Anno ſexto

Georgii III. Regis.

An Act for repairing and widening the Road from *High Bridges*, in the County of *Stafford*, to *Uttoxeter*, and from *Spath* to *Hanging Bridge*, and from *Tewnall's Lane* to *Yoxall Bridge*, in the ſaid County.

WHEREAS the Roads leading from a Place called High Bridges, in the County of Stafford, through Hill Ridware and Abbotts Bromley, to a certain Street or Lane in Uttoxeter, called Bradley Lane; and from a Houſe known by the Sign of the Royal Oak, at Spath, near Uttoxeter aforeſaid, through Crakemarſh, Roceſter, Ellaſton, and Mathfield, to a Place called Hanging Bridge; and alſo the Road leading from a certain Lane called Tewnall's Lane, near Lichfield, to a Place called Yoxall Bridge, in the ſaid County, are in a ruinous Condition, and in ſeveral Places narrow and incommodious, and in Time of Floods and great Rains, for want of Bridges and ſafe Fords, Travellers and Carriages cannot paſs and repaſs without great Danger: And whereas the ſaid Roads cannot be effectually repaired and widened by the ordinary Method of the Laws now in being; 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 Thomas Anſon, George Adams, William Avarne, Thomas Jeffry Avarne, Thomas Avarne Clerk, John Adcock, John Adie, Truſtees for *High Bridges* and *Uttoxeter* Diſtrict. Preamble.

Adie, Henry Atherton, the Honourable Robert Bertie, commonly called Lord Robert Bertie; Sir Walter Wagſtaffe Bagot Baronet, William Bagot, Walter Bagot Clerk, Richard Bagot, Hawkins Browne, William Bromley, George Blackden, William Biddulph, William Bowyer, Thomas Bull ſenior, Thomas Bull junior, Francis Bailey, Arthur Bowyer, Francis Beresford, Walter Brindley, Thomas Kemp Bourne, Henry Brindley, Joſeph Brittain, Thomas Birch, William Bentley, John Brown, John Brindley, Thomas Butler, John Burne, John Blurton ſenior, John Blurton junior, William Blurton, Thomas Belcher, William Belcher, Thomas Bromley, Lord Viſcount Chetwynd in the Kingdom of Ireland, Aſheton Curzon, William Cotton LL. D. Charles Cheſter, Sir Henry Cavendiſh Baronet, Henry Cavendiſh, Richard Cotton, Henry Cotton, Godfrey Clarke, Gilbert Clarke, Charles Chaddock, George Copeland Clerk, Henry Copeſtake, William Capper, Richard Cope, Thomas Chadburne, John Chadborne, Joſeph Charles, Joſeph Clewes, Richard Davenport, Thomas Davies, Thomas Daniel Clerk, Thomas Dunn, Thomas Evans, William Emery, Richard Fitzherbert, John Ford Clerk, Thomas Farmar, Edward Finnimore, the Right Honourable George Harry Grey, commonly called Lord Grey, Bernard Granville, Thomas Gilbert, William Gardiner, Valentine Gardiner, Alan Gardiner, Ralph Gilbert, John Gilbert, Edward Godwin of Rugeley, Edward Godwin of Bromley, John Goodwin, John Hawkes, Robert Hodgſon, Brian Hodgſon, Richard Hayne, Thomas Hart ſenior, Thomas Hart junior, William Philips Hadley, Smallbroke Horſley, Leyton Hayne, John Hayne, George Hancock Clerk, Stephen Hitchcock, Thomas Hopkins, George Holland, Thomas Jackſon, Clement Kinnerſley, Philip Key, Francis Kirby, Thomas Keeling Clerk, Richard Kilby, William Kelſall, Thomas Kinſon, Sir Edward Littleton, Fiſher Littleton, Nathaniel Liſter, Robert Lander, Doctor Lander, Thomas Lander, Walter Lion, William Lion, Samuel Lea, Richard Langley, George Malbon Clerk, Edward Moy Clerk, Bailey Madeley, Francis Moſs, John Marſton, William Minors, Gilbert Moor, John Marot, Joſeph Marſh, Samuel Newton, John Newton, Thomas Newton, Thomas Norris, Michael Nangle, Samuel Nixon, John Nicklin, Joſeph Oſborne, Sir Thomas Parker Knight, Thomas Parker, Edward Sachevered Pole, George Port, Edward Eaſtman Pickering, William Painter, Thomas Parks, John Powel, Thomas Pey, John Peg ſenior, John Peg junior, Benjamin Parr, Thomas Parr, William Plant, John Plimmer, John Pullen, Joſeph Riley, Edward Riley, William Robinſon, Stephen Riley,

John Roe, Thomas Rawlins, John Sneyd, Norman Smith Clerk, John Smith, Henry Scott, William Saunders, William Shaw, Thomas Salt, Thomas Storer, William Spencer, Thomas Sherrat, Francis Sherrat, Thomas Saunders senior, John Saunders, Thomas Saunders junior, Thomas Shaw, the honourable Charles Talbot, John Taylor Clerk, Charles Trubshaw, James Tollfree, Thomas Toundrow, James Troundley, Simon Turner, John Turner, Charles Turner, William Turner, William Thacker, George Venables Vernon, Henry Vernon, Edward Vernon D. D. Sir William Wolseley Baronet, William Wolseley, Francis Whitgrave, Moreton Walhouse, William Moseley Walsh, Thomas Webb, Plunknet Woodrooffe, Ralph Weston, Ralph Wood, James Warner, Robert Wood, Richard Wilcock, John Watson, Stephen Watson, William Wootton, John Wilden, John Webb, Joseph Walkadine, Francis Woolley, shall be, and they and their Successors to be elected in the Manner herein after mentioned, are hereby nominated, constituted, and appointed Trustees, for repairing, widening, and keeping in Repair, the said Road from High Bridges to the said Street or Lane, called Bradley Lane, in Uttoxeter aforesaid, and for putting in Execution all the Powers of this Act in relation to the said Road, which shall be, and is herein after called the First District of the Roads hereby intended to be repaired and widened; and that Thomas Anson, John Addenbrooke Clerk Dean of Lichfield, John Allsop, Edward Armishaw, Thomas Armishaw, John Arnold, Sir Walter Bagot Baronet, William Bagot, Richard Bagot, Thomas Bagot, Thomas Bainbrigge, John Borrough, Brooke Boothby, William Bromley, Richard Beresford, Hawkins Browne, Walter Bagot Clerk, Lewis Bagot Clerk, John Bill Clerk, William Boyer, Thomas Bull senior, Thomas Bull junior, Francis Bailey, Francis Beresford, Arthur Boyer, Richard Ball, Thomas Ball, Kempe Bourne, Biddulph, William Biddulph, Lord Viscount Chetwynd in the Kingdom of Ireland, Sir Henry Cavendish Baronet, Henry Cavendish, Charles Chester, Ashton Curzon, Gilbert Clarke, Richard Cotton, Henry Cotton, George Challoner, Edward Coyney, William Cotton LL. D. George Copeland Clerk, Henry Copestake, Walter Carrington, Uriah Calden, Richard Cotton, George Calton, Joseph Clowes, Richard Davenport, Thomas Docksey, Thomas Davies, Thomas Daniel Clerk, Thomas Evans Clerk, William Fitzherbert, Richard Fitzherbert, John Fitzherbert Clerk, James Fitzherbert, George Fletcher Clerk, Edward Finnimore, the Right honourable Harry Grey, commonly called Lord

Trustees for Spath District.

Grey; Bernard Granville, William Gardner, Alan Gardner, Thomas Gilbert, Ralph Gilbert, John Gilbert, Francis Gallimore, John Goodwin, William Gould, Richard Hayne, Brian Hodgson, William Philips Hadley, Leyton Hayne, John Hayne, Thomas Hart senior, Thomas Hart junior, William Horsley, Smallbrooke Horsley, George Harrison, Thomas Holme, George Hancock Clerk, Clement Kinnersley, Francis Kirby, Thomas Keeling Clerk, Francis Leigh, Thomas Ley, Richard Langley, Edward Leigh, John Lee, William Lee, Thomas Mills, George Malbon Clerk, Simon Mills Clerk, David Miles Clerk, John Marston, Bailey Madeley, William Masgrave, Michael Nangle, Thomas Norris, Thomas Orme, Sir Thomas Parker Knight, Thomas Parker, Edward Sacheverel Pole, George Port, William Plant, Thomas Philips senior, Thomas Philips junior, John James Rousseau, John Roe, Thomas Rawlins, John Sneyd, Norman Smith Clerk, John Smith, Henry Scott, Richard Sutton, William Saunders, William Shaw, John Taylor LL.D. James Troundley, Simon Turner, George Venables Vernon, Henry Vernon, Moreton Walhouse, Ralph Wood, James Warner, Robert Wood, Ralph Weston, Richard Wilcock, John Watson, Stephen Watson, John Whieldon, Sampson Whieldon, and Francis Ward Clerk; shall be, and they and their Successors, to be elected in the Manner herein after-mentioned, are hereby nominated, constituted, and appointed Trustees, for repairing, widening, and keeping in Repair, One full Moiety, or Half Part in Length, of the said Road from the Royal Oak at Spath to Hanging Bridge aforesaid, and lying next to Spath, and for putting in Execution all the Powers of this Act in relation to the said Half Part of the said last-mentioned Road, which shall be and is herein after called the Second District of the Roads hereby intended to be repaired and widened.

Qualification of Trustees.

And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in the Execution of this Act, in either of the Districts before-mentioned, unless he shall be actually seised in his own Right, or in the Right of his Wife, of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, or possessed of or intitled unto a Personal Estate of the Value of Eight hundred Pounds, after Payment of all Debts, or shall be Heir Apparent of a Person possessed of an Estate in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and fifty Pounds: And if any Person, not being so qualified, shall presume to act contrary to the Intent and Meaning of this Act, every such Person shall, for

Penalty on acting if not qualified.

every

every such Offence, forfeit and pay the Sum of Fifty Pounds, to be recovered in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case, or by Bill, Suit, 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, or otherwise shall pay the said Sum of Fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person hath acted as a Trustee in the Execution of this Act; One Moiety of which said Forfeiture shall be paid to the Prosecutor, and the other Moiety shall be applied in such Manner as other Penalties and Forfeitures are herein after directed to be applied.

Times and Places of Trustees Meeting.

And be it further enacted by the Authority aforesaid, That the said Trustees for the said First District, or any Five or more of them, shall meet together at the House of John Askin, known by the Sign of The White Hart in Uttoxeter aforesaid, on Thursday Three Weeks next after the passing of this Act; and that the said Trustees for the said Second District, or any Five or more of them, shall first meet together at the House of William Wallis, known by the Sign of The Star, in Uttoxeter aforesaid, on Thursday Three Weeks next after the passing of this Act, and shall severally proceed to the Execution of this Act; and the said Trustees, or any Five or more of them, may then, and from time to time afterwards, adjourn themselves to meet at such Place or Places, upon or near such respective Districts, as they the said respective Trustees, or any Five or more of them, shall, from time to time, think most convenient: And if at any Meeting or Meetings to be appointed by virtue of this Act, there shall not appear a sufficient Number of Trustees to act, and to adjourn to another Day, the Trustee or Trustees then present, or the Clerk or Clerks to the said Trustees respectively, shall, from time to time, as often as such Case shall so happen, by publick Notice in Writing, to be affixed upon the several Turnpike Gates which shall then be erected by virtue of this Act, within the District where such Default shall happen to be, at least Six Days before the next Meeting, appoint the Trustees to meet at the House where the last Meeting was appointed to be held, or at some other convenient House in or near the said respective Districts, on the Day and Time in the said Notice to be specified; and that the said Trustees, at all their Meetings, shall defray their own Expences.

In Default of a sufficient Number to act,

Clerk to give Notice of another Meeting.

Trustees to defray their own Expences.

Provided

No Act valid unless made at a publick Meeting.

Provided always, and be it further enacted by the Authority aforesaid, That all Orders and Determinations of the said respective Trustees, in Execution of any of the Powers hereby granted, shall be made at Meetings to be held in pursuance of this Act, and not otherwise; and that no such Order or Determination shall be valid, unless the Majority of the Trustees present at such Meetings shall concur therein, such Majority not being less than the respective Numbers in this Act authorized to make such Orders or Determinations; nor shall any such Order or Determination be revoked or altered at any subsequent Meeting, unless Nine Trustees shall be present, and concur therein.

No Order to be made unless a Majority of the Trustees present shall concur therein.

No Order to be repealed unless 9 Trustees be present.

Provided also, That no Person shall be capable of acting as a Trustee in either of the said respective Districts, during the Time he shall hold any Place of Profit under this Act, or in relation thereto.

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

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

And be it further enacted by the Authority aforesaid, That such Trustees as are or shall be in the Commission of the Peace for the said County of Stafford, shall and may act nevertheless as Justices of the Peace in the Execution of this Act, except only in such Cases where they shall be personally interested.

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

And be it further enacted by the Authority aforesaid, That upon the Death or Refusal to act of any Trustee or Trustees hereby appointed, or hereafter to be chosen, for the said Districts respectively, it shall be lawful for the surviving or remaining Trustees for such Districts respectively, or any Five or more of them, by Writing under their Hands, from time to time, to elect One other Person, qualified as aforesaid, to be a Trustee in the Room of the Trustee so dying or refusing to act; but Notice of the Time and Place of Meeting for every such Election shall be affixed in Writing under the Hand of the Clerk or Clerks to the Trustees, upon all the Turnpikes within such respective Districts, at least Fourteen Days before every such Meeting; and all Persons who shall be so chosen, shall be joined with such surviving or remaining Trustees, and are hereby impowered to act in the Execution of this Act, to all Intents and Purposes, in as full and ample Manner, as if such Persons had been particularly appointed Trustees by this Act within such respective Districts.

Notice of such Election to be given,

Trustees may erect Turnpikes and Toll-houses,

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Seven or more of them, or any such Person or Persons as they, or any Seven or more of them, shall appoint, shall and may erect One or more Gate or Gates, Turnpike or Turnpikes, upon,

upon, in, or across, any Part or Parts of the said Roads within their respective Districts; and also One or more Toll-house or Toll-houses, with suitable Outbuildings and Conveniencies thereto, in and upon the said several Roads in each of the said Districts; and from time to time, pull down and remove the same as they the said respective Trustees, or any Seven or more of them, shall judge proper; and the Tolls following shall be demanded and taken by such Person or Persons as they the said respective Trustees, or any Seven or more of them, shall, from time to time, appoint to receive the same, at each and every of the said Turnpikes before any Horse, Cattle, Beast, or Carriage, shall be permitted to pass through the same; that is to say, Tolls and take Tolls thereat.

The Tolls.

For every Horse, Mare, Gelding, Mule, Ass, Pair of Oxen, or Bullocks, or other Beast, drawing any Carriage, Three Pence.

For every Packhorse, or other Horse, Mare, Gelding, Mule, Ass, or other Beast, not drawing, One Penny.

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

For every Drove of Calves, Swine, Sheep, or Lambs, Five Pence per Score; and so in Proportion for every greater or less Number.

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll: And if any Person or Persons, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part thereof; it shall be lawful for the Person or Persons to be appointed as aforesaid to collect such Tolls, to seize, take, and distrain, any Horse or Horses, or other Cattle, upon which any Toll is by this Act imposed, or any of the Goods and Chattles of such Person or Persons so neglecting or refusing to pay the same, and the Horse or Horses, or other Cattle, Goods, and Chattles, to detain and impound: And if such Tolls, and the reasonable Charges of such Seizure, Distress, and Impounding, shall not be paid within the Space of Four Days after such Seizure or Distress made, the Person or Persons so seizing or distraining shall and may sell the Horse, Cattle, Goods, or Chattles, so seized or distrained, returning the Overplus (if any there be) upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Seizure or Distress, and Impounding, shall

Tolls to be levied by Distress and Sale.

Distress may be sold after 4 Days.

Tolls vested in the Trustees.

shall be reduced; and that all the Tolls collected or levied by virtue of this Act, shall be and are hereby vested in the said respective Trustees, and shall be applied, or may be assigned, in such Manner as is herein after mentioned.

Proviso.

Provided always, That no Toll shall be taken in respect of any Horse, Cattle, Beast, or Carriage, which shall only cross the said Roads.

Trustees may erect Side-gates,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said respective Trustees, or any Seven or more of them, within their respective Districts, to erect, or cause to be erected, (over and besides the above mentioned Gates or Turnpikes upon or cross the said Roads) One or more Bar or Bars, Gate or Gates, Turnpike or Turnpikes, and Toll-house or Toll-houses, on the Side or Sides of the said several Roads, and upon, in, or across, any Lanes or Bye-ways, that do or shall lead into, or out of, the said Roads; and there to demand and take such Tolls and Duties as are by this Act granted and made payable at any Turnpike or Turnpikes to be erected by virtue hereof, within such District.

and take Tolls thereat.

No Gate to be erected on the Road from *High Bridges* to *Abbots Bromley*;

Provided always, That nothing herein contained shall extend to impower the said Trustees of the First District to erect any Gate, Toll-bar, or Turnpike, in, upon, or across, any Part of the Road leading from High Bridges to Abbots Bromley aforesaid; any thing herein contained to the contrary notwithstanding.

Nor on the Road lying within the Parishes of *Rocester* and *Ellaston*.

Provided also, That nothing herein contained shall extend to impower the said Trustees of the said Second District to erect any Gate, Toll-bar, or Turnpike, in, upon, across, or on the Side of, any Part of the Road lying within the Parishes of Rocester and Ellaston aforesaid, or either of them; any thing herein contained to the contrary notwithstanding.

No Turnpike to be erected till 300 *l.* be expended.

Provided always, and be it enacted by the Authority aforesaid, That no Turnpike or Toll-gate shall be erected across, or on the Side of, any Part of the Road comprehended within either of the said Districts, until the Sum of Three hundred Pounds shall have been actually expended in repairing, amending, and widening the Roads within each of the said Districts respectively.

Toll to be paid but Once a Day.

Provided always, and be it enacted by the Authority aforesaid, That no Person or Persons shall be liable to pay Toll more than Once, at any Toll-gate or Turnpike to be erected upon the said Roads, for passing or repassing at any Time or Times in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the

Clock in the succeeding Night) with the same Horses, Cattle, Beasts, or Carriages, through the same Turnpike in each respective District, and cross any Lane or Way leading into the same respectively; but all and every Person and Persons, after having paid Toll Once at any Gate or Turnpike to be erected by virtue of this Act, and producing a Note or Ticket, Notes or Tickets, denoting the Payment of such Tolls (which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis on the Receipt of the Tolls) shall afterwards pass with the same Horses, Cattle, Beasts, and Carriages, Toll-free, during such Day, through the same Gate or Turnpike.

Toll to be paid but Once a Day for passing through all the Gates.

Provided always, That no more than One Toll in the Whole shall be demanded or taken from any Person or Persons for passing and repassing the same Day in each District respectively, with the same Horses, Cattle, Beasts, or Carriages, through all the Toll-gates or Turnpikes to be erected by virtue of this Act; but that all and every Person and Persons having paid the said One Toll in each respective District, and producing a Note or Ticket, Notes or Tickets, denoting the Payment of such Toll (which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis on the Receipt of each Toll respectively) shall pass and repass with the same Horses, Cattle, Beasts, or Carriages, Toll-free, during such Day, through all such Toll-gates or Turnpikes respectively to be erected by virtue of this Act.

Property of Turnpikes, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That the Right and Property of all the Turnpikes and Toll-houses to be erected or provided by virtue of this Act within the said respective Districts, and of the Materials for building the same, and also of all Materials which shall be actually got or collected for repairing the said Roads, shall be, and are hereby vested in the said Trustees respectively; and they, or any Five or more of them, are hereby impowered to bring, or cause to be brought, any Action or Actions in the Name or Names of any One or more of them, or of their respective Treasurer or Clerk, or to prefer, or order the preferring of Indictments against any Person or Persons who shall injure or disturb them in the Possession thereof.

Application of Monies.

And be it further enacted by the Authority aforesaid, That out of the Tolls collected and levied within the said Districts, or the Monies to be borrowed upon the Credit thereof respectively, the said respective Trustees, or any Five or more of them, shall in the first Place pay all the Expences incurred in and in relation to the obtaining

of

of this Act (except the Sum of One hundred Pounds, which shall be immediately paid out of the Tolls collected at Tewnall's Lane Gate, or out of the Monies borrowed, or to be borrowed, on the Credit thereof, towards the Expences incurred in obtaining this Act, so far as the same relate to the said Road leading from Tewnall's Lane to Yoxall Bridge) and that One Half of such Expences (except as before excepted) shall be defrayed out of the Monies arising within or upon account of the said First District; and the remaining Half of such Expences (except as is before excepted) shall be defrayed out of the Monies arising within or upon account of the said Second District; and afterwards all such Tolls and Monies shall be applied in defraying the Expences of erecting and providing the Turnpikes and Toll-houses, and of repairing, widening, altering, turning, and keeping in Repair, the respective Roads in the District wherein or on account whereof such Tolls are collected or levied, and for which such Monies are severally borrowed, and of executing the other Purposes of this Act, within and in relation to such District separately and respectively, and to no other Use whatsoever.

Trustees may lessen the Tolls,

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

and raise them again.

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

Penalty on permitting, or going thro' private Passage, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, with any Horse, Cattle, Beast, or Carriage, pass through any Land, Ground, or Hereditament, adjoining to or lying near any Turnpike which shall be erected by virtue of this Act (the same not being a publick Highway) or if any Owner or Occupier of any such Ground, Land, or Hereditament, shall knowingly or willingly permit or suffer any Person or Persons, with any Horse, Cattle, Beast, or Carriage whatsoever, to pass through the same; or if any Person or Persons shall give to or receive from any Person or Persons, or forge or counterfeit, any Ticket by this Act directed to be given by the Collectors of the Tolls, whereby the Payment of any of the said Tolls, or of any Part thereof, in either of the said Districts, shall be avoided; or if any Person or Persons shall forcibly pass through any such Turnpike with any Horse or other Cattle, or shall take off or cause to be taken off, any Horse, or other Cattle, from any Carriage; or shall leave, or cause to be left, upon or near to any Part of the said respective Roads, any Carriage, Horse, or other Cattle, with an Intent to avoid the Payment of the said Tolls, or any Part thereof; every Person so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Twenty Shillings; whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied in such Manner as the Penalties are herein directed to be applied.

or giving or receiving Tickets, &c.

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

Exemptions from Tolls.

Provided always, and be it further enacted by the Authority aforesaid, That no Toll shall be demanded or taken in either of the said Districts, for any Carriage, or any Horse, Cattle, or Beast, laden only with, or going unladen for, or returning unladen, having been laden only on the same Day, with Stones, Gravel, or other Materials for repairing of the said Roads, or any Highway, in any of the Parishes through or into which any Part of the said Roads leads, or in any of the neighbouring Townships; or going unloaden for, and returning loaden only with, Hay, or Corn in the Straw, not sold or disposed of, but passing to be laid up in the Houses, Out-houses, Barns, or other Places, belonging to any

of the Inhabitants of any of the said respective Parishes; or going unloaden for, and returning only loaden with, any Dung, Mould, or Compost, of any Nature or Kind whatsoever (Lime only excepted) to be used in manuring or improving of Land in such Townships, Parishes, or Places; nor for any Carriage or Cattle going for or passing with any Plough, Harrow, or other Implement of Husbandry only, which shall belong to the Inhabitants of any of the Townships, Parishes, or Places, through or into which the said Roads lead; nor shall any Toll be demanded or taken for any Post-horse carrying the Mail or Packet; nor for any Cattle going to or from Water or Pasture; nor for the Horses of any Soldiers upon their March, or Carriages attending them with their Baggage; nor for any Cattle or Carriage employed in the Conveyance of Vagrants sent by legal Passes; nor for any Carriage 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 County of Stafford, during the Time of such Election, or on the Day before or Day after such Election shall begin or be concluded; nor for any Person or Persons going or returning with Horses or Carriages to or from the Parish Church of Uttoxeter, on Sundays; or attending the Funeral of any Person who shall die in the said Parish; and if any Person shall claim and take the Benefit of any of the Exemptions by this Act allowed, not being intitled to the same, every such Person shall forfeit the Sum of Twenty Shillings.

Penalty of making illegal Claims.

Particular Exemptions.

Provided always, and be it further enacted by the Authority aforesaid, That all Lime passing through any Gate or Gates in each respective District the same Day, shall pay but Once, and only Half the Toll herein before authorized to be taken in each respective District.

Trustees may compound with Travellers.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Nine or more of them, may, and are hereby impowered, from time to time, as they shall see convenient, to compound and agree, for any Term not exceeding Two Years at any One Time, with any Person or Persons, or with any Townships, Parish, or Place, for any Carriages, Horses, Cattle, or Beasts, travelling upon the said respective Roads, or any Part thereof, for all or any of the Tolls to be paid within such respective District, for or in respect of such Carriages, Horses, Cattle, or Beasts; and all such Composition-money shall be paid Quarterly in Advance; and in Default thereof, the Composition or Agreement with the Person or Persons, Township, Parish,

or Place, making such Default, shall from thenceforth be void; and all such Composition-monies shall be applied in such Manner as the Tolls, in respect whereof such Composition is made, are directed to be applied.

Trustees may lease, &c. the Tolls.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said respective Trustees, or any Nine or more of them, from time to time, by Writing under their Hands and Seals, to lease the Tolls arising by virtue of this Act, in the said respective Districts, or any Part or Parts of such Tolls, unto any Person or Persons, from Year to Year, or for any Term of Years not exceeding Three Years, for the best Rent that can be got for the same; payable at such Times, and under such Covenants, and to such Person or Persons, as they the said respective Trustees, or any Nine or more of them, shall direct or appoint; and the Monies arising thereby shall be applied in such Manner as the Tolls so leased are hereby severally directed to be applied, and to no other Use whatsoever.

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 for the said respective Trustees, or any Nine or more of them, at their First or any subsequent Meeting, upon the Credit of the Tolls arising within their respective Districts, in such Manner as they the said respective Trustees, or any Nine or more of them, shall think proper, to borrow and take up at Interest such Sum and Sums of Money as they, or any Nine or more of them, shall think fit; and also they the said respective Trustees, or any Nine or more of them, may, and are hereby impowered, from time to time, by any Writing or Writings under their Hands and Seals, to mortgage or assign over the said Tolls, or any Part or Parts thereof, the Charges of such original Mortgages or Assignments to be paid out of such Tolls respectively, to any Person or Persons, for any Time or Term during the Continuance of this Act, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof, as aforesaid; and Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said respective Trustees; but no Money shall be borrowed upon the Credit of the said Tolls after such First Meeting in each respective District, unless Notice be for that Purpose affixed in Writing upon all the Turnpikes erected by virtue of this Act, within the District where and for the Use whereof such Money shall be so intended to be borrowed, at least Fourteen Days before the borrowing

Notice to be given of borrowing of Money.

ing

ing thereof; And all and every Person and Persons, to whom any such Mortgage or Assignment shall be made as aforesaid, or who shall be intitled to the Money thereby secured, is and are hereby impowered, from time to time, by Assignment under his, her, or their Hand or Hands, to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Presence of Two or more credible Witnesses, to assign over or transfer his, her, or their Right to the Principal and Interest Money thereby secured, to any Person or Persons whomsoever; all which Assignments or Transfers shall be produced and notified to the said respective Clerk or Treasurer within Thirty Days after the Date thereof, who shall cause an Entry to be made of such Assignments, containing the Date, Names of the Parties, and Sums of Money therein mentioned to be assigned or transferred, in the said Book or Books to be kept for entering the said original Mortgages or Assignments; for which such Clerk or Treasurer shall be paid the Sum of Two Shillings and Six Pence, and no more; and which said Book or Books shall and may, at all seasonable Times, be perused and inspected without any Fee or Reward; and after such Entry made, such Assignment or Transfer shall intitle such Assignee, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and such Assignee may, in like Manner, assign or transfer again, and so toties quoties; and it shall not be in the Power of any Person who shall have made any such Assignment or Transfer, to make void, release, or discharge, the same, or any Monies thereon due.

Assignments may be transferred.

And be it further enacted by the Authority aforesaid, That no Preference shall be given to any Person or Persons advancing any Sum or Sums of Money upon the Credit of the said Tolls respectively, or any Part thereof, in respect of the Priority of advancing such Sum or Sums; but that all Persons, to whom such Mortgages or Assignments shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such Tolls in equal Degree one with another.

All Creditors to be deemed equal in Degree.

And be it further enacted by the Authority aforesaid, That the said Trustees for the said respective Districts, or any Five or more of them, may, from time to time, appoint a Collector or Collectors of the Tolls, and a Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors

Trustees to appoint Officers,

Surveyors of the said Roads, and such other Officer or Officers as they shall think necessary or convenient, and shall take such Securities for the due Execution of their respective Offices as they shall think fit; and, from time to time, to remove such Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, or any or either of them, and appoint others in their Stead; (but Seven Days Notice shall be given of every Meeting where any such Appointment or Removal shall be made, after the First Meeting of the said respective Trustees; such Notice to be affixed upon all the Turnpikes in the District where such Appointment or Removal is intended to be made) and may, and are hereby impowered, out of the Tolls, or the Monies to be borrowed on the Credit thereof, to allow to such Collectors, Receivers, Clerks, Treasurers, Surveyors, and other Officers, and to such other Person and Persons as shall be assisting in or about the repairing, widening, or altering, the said Roads, or executing this Act, such Salaries, Rewards, or Allowances, as to them the said respective Trustees, or any Five or more of them, shall seem reasonable and convenient.

and remove them, and appoint others.

Trustees to allow Officers Salaries.

And be it further enacted by the Authority aforesaid, That all Persons whatsoever who shall receive, or be employed in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, shall, at such Time and Times, and in such Manner, as the said respective Trustees, or any Five or more of them, shall direct and appoint, produce and deliver to such respective Trustees, or such Person or Persons as they shall respectively appoint, true and perfect Accounts in Writing, under their respective Hands, of all the Monies which shall have been by such Persons so directed to deliver such Accounts respectively had, collected, or received, and how, to whom, and for what Purposes, such Monies shall have been applied, together with the proper Vouchers for such Payments; and shall 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 or Persons, or to such Uses and Purposes, as they, or any Five or more of them, shall direct and appoint; and that all the said Officers and Persons so accounting as aforesaid, shall, if required, upon their several Oaths (which Oaths the said respective Trustees, or any Two or more of them, are hereby impowered to administer) verify their said Accounts, and the particular Articles thereof: And if any such Officer or Person shall refuse or neglect to give a true

Officers to account upon Oath.

Officers refusing to account,

a true and perfect Account in Writing as aforesaid, or shall knowingly deliver a false or imperfect Account, or shall refuse or neglect to produce or deliver up the Receipts and Vouchers relating to the same, or to verify the Articles thereof upon his Oath, or shall refuse or neglect to pay over, in Manner as aforesaid, all the Monies which shall appear to remain in his Hands; and if any Clerk or other Officer to the said Trustees shall refuse or neglect to deliver up to the respective Trustees, or any Five or more of them, within Ten Days after being thereunto required by any Five or more of such Trustees, all the Books, Papers, and Writings, in his Custody or Power relating to the Execution of this Act; in each or any or either of the said Cases, it shall be lawful for any One or more of the Justices of the Peace for the said County of Stafford, and such Justice or Justices, upon Complaint thereof to him or them made, is and are hereby required to make Enquiry concerning such Default, either by Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is and are hereby impowered and required to administer without any Reward) and if any such Officer or Person shall be convicted of any or either of the Offences aforesaid, such Justice or Justices shall commit every such Offender to the Common Goal or House of Correction for the said County of Stafford, there to remain, without Bail or Mainprize, until he shall give a true and perfect Account in Writing, and verify the same as aforesaid, and make such Payment as aforesaid, or until he shall have compounded with the said respective Trustees, or any Five or more of them, and shall have paid such Composition to such respective Trustees, or to any Five or more of them, or according to their Appointment (which Composition the said respective Trustees, or any Five or more of them, are hereby impowered to make) and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said respective Trustees, or any Five or more of them.

Justices to inquire into the Default,

and commit the Offender,

until Payment or Composition be made,

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Five or more of them, shall, and they are hereby required, to take such Security from their Treasurer or Treasurers, Receiver or Receivers, for the due Execution of his or their Office or Offices, as the said Trustees, or any Five or more of them, shall think fit.

Provided

Provided always, That as often as any Collector of the said several Tolls shall die, or be incapable of performing his Duty, it shall and may be lawful for any Two or more of the said Trustees for such District respectively, though not assembled at a Meeting in pursuance of this Act, by any Writing under their Hands, to appoint any other Person to collect such Tolls; and the Person so appointed shall have the same Authority for Recovery thereof, as the Person he shall succeed was vested with, until the said Trustees for such District, or any Five or more of them, shall, at a Meeting to be held by virtue of this Act, appoint a Collector of such Tolls. Trustees may appoint Officers, tho' not at a publick Meeting.

Provided also, That no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, or any menial Servant of any Trustee, shall be capable of holding any Place of Profit under this Act. No Victualler to accept of a Place of Profit.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors appointed by any Five or more of the said Trustees respectively, and such other Persons as shall be employed by such Surveyor or Surveyors for that Purpose, is and are hereby impowered to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Chalk, Flint, Gravel, Sand, or other Materials, proper for the repairing of the said respective Roads, in, upon, out of, or from, any Waste Grounds, or Commons, Rivers, or Brooks, in any Parish, Town, or Place, in which any Part of the said respective Roads lies, or in any neighbouring Parish, Town, or Place, without paying any thing for the same; such Surveyors or other Persons filling up the Pits, and levelling the Ground, from whence such Materials shall be taken, or railing or fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; And also, by Order of the said respective Trustees, or any Five or more of them, to dig, gather, take, and carry away, any such Materials as aforesaid, in, upon, or out of, from and over, the Lands of any Person or Persons where the same may be had (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground, planted and set apart as a Nursery for Trees) paying or tendering Payment after such Rates for such Materials, and for the Damage done to the Owners or Occupiers of the inclosed Lands where and from whence the same shall be cut, digged, gathered, and conveyed, and over which the same shall be carried; and also for the Damage done to the Owners and Occupiers of inclosed Lands over which any such Materials gotten in any Waste Ground, Surveyors may dig Gravel, &c. without paying for the same; levelling the Pits, &c. Materials may be taken from private Grounds; making Satisfaction to the Owners.

Ground, Common, River, or Brook shall be conveyed as the said respective Trustees, or any Five or more of them, shall adjudge reasonable.

Surveyors may remove Annoyances, &c.

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

and cut down Trees;

the Owners neglecting to remove the same after Notice;

Penalty of Contempt.

the Charges thereof to be reimbursed to the Surveyor.

Penalty of a Second Offence.

Surveyors may make Causeways, &c.

And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint (by Order of the said respective Trustees, or any Five or more of them) to make or cause to be made Causeways, and also Ditches or Drains in and upon

the said respective Roads, and also Ditches and Drains through any Grounds lying contiguous thereto; and to erect, rebuild, and keep in Repair, Bridges and Arches in or upon the said Roads, and also cross any such Ditch or Drain, where necessary; and also to widen any narrow Part of the said Roads, by opening, clearing, and laying into the same, any Grounds of any Person or Persons lying contiguous thereto, so as to make such Parts of the said Roads not exceeding Sixty Feet in Width; and also to make, or cause to be made, a Road through the Grounds adjoining to any hollow Way, narrow or ruinous Part of the said Roads (such Grounds respectively not being the Grounds whereon any House stands, or a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground, planted and set apart as a Nursery for Trees) to be made use of by all Passengers, Cattle, and Carriages, as a publick Highway, whilst the old Road is repairing or widening, and till such Time as it shall be convenient for Passengers and Carriages to pass through the same; making such Recompence to the Owners and Occupiers of such private Grounds respectively, through which any such Drain or temporary Road shall be made, or on which any such Arch or Bridge shall be erected, for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said respective Trustees, or any Five or more of them; but no Satisfaction shall be made for doing or performing any of the Works aforesaid, upon or through any Moor, Common, or Waste Ground: And if any Person or Persons shall assault, interrupt, or hinder, or cause to be assaulted, interrupted, or hindered, any Collector or Receiver of the Tolls in the Execution of his Office, or any of the said Turnpike Surveyors, or any other Person or Persons by them, or any of them, or by the said respective Trustees, or any Five or more of them, employed in cutting, digging, taking, or carrying away, any Materials, for the altering, widening, or repairing, any of the said Roads, or in removing any Annoyances from the same; or in cutting down, lopping, or topping, any such Trees, Shrubs, Hedge-rows, or Bushes, as aforesaid, or in removing or carrying away the same; or in turning, cleansing, scouring, widening, or making deeper, any such Watercourses or Ditches as aforesaid; or in making any Causeways, Ditches, or Drains, or erecting Bridges, or in doing any other Act in or for the repairing, widening, or altering, the said respective Roads; or otherwise in or for the Execution of any of the

erect Bridges, and make a temporary Road;

making Satisfaction to the Owners of the Grounds.

Penalty on Constables, &c. neglecting to do their Duty.

Powers by this Act given; every such Person shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, to be levied, recovered, and applied, in such Manner as the other Penalties by this Act inflicted are directed to be recovered and applied.

Trustees may erect Turnpikes and Toll-houses.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Five or more of them, shall, and they are hereby impowered, by any Writing under their Hands and Seals, without any Stamp thereon, to contract with any Person or Persons for the repairing, amending, and widening, the said respective Roads, or any Part thereof; and also for the erecting and setting up any Toll-houses and Turnpikes, and setting up Mile-stones or Posts, in, upon, or on the Sides of the said respective Roads, or any Part thereof, in such Manner, and for such Sum or Sums of Money, as shall be agreed upon by and between the said Trustees, or any Five or more of them, and such Person or Persons so contracting with the said respective Trustees, or any Five or more of them.

Trustees may contract with Persons for the Purchase of Lands, &c.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Nine or more of them, shall be, and are hereby fully impowered to divert, turn, or alter, the Course or Path of any Part or Parts of the said Roads within their respective Districts, through any Moor, Common, or Waste Ground, without making any Satisfaction for the same; and also through any private Grounds or Hereditaments, making Satisfaction to the Owners thereof, and Persons interested therein, for the Damage they may thereby sustain; and for that Purpose it shall be lawful for the said Trustees, or any Nine or more of them, within their respective Districts, to contract and agree with the several Owners of, and Persons interested in, any Lands or Hereditaments, for the Purchase thereof, or for the Loss or Damage such Owners or Persons may sustain by the diverting, turning, or altering, the Course or Path of any Part or Parts of such Roads, through such Lands or Hereditaments; and it shall be lawful for

Bodies Politick, &c. impowered to treat.

all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and also for all Persons whatsoever, seized of, or interested in, or entitled unto, such Lands, Tenements, or Hereditaments, in Mortmain, or under any Ecclesiastical Right, and also for all Husbands, Guardians, Trustees, and Feoffees in Trust, Committees for Lunaticks or Idiots, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs, and Successors,

Trustees may contract with Persons for purchasing the Lands to be treated for.

Lands or Tenements to be treated for by persons seized or entitled in Right of the Church, &c.

Trustees may treat with Persons seized or entitled in Right of the Church, &c. for Lands, &c. not belonging to them.

Trustees may convey Lands, &c. by Deeds and Conveyances.

Trustees may contract for Lands, &c. to be given in Exchange.

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Trustees may convey Lands, &c. by Deeds and Conveyances.

Trustees may treat with Persons for Lands, &c. not belonging to them.

Lands or Tenements to be treated for by persons seized or entitled in Right of the Church, &c.

Trustees may contract with Persons for purchasing the Lands to be treated for.

results, but only for and on Behalf of such Corporate Trusts, whether Infants or Idiots under Lunatics, Ideots, Femes Covert, or other Person or Persons whatsoever, and to and for all Femes Covert who are or shall be interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Lands or Hereditaments under any Manner of Right or Title whatsoever, to contract with the said Trustees, or any Nine or more of them, for the Satisfaction to be made for such Damages and aforesaid, and to sell and convey to them or any Nine or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for the Purposes aforesaid or to contract for and give in Exchange any Part or Parts of the said new Roads or Paths so to be made as aforesaid, for the said old Roads or Paths so to be diverted or altered as aforesaid, or for any Part or Parts thereof; and all Contracts, Exchanges, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes in any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding: And all such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Persons seized or intitled in Mortmain, or in Right of the Church, Husbands, Trustees, Feoffees, Guardians, Committees, Executors, Administrators, and all other Persons, shall be, and are hereby indemnified for what they shall do by virtue of this Act: And if any such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Persons seized or intitled in Mortmain or in Right of the Church, Husbands, Trustees, Feoffees, Guardians, Committees, Executors, Administrators, or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him, her, or them given or left in writing at the Dwelling-house or Usual, or Place or Places of Abode, of such Person or Persons, or of the principal Officer or Officers of such Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the House of the Tenant in Possession of the Lands or Hereditaments intended to be taken in, and added to, any Part of such Roads, or through which any Part of such Roads is intended to be turned or altered, shall, for the Space of Thirty Days after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premisses, or by reason of Absence shall be prevented from treating thereon; and in every such Case the said Trustees, or any Nine or

more

Jury to settle the Recompence.

more of them, shall cause such Damage and Recompence to be inquired into and ascertained by a Jury of Twelve indifferent Men of the said County of Stafford;

Witnesses may be summoned, and examined upon Oath.

and in order thereto, the said Trustees, or any Nine or more of them, are hereby impowered and required, from time to time, as Occasion shall require, to summon and call before such Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to be examined concerning the Premisses (which Oath any Two or more of such Trustees are hereby impowered to administer) and such Trustees, or any Nine or more of them, shall, by ordering a View or otherwise, use all lawful Ways and Means as well for their own as for the said Jury's better Information in the Premisses; and after the said Jury shall have inquired of and assessed such Damage and Recompence, they the said respective Trustees, or any Nine or more of them, shall thereupon order, adjudge, and determine, the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners and other Persons interested in the said Lands or Hereditaments, according to the Verdict or Inquisition of such Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination thereupon, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming, or to claim, in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes Covert, Lunaticks, Ideots, and Persons under any other Disability whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Persons seized or intitled in Mortmain, or in Right of the Church, as well as all other Person or Persons whomsoever, claiming, or to claim, in Possession, Reversion, Remainder, Contingency, or otherwise, their Heirs, Executors, and Administrators: And for summoning and returning such Juries, the said respective Trustees, or any Nine or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the said County, thereby commanding him to impanel, summon, and return, an indifferent Jury of Twenty four Persons qualified to serve upon Juries, to appear before the said respective Trustees, or any Nine or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff, or his Deputy or Deputies, is and are hereby required to impanel, summon, and return, such Number of Persons accordingly, and to attend

Trustees to issue Warrants to the Sheriff to impanel a Jury.

attend at the Time and Place so appointed; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said respective Trustees, or any Two or more of them, shall, and they are hereby impowered and required to swear, or cause to be sworn, Twelve Men, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men, either of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons so returned shall have their lawful Challenges against any of the said Jurymen when they shall come to be sworn, and the said respective Trustees, or any Nine or more of them, acting in the Premisses, within their said respective Districts, shall have Power from time to time to impose any reasonable Fine or Fines on such Sheriff, his 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 shall not appear, or that shall refuse to be sworn on the said Jury, or being so sworn, shall refuse to give, or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Persons who, being required to give Evidence before the said Jury, shall refuse or neglect to appear, or appearing, shall refuse to be examined or to give Evidence; and which Fine or Fines shall be levied and applied in such Manner as other Penalties and Forfeitures are hereinafter directed to be levied and applied; so that no such Fine be more than Five Pounds, nor less than Forty Shillings, upon any One Person for One Offence.

Jurors may be challenged.

Trustees may impose a Fine on Sheriff, &c. making Default.

Fine not to exceed 5*l.*

And be it further enacted by the Authority aforesaid, That every Sum of Money or Recompence to be agreed for or assessed as aforesaid, shall be paid out of the Tolls arising within or on account of the District wherein such Road is intended to be diverted, turned, or altered, or out of the Monies to be borrowed upon the Credit thereof, to the Parties or Persons respectively intitled to such Monies, or to their Agents; and that upon Payment or Tender of such Money or Recompence to the Person or Persons intitled thereto, or to his, her, or their Agent or Agents, and in case of Refusal to accept the same, then, upon leaving the same in the Hands of the Clerk or Treasurer to the said respective Districts, for the Use of such Person or Persons, and after Twenty Days

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

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

Notice thereof given to such Person or Persons, or left with the Occupier or Occupiers of the Premisses, it shall be lawful for any Person or Persons authorized by Writing under the Hands of the said respective Trustees, or any Nine or more of them, to take into or add to such Roads, or to turn such Roads through such Lands or Hereditaments, and to do all and every such Act, Matter, and Thing, with relation to such Lands or Hereditaments, as the said Trustees, or any Nine or more of them, shall think fit; and the said respective Trustees, or any Nine or more of them, shall cause such Parts of the said Roads as shall be diverted or turned through any private Grounds, to be ditched and fenced from the adjoining Land; and all Lands and Hereditaments so taken into or made Part of the said several Roads by virtue of this Act, shall be for ever thereafter, to all Intents and Purposes, a common Highway, and shall be repaired and kept in Repair, in such Manner as the Roads hereby appointed to be repaired and widened, within such respective Districts, are by this or any other Law to be repaired; and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments: And after any such new Road shall be completed, the Lands constituting the former Roads, unless leading over some Moor or Waste Ground, or to some Village, Town, Place, or private Lands, to which such new Road doth not lead, shall be vested in, and shall and may be sold and conveyed by, the said respective Trustees, or any Nine or more of them, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied to the Repair of the Road within such respective District by this Act directed to be repaired; or the said respective Trustees, or any Nine or more of them, may, and are hereby impowered, to give in Exchange any Part or Parts of the Lands so constituting such former Road, for any Part or Parts of such new Roads; but this Act shall not extend to the taking down any Dwelling-house, or other Buildings, or to take in any Garden, Orchard, Yard, Park, planted Walk, or Avenue to a House, without the Consent of the Owner or Proprietor thereof; any thing herein contained to the contrary notwithstanding.

and esteemed a publick Highway.

Old Road may be sold.

Buildings, &c. not to be damaged.

Trustees not to act where interested.

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

And be it further enacted by the Authority aforesaid, That all the Owners, Occupiers, Grantees, Trustees, Feoffees, and Committees, Bodies Politick and Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Executors, Administrators, and all other Persons, who before the making of this Act have used, or of Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts whatsoever, to repair any Part of the Roads hereby intended to be repaired, or any Bridge or Bridges erected thereon, shall still be liable to such Repairs, in the same Manner as they were before the making of this Act: And that all Inhabitants of the Townships, Parishes, and Places, through or into which any Part of the said respective Roads leads, and all other Persons liable to perform the Work commonly called Statute-work upon the said Roads, shall remain subject to perform the same Work; and that every Inhabitant of the said Townships, Parishes, and Places respectively, who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments, of the yearly Value of Fifty Pounds or upwards, shall be deemed to keep a Team for every Fifty Pounds he shall so rent, hold, or occupy, and shall be liable to perform such Statute-work, in the repairing the Highways of the several Townships, Parishes, and Places, in which he or she respectively resides, as any Person or Persons keeping a Team or Teams is or are obliged by Law to do; and that the respective Surveyor or Surveyors of the Highways for the respective Townships, Parishes, and Places, in which any Part of the said several Roads lies, or, in case no such Surveyor is or shall be appointed, the Churchwardens or Overseers of the Poor of such Townships, Parishes, and Places, shall yearly and every Year, within Ten Days after Demand made to him or them respectively in Writing, by any Surveyor or Surveyors to be appointed by virtue of this Act, deliver to such Turnpike Surveyor or Surveyors an exact Account in Writing, under his or their Hand or Hands, of the Christian and Surname of every Person who, within such respective Townships, Parishes, or Places, are liable to do Statute-work upon the Highways, within every such Township, Parish, and Place, and shall in all such Lists distinguish and set forth which of such Persons shall, or by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams; and the Statute-work shall be done by all such Persons on such Parts of the Roads

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

Inhabitants to do Statute-work.

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

Surveyors of the Highways to deliver in Lists of Persons chargeable with Statute-work.

Roads hereby intended to be repaired, as lie within the respective Townships, Parishes, and Places, in such Manner, and at such Times, as the Trustees, for such respective Districts, or any Five or more of them, or the Turnpike Surveyor or Surveyors, shall, from time to time, direct and appoint; so that no more than Three Days Work shall be done by any One Person or Team on the said respective Roads in any One Year, in any Parish or Parishes through which the said Roads shall lead, and so as no Person or Persons shall be liable to be called out in Harvest Time: And the said Surveyor or Surveyors of the Highways, Churchwardens, or Overseers of the Poor, for such Townships, Parishes, and Places, respectively, within Seven Days after Notice shall be given to him or them, by such Turnpike Surveyor or Surveyors, of the Time or Times when, and how many of such Persons are to do such Work upon any Part or Parts of the said Roads, within such District respectively, shall give Notice thereof to such Persons: And if any such Surveyor, Churchwarden, or Overseer of the Poor, for any Township, Parish, or Place aforesaid, shall not deliver in to the said Trustees, or to their Surveyor or Surveyors as aforesaid, true and perfect Lists of such Inhabitants, in the Manner and at such Times as shall be appointed as aforesaid, or neglect or refuse to do as he is hereby required or directed; every such Surveyor, or Churchwarden, or Overseer, shall, for every such Neglect or Refusal, forfeit and pay the Sum of Five Pounds: And if any Inhabitant of any such Parish or Place, being liable by Law to do Statute-work 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 shall be appointed and directed by the said respective Trustees, or any Five or more of them, or by their Surveyor or Surveyors; every such Inhabitant shall, for every such Default, forfeit the several Sums herein after mentioned; that is to say, Every such Inhabitant who shall keep, or by virtue of this Act be deemed to keep, a a Team or Teams, for every Day's Default, for every such Team, the Sum of Ten Shillings; and every other Inhabitant or Person not keeping, or being by virtue of this Act not deemed to keep, a Team, for every Day's Default, the Sum of One Shilling and Six Pence: And if any Person who shall come or be sent to work with a Team, or as a Labourer, on the said Roads, shall be found idle or negligent by the Turnpike Surveyor or Surveyors; in such Case such Surveyor or Surveyors may, and is and are hereby impowered and required

Penalty on Surveyors neglecting to deliver in Lists;

and on Persons not performing Statute-work.

Persons found idle to be turned off.

quired to discharge every such Person, and it shall be esteemed and taken as if such Team or Labourer had not come or been sent to work on such Road.

Trustees may compound for Statute-work.

Provided always, and be it enacted by the Authority aforesaid, That it shall be lawful for the said respective Trustees, or any Five or more of them, to compound or agree, by the Year or otherwise, with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, Mills, or Hereditaments, which are or shall be liable to, or chargeable with, the Repair of any Part of the said Roads, within such Districts respectively, or with any Person or Persons, for the Performance of his or their Statute-work thereon; and also that it shall be lawful for the Surveyor or Surveyors of the Highways of any of the said Townships, Parishes, or Places, or such Churchwardens or Overseers of the Poor respectively as aforesaid, by and with the Consent of the Majority of the Inhabitants of such Townships, Parishes, or Places, first had at any Vestry or other Publick Meeting of such Inhabitants, to compound and agree by the Year or otherwise with the said respective Trustees, or any Five or more of them, for or in lieu of the Statute-work to be performed by such Inhabitants upon any Part of the said respective Roads; all which Composition-monies shall be, from time to time, paid in Advance, and shall be applied in Repair of such Road respectively; and all such Surveyors, Churchwardens, or Overseers of the Poor, shall be reimbursed the Monies so by them paid, in such Manner as Surveyors of the Highways are, by the Laws now in being, to be reimbursed the Monies by them expended in buying Materials for repairing the Highways.

Surveyors with Consent of Inhabitants, may compound for Statute-work.

Surveyors, &c. paying the Composition-money, how to be reimbursed.

Penalty on Persons haling Timber otherwise than on 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 any Part of the said Roads, any Tree or Piece of Timber, or any Stone (Mill-stones excepted) otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber, which shall be conveyed upon Wheel Carriages, to drag upon any Part of such Roads, to the Prejudice thereof; every such Person or Persons, for every such Offence, shall forfeit the Sum of Forty Shillings.

Road to be measured, and Mile-stones erected.

And be it further enacted by the Authority aforesaid, That the said respective Trustees, or any Five or more of them, shall cause the said Roads to be measured, and Stones or Posts to be set up in, upon, or near the Sides thereof, at the Distance of One Mile from each other, with Inscriptions thereon, denoting the Distance of every such

Penalty on defacing Milestones, &c.

Stone or Post from any Town or Place, as they shall think fit: And if any Person or Persons shall wilfully pull down, break, or damage, any such Stone or Post, or obliterate any Inscriptions which shall have been made thereon, or shall cause or procure the same to be done, and be thereof convicted upon Oath, by One or more credible Witness or Witnesses, or by his or her own Confession, before any Justice of the Peace for the said County of Stafford (which Oath such Justice is hereby impowered and required to administer without Fee or Reward) every such Person, so offending, shall forfeit the Sum of Forty Shillings for every such Stone or Post so pulled down, broke, or damaged, or Inscription so obliterated; whereof One Moiety shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the Penalties and Forfeitures are herein after directed to be applied; and in case such Penalty shall not be forthwith paid, such Justice of the Peace shall commit such Person or Persons to the Common Gaol, or House of Correction, of the said County, there to remain without Bail or Mainprize, for the Space of One Calendar Month; and every such Offender in either of the said Cases shall and may, by the Authority of this Act, and without any other Warrant, be apprehended by any Person or Persons who shall see any such Offence committed, and shall be immediately delivered to a Constable, or other Peace Officer, who shall convey such Offender, to be dealt with according to Law, and the Directions of this Act.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all the Penalties, Forfeitures, and Fines, hereby inflicted or authorized to be imposed (the Manner of Levying and Recovery whereof is not hereby otherwise particularly directed) shall, upon Proof of the Offences respectively, before any One Justice of the Peace of the said County, either by Confession of such Party or Parties offending, or by the Oath of One or more Witness or Witnesses (which Oath any such Justice is hereby impowered and required to administer without Fee or Reward) be levied by Distress and Sale of the Goods and Chattles of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of such Justice of the Peace (which Warrant or Warrants any such Justice is hereby impowered to grant for those Purposes) and the Overplus, if any, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are recovered and deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattles; and the Penalties, Forfeitures,

Overplus Money to be returned to the Owner.

feitures, and Fines, when paid or levied, shall be, (if not otherwise directed to be applied by this Act) from time to time, paid to any Five or more of the said respective Trustees, or to their Treasurer or Treasurers, and applied in Repair of the said Roads within their said respective Districts: And, in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the House of Correction, there to remain without Bail or Mainprize, for such Time as such Justice shall direct, not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

For want of Distress, the Offender to be committed.

Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be held for the County or Place wherein the Cause of Complaint shall arise, within Four Calendar Months after the Cause of such Complaint shall have arisen; such Appellant first giving, or causing to be given, Fourteen intire Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer to the said respective Trustees; and, within Six Days after such Notice, entering into a Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties, in a Sum not exceeding Twenty Pounds, conditioned to try such Appeal at, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Quarter Sessions; and the said Justices at the said Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Persons aggrieved may appeal to the Quarter Sessions.

Notice of Appeal to be given.

Recognizance to be entered into.

And be it further enacted by the Authority aforesaid, That no Order, Conviction, Judgement, or other Proceedings, to be had or made in pursuance of this Act, shall be quashed or vacated for want of Form, nor shall

Proceedings not to be quashed for want of Form,

nor removable by *Certiorari*.

be removed or removable by Certiorari, or other Writ or Process, into any of his Majesty's Courts of Record at Westminster: And where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage in an Action upon the Case; but no Plaintiff shall recover in any Action for any such Irregularity as aforesaid, Trespass, or other wrongful Proceedings, by virtue of this Act, if Tender of Amends shall be made before such Action is brought, by or on Behalf of the Party or Parties who shall commit, or cause to be committed, any such Irregularities, Trespass, or wrongful Proceedings.

Distress not unlawful for want of Form;

nor the Parties distraining deemed Trespassers *ab initio*.

Plaintiff not to recover, if Tender of Amends hath been made.

Proceedings to be entered in a Book.

And be it further enacted by the Authority aforesaid, That all Receipts, Payments, Debts, Orders, and Contracts, had or made, or contracted or entered into, by or on the Behalf of the said respective Trustees, or any of them, and all Orders, Acts, and Proceedings of such Trustees, in the Execution of this Act, shall be entered in One or more Book or Books to be kept for that Purpose by the said respective Clerk or Clerks; and that all and every Person and Persons whomsoever, may take Copies of all or any Part of such Book or Books, paying for every Copy, not exceeding One hundred Words, Six Pence, and so proportionably for any greater Number of Words; and such Acts, Orders, and Proceedings, so entered, shall be signed by the said Clerk or Clerks to the said respective Trustees, and being so signed, shall be deemed and taken to be Originals; which said Books, and also the Books directed to be kept for entering the said Assignments and Transfers, shall be admitted as Evidence in all Courts whatsoever.

Books may be read in Evidence.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Information, Appointment, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, Indorsement, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, relating to the Execution, or in pursuance of this Act, shall be chargeable with any Stamp-duty whatsoever.

And

And be it further enacted by the Authority aforeſaid, That this Act ſhall commence and have a Continuance, from the paſſing of this Act, for and during the Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament. Commencement and Continuance of this Act.

And whereas, by an Act made in the Second Year of the Reign of His preſent Majeſty, intituled, An Act for repairing and widening the High Road leading from *Aſhborne*, in the County of *Derby*, to the Town of *Leeke*, in the County of *Stafford*, and from *Ryecroft Gate*, upon *Ruſhton Common*, to *Congleton*, in the County of *Cheſter*; and alſo the Road leading from *Blyth Marſh*, in the County of *Stafford*, through *Cheadle*, *Oakamoor*, and *Blore*, to the Turnpike Road, from *Aſhborne* to *Buxton* near *Thorp*, in the County of *Derby*; it was provided and enacted, That the Inhabitants of the Pariſhes of Calwick, Mathfield, Ellaſton, and Alveton, ſhould not pay Toll at any Turnpike that might be erected on Hanging Bridge, for paſſing through the ſaid Turnpike on Market Days, to or from Aſhborne: And whereas the Inhabitants of the ſaid Pariſhes will receive conſiderable Advantage from the Repair and Amendment of the ſaid Road from Hanging Bridge to the Royal Oak at Spath, in purſuance of this Act: And whereas the Truſtees for putting in Execution the ſaid laſt mentioned Act, are willing, in caſe the Exemptions thereby granted to the Inhabitants of the ſaid Pariſhes ſhould be taken away, to apply a ſufficient Part of the Tolls to be collected at any Turnpike-gate erected, or to be erected, upon or near Hanging Bridge aforeſaid, or between that Place and Aſhborne, or at any other Gate or Gates to be erected between Hanging Bridge aforeſaid, and the Half-way from thence to the Royal Oak at Spath, in purſuance of this Act, or of the Money to be borrowed upon the Credit thereof, for the repairing, widening, and keeping in Repair, One Half of that Part of the Road, by this preſent Act directed to be repaired, between Hanging Bridge and the Royal Oak at Spath aforeſaid, which would tend to the Convenience and Advantage of all Parties, and of the Country in general: Be it therefore further enacted by the Authority aforeſaid, That the Exemptions ſo granted as aforeſaid, by the ſaid above recited Act, to the ſaid Pariſhes of Calwick, Mathfield, Ellaſton, and Alveton, and the ſaid laſt recited Act, ſo far as it relates thereto, ſhall be, and is and are hereby repealed; and that the Truſtees appointed by, and that have been, or ſhall be, appointed in purſuance of the ſaid laſt mentioned Act, or any Five or more of them, ſhall have full Power and Au- Act 2 *Geo.* III. in part repealed.

thority, and they are hereby authorized, impowered, and required, with all convenient Speed, after the passing of this Act, out of the Tolls to be collected at any Gate or Gates erected, or to be erected, upon or near Hanging Bridge aforesaid, or between that Place and Ashbourn aforesaid, or at any other Gate or Gates to be erected between Hanging Bridge aforesaid, and the Half-way from thence to the Royal Oak at Spath, in pursuance of this Act, or out of the Money to be borrowed upon the Credit thereof, well and effectually to amend, widen, divert, and repair, so much of the said Road from Hanging Bridge aforesaid, towards the Royal Oak at Spath aforesaid, as will make One Half thereof in Length, the same to be measured, and a Stone to be fixed at the Place that shall divide the same equally; and to make a Carriage Bridge or Bridges over the Brook, crossing the said Road near Ellaston, called The Brook, and over such other Brooks or Waters where necessary; and well and effectually to repair, and keep the said Road and Bridges in Repair, during the Continuance of the said recited Act.

No Turnpike to be erected in *Rocester* or *Ellaston*.

Provided always, That nothing herein contained shall extend to impower the Trustees for putting in Execution the said last mentioned Act, to erect any Gate, Toll-bar, or Turnpike, in, upon, across, or on the Side of, any Part of the Road lying within the Parishes of Rocester and Ellaston aforesaid, or either of them; any thing herein contained to the contrary notwithstanding.

Provisions of former Act extended to this.

And be it further enacted by the Authority aforesaid, That all and every the Penalties, Forfeitures, Remedies, Powers, Authorities, Clauses, Rules, Directions, and Provisions, made, enacted, declared, set forth, and provided, in and by the said last recited Act, shall, during the Continuance of the same Act, extend to, and be in Force in all Cases whatsoever relating to the Execution of this Act, on such Part of the said Road between Hanging Bridge and the Royal Oak at Spath, as is hereby authorized and directed to be amended, widened, repaired, and kept in Repair, by the said Trustees for executing the said herein before recited Act, except where the same, or any of them, are varied, altered, or repealed, by this present Act, as fully and effectually to all Intents and Purposes as if the same were herein particularly repeated and re-enacted, and such Part of the said Road had been mentioned in and directed to be amended, widened, repaired, and kept in Repair, by the said Act.

And

And be it further enacted by the Authority aforesaid, That no Person or Persons who shall have paid Toll for passing through any One Gate or Turnpike erected, or to be erected, across, or on the Side of, the said Road between Ashborne and the Half-way from Hanging Bridge, to the Royal Oak at Spath, and shall produce a Note or Ticket, denoting the Payment of the said Toll (which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give gratis, on the Receipt of the said Toll) shall be subject to the Payment of any further or other Toll for passing or repassing the same Day (to be computed from Twelve of the Clock in the Night to Twelve of the Clock in the succeeding Night) with the same Horse or Horses, or other Cattle or Carriages, through any other Gate or Turnpike erected, or to be erected, across, or on the Side of, the said Road between Ashborne and the Half-way from Hanging Bridge to the Royal Oak at Spath aforesaid, such Person or Persons delivering the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors, of the said Toll, at the latter Gate or Turnpike, the same Day.

Tolls to be paid but Once a Day between *Ashborne* and the Half-way from *Hanging Bridge* to *Spath*.

And whereas by an Act made in the Twenty eighth Year of the Reign of His late Majesty King George the Second, intituled, An Act for amending, altering, continuing, and making more effectual, Two Acts of Parliament made in the Second and Seventeenth Years of His said late Majesty's Reign, for repairing the Road from *Coleshill* in the County of *Warwick*, through the City of *Lichfield*, to *Stone* in the County of *Stafford*, and from thence to the City of *Chester*, and several other Roads in the said Acts mentioned; and for enlarging the Term and Powers in the said several Acts; it was enacted, That the Toll or Duty to be collected at any Turnpike or Turnpikes erected, or to be erected and set up, upon the said Road between the said City of Lichfield and High Bridges, should be applied for and towards the Repair of the Roads lying in that District only, and not elsewhere: And whereas the Tolls collected at a Turnpike gate erected between the said City of Lichfield and High Bridges, called Tewnall's Lane Gate, within the said District, are much more than sufficient to pay the Interest of the Money borrowed on the Credit of those Tolls, and to keep the said Road between the City of Lichfield and High Bridges in good Repair: And whereas the repairing the said Road from High Bridges to Uttoxeter, will increase the Tolls at Tewnall's Lane Gate, and the Trustees for putting in Execution the said several

veral last above mentioned Acts, so far as the same relate to the said Road from the City of Lichfield to High Bridges aforesaid, are willing and consenting to pay the Sum of Two hundred and fifty Pounds, towards repairing the Road from High Bridges to Uttoxeter aforesaid, out of the Tolls to be collected at Tewnall's Lane Gate, or out of the Money to be borrowed on the Credit thereof: Be it therefore enacted by the Authority aforesaid, That the Trustees acting for the said District of Road between the City of Lichfield and High Bridges aforesaid, or any Five or more of them, shall have full Power and Authority, and they are hereby authorized, impowered, and required, within the Space of Twelve Calendar Months after the passing of this Act, out of the Tolls to be collected at any Gate or Gates erected, or to be erected, in Tewnall's Lane aforesaid, or between the City of Lichfield and High Bridges aforesaid, or out of the Money to be borrowed on the Credit thereof, to pay or cause to be paid to the Trustees acting for the First District of Roads, by this Act appointed, from High Bridges to Uttoxeter, or any Five or more of them, or to their Clerk or Treasurer, the Sum of Two hundred and fifty Pounds, to be by them applied in repairing, amending, and widening, the said Road from High Bridges to Uttoxeter aforesaid, and to no other Use or Purpose whatsoever.

Trustees of Road between Lichfield and High Bridges to pay 250 l. to Trustees of First District.

Provided always, and be it enacted by the Authority aforesaid, That in case the Trustees for the said Road between the City of Lichfield and High Bridges aforesaid, shall neglect or refuse to pay to the said Trustees of the said First District by this Act appointed, or any Five or more of them, or to their Clerk or Treasurer, the said Sum of One hundred Pounds, or any Part thereof, towards the Expence of obtaining this Act, within the Space of Three Calendar Months after the passing thereof, or the said Sum of Two hundred and fifty Pounds, or any Part thereof, within the Space of Twelve Calendar Months next after the passing of this Act; then, and in either of those Cases, it shall and may be lawful to and for the said Trustees of the said First District, or any Seven or more of them, and they are hereby authorized and impowered, to enter upon, and take Possession of, the Gate called Tewnall's Lane Gate, or any other Gate or Gates that may be erected between the City of Lichfield and High Bridges; and there to receive and collect all such Tolls as shall be due or payable at such Gate or Gates, until thereby, or therewith, the said Sum of One hundred Pounds, and of Two hundred

In case of Refusal, Trustees of said First District may collect the same at Tewnall's Lane Gate.

and fifty Pounds, with lawful Interest for the said Sums respectively, or for so much thereof as shall, for the time being, remain due (such Interest to commence at the End of Three Calendar Months, and of Twelve Calendar Months respectively, after the passing of this Act) and also all Charges and Expences attending such Entry upon the said Gate or Gates, and the Collection of such Tolls, shall be fully paid and discharged.

Tolls liable to the Payment of the 300*l.* borrowed.

Provided always, That all the Tolls collected, or to be collected, at the said Tewnall's Lane Gate, or at any other Gate or Gates to be erected between Lichfield and High Bridges, shall, in the First Place, be liable to the Payment of the Sum of Three hundred Pounds already borrowed on the Credit thereof, together with all Interest due, or to grow due, thereon; and shall be applied in such Payment accordingly, before any other Sum or Sums of Money charged on such Tolls shall be discharged or paid thereout.

250*l.* to be laid out on Road between *High Bridges* and *Uttoxeter*.

Provided always, That the said Sum of Two hundred and fifty Pounds shall be, by the said Trustees of the said First District by this Act appointed, laid out and applied in repairing the Road between High Bridges and Uttoxeter aforesaid, and to no other Use or Purpose whatsoever.

And whereas the said Trustees acting for the said District of Roads between Lichfield and High Bridges, are willing and consenting to apply a sufficient Part of the Tolls to be collected at Tewnall's Lane Gate, or at any other Gate or Gates to be erected between the City of Lichfield aforesaid and Yoxall Bridge, or of the Money to be borrowed upon the Credit thereof, for repairing, widening, and keeping in Repair, the Road herein after by this present Act directed to be repaired between Tewnall's Lane and Yoxall Bridge aforesaid, which would tend to the Convenience and Advantage of all Parties, and of the County in general; be it therefore further enacted by the Authority aforesaid, That the Trustees for the said Road between the City of Lichfield and High Bridges, or any Five or more of them, shall have full Power and Authority, and they are hereby authorized, impowered, and required, with all convenient Speed after the passing of this Act, out of the Tolls to be collected at Tewnall's Lane Gate, or at any other Gate or Gates to be erected between the City of Lichfield and Yoxall Bridge aforesaid, or out of the Money to be borrowed on the Credit thereof (subject to the present Mortgage subsisting thereon, and to the said Two hundred and fifty Pounds, to be paid to the said Trustees of the said First District

Road between *Tewnall's Lane* and *Yoxall Bridge* how to be repaired.

herein before appointed, the aforesaid and so much of the Expences incurred in obtaining this Act, as is hereo in before directed to be paid out of the Tolls collected at Tewnall's Lane Gate, or out of the Monies borrowed or to be borrowed, on the Credit thereof, well and effectually to amend, widen, and repair, the said Road leading from Tewnall's Lane to Yoxall Bridge aforesaid; and to make any Bridge or Bridges over any Brooks or Waters where necessary; and well and effectually to repair, and keep the said Road and Bridges in Repair during the Continuance of the said above recited Act of the Twenty eighth Year of the Reign of His late Majesty King George the Second.

Powers, &c. of the last recited Act, &c. relating to *High Bridges* Road, extended to *Tewnall's Lane* Road.

And be it further enacted by the Authority aforesaid, That all and every the Penalties, Forfeitures, Remedies, Powers, Authorities, Clauses, Rules, Directions and Provisions, made, enacted, declared, set forth, and provided, in and by the said last recited Act, or any other Act or Acts therein referred to, relating to the said Road from the City of Lichfield to High Bridges aforesaid, shall, during the Continuance of the said last recited Act, extend, and be construed and deemed to extend to, and be in Force in all Cases whatsoever relating to, the said Road from Tewnall's Lane to Yoxall Bridge aforesaid, except where the same, or any of them, are varied or altered by this present Act, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted, and as if the said Road from Tewnall's Lane to Yoxall Bridge aforesaid had been mentioned in, and directed to be amended, widened, and repaired, and kept in Repair, by the said recited Act of the Twenty eighth Year of his late Majesty King George the Second, or by any Act or Acts therein referred to.

Tolls to be paid but Once a Day between *Lichfield* and *Yoxall Bridge*.

And be it further enacted by the Authority aforesaid, That no Person or Persons who shall have paid Toll for passing through any One Gate or Turnpike erected, or to be erected, across, or on the Side of, the said Road between Lichfield and Yoxall Bridge, and shall produce a Note or Ticket, denoting the Payment of the said Toll, which Note or Ticket the Receiver or Receivers, Collector or Collectors, is and are hereby required to give gratis on the Receipt of the said Toll, shall be subject to the Payment of any further or other Toll for passing or repassing the same Day (to be computed from Twelve of the Clock in the Night to Twelve of the Clock in the succeeding Night) with the same Horse or Horses, or other Cattle or Carriages, through any other Gate or

Turnpike erected, or to be erected, across, or on the Side of, the said Road between the said City of [illegible] and Yoxall Bridge aforesaid; such Person or Persons delivering the said Note or Ticket to the said Receiver or Receivers, Collector or Collectors of the said Toll at the latter Gate or Turnpike the same Day: any thing in this or in the said recited Act of the Twenty eighth Year of the Reign of His late Majesty, or in any other Act or Acts therein referred to, in any wise to the contrary notwithstanding.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought against any Person or Persons, for any thing done, or to be done, by virtue or in pursuance of this Act, or in relation to the Matters herein contained, every such Action and Suit shall be commenced within Six Calendar Months next after the Fact committed, and not afterwards; and shall be brought, laid, and tried, in the County of Stafford, and not elsewhere; and the Defendant or Defendants in all such Actions and Suits may plead the General Issue, and give this Act, and the Special Matter in Evidence, on any Trial to be had thereupon; and that the same was done in pursuance and by Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid or brought in any other County than as aforesaid, the Jury or Juries shall find for the Defendant or Defendants: And if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Suit; or if, upon any Demurrer, Judgement shall be given for the Defendant or Defendants; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs; and have such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

General Issue.

Treble Costs.

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

Publick Act.