Anno quinto

Georgii III. Regis.

An Act for enlarging the Term and Powers of an Act made in the Twenty fifth Year of the Reign of His late Majesty, for repairing the High Road from the Town of *Shrewsbury*, through *Cressage*, *Harley*, *Much Wenlock*, by *Muckley Cross*, and through *Morville* to *Bridgenorth*, in the County of *Salop*; and for amending several other Roads near or adjoining thereto.

WHEREAS by an Act made and passed in the Twenty fifth Year of the Reign of His late Majesty King George the Second, for repairing the High Road from the Town of Shrewsbury, through Cressage, Harley, Much Wenlock, by Muckley Cross, and through Morville to Bridgenorth, in the County of Salop; several Tolls were granted, and Powers given to the Trustees therein named or to be appointed, for the Term of Twenty one Years, from the Fifth Day of May, One thousand seven hundred and fifty two, and from thence to the End of the then next Session of Parliament: And whereas the said Trustees have borrowed a considerable Sum of Money on the Credit of the Tolls, made payable by the Preamble.

said Act for repairing the said Road, and the said Trustees have made great Progress in repairing the said Road; but the same cannot be effectually amended and kept in Repair, and the Money now due on the Credit thereof repaid, unless the said Act be further continued, and made more effectual: And whereas there are Two Roads which communicate with the said Road, One leading from the Town of Much Wenlock, along Wenlock Edge, by a Place called Easthope Cross, and by Two Villages called Longville and Wall, under Aywood, and from thence to Hope Bowdler, and so on to Church Stretton, where it unites with the Turnpike Road between Shrewsbury and Ludlow; the other leading from a Place called Weeping Cross to the Village of Pitchford, where it unites with the Watling Street Turnpike Road: And whereas there is one other Road leading from the aforesaid Village of Wall under Aywood, through Rushbury, and from thence to the Lime Kilns at a Place called Blackwood, in the said County of Salop, and Two other Roads; the one leading from the End of the lower Town of Bridgenorth, through the Villages of Rowton and Hilton, and from thence over Rudge Heath, through Shipley, over Shipley Common, to Black Brook; which said Road at Black Brook meets the Turnpike Road between Wolverhampton and Bridgenorth; and the other leading from the North Gate in Bridgenorth by Dunval, to the Village of Nordley, and over Nordley Common, to a Brook called Lindley Brook, or Smithy Brook, in the said County of Salop; all which said Five 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 former and this present Act, and all and every the Authorities, Powers, Articles, Rules, Penalties, Exemptions, Provisoes, Clauses, Matters, and Things, therein and herein contained, and every Part thereof (except such Clauses, Matters, and Things, in the said former Act contained, or such Parts thereof as are hereby explained, altered, amended, or repealed) shall commence, and shall continue in full Force and Effect, and be executed, as well for the Purposes in the said former Act mentioned, as in this present

The recited Act further continued for 21 Years.

Act contained, for the surveying, viewing, amending, widening, and keeping in Repair, the said Road, in the said former Act described, and also the said additional Roads herein before mentioned, for the Remainder of the Term granted by the said Act, and also of the additional Term granted by an Act of the Twenty eighth Year of the Reign of his said late Majesty, intituled, An Act for the Amendment and Preservation of the public Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto, 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 reenacted in the Body of this present Act, and as if the said additional Roads had been described in, and directed to be repaired, widened, and kept in Repair, as aforesaid, in and by the said former Act.

Additional Trustees Names.

And, for the more effectual putting the said former Act and this present Act in Execution, be it further enacted by the Authority aforesaid, That the Right Honourable Harry Grey, commonly called Lord Grey; the Right Honourable Robert Lord Clive in the Kingdom of Ireland, the Honourable Sir Edward Clive Knight, Sir Hugh Brigges, Sir Charlton Leighton, Baronets; Sir Thomas Jones Knight, John Athby, William Atkis, Edward Atkis, William Aingworth, Richard Asbury senior, William Berrington M. D. Samuel Benion, Arthur Blaney, Francis Turner Blithe, Charles Bolas, William Boycott, George Bridgeman, Thomas Browne, Humphrey Brooke, Thomas Bach of Chesterton, Thomas Bach of Wikin, Thomas Bach of Greenhouse, John Bromwich Clerk, Edward Blakeway Clerk, Joseph Blakeway, Richard Boycott, Thomas Bradney of Pen, John Brooke, Beal, Bartholomew Richard Barnaby, Edward Botterell, Saint John Charlton, William Cludde, Edward Cludde, Andrew Corbet, Richard Corbet, John Corbet, William Congreve, William Congreve M. D. James Cotes, Thomas Cotes Vice Admiral of the White, John Congreve, Charles Corbett, Richard Corfeild, William Clare, Humphrey Clare, Thomas Child of Sidbury, Thomas Corbet, Thomas Child junior, William Colley, William Corser, Benlram Caldwall, James Corbet, William Corbet, Thomas Crump of Oldbury, Frederick Cornwall, John Dovey, Edward Dovey, Walter Downes, Thomas Dovey of Kinsiow, William Dekin of Wolverhampton, Richard Dovey Clerk, John Dickinson,

Thomas Duppa, Thomas Edwards, Rowland Edwards, Robert Edwards, Thomas Eyton, Edward Elliott, John Eykin of Ackleton, Vincent Edwards of Wolverhampton, George Forreſter, Cecil Forreſter, William Forreſter, Thomas Fownes, Thomas Farmer of Oldbury, Edward Fleming, the Reverend John Fleming D. D. Francis Fregleton, John Fayle Clerk, Robert Flint, John Gardner, Thomas Gilbert, Richard Grant of Berwick, the Honourable John Grey, the Honourable John Grey junior, the Honourable Booth Grey, Edward Gattacre, Henry Jermin Grove, John Gill, John Goolden, Aaron Goolden ſenior, John Gilbert, John Gueſt, Samuel Hill, Noel Hill, Charles Holt, Corbet Hale, John Hayward, Francis Hughes, Thomas Hughes, Bernard Holland, Gregory Hickman of Wolverhampton, Michael Hall, John Harding Clerk, Thomas Hazlewood, Thomas Hazlewood Hatter, Edward Haſſall, Hercules Hide, John Jenkins, John Jones of The Farm, William Jenks, Jones of Haughton, Edward Kynaſton, John Foreſter Lamplow, Baldwin Leighton, Richard Lyſter, Edward Lloyd of Domgay, John Langley, Thomas Leake, Edward Lloyd, Harry Launcelot Lee, the Reverend Doctor Lee Warden of Wincheſter, John Langley junior, Francis Lloyd of Leaton, Robert More, John Mytton, John Muckleſton, Michael Moſeley, Henry Manningham, Thomas Mytton of Shipton, Thomas Mytton of Cleobury North, Charles Maverley, William Nichols, Pryce Owen M. D. John Oliver, Thomas Oakes, John Oldbury of Eardiſton, William Oakeley Clerk, Stephen Oxenbold, Edward Pemberton, Thomas Powys, Edward Powys, Robert Pemberton, William Pemberton Clerk, Edward Pemberton, Richard Pryce, John Purton, Pratt of Tuckhill, Thomas Bateman Perkins, Plimley of Rudge, John Phillips Mercer, Thomas Paſs, Pryce Clerk, William Palmer, William Ruſſell, Nathaniel Rhodes, John Reynolds Clerk, Major General John Severn, John Smytheman, John Stanier, Walter Stubbs, John Smith of Hilton, Thomas Smith of the ſame, William Smith of Dalicot, William Stoakes of Routon, William Smith of Shrewſbury, Jacob Smith, Francis Stoakes of Tettenhall, Thomas Stoakes of Wolverhampton, Thomas Skelding ſenior, Thomas Shelding junior, John Stanier, John Sing, John Stedman, John Stedman of Aſton, Francis Southern Clerk, William Tayleur junior, Francis Turner, George Thompſon, Edward Thornes Clerk, Francis Tipton, Turton of Wolverhampton, William Tayleur Clerk, John Vaughan, Edward Williams, James Walcot,

Walcot, John Wingfield, M.D. Thomas Wolley, Borlace Wingfield, John Wingfield, Whitehall of Woodfield, Henry Whitmore Clerk, the honourable John Ward, John Wilks of Wolverhampton, Henry Wood of the same, Henry Wood junior of the same, Thomas Wylde, Charles Wylde Clerk, John Wellings, Bernard Wilks, John Wilson, Richard Wilding Clerk, Adam Ward, Robert Watkins Clerk, William Yate, Benjamin Yate Clerk, John Allen, Robert Cartwright of Wroxeter, Samuel Fowler, John Hawkins junior, Knap, John Lea, Thomas Lewis, Charles Newling, Samuel Snead, and William Oakeley, Clerks; shall be added to, and joined with, the Trustees appointed or elected by or in pursuance of the said former Act, and shall be, and they, together with the Trustees appointed or elected by or in pursuance of the said former Act, are hereby constituted and appointed Trustees for putting in Execution the said former Act and this present Act, and the several Powers and Authorities therein and herein contained.

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 Act, or by this Act, granted and made payable, shall demand and take at each, every, or any of the Gates and Turnpikes, erected or to be erected upon, in, across, or on the Sides of the said Roads, by virtue and in pursuance of the said former Act, 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 Tolls following to be taken instead of those granted by the former Act.)

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

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

For every Ox, or other Horned Beast, drawing any Carriage, the Sum of Two Pence.

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burthen, drawing any Carriage laden with Lime, Coal, Timber, or Materials for Building, between the First Day of November and the First Day of March, every Year during the Term aforesaid, the Sum of Six Pence.

For every Bull, Cow, or other Neat Cattle, the Sum of One Half-penny.

For

For every Calf, Swine, Sheep, or Lamb, the Sum of One-Farthing.

Which said respective Sums of Money 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; subject nevertheless to the Exemptions herein after mentioned, and also to the like Exemptions which are allowed by the said former Act; and the same shall be paid to such Persons, and in such Manner, as the said Trustees, or any Five or more of them, shall appoint to receive the same; and no other Sum or Sums, by virtue of or in pursuance of the said former Act, shall be payable at any of the Gates or Turnpikes erected and now standing upon the Road in the said former Act mentioned, or to be erected thereon, by virtue of this Act, or 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 collected, levied, and recovered, by such Ways and Means, and in such Manner, as the Tolls directed to be demanded and taken, by virtue of the said former Act, are thereby directed to be collected, levied, and recovered; and shall be applied, disposed of, and assigned, to and for the several Uses, Intents, and Purposes, and in the Manner herein after particularly mentioned and directed; and all Persons evading, or attempting to evade, the Payment of the Tolls herein before mentioned, shall be liable to the like Penalties and Forfeitures as Persons evading, or attempting to evade, Payment of the Tolls directed to be paid by the said former Act; and shall and may be levied and recovered in the like Manner as the Penalties and Forfeitures for Offences of the like Nature against the said former Act are thereby directed to be levied and recovered; and the same, when recovered, shall be applied in the Manner herein after directed.

Tolls vested in the Trustees.

Particular Exemptions.

And be it further enacted, That no Horses, Cattle, Carriages, Carts, or other Things, that shall not pass Three hundred Yards at least on any of the said Roads, by the said former Act, or this present Act, directed to be repaired, shall be subject or liable to pay any of the Tolls or Duties aforesaid.

Qualification of Trustees.

And be it further enacted by the Authority aforesaid, That no Person shall be qualified or capable of acting as a Trustee in any Case, in the Execution of the said former Act, or this present Act (except in the swearing

of

of other Trustees) unless he shall be qualified according to the Directions of the said former Act for the Qualification of Trustees; and if any Person or Persons hereby made incapable to act, shall nevertheless presume to act in the Trust aforesaid, contrary to the true Intent and Meaning of this Act, every such Person and Persons shall, for every such Offence or Offences, forfeit and pay the Sum of One hundred Pounds, to any Person or Persons who shall inform or 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 the said former Act, and this Act, or otherwise shall pay the 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.

And be it further enacted by the Authority aforesaid, That when and as often as any of the Trustees, by the said former Act, or hereby appointed, or to be hereafter appointed, shall die, 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 Nine 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 dying or refusing to act, and such Person or Persons so elected, nominated, and appointed, shall be joined with such surviving or remaining Trustees in the Execution of all and every the Powers in them reposed by virtue of the said former Act, 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, at or on the Market Houses in Shrewsbury, Bridgenorth, and Wenlock, at least Ten Days before the Meeting for such Election; and all and every such Person and Persons as shall be chosen and appointed to be joined with such surviving or remaining Trustees, shall and may, and they are hereby authorized and impowered to act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees nominated by

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

Notice of such Election to be given.

this Act are hereby authorized and impowered to act and do.

No Trustee to accept of a Place of Profit.

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.

Times and Places of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall meet on the Wednesday Three Weeks next after the passing of this Act, at the Town Hall in Wenlock, at the Hour of Eleven of the Clock in the Forenoon, and shall then and there, or at any other Meeting or 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 Nine 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 General or Quarterly Meetings shall be held at the Times and Places following; that is to say, At the Town Hall in Wenlock, on the First Monday in March; at the Dwelling House of Dodson, Widow, situate at Cund Lane End, in the said County of Salop, on the First Monday in June; at the Town Hall in Bridgenorth, on the First Monday in September; and at the Town Hall in Shrewsbury, on the First Monday in December; or at such other Place or Places near the said Roads as the said Trustees, or any Nine or more of them, at any General or Quarterly Meeting in every Year, or at any Adjournment thereof, shall 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 said Trustees, or any Two or more of them, or the Clerk or Clerks to the said Trustees, by Notice in Writing, to be signed by such Clerk or Clerks, or Two or more of the said Trustees, as the Case shall happen, and fixed on the Market Houses in Shrewsbury, Bridgenorth, and Wenlock, at least Four-

In Default of a sufficient Number to act,

Clerk to give Notice of another Meeting.

teen

teen 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.

Trustees to defray their own Expences

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the said Trustees, or any Nine or more of them, are hereby authorized and impowered, from time to time, at any of the General or Quarterly Meetings to be held in pursuance and by virtue of this Act, or at any Adjournment thereof respectively to be for that Purpose made (in case it shall appear to be requisite and expedient to lessen the several Tolls and Duties hereby granted and made payable) 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 Nine 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 reduced and lessened; then, and in such case, they may and are hereby authorized and impowered, from time to time, at any of such General or Quarterly Meetings, or any Adjournment thereof respectively to be for that Purpose made, to raise and advance the same as they, or any Nine or more of them, in their Discretion, shall think fit, so as not to exceed the Tolls or Duties hereby made payable; and so from time to time, and at all Times hereafter, at such General or Quarterly Meetings, or any Adjournment thereof respectively to be for that Purpose made, 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 Nine or more of them, at any of such General or Quarterly Meetings, or any Adjournment thereof respectively to be for that Purpose made, 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 Houses at Shrewsbury, Bridgenorth, and Wenlock, at least Fourteen Days before making such Reduction or Advancement, and so as every such Reduction 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

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

and raise them again.

Tolls so lessened or advanced be collected, received, taken, laid out, and applied, for the several Purposes of this Act.

Trustees may remove Turnpikes, &c.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, or such Person or Persons as they, or any Nine or more of them, shall authorize and appoint, may, and they are hereby authorized and impowered, to alter, change, or remove, all or any of the Gates, Turnpikes, and Toll-houses, erected and at present standing, and being in, upon, across, or on the Sides of, the Road in the said former Act mentioned; and that the said Trustees, or any Nine or more of them, or such Person or Persons as they, or any Nine 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 Roads, by the said former Act or this present Act directed to be repaired (except the said Road from Weeping Cross to Pitchford) and also a Toll-house or Toll-houses in or upon such Roads; provided that no such Gate or Gates, Turnpike or Turnpikes, Toll-house or Toll-houses, be altered, changed, or removed, or built and erected, unless by Order of the said Trustees, or any Nine or more of them, at their First Meeting to be held in pursuance of this Act, or at a General Quarterly Meeting of the said Trustees, or an Adjournment thereof to be for that Purpose made; and that no Person having paid the Toll or Duty at Three Toll-gates or Turnpikes upon the said Road between Shrewsbury and Bridgenorth; that is to say, Twice between Shrewsbury and Wenlock and Once at the First Toll-gate or Turnpike between Wenlock and Bridgenorth, or Twice between Bridgenorth and Wenlock, and Once at the First Toll-gate or Turnpike between Wenlock and Shrewsbury, as the Case shall happen, shall be liable the same Day to pay any Toll or Duty for passing with the same Cattle or Carriage at any other Toll-gate or Turnpike upon the said Roads, such Person or Persons producing Notes or Tickets denoting such Payments; which Notes or Tickets the Collector and Collectors of the said Tolls is and are hereby required to give gratis; And in case of any Person going from Wenlock, either to Shrewsbury or Bridgenorth, and paying the said Toll or Duty at Two Toll-gates or Turnpikes upon the same Road between Wenlock and either of the respective Places last mentioned; such Person shall not be liable the same Day to pay any

and erect others.

The Tolls to be taken as herein prescribed.

Toll or Duty for passing with the same Cattle or Carriage at any other Toll-gate or Turnpike upon such Part of the said Road, Notes or Tickets of the Day being produced to denote such Payment; which Notes or Tickets are hereby directed to be given gratis as aforesaid; and in case of any Person passing upon the said Road between Wenlock and Cund Lane End only, and paying the Toll or Duty at One Toll-gate or Turnpike between either of those Places, and evidencing such Payment by a Note or Ticket, which is hereby directed to be given gratis as aforesaid, such Person shall not be liable the same Day to pay any Toll or Duty for passing with the same Cattle or Carriage at any other Toll-gate or Turnpike between either of the Places last mentioned; and that no Person having paid the Toll or Duty at One Toll-gate or Turnpike, upon either of the other respective Roads by this Act directed to be repaired, 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 upon the respective Road where such Payment shall have been made as aforesaid, such Person producing a Note or Ticket of the Day denoting such Payment, which is hereby also required to be given gratis.

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 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, Ware, Mule, Ass, or any Sort of Cattle, for which such Tolls or Duties have been paid, shall be liable or compellable to pay the said Tolls or Duties at the same Turnpike or Turnpikes more than Once the same Day.

Property of Turnpikes and Toll-houses vested in 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 said former Act, or to be erected and built by virtue of this Act, and the Right and Property in and to the same respectively, 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 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 de-

stroy, any Toll-gate or Toll-gates, Toll-house or Toll-houses, now erected upon, in, across, or on the Sides of, any of the said Roads; or which shall, by virtue of the said former Act or this Act, be erected upon, in, across, or on the Sides of, the said Roads, or any or either of them, or any Part thereof, or any of the Materials of which the same are, or do, and shall be made, built, or consist.

Charges of passing this Act to be first paid.

And be it further enacted by the Authority aforesaid, That out of the first Money arising by the Tolls hereby 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 Nine 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 Road comprized in the said former Act, and also the Tolls or Duties arising upon the several Roads herein before-mentioned (except the said Road leading from the said Place called Weeping Cross to the said Village of Pitchford) shall be liable and contribute to such Expence in Proportion to their respective Produce: And it is hereby declared, That the said Road leading from the said Place called Weeping Cross to the said Village of Pitchford, shall not be considered as a new Road; but shall be considered, deemed, and taken, to all Intents and Purposes, as Part of the Road in the said former Act comprized.

Application of the several Tolls.

Provided always, and it is hereby enacted and declared, That the Tolls and Duties, which shall be collected and levied upon the said Road comprized in the said former Act, shall, after paying a proportionable Part as aforesaid towards the Expences of procuring and passing this Act, be laid out and applied in Manner following, (that is to say) the Sum of Twenty five Pounds per Annum shall, in the first Place, be applied for and upon the Account of repairing, amending, and widening, the said Road, leading from Weeping Cross to the said Village of Pitchford, and the Residue thereof shall be applied for and upon account of repairing of the said Road in the said former Act comprized, and for discharging such Sum and Sums of Money as are now remaining due upon the Credit of the said former Act; and which shall be contracted upon the Credit of the Tolls and Duties hereby made payable; and that the Tolls and Duties which shall be collected and levied upon the said respective Roads between Much

Wenlock and Church Stretton, and between the said Village of Wall under Aywood and the Lime Kilns at Blackwood, and between the End of the Lower Town of Bridgenorth and Black Brook, and between the North Gate in Bridgenorth and Linley Brook, otherwise Smithy Brook, shall be separate and distinct Funds; and after paying such respective Proportions of the Expences of procuring and passing of this Act as aforesaid, be laid out and applied in repairing, amending, and widening, each respective Road only; and that the Sums of Money which may be borrowed upon the Credit of the said Tolls and Duties for repairing and widening of any of the said respective Roads, shall be charged upon, and only payable out of the Monies to be collected and levied upon the respective Road, for and in relation to which such Monies may be so borrowed; any thing herein contained to the contrary thereof in any wise notwithstanding.

Trustees may borrow Money upon the Credit of the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Nine or more of them; and they are hereby impowered at their First or other General Quarterly Meeting or Meetings, or at any Adjournment thereof respectively to be for that Purpose made, from time to time, to take up and borrow Money upon the Credit of the several Tolls and Duties hereby granted and made payable, and shall and may, if they shall think proper, (but not otherwise) pursue the Method herein after-mentioned, for borrowing and securing the same on the Credit of the said Tolls, (that is to say) the said Trustees, or any Nine or more of them, at such First or other General Quarterly Meeting or Meetings, or Adjournment thereof as aforesaid, shall and may resolve on and declare what gross Sum of Money they shall think requisite to borrow, and take up at Interest on the Securities of the Tolls hereby granted and made payable, for the Roads comprized in the said former Act, and for the said respective Roads between Much Wenlock and Church Stretton, and between the said Village of Wall under Aywood and the Lime Kilns at Blackwood, and between the End of the Lower Town of Bridgenorth and Black Brook, and between the North Gate in Bridgenorth and Linley Brook, otherwise Smithy Brook, and what Part of such Sum shall be so borrowed and taken up upon each of the said respective Roads, and what Part thereof respectively shall be raised and paid in, and into whose Hands, and what Rate of Interest shall be allowed for the same; which Resolution and Declaration shall, at the same Meeting, be entered by the

Clerk

Clerk to the said Trustees in a Book to be provided for that Purpose; and that at the same Meeting, be signed by the said Trustees, or any Nine or more of them, concurring in such Resolution and Declaration: And upon such Entry being made, the said Trustees, or any Nine or more of them, so concurring in such Resolution and Declaration, shall direct the Clerk to affix a Notice in Writing on each of the respective Gates erected or to be erected on the respective Roads, upon the Credit of which such Money is to be borrowed, and also on the Market Houses at Shrewsbury, Wenlock, and Bridgenorth, mentioning the Time and Place of the Meeting of the said Trustees for that Purpose; which Notice shall be affixed at least Ten Days previous to the borrowing of such Money; and the said Trustees, or any Nine or more of them, are hereby authorized and impowered to mortgage or assign over the Tolls or Duties arising upon the said respective Roads for which such Money shall be borrowed as aforesaid, to any Person or Persons, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof as aforesaid, by the following Words of Assignment, under the Hands of the said Trustees, or any Nine or more of them, or by any other proper Words for that Purpose (that is to say)

Notice to be given of borrowing Money.

Tolls may be assigned for Money borrowed.

Form of Assignment.

BY virtue of an Act made in the Fifth Year of the Reign of His Majesty King *George* the Third, for enlarging the Term and Powers of an Act made in the Twenty fifth Year of the Reign of His late Majesty, for repairing the High Road from the Town of *Shrewsbury*, through *Cressage*, *Harley*, *Much Wenlock*, by *Muckley Cross*, and through *Morville*, to *Bridgenorth*, in the County of *Salop*, and for amending several other Roads near or adjoining thereto; we of the said Trustees for putting the said Act in Execution, in Consideration of the Sum of do assign unto *A. B.* his Executors, Administrators, and Assigns, such Proportion of the Tolls arising by virtue of the said Act upon the Road leading from to therein mentioned, as the said Sum of shall bear to the whole Sum advanced on the Credit of the same; to hold to the said *A. B.* his Executors, Administrators, and Assigns, from this Day of in the Year of our Lord until the said Sum of with Interest at the Rate of *per Centum per Annum*, shall be repaid. Witness our Hands this Day of And

And the said Trustees, or any Nine or more of them, shall, at the Time of issuing the said Mortgages or Assignments, or any of them, set and affix their Hands and Seals thereto; which Signing and Sealing shall be attested by the Clerk of the said Trustees, or in any other Manner as the said Trustees, or any Nine or more of them, shall direct; and thereupon the Clerk of the said Trustees shall make Entries in the said Book or Books wherein such Resolution and Declaration shall be entered as aforesaid, of the respective Dates of such Mortgages or Assignments, and the Names of the Person or Persons to whom such Mortgages or Assignments shall be made as aforesaid, and by whom they are signed and attested; and shall mark the said Mortgages or Assignments in this Manner, "entered Number 1." and so on, as they stand in Course in such Book; "*A. B.* "Clerk to the Trustees of the Turnpike Road from "*Shrewsbury* to *Bridgenorth*, and of the other Roads in "the said Act comprised;" and after such Entry shall be made in the said Book, in a Series one after another, the said Trustees at such Meeting, or any Nine or more of them, shall sign their Names to such respective Entries; and the said Trustees, or any Nine or more of them, at any subsequent General or Quarterly Meeting or Meetings, or any Adjournment thereof respectively to be for that Purpose made, shall observe the same Method in raising the Residue of the Money determined by them to be necessary for the respective Purposes aforesaid, or any Part thereof; which said Sums of Money so to be 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 borrowed 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 all and every Person and Persons to whom such Mortgages or Assignments shall be made as aforesaid, or who shall be intitled to the Money thereby secured, may, from time to time, assign and transfer his, her, and their Right, Title, Interest, or Benefit, to the Principal and Interest thereby secured, to any Person or Persons whatsoever, indorsing on the Back of such Security, before Two or more credible Witnesses, the following Words, or Words to the like Effect;

Method prescribed for borrowing Money.

Assignments may be transferred.

Form of Transfer.

I do transfer this Assignment, with all my Right and Title to the Principal and Interest thereby secured and now due, unto *C. D.* his Executors, Administrators, and Assigns. Dated this Day of

Entries to be made of all Assignments.

Which said Transfer or Assignment shall be produced and notified to the said Clerk at a General or Quarterly Meeting of the said Trustees, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money therein transferred in the said Book or Books to be kept for the entering the said original

Clerk's Fee.

Assignments, for which the said Clerk shall be paid the Sum of Two Shillings and Six Pence, and no more; and after such Entry made (but not till then) every such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may in like Manner assign again, and so toties quoties; and all such Transfers and Assignments shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and it shall not be in the Power of the Person or Persons who shall have made such Assignment or Assignments respectively, to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof; and in case any Person or Persons shall respectively advance and lend the Sum of One hundred Pounds, or upwards, for repairing and widening the Road comprized in the said former Act, or any of the additional Roads herein mentioned (except the said Road leading from Weeping Cross to Pitchford) and shall excuse and give up the Interest thereof for Three Years from the Time of such Advancement, then the said Trustees, or any Nine or more of them, shall and may, and they are hereby enabled and impowered at any General or Quarterly Meeting to be held as aforesaid, or at any Adjournment thereof to be for that Purpose made, to assign or mortgage, in the Manner aforesaid, 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

Persons advancing 100 *l.* without Interest, for 3 Years,

from

from the End and 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 Nine or more of them, in repairing, amending, and widening, such Part or Parts of the Road for which such Money shall be lent as aforesaid, as the Person or Persons advancing or lending the same shall appoint or think proper.

may direct what Part of the Road the same shall be laid out.

And it is hereby declared and enacted, That all and every Person and Persons to whom any such Mortgage or Assignment shall be made as aforesaid, shall be (in Proportion to the Sum therein respectively mentioned to be advanced) Creditors on such Tolls (on the Credit whereof such Sum or Sums are advanced) in equal Degree one with another; and no Preference shall be given such Lenders or Proprietors of such Mortgages or Assignments, in respect to the Priority of advancing his, her, or their Part or Parts of the Sum so resolved to be borrowed upon each respective Road as aforesaid; any thing herein contained to the contrary notwithstanding: And in case the said Trustees shall pursue the Method herein before mentioned, of borrowing Money on the Credit of the said Tolls; then, and in such Case, for the Security of the Lenders or Persons intitled to the said Securities, it shall not be lawful to borrow any further Sum of Money on the Credit of the said Tolls beyond the Sum so first resolved to be borrowed and raised on each respective Road, without the Consent of the Proprietors of the said Securities, to be signified by their Subscription on the Face of the said Securities to be witnessed by the Clerk to the said Trustees, and of a proper Entry for that Purpose in such Book wherein such Entries shall be made as aforesaid, or unless the Monies due to the Proprietors of the said Securities, or such of them as will not give their Consent, shall be first paid off and discharged; and that then, and in such Case, it shall be lawful for the said Trustees, or any Nine or more of them, at a General or Quarterly Meeting or Meetings, or any Adjournment thereof respectively to be for that Purpose made, to borrow such further Sum or Sums of Money on the Security of the said Tolls as they shall think proper, and to pursue the same Method therein, or any other Method they shall think more expedient.

All Creditors to be deemed equal in Degree.

No further Sum to be borrowed without the Consent of the Creditors.

Provided always, That nothing herein contained shall extend, or be construed to extend, to charge or subject the said Trustees, or Persons appointed to receive the said Money so to be borrowed as aforesaid, or any

Trustees not liable by reason of signing, &c.

Part

Part thereof, to any Payment of the same by reason of their or any of their signing of the said Entries, or signing and sealing such Mortgages or Assignments, or any or either of them.

Trustees may pay off Creditors within Six Months after Notice.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Nine or more of them, at any General or Quarterly Meeting or Meetings, upon such respective Mortgages or Assignments being produced by the respective Proprietors thereof as aforesaid, to direct their Clerk to give Notice to him, her, or them, respectively, that the Money secured by such Mortgages or Assignments respectively, or any of them, will be paid and discharged at the Time limited in such Notice, not less than Six Months being allowed for the Time of such Payment; and on such Notice as aforesaid being given to such Proprietors respectively, the Interest of the Money contained in such Security, shall cease from the End of such Notice, in case such respective Proprietors shall not attend to receive, or give proper Authority for receiving his, her, or their Principal and Interest, pursuant to such Notice.

Proprietors not attending, Interest to cease.

Clause for paying off Creditors.

And it is hereby further enacted by the Authority aforesaid, That in case any Person or Persons who shall lend or advance Monies on the Credit of the said Tolls, or the Possessors of any of the said Mortgages or Assignments, at any Time shall be desirous to be repaid the Money due to them, and shall deliver a Notice in Writing, signed by them, signifying such their Desire to the Clerk of the said Trustees, at any of their General or Quarterly Meetings; then, and in such Case, unless the Principal and Interest due, and to accrue to them, on the Security of the said Toll, shall be fully paid unto, or tendered unto, and refused to be accepted by, such Creditors signing such Notice, within Six Calendar Months after the Delivery thereof as aforesaid, it shall and may be lawful to and for the said Creditors, to receive and collect, or cause to be received and collected, the Tolls and Duties granted by this Act, in respect of the Road whereon such Monies shall be charged, and to apply the same rateably and proportionably in Payment of the Principal and Interest of their respective Debts, until the same shall be discharged.

Surveyors may remove Annoyances, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor and Surveyors, and such Person and Persons as he or they shall appoint (by the Direction of the said Trustees, or any Five or more of them, under their Hands) from time to time, to remove and carry away all Annoyances,

by

by Filth, Dung, Ashes, or Rubbish, or otherwise, on any Part of the said Roads, in the said former Act and this Act mentioned; and to cut down, lop, or top, any Trees or Bushes growing in the said Roads, or any of them, or in the Hedges, Banks, or Lands, adjacent thereto; (the Owner or Owners, Occupier or Occupiers, neglecting to cut down, lop, or top, such Trees or Bushes, or the Person or Persons making or laying such other Annoyances as aforesaid, and neglecting or refusing to remove or take away the same for the Space of Fourteen Days after Notice in Writing given for that Purpose, under the Hands of Five or more of the said Trustees, or of the said Surveyor or Surveyors) the Charges whereof shall be reimbursed to the said Surveyor or Surveyors, by such Owner or Owners, Occupier or Occupiers, neglecting to cut down, lop, or top, such Trees or Bushes, and the Person or Persons making or laying such Annoyances, as aforesaid, and neglecting or refusing to remove and take away the same; and in case such Owner or Owners, Occupier or Occupiers, or other Person or 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) from time to time, to levy the Charges thereof upon such Owner or Owners, Occupier or Occupiers, and such other Person or Persons, by Distress and Sale of his, her, or their Goods and Chattles, 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 or Persons so offending, and being thereof convicted upon Oath, before One or more Justice or Justices of the Peace for the said County or Place where such Offence shall be committed (who is and are hereby impowered to administer such Oath) shall, for every such Offence, forfeit and pay unto the said Trustees, or any Five or more of them, or to their Treasurer for the time being, the Sum of Twenty Shillings, to be levied and recovered in Manner aforesaid.

and cut down Trees,

the Owners neglecting to remove the same after Notice;

the Charges to be reimbursed the Surveyor;

to be levied by Distress and Sale.

Penalty of a Second Offence.

And be it further enacted by the Authority aforesaid, That if any Person or Persons who of Right ought to scour and cleanse any Ditch, Drain, or Watercourse, lying, or which shall lie, in, or leading, or which shall

Owners of Watercourses, &c. neglecting to scour the same,

lead into, or out of, the said Roads, or any of them, 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, under the Hands of the said Trustees, or any Five or more of them, or under the Hand or Hands of the said Surveyor or Surveyors, or shall be left at his, her, or their respective Place or Places of Abode; 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 Non-payment 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.

Surveyors may cleanse them,

and levy the Charges by Distress and Sale.

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 by the said former Act, and this Act, intended to be repaired, or any of them, shall, notwithstanding the said former Act, or this Act, be subject and liable to, and charged and chargeable with, the repairing, and keeping in Repair, the same Part or Parts of the same Roads, in the same Manner as they, or any of them, hath or have

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

have heretofore usually done, or ought to do: And that the Inhabitants of the several Towns, Parishes, Hamlets, and Places, through which the said respective Roads 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 said Roads by the said former Act, and 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 Trustees, or any Five or more of them, or the Surveyor or Surveyors by them authorized, shall direct or appoint. Inhabitants to do Statute-work.

And 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 or deliver to the Turnpike Surveyor or Surveyors an exact List or Account in Writing under his or their Hands, of all and every Person and 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 respective Towns, Parishes, Hamlets, and Places aforesaid, as hold, occupy, or rent, a Farm or Tenement of Fifty Pounds a Year, shall, for the Purposes of this Act, be considered as Team-holders; and the said Parish Surveyor or Surveyors for the time being respectively, within Ten Days after Notice shall be given him, her, or them, by the said Turnpike Surveyor or Surveyors, of the Time when, and how many of the Persons so chargeable as aforesaid, he or they would have to do such their respective Statute or Days Work so adjudged or appointed as aforesaid, in or upon any Part or Parts of the said Roads, shall summon or give publick Notice thereof to the said Person or Persons so chargeable as aforesaid: And if any Parish Surveyor or Surveyors aforesaid shall neglect or refuse to do as they are hereby before required to do, or shall refuse Surveyors of the Highways to deliver in Lists of Persons chargeable with Statute-work.

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

Penalty on Surveyors neglecting to deliver Lists.

fuse to make Oath of having given such Notice or Summons to such Inhabitants as aforesaid before the said 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 his or their respective Hand or Hands to convene or summon such Surveyor or Surveyors before him or them for that Purpose, he or they, for every such Default, shall forfeit and pay the Sum of Five Pounds: And if any of the Inhabitants of the said several Towns, Parishes, Hamlets, or Places, being by Law liable to do Statute-work in or upon the Highways, shall, after such Public Notice or Summons, neglect or refuse to do such Statute-work in and upon the said Roads, at such Times and Places, and in such Manner, as he or they shall, by the said 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, or any of them; and shall, after such Summons or Public Notice, neglect or refuse to send their respective Teams, Draughts, or Carts, (each Team or Teams not to contain less than four good Horses or Beasts of Draught, with Two Persons to attend the same,) to do and perform such their respective Days Work on the said Roads; he, she, or they, so 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 any Team, Draught, or Cart; and if any Labourer or other Person so chargeable towards repairing the said Roads, or any of them, shall at any Time neglect or refuse (after such Summons or Public 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 Public 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, or any of them, are found idle or negligent by the said Turnpike

Penalty on Persons not performing Statute-work.

Persons found idle to be turned off.

pike Surveyor or Surveyors respectively; in such Case the said Turnpike Surveyor or Surveyors may, and is, and are hereby impowered and required to remove and turn him and them off who shall be found idle or negligent as aforesaid; 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 to do or perform the said respective Days Work, so ordered and appointed as aforesaid.

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

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

Penalty on drawing Timber otherwise than upon Wheel Carriages.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall hale or draw, or cause to be haled or drawn, upon, in, or along, the Roads by the said former Act and this Act intended to be repaired, or any of them, or any Part thereof, any Tree or Trees, Piece or Pieces of Timber, otherwise than upon Wheels, 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 repairing the Road on which the said Tree or Trees, Piece or Pieces of Timber, shall be so drawn.

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, touching which no other Provision is by this Act made, 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 County Town or Place, wherein 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 the said Justice or Justices are hereby impowered and required to administer, without Fee or Reward) and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whose Goods or Chattles shall be so distrained and sold (the Charges of such Distress and Sale being first deducted) shall go and be applied and laid out (if not otherwise disposed of by this Act) for and towards amending the said Roads, by the said former Act and this Act directed to be repaired.

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, Mortgage, Assignment, Indorsement, or other Writing whatsoever, under the Hand and Seal, or Hands and Seals of, or only signed by, any Trustee or Trustees, or other Person or Persons, 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, Persons, or Justices of the Peace, shall be charged with any Stamp Duty whatsoever.

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 brought and laid 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, her, or their Action or Suit, after the Defendant or Defendants hath or have appeared, or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defend-

General Issue.

part or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in any Case by Law. Treble Costs.

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 other Persons whatsoever, without specially pleading the same. Publick Act.