Anno quarto

Georgii III. Regis.

An Act for enlarging the Term and Powers of Two Acts of the Twelfth of King *George* the First, and of the Third of His late Majesty, for repairing several Roads therein mentioned, in the County of *Salop;* and also for amending and widening the Road from the Sign of *The Horse Shoe* in *Uckington*, to *Longnor Green;* and also from the West End of *Atcham Bridge*, to the *Cross Houses*, upon the *Bridgenorth* Turnpike Road, in the said County.

WHEREAS by an Act made and passed in the Twelfth Year of the Reign of His Majesty King George the First, for repairing the several Roads hereinafter-mentioned, in the County of Salop; *viz.* The high Road commonly called the Watling Street Road, leading from a Place called Crackley Bank, in the Parish of Idsall, alias Shiffnall, to the Town of Shrewsbury aforesaid, and the Highway leading from Idsall, alias Shiffnall, into the said Watling Street Road, at a Place called the Oaken Gates, and the Highway leading from a Place called the Smith's Shop in Crudgington, in the Parish of Ercall Magna, in the said County, through the several Lanes called Sleap Lane, Dothill Lane, and Preamble.

Back Lane, into the said Watling Street Road, at or near the Swan Inn, in the Township of Wellington; and the Road leading from Cotwall Town, in the said Parish of Ercall Magna, through the Lanes called Longdon Lane, Shawbirch, and Hadley Lane, by Wombridge, into the said Watling Street Road, at the said Place called Oaken Gates: And by another Act of Parliament, obtained in the Third Year of the Reign of His late Majesty King George the Second, intituled, An Act for making more effectual an Act passed in the Twelfth Year of the Reign of His then late Majesty King *George* the First, the said Act was amended and continued from the Expiration thereof, for the further Term of Fourteen Years; which said Acts were further continued for Five Years, by an Act passed in the Twenty eighth Year of the Reign of His said late Majesty, for the Amendment and Preservation of the publick Highways and Turnpike Roads in this Kingdom; which said Acts will expire on the First Day of June, One thousand seven hundred and sixty six: And whereas the said Trustees, appointed to put the said Acts in Execution, have made great Progress in repairing the said Roads, but the same cannot be effectually amended, unless the said Acts are further continued, and made more effectual: And whereas there are Two Roads which communicate with the said Road between Crackley Bank and Shrewsbury, and lead to Acton Burnell, Frodesley, and Longnor Green, in the said County of Salop, the one, which is Part of the ancient Roman Road, called Watling Street, being the shortest, is commonly travelled on in Summer, or when the Severn is fordable, and leaves the same Road at the Sign of the Horseshoe in Ucklington, near the Six Mile Stone from Shrewsbury, and passing through the said River Severn at Wroxeter Ford, crosses the Turnpike Road leading from Shrewsbury to Bridgenorth; the other, which is chiefly used when the Severn is high, and must be passed at Atcham Bridge, parts from the said Road at the West End of the said Bridge, and passing through Cronkhill Lane, enters the Turnpike Road leading from Shrewsbury to Bridgenorth, at a Places called the Cross Houses, and continuing along the said Turnpike Road, for about the Space of One Mile, unites with the said Roman Road, at the Place where it crosses the said Shrewsbury and Bridgenorth Road, and then leads to Longnor Green, near the Village of Longnor (which lies on the Turnpike Road between Shrewsbury and Church Stretton) through Acton, Burnell, and Frodesley, both which last-mentioned Roads are in many Places

very narrow, and in a ruinous Condition, and cannot be effectually repaired and widened by the present Methods prescribed by 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 from and after the passing of this Act, the said recited Acts, and this present Act, and all and every the Authorities, Powers, Articles, Rules, Penalties, Exemptions, Provisoes, and Clauses, therein and herein contained (except such Clauses, Matters, and Things, as are hereby explained, altered, amended, or repealed) shall be and continue in Force, and be executed as well for the Purposes in the said recited Acts mentioned, and in this Act contained, for the ordering, amending, keeping in Repair, and widening the several Roads in the said Acts described, and also the said additional Roads herein before mentioned, for the Residue, now unexpired, of the Term created by the said Act of the Twenty eighth Year of the Reign of His late Majesty King George the Second, and, from the Expiration thereof, for and during the further Term of Twenty one Years, and from thence to the End of the then next Session of Parliament, as fully and effectually, to all Intents and Purposes, as if the same were here again repeated and re-enacted in the Body of this present Act.

Powers of the former Act, &c. extended to this.

And be it further enacted by the Authority aforesaid, That for the more effectual putting the said former Acts and this present Act in Execution, Leveson Gower Esquire, commonly called Lord Trentham; the Right Honourable Robert Lord Clive in the Kingdom of Ireland, Honourable Edward Clive, Sir Richard Acton, Sir John Astley, Sir Orlando Bridgeman, Sir Hugh Briggs, Sir Richard Corbet, Sir Henry Edwards, Sir Charlton Leighton, Sir Edward Smythe, Sir Watkin Williams Wynne, Baronets; Sir Thomas Whitmore Knight of the Bath, Sir Thomas Jones Knight, George Austin, George Austin junior, William Adams, John Douglas, Samuel Langley D.D. John Ashby, William Atkis, Edward Atkis, William Berrington M. D. Samuel Benion, William Bennett, Arthur Blaney, Francis Turner Blithe, Charles Bolas, William Boycott, Henry Bridgeman, George Bridgeman, Robert Burton, Richard Bennett Apothecary, Henry Bowdler, Peter Blakeway Surgeon, Humphry Brooke, Saint John Charlton, William Cludde, Edward Cludde, Andrew Corbet, Richard Corbet, Edward Corbet, John Corbet,

Trustees Names.

Corbet, William Congreve, James Cotes, Thomas Cotes Vice Admiral of the White, John Chambre, Richard Corbet of Shiffnall, Thomas Edwards, John Edwards, Godolphin Edwards, Edward Eliſha, Robert Edwards, Thomas Eyton, Brooke Foreſter, George Foreſter, Cœcil Foreſter, William Foreſter, Thomas Fownes, John Gardner, Thomas Gilbert, Lewis Gordon, Richard Grant of Berwick, Roger Griffiths, Thomas Hill, Samuel Hill, Noel Hill, Henry Harnage, Charles Holt, Cheney Hart M. D. John Jenkins, Robert Jenkins, John Jones of the Farm, William Jenks, Abraham Jones, Edward Jefferys, Edward Kynaſton, Roger Kynaſton, John Foreſter Lamplow, Baldwyn Leighton, Richard Lyſter, William Lutwyche, Edward Lloyd of Domgay, John Langley, Thomas Leake, Edward Lloyd, Robert More, Thomas More, Thomas More junior, John Mytton, Thomas Mytton, Herbert Mackworth, John Muckleſton, Thomas Ottley, Adam Ottley, Price Owen M. D. John Oliver, Francis Paddy, John Paddy, John Paddy junior, Edward Pemberton, Robert Pigott, Charles Pigott, Humphry Pitt, Robert Phillips, John Phillips, Maurice Pryce, Thomas Powys, Edward Powys, Henry Powys, John Powell, Robert Pemberton, Edward Pemberton, Richard Pryce, John Rocke, Edward Rogers, William Ruſſel, Major General John Severn, Walter Smythe, Richard Scott, John Smytheman, Plowden Slaney, William Smythe, Greaves Sanſome, John Stanier, Walter Stubbs, John Stubbs, William Stubbs, William Tayleur, William Tayleur junior, George Thompſon, John Vaughan, John Walcott, Rowland Wingfield, John Wingfield M. D. Thomas Wolley, John Wingfield, John Windſor, Guſtavus Yonge Apothecary, John Allen, John Brooke of Shiffnall, George Barker, Edward Blakeway, Robert Cartwright of Wroxeter, Samuel Fowler, William Gorſuch, John Hawkins junior, Leonard Hotchkiſs, John Lee, Thomas Lewis, Charles Newling, William Oakley, Adam Ottley, Job Orton, William Pemberton, Samuel Sneyd, Richard Smythe of Wellington, John Wingfield, Rice Williams, Henry Wood, John Fieldhouſe, William Dicken, Corbet Browne, Clerks; **ſhall, from and immediately after the paſſing of this preſent Act, be added to and joined with the Truſtees appointed or elected by or in purſuance of the ſaid former Acts, and ſhall be, and they, together with the Truſtees appointed or elected, or to be appointed or elected by or in purſuance of the ſaid former Acts, are hereby conſtituted and appointed Truſtees for putting in Execution the ſaid recited Acts, and this preſent Act, and the ſeveral Powers and Authorities therein and herein contained.**

And

And be it further enacted by the Authority aforesaid, That the Person or Persons appointed, or to be appointed, to be Receiver or Receivers, Collector or Collectors, of the Tolls or Duties by the said former Acts, or either of them, or by this Act granted and made payable, shall, from and after the passing of this present Act, demand and take at each, every, or any of the Gates and Turnpikes, erected or to be erected, upon or across the said Roads, by virtue and in pursuance of the said Two former Acts, or this present Act, the Tolls or Duties following, instead and in lieu of the Tolls by the said former Act granted; that is to say, The following Tolls to be taken instead of those granted by the former Act.

For every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Six Horses, One Shilling; and drawn by Four Horses, Eight Pence; and drawn by Two Horses, Four Pence; and drawn by One Horse, Two Pence. The Tolls.

For every Waggon, Wain, Cart, or other Carriage, drawn by Five or more Horses or Oxen, One Shilling and One Penny Halfpenny; and drawn by Four Horses or Oxen, Nine Pence; and drawn by Three Horses or Oxen, Six Pence; and drawn by Two Horses, Three Pence; and drawn by Two Oxen, Two Pence; and drawn by One Horse, Two Pence.

For every Horse, Mule, or Ass, laden or unladen, and not drawing, One Penny.

For every Drove of Oxen or Neat Cattle, Three Pence per Score, and so in Proportion for any greater or lesser Number.

For every Drove of Calves, Hogs, Sheep, or Lambs, One Penny Halfpenny per Score, and so in Proportion for any greater or lesser Number. And,

For every Waggon, Wain, Cart, or other Carriage, passing through any of the Gates or Turnpikes, between the Twenty fifth Day of October and the Twenty fifth Day of March, every Year during the Term aforesaid, laden with Coals, and drawn by Five or more Horses or Oxen, One Shilling and Six Pence; and drawn by Four Horses or Oxen, One Shilling; and drawn by Three Horses or Oxen, Nine Pence; and drawn by Two Horses, Six Pence; and drawn by Two Oxen, Four Pence; and drawn by One Horse, Two Pence.

And the said One Shilling and Six Pence, One Shilling, Nine Pence, Six Pence, Four Pence, and Two Pence, shall be the whole Duty that shall be demanded or paid for the respective Carriages before mentioned, carrying

carrying Coal between the said Twenty fifth Day of October and the Twenty fifth Day of March: Which said respective Tolls or Duties shall be demanded and taken at such Time, and in such Manner, as herein before is mentioned, in the Name of, or as, a Toll or Duty, at each of the said Gates or Turnpikes; and no other Sum or Sums, by virtue of or in pursuance of the former Acts, shall be payable at any of the Gates or Turnpikes erected and now standing upon the Roads in the said former Acts mentioned, or to be erected by virtue of this Act upon any of the Roads herein comprized: And the Money so to be raised shall be and is hereby vested in the said Trustees; and the same, and every Part thereof, shall be paid, applied, disposed of, and assigned to and for the several Uses, Intents, and Purposes, and in the Manner herein after mentioned, and particularly directed; and it shall and may be lawful to and for the said several Trustees, or any Five or more of them, or such Person and Persons as they, or any Five or more of them, under their Hands or Seals, shall from time to time nominate and appoint to demand and take the Tolls and Duties hereby granted and made payable, to levy the same upon any Person or Persons who shall, after Demand thereof made, neglect or refuse to pay the same, by Distress of any Horse or Horses, or other Cattle, and Goods and Chattles of such Person and Persons who ought to pay the same; and to detain and keep the same until such Tolls or Duties, with the reasonable Charges of such Distress, detaining and keeping the same, shall be paid; and it shall and may be lawful to and for such Person or Persons so distraining, after the Space of Three Days next after such Distress so made and taken, to sell the Horse or Horses, Goods and Effects, so distrained, returning the Overplus, if any shall be, upon Demand, to the Owner thereof, after such Tolls, Duties, and reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid.

Tolls vested in Trustees.

Tolls to be levied by Distress and Sale.

Distress may be sold after 3 Days.

Exemptions from Tolls.

Provided also, and it is hereby declared, That no Person or Persons shall be charged with any of the Tolls or Duties aforesaid, during the Continuance of the said Two former Acts, or this present Act, for passing through any of the said Turnpikes erected or to be erected in pursuance of the said Two former Acts, or this present Act, as shall carry any Quantity of Stones, Gravel, or other Materials, for repairing any of the Roads herein mentioned, or any of the Roads in the Parishes or Townships wherein the said Roads do lie, or for any empty

empty Cart or Waggon going to fetch, or carrying through such Turnpike, any Dung, Mould, or Compost of any Nature or Kind whatsoever, for manuring of Lands or Gardens; or for any Lime to be used as Manure (except from the Twenty ninth Day of September to the Fifth Day of April in every Year, between which Periods the same Toll shall be paid for Carriages laden with Lime, as is by this Act to be paid for Carriages laden with any other Thing, except Coals); nor shall any Person or Persons be chargeable with any Toll or Duty for carrying through any of the said Turnpikes any Brick, Sand, or Wood, not going to any Market, Hay and Corn in the Straw, Ploughs, Harrows, and other Implements of Husbandry, or any Materials for Building (except Lime as aforesaid) and all other Things whatsoever employed in Husbandry, manuring, and stocking of Land, in the several Parishes and Townships in which the Roads by the said Two former Acts, or this present Act, directed to be repaired, do lie; nor shall any Toll or Duty be demanded at any Turnpike for any Horse or Cattle going to, or returning from, Pasture or Watering-places, belonging to the respective Farms of any of the neighbouring Inhabitants; or for any Post-horse carrying the Mail or Packet; or for such Horse as is, or shall be, used only to ride on by the Owner or Driver of any Waggon, Cart, or Carriage, provided such Horse pass through at the same Time with such Waggon, Cart, or Carriage; nor shall any Toll or Duty be demanded or taken for the Horses of Soldiers passing, that are upon their March, or for Carts, Carriages, or Waggons, attending them; or for Horses, Carts, or Waggons, travelling with Vagrants sent by Pasſes; or for any Coaches, or other Carriages, 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 said County of Salop, on the Day or Days of such Election, and on the Day before or the Day after every such Election respectively; or from any Person or Persons passing or repassing to or from their own Parish Church or Chapel, or any other Place of religious Worship on Sundays; Provided nevertheless, That if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled to the same, such Person shall forfeit and pay the Sum of Twenty Shillings, to be recovered and applied in Manner herein after directed. Penalty on making illegal Claims.

And be it further enacted by the Authority aforesaid, That no Horses, Cattle, Carriages, Carts, or other Things that shall not pass Three hundred Yards at least Particular Exemptions.

upon any of the said Roads, shall be subject or liable to pay any of the Tolls or Duties aforesaid.

Trustees may erect Turnpikes and Toll-houses, &c.

And be it further enacted by the Authority aforesaid, That the Gates and Turnpikes erected, and at present standing and being on the Road or Roads in the said former Acts, or either of them, mentioned, shall stand, be and remain where the same are now fixed; and that the same shall not be altered, changed or removed; and that the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall authorize or appoint, shall and may build and erect, or cause to be built and 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 Road, leading from the Horseshoe to Longnor Green; and also One or more Gate or Gates, Turnpike or Turnpikes, in, upon, across, or at the End of, Cronkhill Lane, leading from the West End of Atcham Bridge to the Cross Houses; and also a Toll-house or Toll-houses in or upon such Roads: Provided, That no Person having paid the Toll or Duty at One Toll-gate or Turnpike, between the respective Places last above-mentioned, shall be liable the same Day to pay any Toll or Duty for passing with the same Carriage or Cattle at any other Toll-gate or Turnpike between the respective Places before mentioned, such Persons producing a Note or Ticket of the Day, denoting such Payment; which Note or Ticket the Collector of the Toll is hereby required to give gratis.

Trustees may erect Side-gates, &c.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may build and erect, or cause to be built and erected, One or more Check Gates in, upon, across, or on the Side of any Part or Parts of the said Road, leading from Shrewsbury to Crackley Bank; or between the Oaken Gates and Shiffnall, or on the Sides of any of Lanes or Roads leading into the Roads last mentioned; and also a Turnpike or Check Gate at the Lane leading from Uffington to Uffington Ford; and also shall and may, when, and as often as they shall think proper, alter, change, remove or take away any of the said Check Gates, and fix the same in any other Place or Places, and so toties quoties; and shall and may demand and take the same Toll or Duty at each of the said Check Gates, or at the Turnpike Gate at the Lane leading from Uffington to Uffington Ford, as may be demanded and taken in pursuance of this Act, at any One of the present Gates between Shrewsbury and Crackley Bank

Bank aforesaid: Provided, That no Person not having gone out of the present Turnpike Road, in order to avoid One or more of the present Gates now built and erected upon the Road between Shrewsbury and Crackley Bank, or upon the Road leading thereout to Shiffnall, shall be obliged or liable the same Day to pay any Toll or Duty for passing with the same Carriage or Cattle at the said Check Gate or Gates, and at the Gate for which the Check is designed, on such Person producing a Note or Ticket of the Day, denoting such Payment; which Note or Ticket the Collector of the Toll is hereby required to give gratis.

Where the Road from *Shrewsbury* is to begin.

And be it further enacted by the Authority aforesaid, That the said Road from Shrewsbury shall begin from the End of the Post and Rails at the End of the Parapet Wall upon the South End of the Bridge in the Abbey Foregate.

Tolls to be paid but Once a Day.

Provided always, and it is hereby declared and enacted, That no Person or Persons, passing through any Turnpike or Turnpikes, where the said Tolls or Duties are or shall be taken, and who shall return the same Day through the same Turnpike or Turnpikes before Twelve of the Clock at Night, with the same Carriage, Horse, Gelding, Mare, Mule, Ass, or any Sort of Cattle, for which such Tolls or Duties have been paid, shall be liable and compellable to pay the said Tolls or Duties more than once the same Day.

Turnpikes, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the said several Toll-gates and Toll-houses, now erected and built by virtue of the former Acts, or to be erected and built by virtue of this Act, and the Right and Property in and to the same, and the Materials of which the same do and shall consist, shall be and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions in the Name of their Treasurer or Clerk, or to prefer, or order and direct the preferring, of Indictments against any Person or Persons who shall dig up, break, or pull down, steal, take, or carry away, spoil, injure, or destroy, any Toll-gate or Toll-gates, Toll-house or Toll-houses, now erected on any of the said Roads, or which shall, by virtue of the said former Acts, or either of them, or this Act, be erected upon, in, across, or on the Sides of the said Roads or Bye-ways, or any or either of them, or any Part thereof, or any of the Materials of which the same shall be made, built, or consist.

And be it further enacted by the Authority aforesaid, That out of the first Money arising by the Tolls hereby granted,

Charges of this Act to be defrayed in Proportion to the Produce of the several Tolls.

granted, or out of such Money as shall be borrowed upon the Credit thereof (which shall be charged only and secured in the Manner herein after mentioned) the said Trustees, or any Five or more of them, shall, in the First Place, pay and discharge all the Expences and Costs of passing and procuring this Act, in Manner following; (that is to say,) the Tolls or Duties arising upon the Two several Roads herein before mentioned, and which lead out of the Turnpike Road between Shrewsbury and Cracklow Bank, to Longnor; and also the Tolls or Duties upon the Roads comprized in the Two former Acts, shall be liable to, and contribute towards such Expence, in Proportion to their respective Produce, the First Year; and the said Trustees, or any Five or more of them, shall apply the Remainder of the Money so raised, in erecting Toll-gates and Toll-houses, and in repairing and widening the said Roads, and defraying the necessary Costs, Charges, and Expences attending the same.

The several Roads to have their respective Tolls, and to borrow Money upon their separate Credit.

Provided always, and it is hereby enacted and declared, That the Tolls or Duties which shall be collected at the Toll-gate or Toll-gates, or any of the Check-gates erected, or to be erected, on the Roads comprized in the said former Acts, or either of them, and the Money borrowed for the Repair thereof, as also the Tolls or Duties which shall be collected at the Toll-gate to be erected at Uffington Ford, shall, after paying a proportionable Part as aforesaid, towards the Expences of procuring and passing this Act, be laid out and applied in repairing and widening the said Roads only comprized in the said former Acts, or either of them; and in case of any Money borrowed for the Repairs thereof, the same shall be charged upon the Tolls arising upon such Roads only; and that the Tolls which shall be collected at the Toll-gate or Toll-gates, on the Road leading from the Horseshoe to Wroxeter Ford, and from thence to Longnor Green, and also on the Road leading from the West End of Atcham Bridge to the Cross Houses, shall, after paying such Proportion of the Expence of procuring and passing this Act as aforesaid, be laid out and applied in repairing and widening the said Roads only; and in case any Money shall be borrowed by the Trustees for repairing, altering, widening, and amending, the Roads last mentioned, that such Money shall be borrowed upon the Credit of those Tolls only; and the Tolls and Duties arising upon the said old Roads comprized in the former Acts, shall not be charged with, or given in Security for the same, or any Part thereof;

thereof; any thing herein contained to the contrary thereof in any wise notwithstanding.

Penalty on going through or permitting private Passage, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, owning, renting, or occupying, any Lands or Grounds, shall, knowingly or wittingly, permit or suffer any Person or Persons to pass through the same with any Carriage, Horse, Mare, Gelding, Mule, Ass, or other Cattle, whereby the Payment of the Toll or Duty, by this Act laid, shall or may be avoided, any Person so offending, and also the Person or Persons thereby avoiding the Payment of the said Toll, and being thereof convicted upon Oath of One or more Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County, Town, or Place, where such Offence shall be committed (which Oath the said Justice or Justices is and are hereby impowered to administer) shall, for every such Offence, forfeit and pay to the said Trustees, or their Treasurer, the Sum of Twenty Shillings respectively.

taking off Horses, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time take off, or cause to be taken off, any Horse or Horses from any Coach, Chariot, Berlin, Landau, Chaise, Calash, Caravan, Chair, or Hearse, or any Horse or Horses, Ox or Oxen, from any Waggon, Wain, Cart, or other Carriage, at or before the same shall come to any of the Gates or Turnpikes erected pursuant to the former Acts, or to be erected by virtue of this Act, with an Intent to avoid paying any of the Tolls or Duties hereby imposed, each and every Person so offending, shall forfeit and pay to the Trustees appointed to put this Act in Execution, or to their Treasurer, the Sum of Twenty Shillings.

and on giving or receiving Tickets, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, having paid the Tolls or Duties by this Act laid and made payable, and having such Note or Ticket, Notes or Tickets, as the said Trustees, or any Five or more of them, shall direct to be given by the Collectors or Receivers of the said Tolls, shall dispose of the same to any other Person or Persons, in order to avoid the Payment of any of the said Tolls or Duties, every such Person so disposing of such Note or Ticket, Notes or Tickets, and the Person or Persons receiving the same, being thereof convicted upon Oath before any One or more Justice or Justices of the Peace for the said County, Town, or Place, where such Offence shall be committed, shall respectively forfeit

to avoid paying the Tolls.

and pay the Sum of Twenty Shillings; whereof One Moiety shall go to the Informer, and the other Moiety shall be applied towards the amending the Roads hereby intended to be repaired.

Trustees may borrow Money on the Credit of the Tolls.

And, for the more speedy and effectual repairing and widening all the said Roads, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, and they are hereby impowered, at their General Quarterly Meeting to be held in the Town of Shrewsbury, from time to time, to take up and borrow Money upon the Credit of the several Tolls and Duties hereby granted and made payable, in Manner following; (that is to say) upon the Credit of the Tolls hereby made payable for the Roads comprized in the said former Acts, or either of them, to borrow and take up at Interest any such Sum or Sums of Money as they, or any Five or more of them, shall think necessary for repairing and widening those Roads only, or only any Part thereof; and upon the Credit of the Tolls hereby made payable for the said Roads leading from the Horseshoe, through Wroxeter Ford, and on to Longnor Green, and along Cronkhill Lane, from the West End of Atcham Bridge, to the Cross Houses, to borrow and take up at Interest any such Sum or Sums of Money as they, or any Five or more of them, shall think necessary for repairing and widening the said last mentioned Roads only, or only any Part thereof; and they the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered, by any Writing or Writings under their Hands and Seal, to assign over or mortgage the Tolls or Duties arising upon the said several Roads, for which such Money shall be borrowed as aforesaid, to any Person or Persons, for any Term or Number of Years, during the Continuance of the said former Acts, and each of them, and of this Act, as a Security or Securities for the several Sums of Money that shall be so borrowed, which shall be repaid out of the Money arising or collected by the Tolls or Duties of those Roads only for which the same shall be so borrowed, and charged upon such Tolls or Duties only, with legal or less Interest for the same; which said Sums of Money so to be respectively borrowed (the Charges of procuring and passing this Act in Manner aforesaid being thereout first paid) shall be laid out and applied in and for the repairing and widening the Roads only for which such Sums shall be so taken up as aforesaid, in such Manner as the said Tolls are hereby directed to be applied, and to and for

no other Use, Intent, or Purpose whatsoever; And in case any Person or Persons shall respectively advance and lend the Sum of One hundred Pounds and upwards for repairing and widening the Roads comprized in the former Acts, or the additional Roads herein mentioned, leading thereout to Longnor Green, and shall excuse and give up the Interest thereof for Three Years, from the Time of such Advancement, then the said Trustees, or any Five or more of them, shall and may, and they are hereby enabled and impowered, at any General Quarterly Meeting to be held as aforesaid, to assign or mortgage the Tolls or Duties arising upon the respective Roads for which such Money shall be lent as aforesaid, to the Person or Persons so advancing the said Sum of One hundred Pounds or upwards, as a Security or Securities for such Sum so lent and advanced, which shall likewise be repaid out of the Money arising or collected by the Tolls or Duties of those Roads only, upon the Credit whereof the same shall be lent, with legal or less Interest, to be computed from the End and the Expiration of the said Three Years from the Payment thereof; and every Sum of One hundred Pounds or upwards, so advanced by any Person or Persons, on the Terms last mentioned, shall be laid out by the said Trustees, or any Five or more of them, in repairing and widening such Part or Parts of the said respective Roads, as the Person or Persons advancing and lending the same shall appoint or think proper; and no Preference shall be given to any Person or Persons advancing any Part or Parts of the Money so to be borrowed, in respect to the Priority of advancing his, her, or their Part or Parts thereof; but that all such Lenders, and Persons to whom such Assignments shall be made as aforesaid, shall be, and are hereby declared to be, Creditors on the said Tolls which shall be mortgaged to them as aforesaid for securing the same, in an equal Degree one with another; any thing in the said recited Acts, or either of them, or this present Act, contained to the contrary notwithstanding: Nor shall any Money be borrowed by the Trustees on the Credit of the Tolls or Duties arising upon either of the Roads aforesaid by virtue of this Act, but at the General Quarterly Meeting of the Trustees as aforesaid, and unless Notice in Writing, under the Hand of the Clerk to the said respective Trustees, by Order of such Trustees, or any Five or more of them, be given for that Purpose by affixing the same on such Turnpike Gate or Gates erected or to be erected, and on the Market-house in Shrewsbury, at least Twenty Days previous to the borrowing of such Money.

All Creditors to be deemed equal in Degree.

Notice to be given of borrowing Money.

And

Assignments may be transferred.

And be it further enacted by the Authority aforesaid, That all and every Person or Persons, to whom any Assignment or Assignments shall be made by the said Trustees, or any Five or more of them, as a Security for any Sum or Sums of Money by any Person or Persons whatsoever lent and advanced on the Credit, and for the Purposes, mentioned in this Act, or who shall be intitled to the Money thereby secured, shall and may, from time to time, by proper Words of Assignment to be indorsed on his, her, or their Assignment, or by any other Writing or Writings under his, her, and their Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which said Transfer or Assignment shall be produced and notified to the said Clerk or Clerks, Treasurer or Treasurers, appointed or to be appointed by the said Trustees, or any Five or more of them, within Three Months after the Date thereof, who shall cause an Entry or Memorial to be made of such Assignments or Transfers, containing the Date, Parties Names, and Sums of Money therein mentioned to be transferred, in the said Book to be kept for entering the said original Assignment, for which the said Clerk or Clerks, Treasurer or Treasurers, shall be paid the Sum of Two Shillings and Six Pence, and no more; and after such Entry made, such Assignment shall intitle such Assignee or Assignees, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee or Assignees, and his, her, and their Executors, Administrators, and Assigns, may in like Manner assign, and so toties quoties; and it shall not be in the Power of such Person or Persons, who shall make such Assignment, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

Entries to be made of all Assignments.

Clerk's Fee.

Time and Place of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet at the Guild Hall of the Town of Shrewsbury, on the Monday Three Weeks next after the passing of this Act, and shall then and there, or at any other Meeting and Meetings, which shall be by them, or any Five or more of them, afterwards held, adjourn themselves to, or appoint any other Time or Times, Place or Places, in or near the said Roads, for any subsequent Meeting or Meetings, as the said Trustees, or any Five or more of them, at any of their Meetings shall direct or appoint; and that the said Trustees, or any Five or

more of them, shall yearly and every Year, during the Continuance of this Act, have and hold Four General or Quarterly Meetings, which said Meetings shall be held on the First Monday in the Months of February, May, August, and November, at the Guild Hall of the Town of Shrewsbury, or such other Place in the said Town as the said Trustees, or any Five or more of them, shall for that Purpose appoint; And if it shall happen that there shall not appear at any Meeting, which shall be appointed to be held by the said Trustees, a sufficient Number of such Trustees to act at such Meeting, and to adjourn to another Day; then, and in such Case, the Clerk to the said Trustees, or the said Trustees, or any Five or more of them, by Notice in Writing to be signed by the said Clerk, or Five or more of the said Trustees, as the Case shall happen, to be fixed on the Turnpike-gate or Gates, and on the Market-house in Shrewsbury, at least Fourteen Days before the next Meeting, shall appoint the said Trustees to meet at the Place or House where the Meeting of the said Trustees was before appointed to be held: And that the said Trustees, at their first, and all their subsequent Meetings, shall defray their own Charges and Expences.

In Default of a sufficient Number to act,

Notice to be given of another Meeting.

Trustees to defray their own Expences.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, at any of their Meetings to be had as aforesaid, may, and are hereby authorized and impowered from time to time to elect and appoint fit and proper Persons to be Collectors and Receivers of the Tolls, at the several Gates or Turnpikes now standing on any of the said Roads, or to be erected by virtue of this Act; and One or more proper Person or Persons, to be Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors, of the Roads, in the said former Acts, or either of them, mentioned; and of the Roads, or any Part of the Roads hereby intended to be repaired, altered, and widened; and such other Officer or Officers as they the said Trustees, or any Five or more of them, shall think necessary or convenient, Fourteen Days previous Notice being given by the Order of the Trustees, or any Five or more of them, for that Purpose; and such Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, or any or either of them, from time to time, to remove or displace, and to elect and appoint others in the Room and Places of such of them as shall be so removed, or shall die, Notice of such Election being first given and affixed on all the Turnpike-gates, of the Time and Place of such Meeting, at least Fourteen

Trustees may appoint Officers;

and remove them, and appoint others.

Trustees to allow Officers Salaries.

Days before such Election; and may, and are hereby authorized and impowered, by and out of the Monies which shall arise by and from the several Tolls aforesaid, to contract for, allow and pay to the several Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, who are or shall be appointed respectively as aforesaid, or any or either of them, in or about the repairing or widening the same Roads, or any Parts thereof, or the Business relating thereto, such Salaries, Rewards, and Allowances, for their Attendance, Care, and Service, in those Respects, as to them the said Trustees, or any Five or more of them, shall seem reasonable and convenient.

Officers to account upon Oath.

And be it further enacted by the Authority aforesaid, That all and every the Collectors and Receivers of the Tolls made payable by this Act, and all and every the Clerks, Treasurers, Surveyors, and other Officers, who shall be appointed as aforesaid, and all and every other Person and Persons whatsoever, who shall have and receive any of the Monies which shall be raised, collected, or received, by virtue of the said former Acts or this present Act, shall, from time to time, when and as often as he or they shall be thereunto required by the said Trustees, or any Five or more of them, produce, render, and give up to the said Trustees, or any Five or more of them, full, true, and fair Accounts in Writing, of all the Monies which shall have been by them respectively had, collected, or received; and how, to whom, and for what, such Monies, and every Part thereof, hath or shall have been paid, disposed of, or applied, together with proper Receipts and Vouchers for such Payments; and shall and are hereby respectively required to pay all such Monies as, upon the Balance of such Accounts, shall appear to be in their respective Hands, to the said respective Trustees, or any Five or more of them, or to such Person and Persons, and for such Uses and Purposes, as they, or any Five or more of them, shall direct and appoint; and that all and every the said Officers and Persons so accounting, or to account as aforesaid, shall, if required, upon their several Oaths (which said Oaths the said Trustees, or any Five or more of them, are hereby authorized and impowered to administer to such Officers and Persons respectively) verify their said Accounts, and the particular Articles and Items thereof, and the several Receipts and Payments which shall be therein contained; and if any or either of the Officers or Persons so accounting, or to account as aforesaid, being required, shall neglect or refuse so to do, then,

Officers refusing to account,

then, and in either of the Cases aforesaid, the said Trustees, or any Five or more of them, may, and are hereby authorized and impowered to bring, or cause to be brought, any Action or Actions in the Names of the said Trustees, or in the Name or Names of any One or more of them, against the Officer or Officers, Person or Persons, so refusing or neglecting as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person and Persons respectively; or if Complaint shall be made of any such Refusal or Neglect as aforesaid, to any Justice or Justices of the Peace of the County, Town, or Place, respectively, where the Officer or Officers, Person or Persons, so neglecting or refusing, shall live or reside, such Justice or Justices may and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him or them, and upon his or their appearing, or not being to be found, to hear and determine the Matters of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, by virtue of this Act might have done; and if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint or Complaints shall be made, or by the Oath or Oaths of One or more Witness or Witnesses (and which said Oath or Oaths such Justice or Justices is and are hereby impowered to administer) it shall appear to such Justice or Justices, that any of the Monies which shall have been collected or raised by virtue of the said former Acts, or either of them, or this Act, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice or Justices may, and is and are hereby authorized and required upon Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Monies to be levied by Distress and Sale of the Goods of such Officer or Officers, Person or Persons respectively; and if no Goods of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of such Distress and Sale, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice or Justices, at the Time and Place by him or them appointed for that Purpose, upon Notice thereof in Writing being delivered to such Officer or Officers, Person or Persons, or left

Justices to inquire into the Default,

left at his or their last Place or Places of Abode respectively; or, if appearing, shall refuse or neglect to give or deliver to the said Justice or Justices such Account or Accounts of their Receipts or Payments as aforesaid, or to verify the Truth of such Accounts, and of the Items and Articles thereof, upon Oath as aforesaid, or to produce or deliver up to the said Justice or Justices the several Receipts and Vouchers, relating to such Accounts respectively, and to the Items and Articles thereof; then, and in either or any of the Cases aforesaid; the said Justice or Justices may and is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Officer or Officers, Person or Persons, to be committed to the Common Gaol of the County, Town, or Place, where the Offence shall be committed, there to remain without Bail or Mainprize, until he or they shall have delivered in and settled his or their respective Accounts, and verified the Items thereof on Oath as aforesaid; and shall have produced and delivered up the Receipts and Vouchers relating to such Accounts respectively, and shall have paid all the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress and Sale, as shall in those Respects have been made, or shall have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Money which shall be thereby stipulated to be paid; which said Compositions and Money the said Trustees, or any Five or more of them, are hereby authorized and impowered to make and receive.

and commit the Offender,

until he shall conform, or compound.

Treasurer to give Security.

And be it enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, 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 and Offices, as to the said Trustees, or any Five or more of them, shall seem meet.

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

And be it further enacted and declared by the Authority aforesaid, That such of the Trustees appointed or to be appointed, in or by virtue of the former Acts, or this present Act, as shall be a Justice or Justices of the Peace for the County of Salop, or a Justice or Justices of the Peace for the said Town of Shrewsbury, may and is and are hereby authorized and empowered to act as a Justice or Justices of the Peace, in the Execution of the Powers and Authorities hereby given to any Justice of the Peace, notwithstanding his or their being such Trustee or Trustees; except

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in such Matters, Things, and Respects, in which he or they shall be personally interested; in any or either of which such Matters, Things, or Respects, such Person or Persons shall not be intitled or impowered to act, either as a Trustee or Justice.

Qualification of Trustees.

And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever, shall be qualified or capable of acting as a Trustee, in the Execution of the said recited Acts, and this Act (except in the Swearing of other Trustees) unless he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds, above Reprizes, or shall be Heir Apparent of some Person having such Estate of the yearly Value of Two hundred Pounds, or possessed of, or intitled to, Personal Estate alone, to the Amount or Value of Two thousand Pounds: And if any Person hereby declared unqualified, or made incapable to act, shall nevertheless presume to act, contrary to the true Intent and Meaning of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall inform and sue for the same, to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, Suit, Bill, or Information, wherein no Essoin, Protection or Wager of Law, or more than One Imparlance shall be allowed; and the Person so prosecuted, shall prove that he is qualified as aforesaid, within the Intent and Meaning of this Act; or otherwise, shall pay the said Sum of One hundred 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.

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

And be it further enacted by the Authority aforesaid, That when and as often as any of the Trustees, already or hereby appointed, or to be hereafter appointed, shall die, remove, or refuse to act, it shall and may be lawful for such of the said Trustees for the time being as shall survive and remain, or any Five or more of them, by any Writing or Writings, under their Hands and Seals, from time to time, during the Continuance of this Act, to elect, nominate, and appoint One or more fit Person or Persons, qualified as aforesaid, in the Room or Place of such Trustee or Trustees so dying, removed, or refusing to act; and such Person and Persons, so elected, nominated, and appointed, shall be

gained with such surviving or remaining Trustees in the Execution of all and every the Powers in them reposed, by virtue of the former Acts, or of this Act; and Notice of the Time and Place of Meeting for the Election of such new Trustee or Trustees, shall be given by the Clerk or Clerks to the said Trustees for the time being, who is and are hereby required to fix, or cause to be fixed, such Notice in Writing, on or on all the Turnpike Gates which are now erected, or shall be erected, at least Twenty Days before the Meeting for such Election, and at or on the Market-house of Shrewsbury; and all and every such Person and Persons as shall be chosen and appointed to be joined with such surviving and remaining Trustees, shall and may, and they are hereby authorized and impowered, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees, nominated by this Act, are hereby authorized and impowered to act and do.

20 Days Notice of Election to be given.

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

Provided always, and be it further enacted, That no Person or Persons whatsoever, who is, are, or shall be, by virtue of this Act, a Trustee or Trustees for putting this Act in Execution, shall have or accept of any Place of Profit arising out of the said Tolls, or by reason of this Act, but such Person or Persons shall be incapable of acting as a Trustee or Trustees from the Time of accepting, and during the Enjoyment of such Place of Profit.

Surveyors may dig Gravel, &c.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors, or any other Person or Persons already appointed, in pursuance of the said former Acts, or either of them, or to be appointed by virtue of this Act, in Manner aforesaid, who shall, by the said respective Trustees, or any Five or more of them, be continued or employed, and appointed for that Purpose, may, and is and are hereby authorized and impowered to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, or carried away, any Furze, Heath, Stones, Gravel, Sand, or other Materials, proper for repairing of Roads, in, upon, out of, or from, any River, Brook, Waste, or Common Ground or Grounds, in any Parish, Town, Village, or Hamlet, in, adjoining to, or lying near the Roads aforesaid, or in any neighbouring Parish, Town, Village, or Hamlet, to be used, disposed of, and applied in repairing the said Roads, without paying any thing, they, the said Surveyors, or other Persons, stopping or levelling the Ground from which such Materials shall be taken, or railing, fencing, or otherwise securing

without paying for the same; levelling the Pits.

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the same, in such Manner as that such Holes or Pits do not remain dangerous to any Person, Cattle, or Carriage whatsoever, or causing the same to be done; and if such Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials, proper and sufficient for that Purpose, cannot be had or found, in or upon such River, Brook, Waste, or Common Ground, or Grounds, then and in such Case, it shall and may be lawful for such Surveyor or Surveyors, and the Persons employed by him or them, by Order of the said Trustees, or any Five or more of them, to cut, dig, gather, take, and carry away, or cause to be cut, digged, gathered, taken, or carried away, any Quantity or Quantities of Furze, Heath, Stones, Gravel, Sand, or other Materials, proper and sufficient for that Purpose, in, upon, or out of, and from the Lands, Fields, or Grounds, of any Person or Persons where the same may be had or found, to be used, disposed of, and applied, in or towards repairing of the said Roads (such Lands, Fields, and Grounds, or either of them, not being a Yard, Garden, or Orchard, Park, Paddock, Wood, Coppice, Nursery, or inclosed Ground, planted with any Avenue of Trees for the Ornament of any House) they the said Surveyors, or other Person or Persons by them appointed or employed as aforesaid, or some, or One of them, paying or offering to pay, to the respective Owners and Occupiers of such Lands, Fields, or Grounds, such Damages for the cutting, digging, gathering, taking, and carrying away the said Materials, and carrying the same over the Grounds, as the said Trustees, or any Five or more of them, shall adjudge and think reasonable; and in case of any Difference between such Owners or Occupiers, and the said Trustees, touching such Damage as aforesaid, the Justices of the Peace respectively, at their next General Quarter Sessions, to be holden in or for the said County, Town, or Place, respectively, or the major Part of them then present, shall and may adjudge, assess, and finally determine the same, and order the Payment thereof.

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

making Satisfaction to the Owners,

Justices to determine Differences.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors, or any Person or Persons, appointed or employed by the said respective Trustees, or any Five or more of them, may, and is and are hereby authorized and impowered, (they the said Surveyor or Surveyors, or other Persons, having a Warrant or Order from and under the Hands of the said Trustees, or any Five or more of them, for those Purposes respectively) to make, or cause to be made, any

Surveyors may make Causeways, &c.

Causeway

Causeway or Causeways, in or along the Side or Sides of any Part or Parts of the said Roads; and shall and may erect or build, or cause to be erected or built, any Bridges or Arches of Stone, Brick, or Timber, upon, in, or across the said Roads, or any Part thereof; and shall and may dig or cut, or cause to be digged or cut, any Drains or Watercourses, in, through, or across the said Roads, or any Lands or Grounds lying contiguous to the said Roads, to prevent the same, or any Part or Parts thereof, from being overflowed, and to make Arches, or erect Bridges over such Drains or Watercourses, if necessary; making such reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds, for the Damages they may thereby sustain, as to the said Trustees, or any Five or more of them, shall seem meet.

making Satisfaction to the Owners.

Surveyors may remove Annoyances,

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, having an Order of the said respective Trustees, or any Five or more of them, from time to time, to remove and carry away all Annoyances by Filth, Dung, Ashes, and Rubbish, or otherwise, on any Part of the Roads, and to cut down, lop, or top, any Trees or Bushes growing in the said Roads, or in the Hedges, Banks, or Lands, adjacent thereto (the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such other Annoyances as aforesaid, for the Space of Fourteen Days, after Notice in Writing given for that Purpose, under the Hand or Hands of the said Trustees, or any Five or more of them, or of the said Surveyor or Surveyors) the Charge whereof shall be reimbursed to the said Surveyor or Surveyors, by such Owners or Occupiers neglecting to cut down the said Trees or Bushes, and the Persons making or laying such Annoyances as aforesaid, and refusing or neglecting to remove and take away the same; and in case such Owners or Occupiers, or other Persons, shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant or Warrants under the Hands and Seals of Two or more Justices of the Peace for the County wherein the Matter in Dispute shall arise (and which they are hereby authorized and directed to grant) or under the Hands and Seals of any Five or more of the said respective Trustees, from time to time, to levy the Charge thereof upon such Owners or Occupiers by Distress and Sale

the Owners neglecting to remove the same after Notice.

Charges to be reimbursed the Surveyor;

to be levied by Distress and Sale.

Sale of his and their Goods and Chattels, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid: And if, after Removal of any of the said Annoyances, any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted upon Oath before Two or more Justices of the Peace for the County wherein the Matter in Dispute shall arise, or any Five or more of the said Trustees, shall, for every such Offence, forfeit and pay unto the said Trustees, or any Five or more of them, the Sum of Twenty Shillings, to be levied and recovered in Manner aforesaid. Penalty on a Second Offence.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, who of Right ought to scour or cleanse any Ditch, Drain, or Watercourse, lying, or which shall lie in, or leading, or which shall lead into or out of the said Roads, or any Part thereof, shall not in a proper Manner scour and cleanse such Ditches, Drains, and Watercourses, or cause the same to be done within the Space of Fourteen Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his or their respective Place or Places of Abode, by Order of the said respective Trustees, or any Five or more of them, or by the said Surveyor or Surveyors; then, and in either of the said Cases, the said Surveyor or Surveyors may, and is and are hereby authorized and impowered to cause such Ditches, Drains, and Watercourses, to be scoured and cleansed, and to pay for the scouring and cleansing the same: And if the said Person or Persons shall not repay the Money so paid by such Surveyor or Surveyors, upon Demand thereof upon him, her, or them respectively made, either in Person or by Writing, to be left at his, her, or their respective Place or Places of Abode; the same Money, and every Part thereof, upon Proof of the cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money, and Demand thereof made, and Nonpayment thereof as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace of the County, Town, or Place, where such Person or Persons respectively shall live (which Oath such Justice of the Peace is hereby impowered to administer) shall and may, by a Warrant or Warrants, under the Hand and Seal of such Justice, be levied by Distress and Sale of the Goods or Chattles of such Person or Persons, rendering the Overplus (if any be) to the Owner or Owners thereof, upon Demand, after all Charges paid. Owners of Watercourses, &c. neglecting to scour the same, after Notice given for that Purpose, Surveyors may cleanse them, and levy the Charges by Distress and Sale.

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

And be it further enacted by the Authority aforesaid, That in case the said Trustees shall think proper to turn, widen, or alter, the Way or Path, or any Part of the said Roads, hereby directed to be repaired, that it shall and may be lawful to and for the said Trustees for the time being, or any Five or more of them, to purchase any Lands or Grounds (lying contiguous to the said Roads) of the Owner or Owners, Proprietor or Proprietors thereof, and to pay for the same only out of the Tolls and Duties to arise by or from the Road or Roads, for the Benefit whereof the same shall be so purchased, or out of the Money by them to be borrowed on the Credit thereof, as aforesaid (and not out of the Tolls or Duties to arise by or from the other Road or Roads, or the Money to be borrowed on the Credit thereof) such Sum or Sums of Money, as shall be agreed upon between such Owner or Owners, Proprietor or Proprietors, and the said Trustees, with the Costs and Charges attending such Purchase or Purchases; and such Lands and Grounds, when purchased as aforesaid, shall be laid into, and made Part of the said Roads, for which the same shall be purchased, and shall be sufficiently ditched or trenched out for that Purpose.

Owners neglecting to treat, &c.

And be it further enacted by the Authority aforesaid, That if any such Owner of or any other Person or Persons interested in such Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-house or Houses of such Owner or Owners, Occupier or Occupiers, of such Lands or Hereditaments, so to be taken in or added to the Roads as aforesaid, shall, by the Space of Twenty 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 such Case, the said Trustees, or any Five or more of them, shall cause the Value of the said Lands or Hereditaments to be enquired into, and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the said County of Salop, (which Oath any Five or more of the said Trustees are hereby impowered and required to administer) and the said Trustees, or any Five or more of them, are hereby impowered, from time to time, to summon and call before the said Jury, and examine all and every Person or Persons whatsoever, upon Oath, concerning the Premisses (which Oath any Two or more of such Trustees are hereby impowered and directed to administer) and they shall also cause the said Jury to view the said Places

Witnesses may be summoned and examined upon Oath.

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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 of the Premisses; and after the said Jury shall have so enquired of, ascertained, and settled, such Damage and Recompence, the said Trustees, or any Five or more of them, shall order the said Sum or Sums of Money, so assessed by the said Jury, to be paid to the said Owners, Occupiers, or Proprietors, of the said Lands or Hereditaments, according to such Verdict or Inquisition, only out of the separate Tolls to arise from such of the said respective Roads, for the Benefit whereof such Lands or Hereditaments shall be so purchased; and the Money to be borrowed on the Credit thereof, and the Tolls to arise by or from the other Road or Roads, or the Money to be borrowed on the Credit thereof, shall not be subject or liable to the Payment of such Purchase Money, or any Part thereof; and that the Damage and Recompence, so to be settled and ascertained, shall be final and conclusive to all Intents and Purposes, against all Parties and Persons whatsoever; and such Lands and Hereditaments, and every Part thereof, and the Fee Simple and Inheritance thereof, and of every Part thereof, shall, from and after such Verdict, be vested in the said Trustees and their Successors, without Fine or Recovery, notwithstanding the same shall or may be limited or settled to, for, or upon any Use, Trust, or Limitation, in Tail, Remainder, or otherwise, and notwithstanding any Politic, Corporate, or other Interest therein; and that then, and from thenceforth, the said Trustees, or any Five or more of them, or any Person or Persons by them, or any Five or more of them, for that Purpose impowered and employed, may, and is and are hereby authorized and impowered to enter upon, and take, and lay the said Lands and Hereditaments, and every Part thereof, into the said Road or Roads, and then, and from thenceforth for ever afterward, the same Lands and Hereditaments, and every Part thereof, shall be deemed, taken, used, and the same are and is hereby made and declared to be a public Highway or Road, and shall for ever hereafter be repaired by such Ways, and in such Manner, as other Highways are to be amended, and kept in Repair, by virtue of this present Act, or by the Laws now in being: And, for the summoning and returning such Jury or Juries, the said Trustees, or any Five or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the said County of Salop, requiring him to impanel,

the Damage and Recompence to be settled by a Jury.

Verdict of the Jury to be final.

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

impanel, summon, and return, an indifferent Jury of Twenty four Persons, to appear before the said Trustees, or any Five or more of them, at such Time and Place as in the said 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 according to such Summons, the said Trustees, or any Five or more of them, shall swear, or cause to be sworn, Twelve, who shall be the Jury for the Purpose 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 Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve.

Jurors may be challenged.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons interested or concerned shall from time to time have their lawful Challenges against any of the Jurymen when they come to be sworn; and the said Trustees, or any Five or more of them, shall have Power from time to time to impose any reasonable Fine on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses, and on any of the Persons that shall be summoned and returned on such Jury, and who shall not appear, or refuse to be sworn on the said Jury, or, being so sworn, shall refuse 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 if any of the Persons who, being required to give Evidence before the said Jury, touching the Premisses, shall refuse or neglect to appear, or appearing, shall refuse to be examined and give Evidence, from time to time to levy such Fine or Fines in the same Manner as the other Forfeitures and Penalties herein before mentioned are hereby directed to be levied, so that no such Fine exceeds the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls or Monies granted by this Act are to be applied.

Trustees may impose a Fine upon Sheriff, &c. making Default in the Premisses.

Fine not to exceed 10 *l.*

Old Road may be sold.

And be it further enacted, That after such new Road shall be completed as aforesaid, the Land and Ground comprized in, or constituting the old Road, in lieu whereof the Land or Ground for such new Road or Way shall be purchased, shall or may be sold or disposed of by the said Trustees, or any Five or more of them, for the best Price that can be reasonably had or gotten for

the same; and the Money arising by such Sale shall be applied and disposed of only for repairing and amending such of the said Roads, for the Benefit whereof such Land or Ground shall be so purchased; and that such Conveyance or Conveyances to be made of the said Lands and Grounds comprized in the said old Road, being executed by the said Trustees, or any Five or more of them, and enrolled with the Clerk of the Peace for the said County of Salop, shall be good and effectual in Law to all Intents and Purposes whatsoever.

Trustees may make a temporary Road;

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 Trustees for the time being, or any Five or more of them, to make, or cause to be made, a Road or Way over any Grounds adjoining to any narrow or ruinous Part or Parts of the said Roads hereby intended to be repaired, not being the Ground whereon any House or Houses, Building or Buildings, stand, or a Garden, Orchard, Yard, Park, or planted Walk or Walks, or Avenue to any House, or any Piece or Parcel of inclosed Ground, planted, set apart, and used as a Plantation or Nursery for Trees, to be made use of by all Passengers with Horses, Coaches, Carriages, or otherwise, as a publick Highway, whilst the old, narrow, or ruinous Road is repairing, and until such Time as it shall be convenient and safe for Passengers and Carriages to travel and go along the said Road intended to be repaired, and no longer; making such reasonable Satisfaction to the Owner or Owners, Occupier or Occupiers, of such Grounds respectively, over or along which such temporary Road or Roads shall be made, for the Damages such Owner or Owners, Occupier or Occupiers, respectively, shall or may sustain thereby, as shall be adjudged by the said Trustees for the time being, or any Five or more of them, to be paid by and out of the Tolls to arise from the Road or Roads in aid whereof such temporary Road shall be made, or the Money to be borrowed on the Credit thereof, as aforesaid; and in case any Dispute shall happen between such Owner or Owners, Occupier or Occupiers, and the said Trustees, touching such Damages, that then it shall and may be lawful to and for the Justices of the Peace respectively, at their next General Quarter Sessions, or at their Second Quarter Sessions at the furthest, to be holden for the said County, Town, or Place respectively, or the major Part of them present at such Quarter Sessions, and they are hereby required to hear, settle, adjudge, and finally determine the same.

making Satisfaction to the Owners.

Justices to determine Differences.

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

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

And be it further enacted by the Authority aforesaid, That all and every the Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, and the Members thereof, who before the making this Act hath or have used, or of Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with, the repairing and keeping in Repair the same Parts of the same Roads, in the same Manner as they, or every of them, hath or have heretofore usually done or ought to do; and that the Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the Roads hereby intended to be repaired lead, who, by the Laws and Statutes of this Realm, are or shall be obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, shall still be subject and liable to do and perform the same Work, and shall and are hereby required to do and perform such and so many Days Work in such Parts of the

Bodies Politick, &c. liable to the Repair of the Roads, to continue so.

Inhabitants to do Statute-work.

the said Roads by this Act directed to be repaired, and lying within the said Parishes, Hamlets, or Places, in which such Inhabitants respectively shall live, and at such Times, and in such Manner, as the said respective Trustees, or any Five or more of them, or the Surveyor or Surveyors by them authorized, shall direct or appoint.

Surveyors of the Highways to give in Lists of Persons who are chargeable to do Statute-work,

And, to the End that the said Trustees may know the Inhabitants of all Towns, Parishes, Hamlets, and Places, wherein the Roads, by this Act directed to be repaired, do lie, who are liable to do Statute-work in their Highways, and what Sort of Duty they ought respectively to do; be it further enacted by the Authority aforesaid, That the respective Surveyor or Surveyors of the Highways for the time being of all and every Towns, Parishes, Hamlets, and Places, in which the said Roads lie, shall yearly and every Year, during the Continuance of this Act, within Ten Days after Demand made to him or them in Writing by the Turnpike Surveyor or Surveyors, give and deliver to the said Turnpike Surveyor or Surveyors an exact List or Account in Writing, under his or their Hands, of all and every Person or Persons in the said respective Towns, Parishes, Hamlets, and Places, who are liable to do their Statute-duties, and who are by Law chargeable with, for, and towards repairing the same; and shall in such Lists, and every of them, distinguish and set forth which of such Inhabitants shall keep a Team or Teams, and which of them are Labourers only; and such Inhabitants of the Towns, Parishes, Hamlets, and Places aforesaid, as hold, occupy, or rent, a Farm or Tenement of Fifty Pounds a Year, shall, for the Purpose of this Act, be considered as Team-holders.

Persons renting 50 *l. per Ann.* deemed Team-holders.

Penalty on Surveyors, &c. neglecting to deliver in such Lists.

And be it enacted by the Authority aforesaid, That if the Surveyor or Surveyors of the several Towns, Parishes, Hamlets, or Places, through which the said Roads lead, shall not within Seven Days after Notice given to them, or either of them, by the said Turnpike Surveyor or Surveyors for the time being, when and how many of the Persons so chargeable as aforesaid, he or they would have to do such their respective Statute or Days Work, so adjudged or appointed as aforesaid, in or upon any Part or Parts of the said Roads, summon or give public Notice thereof to the said Person or Persons so chargeable, or shall not deliver in to the said Trustees Lists of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, by such Times, and in such Manner, as by this Act is directed and required to be delivered, or shall refuse to make Oath of having

given

given Notice or Summons to such Inhabitants before the said respective Trustees, or any Five or more of them, or before any Justice or Justices of the Peace (which Oath the said Trustees, or any Justice or Justices, is and are hereby impowered to administer) and also, by Notice under their Hands respectively, to convene or summon such Surveyor or Surveyors before them for that Purpose, such Surveyor and Surveyors, and every of them, shall forfeit and pay, for every such Default, the Sum of Five Pounds: And if any or either of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-work in or upon the Highways, shall not do such Statute-work in and upon the said Roads, at such Times and Places, and in such Manner, as they shall by the said respective Trustees, or any Five or more of them, or by the Surveyor or Surveyors by them authorized, be directed or appointed to do, such Inhabitants, and every of them, shall, for every such Neglect or Default, forfeit and pay the several Sums herein after mentioned; (that is to say) Every such Inhabitant or Person who shall keep a Team or Teams, Draught or Draughts, Cart or Carts, chargeable towards repairing the said Roads, shall, after such Summons or publick Notice, neglect or refuse to send the respective Teams, Draughts, or Carts, to do and perform such their respective Days Work on the said Roads, he, she, or they, neglecting or refusing, shall respectively forfeit and pay the Sum of Ten Shillings, over and above such Forfeiture to which they are already liable by Law for such Neglect or Refusal, for every Team, Draught, or Cart, making Default each of the said respective Days; and if any Labourer or other Person so chargeable towards repairing the said Roads, shall at any Time neglect or refuse (after such Summons or publick Notice) to do and perform the said appointed Days Work on the said Roads, he, she, or they, shall respectively forfeit and pay the Sum of One Shilling for each of the said Days such Labourer or other Person or Persons shall make such Default; and if any Person or Persons who shall (according to such Summons or publick Notice as aforesaid) come to work as a Labourer or Labourers, or be sent with any Team, Draught, or Cart, to work on the said Roads, are found idle or negligent by the said Turnpike Surveyor or Surveyors respectively, in such Case the said Turnpike Surveyor or Surveyors may, and is hereby impowered and required to remove and turn him and them off who shall be found idle or negligent as aforesaid, and

Penalty on Persons not performing Statute-work.

Persons found idle to be turned off.

and it shall be esteemed and taken as if such Person or Persons had not come or sent any Team, Draught, or Cart, to work on the said Roads; and he, she, or they, shall be subject and liable to the respective Forfeitures and Payments before mentioned, as if he, she, or they, had neglected or refused so to do or perform the said respective Days Work, so ordered and appointed as aforesaid.

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, Conveyance, 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, touching the Execution of any Power or Authority hereby vested in such Trustees or Justices of the Peace, shall be charged with any Stamp or Duty whatsoever.

Roads to be measured, and Mile-stones erected.

And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the said Roads to be measured, and Stones to be set up in or near the Side of such Roads, each Stone to be placed at the Distance of One Mile from another, with Letters and Figures thereon, denoting the Distance of every such Stone from such Place as to the said Trustees, or any Five or more of them, shall seem meet; and if any Person or Persons shall voluntarily or maliciously break any of the said Stones, or any Part thereof, or shall obliterate or deface any of the Words, Letters, Figures, or Marks, which shall be engraved or inscribed thereon, and shall be convicted thereof by the Confession of the Party, or on the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said County, Town, or Place respectively, where such Offence shall be committed, every such Person so offending, shall forfeit and pay the Sum of Forty Shillings, to be levied by Distress and Sale of the Goods and Chattles of any such Offender, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices before whom such Conviction shall be made; such Forfeiture to be applied in repairing the Stones so broken or defaced, or in supplying new ones in their stead; and if there shall be any Overplus of such Forfeiture, the same shall be laid out in repairing the said Roads; and in case the Person so offending and convicted shall have no Goods and Chattles, then it shall and may be lawful to and for any One or more of such Justice or Justices, by Warrant under his Hand and Seal, or their Hands

Penalty on defacing Mile-stones;

to be levied by Distress and Sale.

For want of Distress, the Offender to be committed.

and Seals, to commit such Person or Persons to the Common Gaol of the same County, Town, or Place, for any Time not exceeding Three Months, and such Person or Persons shall not be discharged, until he, she, or they shall have paid the Sum of Forty Shillings, or until the Expiration of the Term for which he, she, or they, shall be so committed.

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 particularly directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattles, by Warrant or Warrants under the Hands and Seals of One or more of his Majesty's Justices of the Peace of or for the said County, Town, or Place, where such Offence shall be committed, which Warrant or Warrants the said Justice or Justices are hereby impowered and required to issue, upon the Information of One or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby required to administer without Fee or Reward) and the Penalties and Forfeitures, after rendering the Overplus (if any be) upon Demand 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: And these, and also all other Fines, Forfeitures, Penalties, and Sums of Money herein mentioned, shall go and be applied and laid out (if not otherwise disposed of by this Act) only for and towards the amending of the said several Roads, in respect whereof such Penalties or Forfeitures shall be incurred.

Lands, &c. chargeable to Repairs to continue so.

Provided always, and it is hereby enacted and declared, That if any Lands, Tenements, or Hereditaments, now are or shall be liable or chargeable towards the amending the said Roads, the same shall still remain liable to and chargeable with the Maintenance thereof; and all Persons liable to pay any Sum or Sums of Money towards the Repairs of such Roads, shall still be liable and compellable to pay the same to such Person and Persons as the said Trustees, or any Five or more of them, shall appoint to receive the said Tolls and Duties; and, upon Default of Payment thereof, it shall and may be lawful to and for any Justice of the Peace of the County or Place where such Lands, Tenements, or Hereditaments shall lie, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of the Goods of such Person or Persons as shall neglect or refuse to make such Payment as aforesaid; and such Money

ney when recovered and received, shall be applied towards the amending the said Roads.

Trustees may compound with Travellers.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may, and they are hereby authorized, from time to time, as they shall see convenient, to compound or agree by the Year or otherwise, with any Person or Persons, using to travel through the Turnpike or Turnpikes, erected or to be erected on the said Roads, for the Payment of any Sum or Sums of Money, in lieu of the Tolls by this Act directed to be paid, for the Passage of any Cattle or Carriages whatsoever, which they the said Trustees, or any Five or more of them, shall agree upon, which said Money shall be instantly paid to the said Trustees, or any Five or more of them, and shall be applied in repairing the said Roads, in Respect whereof such Composition shall be made.

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

Provided always, and be it further enacted by the Authority aforesaid, That where any particular Bridges, Drains, and Sewers, being in and upon, or adjoining to the said Roads hereby intended to be repaired, and which have been accustomed or ought to be repaired and maintained by any particular Person or Persons, Body Politic or Corporate, by reason of the Tenure of any Lands, Tenements, or Hereditaments, or by the said County or Township therein, or otherwise howsoever, all and every such Part and Parts of the said Bridges, Drains, or Sewers, so lying in and upon the said Roads, shall, from time to time be maintained and kept in Repair by such Person or Persons, Body Politic or Corporate, and in such Manner as the same were respectively maintained and kept in Repair before the passing of this Act.

Justices to appoint Persons to inspect the Road, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace, at any of their General Quarter Sessions, to be holden for the said County of Salop, yearly and every Year after the passing of this Act (if they think fit) to appoint One or more fit Person or Persons of the said County to survey and view the Road by this Act directed to be repaired and amended, and enquire of and concerning the Tolls taken and received in pursuance of this Act; and in case such Person or Persons so appointed, shall find any Misapplication of the Monies levied by this Act, or any other Abuses of the Powers and Authorities hereby given, such Person or Persons shall thereupon certify the same to the Justices of the Peace at their General Quarter Sessions to be held for

the said County of Salop, who are hereby authorized, impowered, and required to hear, examine, and finally determine the same, without further or other Appeal; and all such Sum or Sums of Money, or other Satisfaction as the said Justices, at their Quarter Sessions to be holden as aforesaid, shall thereupon think fit, order, or direct to be paid or given, shall, by the Person or Persons making such Misapplications, or committing any such Abuses, be paid or given to the Treasurer or Treasurers of the Turnpike or Turnpikes for the time being, within Ten Days after such Determination, and Demand thereof made; and in default thereof, it shall be lawful for the said Justices, at their next General Quarter Sessions, from time to time, after such Determination made, by Warrant to be levied by Distress and Sale of the Offenders Goods, returning the Overplus (if any be) after Deduction of all Costs and Charges thereupon, to the Person or Persons so neglecting to make such Payment or Satisfaction; and for want of sufficient Distress to be found for that Purpose, to commit the Person or Persons to the Common Goal for the County of Salop, there to remain, without Bail or Mainprize, until Payment and Satisfaction shall be made as aforesaid.

Penalty on hauling Timber, &c. otherwise than on Wheel Carriages.

And be it further enacted by the Authority aforesaid, That if any Person or Persons, during the Continuance of this Act, shall haul or draw, or cause to be hauled or drawn upon, in, or along the Roads, by this Act intended to be repaired, or any Part thereof, any Tree or Trees, Piece or Pieces of Timber, otherwise than upon Wheels or Carriages, every such Person and Persons, for every such Offence, shall forfeit the Sum of Twenty Shillings, to be applied and disposed of as the said Trustees, or any Five or more of them, shall direct, for the Benefit of the Road on which the said Timber shall be so drawn.

Proceedings, &c. to be entered in a Book.

Provided always, and be it further enacted by the Authority aforesaid, That all Orders, Agreements, Compositions, Assignments, Transfers, and other Proceedings and Acts of the said Trustees, 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 of the said Trustees, at any Meeting of Five or more of the said Trustees; which said Book or Books, Assignments and Transfers, shall and may be produced, and read in Evidence, in all Cases, Appeals, Suits or Actions, touching any thing done pursuance and by the Authority of this Act.

Books may be read in Evidence.

Provided

Provided always, and be it further enacted by the Authority aforesaid, That in case any Collector or Collectors, Receiver or Receivers, or other Person or Persons, shall think him, her, or themselves, aggrieved by any Penalties or Forfeitures incurred or imposed by virtue of this Act, it shall and may be lawful to and for him, her, and them, to appeal to the Justices of the Peace respectively at their General Quarter Sessions of the Peace to be held for the said County, Town, or Place, respectively, next and immediately after such Person and Persons are aggrieved, unless such Grievance shall happen within Fourteen Days preceding such next Quarter Sessions, in which Case the said Appeal shall be brought at the respective Quarter Sessions then next after; and the Justices then and there assembled, are hereby respectively authorized and required to take Cognizance thereof, and to hear and determine the Complaint or Complaints of any Person or Persons so aggrieved within their respective Jurisdictions; and, if they see Cause, shall and may, by Order of such Sessions, mitigate at their Discretion, all or any of the Penalties or Forfeitures laid or incurred by the Party or Parties complaining, or vacate or set aside the same, after the Conviction or Convictions, and set the Parties at Liberty, or otherwise may ratify and confirm the same, with such Costs as to them in their Discretion shall seem reasonable; and to levy, by their Order or Warrant, such Costs so awarded by Distress and Sale of the Goods and Chattles of the Person or Persons who shall refuse to obey the same; and for want of sufficient Distress, to commit the Party to the Common Gaol of the said Town or Place respectively, for any Time not exceeding Three Months, or until Payment of such Costs; but the Person or Persons, so appealing as aforesaid, shall, and he, she, or they, is and are hereby directed to give Notice in Writing to the Treasurer or Treasurers for the time being of the Tolls and Duties granted by this Act, of such their Intention of bringing or prosecuting any Appeal, Fourteen Days before the Quarter Sessions; and shall, before such Notice given, enter into a Recognizance before One or more Justice or Justices of the Peace for the said County, Town, or Place respectively, with Two sufficient Sureties, with Condition to try such Appeal at the Quarter Sessions of the Peace which shall be held for the said County, Town, or Place respectively, next and immediately after bringing such Appeal; and every such Appeal shall, at the next General Quarter Sessions, be there heard and finally determined.

Persons aggrieved may appeal to the Quarter Sessions.

Notice of Appeal to be given.

Recognizance to be entered into.

Proceedings not to be quashed for want of Form,

or be removeable by *Certiorari*.

Provided always, and it is hereby 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 or Convictions of any Offender or Offenders against the former Acts, or either of them, or this present Act, shall be quashed or vacated for want of Form only, or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; any thing herein contained to the contrary notwithstanding.

Trustees, with Consent of Creditors, may lessen the Tolls,

and raise them again.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the said Trustees, or any Five or more of them, are hereby authorized and impowered, from time to time, in case it shall appear to be requisite and expedient, to lessen the several Tolls and Duties hereby granted and made payable, and to order and direct such Tolls and Duties to be lessened and reduced in such Manner, Parts, and Proportions, as they shall think fit; and in case the said Trustees, or any Five or more of them, shall afterwards adjudge it necessary for the Purposes of this Act, to raise and advance the several Tolls and Duties so to be reduced or lessened, then, and in such Case, they may, and are hereby authorized and impowered, from time to time, to raise and advance the same, as they, or any Five or more of them, in their Discretion, shall think fit, so as not to exceed the Tolls or Duties hereby granted and made payable; and so from time to time, and at all Times hereafter, to reduce or lessen, or to advance such Tolls or Duties, or any of them, when and as often as to the said Trustees, or any Five or more of them, shall seem meet, provided Notice in Writing be given for that Purpose, upon each of the Occasions, and for each of the Purposes aforesaid, by affixing the same upon all and every the Turnpike-gate or Gates erected or to be erected upon the Roads aforesaid, and also on the Market-house at Shrewsbury, at least Fourteen Days before making such Reduction or Advancement, and so as every such Deduction be with the Consent of the several Persons who shall have advanced any Money on the Credit of the said Tolls, or who at the Time of such Reduction shall have any Money secured thereby, and so as the several Tolls, so lessened or advanced, be collected, received, taken, laid out, and applied for the Benefit of the said several Roads respectively, and for the several other Purposes of this Act, in such Manner, Shares, and Proportions, as the said Trustees, or any Five or more

of them, shall think fit; but so as that the Tolls or Duties collected on One of the said Roads, or any Part thereof, be not applied or disposed for the Benefit of the other of the said Roads.

Limitation of Actions.

Provided always, and be it enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing to be done in pursuance of this Act, every such Action or Suit shall be brought within Six Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County of Salop, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead 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 if such Action or Suit shall be brought after the Time before limited for bringing the same, as aforesaid, that then the Jury shall find for the Defendant; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his Action, 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 recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants have or hath in any Case by Law.

General Issue.

Treble Costs.

Publick Act.

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

FINIS.