions for the County where such Difference shall happen,

erect Bridges, &c.

and make a temporary Road;

making Satisfaction to the Owners of the Grounds.

Justices to determine Differences.

happen, or at their Second Quarter Sessions at the farthest, to settle, adjudge, and finally determine, what Recompence shall be made to such Owners or Occupiers, for the Damages they shall have sustained as aforesaid.

Persons liable to repair Bridges, &c. to continue so.

Provided always, and be it further enacted by the Authority aforesaid, That where any Part or Parts of the said Roads, or where any Bridges, Brooks, Drains, and Sewers, lying in or upon, or near unto, or leading from or to, the said Roads hereby intended to be repaired, have been accustomed or ought to be repaired, cleansed, scoured, or maintained, by any particular Person or Persons, Body or Bodies Politick or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or by any of the Counties through which any Part of the said Roads do lead, all and every such Part and Parts of the said Roads, Bridges, Brooks, Drains, and Sewers, shall from time to time be maintained, cleansed, scoured, and kept in Repair, by such Person and Persons, Body or Bodies Politick or Corporate, or by such County, in such Manner as the same were respectively maintained, cleansed, scoured, and kept in Repair, before the passing of this Act.

And whereas it may be proper to widen the said Roads, and in some Cases to alter the Course of the same, by carrying the said Roads over and through certain Lands or Hereditaments which are contiguous or near to the same, in order to render the said Roads more proper or convenient for Travellers and Carriages than the present Roads; be it therefore enacted by the Authority aforesaid, That the said Trustees, or any Eleven or more of them, are hereby authorized and impowered, in case they shall think proper, at any Time or Times during the Continuance of this present Act, to widen the said Roads, or any Part or Parts thereof; or in case it shall be found necessary, to turn or alter the Course of the said Roads, or any Part or Parts thereof, and to make a new and additional Road or Roads, contiguous or near to the said Roads hereby directed to be amended or repaired, or any Part thereof, for the better Accommodation of Coaches, Carriages, and Travellers; and for that Purpose they the said Trustees, or any Eleven or more of them, shall have full Power and Authority, from time to time, during the Continuance of this present Act, to treat, contract, and agree, with the several Owners, Proprietors, Occupiers of, and Persons interested in, any Lands, Grounds, or Hereditaments, lying contiguous or near to any Part of the Roads so to be widened, turned, or altered, or through or over which any new Road or Roads shall or

Trustees may contract with Persons for the Purchase of Lands, &c. to be laid into the Road, &c.

may

may be made, for the Purchaſe of any ſuch Lands, Grounds, or Hereditaments, or for the Loſs or Damage ſuch Owners, Proprietors, Occupiers of, and Perſons ſo intereſted, or any of them, ſhall or may any ways ſuſtain by ſuch widening, turning, or altering, the ſaid Roads, or any Part or Parts thereof, or by making any ſuch new and additional Road or Roads as aforeſaid; and out of the Tolls and Duties by this Act granted, or out of any Monies to be borrowed on the Credit thereof, to pay for ſuch Lands, Grounds, and Hereditaments, and for ſuch Loſs and Damage, ſuch Sum and Sums of Money as ſhall be agreed upon between the Owners, Proprietors, Occupiers, and Perſons intereſted as aforeſaid, and the ſaid Truſtees, or any Eleven or more of them, and alſo the Coſts and Charges attending ſuch Agreements and Purchaſes reſpectively.

And whereas it may happen that ſome Perſon or Perſons, Body or Bodies Politick, Corporate, or Collegiate, Feoffees in Truſt, or others, are or may be ſeiſed or poſſeſſed of Lands, Grounds, or Hereditaments, which may by the ſaid Truſtees be thought neceſſary or proper to be taken in and added to the ſaid Roads, for turning, widening, altering, or amending, the ſame, or for making a new Road or Roads as aforeſaid, and may be incapable, by reaſon of Infancy or other Diſability, of granting or conveying ſuch Lands, Grounds, or Hereditaments, for the Purpoſes aforeſaid; be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and other Truſtees whatſoever, for and on Behalf of any Infants, Femes Covert, or Ceſtuique Truſts, and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch Lands, Grounds, or Hereditaments, to treat, contract, and agree, with the ſaid Truſtees, or any Eleven or more of them, for the Purchaſe of ſuch Grounds, Lands, or Hereditaments, or any Part or Parts thereof, and for their Intereſt therein, for the Purpoſes aforeſaid, and to ſell and convey the ſame, as Occaſion ſhall be or require; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid and effectual in the Law, to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding: And all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, Corporations Aggregate and Sole, and all

Bodies Politick, &c. impowered to treat for the Sale of ſuch Lands.

other Perſons, are, and ſhall be, hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

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

And be it further enacted by the Authority aforeſaid, That if any ſuch Owner, Proprietor, Occupier, Bodies Politick, Corporate, or Collegiate, Truſtees, or other Perſon or Perſons, intereſted in any Lands, Grounds, or Hereditaments, upon Notice to 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 Head Officer or Officers of ſuch Bodies Politick, Corporate, or Collegiate, or at the Houſe of the Tenant in Poſſeſſion of the Lands, Grounds, or Hereditaments, ſo to be taken in, and added to, the ſaid Roads, or into which any Road is to be turned or altered, or through or over which ſuch new and additional Road or Roads ſhall be made as aforeſaid, ſhall, by the Space of Fourteen Days after ſuch Notice given, or left as aforeſaid, 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 or any ſuch Caſe, the ſaid Truſtees, or any Eleven or more of them, ſhall cauſe it to be inquired into and aſcertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County where ſuch Lands or Grounds ſhall lie (which Oaths any Two or more of the ſaid Truſtees are hereby impowered and required to adminiſter) what Damages will be ſuſtained by, and what Recompence and Satisfaction ſhall be made to, ſuch Owners, Occupiers, or Proprietors, or other Perſon or Perſons intereſted as aforeſaid, for or upon account of the taking of ſuch Lands, Grounds, or Hereditaments, into the ſaid Road or Roads, or of turning ſuch Road or Roads into, or of making ſuch new Road or Roads over, the ſame; and, in order thereto, the ſaid Truſtees, or any Eleven or more of them, are hereby impowered and required, from time to time, as Occaſion ſhall be or require, to ſummon and call before the ſaid Jury, and examine upon Oath, all and every Perſon and Perſons whatſoever, who ſhall be thought neceſſary or proper to be examined as a Witneſs or Witneſſes touching or concerning the Premiſſes (which Oath any Two or more of the ſaid Truſtees are hereby impowered and directed to adminiſter) and they ſhall alſo order and cauſe the ſaid Jury to view the ſaid Places in Queſtion, if there be Occaſion, and uſe all other lawful Ways and Means, as well for their own, as for the ſaid Jury's better Information in the Premiſſes, as they the ſaid Truſtees, or any Eleven or more of them, ſhall think fit; and after the ſaid Jury ſhall have inquired of, aſcertain-

Damages to be ſettled by a Jury.

Witneſſes to be ſummoned, and examined upon Oath.

ed, and settled, such Damage and Recompence, they the said Trustees, or any Eleven or more of them, shall thereupon order, adjudge, and determine, the said Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners, Occupiers, or Proprietors of, or other Persons interested in, the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination, so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, and Persons under any other Disabilities whatsoever, Bodies Politick, Corporate, or Collegiate, as well as all and every other Person or Persons whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person and Persons any ways interested in such Lands, Grounds, or Hereditaments, shall thereby be from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of, the same; And for the summoning and returning such Jury or Juries, the said Trustees, or any Eleven or more of them, are hereby impowered to issue out a Warrant or Warrants to the Sheriff of the said County where such Lands, Grounds, or Hereditaments, shall lie, thereby commanding and requiring him to impanel, summon, and return, an indifferent Jury of Twenty four Persons, or more, to appear before the said Trustees, or any Eleven or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return, such Number accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Trustees, or any Two or more of them, shall swear, or cause to be sworn, Twelve, who shall be the Jury for the Purposes aforesaid; and for Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the said County, or that can speedily be procured to attend that Service, to make up the Number of Twelve.

Verdict of the Jury to be binding.

Trustees to issue their Warrants to the Sheriff, to impanel and summon a Jury.

Jurors may be challenged.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons concerned shall have their lawful Challenges against any of the said Jurymen, when they come to be sworn; and the said Trustees, or

any Eleven or more of them, acting in the Premisses, shall have Power, from time to time, to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses, and on any Person or Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall refuse to be sworn on the said Jury, or being so sworn, shall refuse or neglect to give their Verdict, or in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premisses, shall refuse or neglect to appear, or who shall refuse to be examined and give Evidence; and, from time to time, to cause to be levied such Fine or Fines, in the same Manner as any other Forfeiture or Penalty is herein after directed to be levied; so as no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and that all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Penalty on Sheriff, &c. making Default.

Fine not to exceed 10*l.*

And be it further enacted by the Authority aforesaid, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, ascertained, or assessed, as aforesaid, shall be, and is hereby charged and chargeable upon the Monies which shall be raised, received, or borrowed, by virtue of this Act, and shall be paid thereout accordingly, to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof, or Tender thereof, to such Persons or their Agents, and in case of Refusal to accept the same; then, upon leaving the same in the Hands of the Clerk to the said Trustees, for the Use of such Persons, and after Ten Days Notice thereof given to such Persons, or their Agents, to receive such Money, Consideration, Recompence, or Satisfaction, it shall and may be lawful for the said Trustees, or any Eleven or more of them, their Surveyors, Workmen, or Agents, to take into, and add, such Grounds, Lands, and Hereditaments, to the said Roads, or to make any new and additional Road or Roads, over and through such Grounds, Lands, and Hereditaments, and to do all and every such Act, Matter, and Thing, with relation to such Grounds, Lands, or Hereditaments, as the said Trustees, or any Eleven or more of them, shall think fit: And after the Purchase of the said Lands, Grounds, or Hereditaments, or Adjudication of the Value thereof made, and Tender of Payment and Notice given as aforesaid, such Lands, Grounds,

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

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

and

and Hereditaments, shall be laid into, or added to, and made Part of, the said Roads hereby directed to be repaired, in such Manner as the said Trustees, or any Eleven or more of them, shall order and direct, and shall be by them, or such Person or Persons as they, or any Eleven or more of them, shall appoint, sufficiently drained, ditched, fenced, and set out, for that Purpose; and after such draining, ditching, fencing, and setting out, the said Lands, Grounds, or Hereditaments, shall, to all Intents and Purposes whatsoever, become and be deemed and taken to be a publick and common Highway, and be from thenceforth deemed to be Part of the said Roads by this Act directed to be repaired, for ever after, and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects, as the old Roads, lying near or adjoining to any such new or additional Road or Roads, is and ought to be kept in Repair; and after such new Roads shall be completed, the Lands or Grounds compriſed in, or constituting, the old or former Roads, in lieu whereof the Lands, Grounds, or Hereditaments, for such new Road shall be purchased as aforesaid, shall be vested in, and shall and may be sold by, the same Trustees, or their Successors, or any Eleven or more of them, to such Person or Persons as shall be willing to become Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied and disposed of for the repairing and amending of the respective Roads aforesaid, of which such new Road shall be then a Part; and the Sale or Conveyance or Conveyances, to be made of such Lands or Grounds, being executed by the same Trustees, or any Eleven or more of them, shall be good and effectual in Law, to all Intents whatsoever.

and deemed a publick Highway,

and kept in Repair as such,

Old Road may be sold.

Glebe Land belonging to the Rector of *Old Swinford* to be paid for, if made use of.

And be it enacted by the Authority aforesaid, That in case the said Road shall be carried over any Part of the Glebe Land belonging to the Rector of Old Swinford, the Money paid for such Glebe Land shall be vested in the Reverend Other Philpot of Pedmore Clerk, Rupert Dovey of Stourbridge, and Abraham Turner of Hurcot, in the County of Worcester, Gentlemen, to be laid out in Lands, with the Approbation of the Bishop, Patron, and Rector, for the time being, for the Benefit of the said Rector, and his Successors, as soon as a proper Purchase can conveniently be made; and that until such Purchase shall be so made, and the Money paid as aforesaid, and no longer, the said Trustees, or any Seven or more of them, are hereby authorized and required to pay Interest for such Money, at the Rate of Five Pounds per Centum per Annum, to the said Rector for the time being out of the

the Tolls to be collected by virtue of this Act upon ſuch Part or Parts of the Roads aforeſaid, where ſuch Glebe Lands ſhall have been made uſe of as aforeſaid.

Provided always, and be it further enacted by the Authority aforeſaid, That for the Purpoſe of widening, turning, or diverting, any Part or Parts of the ſaid Roads, or making any ſuch new or additional Road or Roads as aforeſaid, nothing herein contained ſhall impower the ſaid Truſtees to purchaſe any Houſe or Building, or any Yard, Garden, Orchard, Park, Paddock, Plantation, or Nurſery of Trees, Walk of Trees, or Avenue to any Houſe, unleſs with the Conſent of the Owner or Owners thereof. Buildings, &c. not to be injured.

Provided alſo, That no Perſon ſhall act as a Truſtee in any Caſe relating to the contracting for or purchaſing of any Lands or Hereditaments, where he ſhall be concerned in Intereſt. Truſtees not to act where intereſted.

And, to the end that the Inhabitants of the ſeveral Pariſhes, Hamlets, and Places, 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 Nine 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 the 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 Six 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. Pariſh Surveyors, &c. to deliver in Liſts of Perſons liable to do Statute-work. Penalty on Surveyors neglecting to deliver in ſuch Liſts, &c.

Trustees impowered to compound for Statute-work.

Provided always, and be it enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Seven 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 or chargeable with the Repair of any Part of the Roads 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 Seven 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 Inhabitants may compound for Statute-work.

Composition-money how to be reimbursed.

Proviso.

Provided always, That no Person, now liable to perform Two Days Statute-work upon any other Turnpike Road, shall, during such Time as he shall be liable to do such Statute-work, be subject to do any Statute-work whatsoever upon any Part of the Roads aforesaid; any thing herein contained to the contrary notwithstanding.

Road to be measured, and Mile-stones erected.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall cause the said Roads to be measured, and Stones or Posts to be set up, in or near the Sides of the said Roads, at the Distance of One Mile from each other, denoting the Distance of every such Stone or Post from any Town or Place, as to the said Trustees, or any Seven or more of them, shall seem meet: And if any Person or Persons shall wilfully pull down or damage any Stones or Posts, so to be erected as aforesaid, or any Mile-stones or Posts which are already erected upon the said Roads, or any Part of such Stones or Posts, or shall obliterate or deface any of the Letters, Figures, or Marks, which shall be inscribed thereon, every Person

Penalty on defacing Mile-stones, &c.

ſo offending ſhall forfeit and pay the Sum of Forty Shillings.

Penalty of obſtructing Officers in their Duty, &c.

And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall aſſault any Gate-keeper or Collector of the Tolls by this Act granted, in the Execution of his, her, or their Office or Offices, or ſhall forcibly paſs through any Gate or Turnpike, or other Fence, which ſhall be ſet up by virtue of this Act, without paying the Toll appointed to be paid at ſuch Gate, Turnpike, or Fence, the Party ſo offending ſhall forfeit and pay the Sum of Forty Shillings.

Penalty on haling Timber, otherwiſe than with Wheel Carriages.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, during the Continuance of this Act, ſhall hale or draw, or cauſe to be haled or drawn, upon, in, or along, any Part of the ſaid Roads hereby intended to be repaired, any Tree or Trees, or Piece or Pieces of Timber, otherwiſe than upon Wheel Carriages, every ſuch Perſon or Perſons, for every ſuch Offence, ſhall forfeit and pay the Sum of Forty Shillings.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed or incurred (the Manner of levying and recovering whereof is not otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offenders Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Juſtice or Juſtices of the Peace for the County where the Offence or Offences againſt this preſent Act ſhall be committed; which Warrants ſuch Juſtice or Juſtices is and are hereby impowered and required to grant, upon the Information of One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter, without Fee or Reward) and the ſaid Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be applied (if not otherwiſe directed to be applied by this Act) for and towards amending the ſaid Roads; and in caſe ſufficient Diſtreſs cannot be found, it ſhall be lawful for ſuch Juſtice or Juſtices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Offender or Offenders to the Common Gaol of the County or Place where the Offence ſhall have been committed, there to remain without Bail or Mainprize for the Space of One Calendar Month, or until he, ſhe, or they, ſhall have paid the Penalty or Forfeiture incurred by him, her, or them reſpectively.

Provided

Persons aggrieved may appeal.

Provided always, and be it further enacted by the Authority aforesaid, That in case 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 hereby appointed, it shall be lawful for such Person to appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace to be held in and for the County where the Cause of Complaint shall arise; or in case the said Cause of Complaint shall arise within Fourteen Days next before such General Quarter Sessions of the Peace, then such Appeal may be made to the said Justices at the Second General Quarter Sessions of the Peace to be held for the said County, who are hereby authorized and required to take Cognizance thereof, and to hear and determine the Complaint of any such Person, in a summary Way; and, if they see Cause, may, by Order of such Sessions, mitigate, at their Discretion, all or any of the Penalties and Forfeitures aforesaid, or vacate and set aside the Conviction, and set the Party at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them shall seem reasonable, and to make such Orders and Judgements, in regard to the Premisses, as they shall think fit; but the Person so appealing, shall give Notice in Writing to the said Treasurer or Treasurers to the said Trustees, of such his or her Intention of bringing such Appeal, and the Cause or Matter thereof, Eight Days at the least before the said Quarter Sessions.

8 Days Notice of Appeal to be given.

Proceedings not to be quash'd for want of Form, or removable by *Certiorari*.

Provided also, and be it further enacted by the Authority aforesaid, That no Order made, touching or concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction of any Offender or Offenders against this present Act, shall be quashed or vacated for want of Form only, or be removed or removable 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.

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

And, for continuing a sufficient Number of Trustees to put this Act in Execution, be it further enacted by the Authority aforesaid, That when and as often as any Trustee shall die or refuse to act, it shall and may be lawful for the surviving or other Trustees, or any Eleven or more of them, from time to time, to elect, nominate, and appoint, One other fit Person, qualified as herein after mentioned, in the Place of each Trustee so dying or refusing to act; but Notice in Writing of the Time and Place of Meeting for the Election of all such new Trustees, shall be fixed on all the several Market-houses at Stourbridge, Dudley, and Halesowen, at least Ten

10 Days Notice to be given of such Election.

Days before the Meeting for such Election; and all and every such Person and Persons, who shall, from time to time, be so chosen and appointed, shall be joined with such surviving or other Trustees, and they are hereby impowered to act to all Intents and Purposes, in as full, large, and ample Manner, as if such Person or Persons had been particularly named in and appointed a Trustee or Trustees by this Act.

Times and Places of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall meet at the House known by the Name or Sign of the Talbot in Stourbridge, on the Monday Fortnight next after the passing this Act, between the Hours of Eleven and Twelve in the Forenoon, and shall then and there chuse and elect a Treasurer or Treasurers, and such other Officers as they shall think proper, and otherwise proceed to the carrying so much of this Act into Execution as relates to the said Road leading from the Market-house in Stourbridge to Colly Gate; and that on the next Day the said Trustees, or any Seven or more of them, shall meet at the House called or known by the Name or Sign of the Red Lion in Dudley aforesaid, between the Hours of Eleven and Twelve in the Forenoon of that Day, and shall then and there chuse and elect a Treasurer or Treasurers, and such other Officers as they shall think proper, and otherwise proceed to the carrying so much of this Act into Execution as relates to the said Road leading from Pedmore to Holly Hall aforesaid; and that on the Day then next following the said Trustees, or any Seven or more of them, shall meet at the House called by the Name or Sign of the Lyttelton's Arms in Halesowen aforesaid, between the Hours of Eleven and Twelve in the Forenoon of that Day, and shall then and there chuse and elect a Treasurer or Treasurers, and such other Officers as they shall think proper, and otherwise proceed to the carrying so much of this Act into Execution as relates to the said Roads leading from Dudley Wood to Rednal Green, and to the Bell at Northfield, and also the said Road from Colly Gate to Halesowen aforesaid: And the said several Trustees shall, at the said respective Meetings, adjourn themselves, from time to time, and, from time to time, meet at the said respective Houses, or at any other Place or Places in or near any Part of the said respective Roads, as the said Trustees, or the major Part of them, shall think most convenient, not exceeding Two Calendar Months from Lady-day to Michaelmas, and Three Calendar Months from Michaelmas to Lady-day, as often as it shall be necessary for putting and carrying the Powers and Authorities by this Act given separately into Execution; and that all the Business necessary to be done and transacted, from time to time, which shall relate to the said Road leading from the Market-house in Stourbridge to Colly Gate, shall be transacted at the Talbot in Stourbridge, or the Place or Places to which the said Adjournments of the said Commissioners so first meeting at Stourbridge shall,

from time to time, be adjourned; and that all the Business necessary to be done and transacted, from time to time, relating to the said Roads leading from Dudley Wood to Rednal Green, and to the Bell at Northfield, or to the said Road leading from Colly Gate to Halesowen, shall be, from time to time, transacted at the said Meetings at the Lyttelton's Arms in Halesowen, or at the Place or Places to which the said Adjournments of the said Commissioners so first meeting at the Lyttleton's Arms aforesaid, shall, from time to time, be adjourned; and that all the Business necessary to be done and transacted, from time to time, relating to the said Road leading from Pidmore to Holly Hall, shall be, from time to time, transacted at the said Meetings at the Red Lion in Dudley, or at the Place or Places to which the said Adjournments of the said Commissioners so first Meeting at the Red Lion in Dudley, shall, from time to time, be adjourned.

In Default of a sufficient Number of Trustees to act, Notice to be given of another Meeting.

And be it further enacted by the Authority aforesaid, That if it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees to act, and to adjourn to another Day, the Clerk or Clerks to the Trustees shall, by publick Notice in Writing, to be affixed upon all the said Turnpikes erected by virtue of this Act, at least Fourteen Days before the next Meeting, appoint the said Trustees to meet at the House where such last Meeting was appointed to be held, on that Day Three Weeks from the Day on which such Meeting was appointed to have been held; and that the said Trustees, at all their Meetings, shall defray their own Charges and Expences.

Trustees to bear their own Expences.

In case the Clerk shall omit giving Notice, Trustees to do it.

Provided always, That in case such Clerk or Clerks shall refuse or neglect to give such Notice for the Space of Seven Days, that then it shall and may be lawful for any Two or more of the said Trustees appointed to put this Act in Execution, at any Time or Times, to appoint such Trustees to meet at the said House to which such last Meeting was adjourned on that Day Fortnight after the Date of such Appointment; which said Appointment shall be in Writing, and shall be affixed on the several Market-houses aforesaid, and the same shall be deemed and taken to be sufficient Notice of any such Meeting.

No Act valid, except done at a Meeting of the Trustees.

And be it further enacted by the Authority aforesaid, That no Act or Order of the said Trustees shall be valid, unless done or made at some publick Meeting.

Qualification of Trustees.

Provided always, and be it enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in any Case in the Execution of this Act, unless, at the Time of his acting therein, he shall be, in his own Right, or in the Right of his Wife, in the actual Possession, Enjoyment, or Receipt, of the Rents and Profits of Lands, Tenements, Tythes, or Hereditaments, being Freehold, Leasehold, or Copyhold, of the clear yearly Value of Fifty Pounds above Reprizes; or be Heir Apparent of a Person having such Estate of the yearly Value of One hundred Pounds, or possessed of a Personal Estate alone, or Real

and Personal Estate together, to the Amount of One thousand Pounds: And if any Person or Persons made incapable to act for the Causes aforesaid, shall nevertheless presume to act in the Trust aforesaid, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform and sue for the same, to be recovered by Action of Law, to be brought in any of His Majesty's Courts of Record at Westminster; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act. Penalty on acting if not qualified.

And be it further enacted by the Authority aforesaid, That no Order made by the said Trustees, or any Seven or more of them, in Execution of any of the Trusts, Powers, or Authorities of this Act, shall be revoked, repealed, or set aside, by any subsequent Order of the said Trustees, unless Fifteen or more Trustees shall be then present. No Order to be repealed unless 15 Trustees are present.

Provided always, and be it further enacted by the Authority aforesaid, That no Trustee having any Place of Profit arising out of or by reason of the Tolls hereby granted, shall be capable of acting as a Trustee during his Enjoyment of any such Place of Profit. No Trustee to accept a Place of Profit arising from the Tolls.

Provided also, and be it further enacted by the Authority aforesaid, That such Trustees as are or shall be in the Commission of the Peace for the said Counties of Worcester, Stafford, Salop, or Warwick, shall and may act nevertheless as Justices of the Peace, for the more speedy and effectual putting in Execution the several Powers hereby given and granted. Trustees in the Commission of the Peace may act as Justices.

And be it enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall and are hereby authorized and required to take such Security from the Treasurer or Treasurers to be appointed for the Purposes of this Act, for the due Execution of his and their said Office or Offices, as to the said Trustees, or any Seven or more of them, shall seem meet. Treasurers to give Security.

And be it further enacted by the Authority aforesaid, That no Person shall be capable of holding any Place of Profit under this Act, who shall sell any Ale, Wine, or other Spirituous Liquors, by Retail. No Victualler, &c. to hold any Place of Profit.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the Trustees shall be entered in a Book or Books, to be kept for that Purpose; and such Orders and Proceedings so entered and signed by the said Clerk or Clerks, at any Meeting of Seven or more of the said Trustees, as the Case shall require, shall be deemed and taken to be original Orders, as if the same were under the Hands and Seals of the said Trustees; which said Book or Books shall and may be Proceedings to be entered in a Book.

be read in Evidence in all Caſes of Appeal, and in all Suits or Actions touching any thing done in purſuance of this Act.

Writings to be without Stamps.

Provided alſo, and be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals of, or only ſigned by, any Truſtee or Truſtees for putting this Act in Execution, or any Juſtice or Juſtices of the Peace, or exhibited before them or any of them, touching, concerning, or in Execution of, any Power or Authority hereby granted, ſhall be charged or chargeable with any Stamp Duty whatſoever.

Commencement and Continuance of this Act.

And be it further enacted by the Authority aforeſaid, That this Act, and all the Tolls and Powers hereby granted, ſhall take Place and have Continuance from and after the paſſing of this Act, for and during the Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Limitation of Actions.

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

General Iſſue.

Treble Coſts.

Publick Act.

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

FINIS.