Anno ſeptimo

Georgii III. Regis.

An Act for continuing, altering, and amending, Two Acts of Parliament, of the Twelfth of King *George* the Firſt, and of the Tenth of His late Majeſty, for repairing ſeveral Roads leading into the City of *Worceſter*; and for amending ſeveral other Roads near or adjoining thereto.

WHEREAS by an Act of Parliament made and paſſed in the Twelfth Year of the Reign of King George the Firſt, intituled, An Act for repairing ſeveral Roads therein mentioned, leading into the City of *Worceſter*, ſeveral Tolls and Duties were granted, and Powers given, to the Truſtees named in, or to be appointed by virtue of, the ſaid Act, for the Term of Twenty one Years, commencing from the Firſt Day of June, One thouſand ſeven hundred and twenty ſix, for repairing the ſeveral Roads therein deſcribed: And whereas by an Act of Parliament made in the Tenth Year of the Reign of His late Majeſty King George the Second, intituled, An Act for enlarging the Term granted

Preamble, reciting Act 12 *Geo.* I.

and 10 *Geo.* II.

ed by an Act paſſed in the Twelfth Year of the Reign of His late Majeſty King *George* the Firſt, intituled, *An Act for repairing ſeveral Roads therein mentioned, leading into the City of* Worceſter; and for repairing ſeveral other Roads lying contiguous to the ſame; and for reducing the Tolls or Duties granted on Sheep and Lambs by the ſaid Act; it was enacted, That the ſaid recited Act made in the Twelfth Year of the Reign of His ſaid Majeſty King George the Firſt, and all the Powers and Authorities, Articles, Rules, Penalties, Forfeitures, and Clauſes, therein contained, ſhould continue, and be in full Force and Effect; and the ſaid Term ſhould be enlarged and continued for the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, for the Intent and Purpoſes in the ſaid ſeveral Acts mentioned and contained: And whereas the Truſtees appointed to put the ſaid ſeveral Acts in Execution, have, in purſuance of the Power to them given, raiſed and taken up at Intereſt ſeveral Sums of Money (Part of which now remains unpaid) upon the Credit of the ſaid Acts of Parliament, or One of them; which Monies, together with the Tolls and Duties collected and received, have been, from time to time, applied in repairing the ſaid Roads, and great Progreſs hath been made in the Repairs thereof; but the ſaid Roads cannot be effectually amended, and kept in good Repair, and the Money borrowed be repaid, unleſs the Term and Powers of the ſaid former Acts be further enlarged, and the ſaid Acts made more effectual: And whereas the Road leading from Cudley Heath by Ravenſhill, to the Top of Crowle Hill, and from thence to the Alceſter Turnpike Road, at a Place called Bradley Green; and alſo the Road over that Part of Stone Bow Bridge, which is not included in the Eveſham Turnpike Road; and the Road from Upton Snodſbury, to a Place called Wheelbarrow Caſtle, in the Pariſh of Rouſelench; and the Road leading from Aylſborough Farm, through the Town of Perſhore, to a certain Place there called The Mill Tail; and the Road leading from and over a Place called The Link, in the ſeveral Pariſhes of Great Malvern and Leigh, to a certain Place called The Wych, and alſo to a certain Place in the Pariſh of Little Malvern, where it joins the Turnpike Road leading from Upton to Ledbury; and the Road from Crumpall Hill, in the Pariſh of Leigh, to a Place called Froome's Hill, in the County of Hereford, where it meets the Hereford Turnpike Road there; and the Road leading from Knightsford Bridge, to a Houſe in the Poſſeſſion of Maſter George Southall, in

Red

Red Marley, in the Pariſh of Great Witley; and alſo the Road leading from Holt Heath, through the ſeveral Pariſhes of Shrawley and Aſtley, in the ſaid County, to a certain Place in the Pariſh of Lower Areley, where the ſaid Road joins the Bewdley Turnpike Road; and alſo the Road leading from Clifton Wood Gate, to the Turnpike Road leading from Stanford, to the Town of Tenbury, at a Place called The Long Lane, in the Pariſh of Over Sapey; and alſo the Road leading from Titton Brook, to the Hamlet of Wribbenhall, where it joins the great Road from Kidderminſter, to Wribbenhall; and alſo the Road leading from the Village of Kempſey, to a certain Bridge called Defford Bridge; and alſo the Road leading from Sidbury Gate, to the College Gates in the City of Worceſter, are in a ruinous Condition, and in many Parts narrow and incommodious for Carriages and Paſſengers, and cannot be effectually amended, widened, and kept in good Repair, by the ordinary Courſe of Law; May it therefore pleaſe Your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, and all the Powers, Authorities, Proviſions, Regulations, Penalties, Forfeitures, Clauſes, Matters, and Things, therein reſpectively contained, except ſo much thereof as by any ſubſequent Act or Acts of Parliament, or by this preſent Act, is altered, varied, or repealed, ſhall be, and the ſame are hereby declared to be, in full Force and Effect, and ſhall be put in Execution, as well for the Purpoſes in the ſaid ſeveral recited Acts, or either of them, mentioned, as for the ſurveying, ordering, repairing, amending, widening, and improving, of the ſaid additional Roads herein before deſcribed, from the Expiration of the Term of the ſaid recited Acts; and alſo of the additional Term granted by an Act made in the Twenty eighth Year of the Reign of His late Majeſty, intituled, An Act to amend an Act made in the Twenty ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for the Amendment and Preſervation of the Publick Highways and Turnpike Roads of this Kingdom, and for the more effectual Execution of the Laws relating thereto*, for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, as effectually, to all Intents and Purpoſes, as if the ſame were re-enacted in the Body of this Act; and the additional Term hereby granted ſhall be ſubject and liable to

The recited Acts further continued for 21 Years.

the Payment of the Monies which are or ſhall be borrowed on the Credit of the ſaid Two former Acts, or either of them, or of this preſent Act.

Part of Clauſe in Act *Geo.* I. appointing Aldermen, &c. Truſtees, repeated.

And be it further enacted by the Authority aforeſaid, That ſo much of a Clauſe in the aforeſaid Act of the Twelfth Year of his Majeſty King George the Firſt, as appoints the Capital Citizens of the City of Worceſter, being Part of the Body commonly called or known by the Name of The Twenty four; for the time being, to be Truſtees for putting the ſaid Act in Execution, ſhall, from and after the paſſing of this Act, be, and the ſame is hereby repealed.

Additional Tolls.

And whereas, by the ſaid recited Acts, no Toll is directed to be taken for any Car, Cart, or Carriage, drawn by One Horſe only; be it therefore enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, there ſhall be paid for every Car, Cart, or Carriage, drawn by One Horſe or other Beaſt, the Sum of Three Pence; and the ſame ſhall, from time to time, be collected, levied, recovered, and applied, in the ſame Manner, as any Tolls or Duties are by the ſaid Acts directed to be collected, levied, and applied.

New Truſtees.

And be it further enacted by the Authority aforeſaid, That the honourable Andrew Archer, Henry Archer, William Amphlett, John Amphlett of Clent, Edward Addenbrooke, Eſquires; John Arnold Clerk, Yerrow Arrowſmith, Obadiah Arrowſmith, Wing Aſhfield, Henry Toye Bridgeman, Charles Baldwyn, Benjamin Booth, William Buckle, Humphry Bowles, Michael Biddulph, Thomas Biddulph, Thomas Bury junior, John Bagley, Edward Baker, Vincent Biſcoe, George Burriſh, William Bateſon, Eſquires; Doctor John Berkeley, Thomas Bradley of Chadeſley, Clerk; Henry Berkeley, Thomas Berkeley, Thomas Beſt, Thomas Boulter, Nathaniel Barnes, Clerks; Thomas Brockhurſt, Thomas Barnes of Queenhill, Dionyſius Bradley, James Braſier, John Brookholding of Bewdley, Joſeph Bury of Oakhampton, Captain Barry of Worceſter, John Beſt of Perſhore, John Broome of Stanford, Henry Brace, William Barnes, Robert Blayney, Edward Blackmore, Thomas Beeſley, Timothy Bevington, Francis Brooke, Samuel Bradley, William Baylis, Thomas Bund of Worceſter, William Bedford of Worceſter, Edward Bearcroft of Droitwich, Robert Ballard of Hanley Caſtle, John Bullock of Worceſter, Richard Bellers of Worceſter, William Baylis of Worceſter, Thomas Barnes of Worceſter, James Ballard, John Burlingham, Henry Beeſley, Joſeph Beeſley, William Browning, Sir Walter

Walter Compton Baronet, John Cocks, Velters Cornewall, Thomas Cookes, Holland Cookeſey, Robert Cliffe junior, Jeſton Caſe, Edward Chapeau, Joſeph Cocks, Richard Cocks, Thomas Coventry, James Clements, Edward Chambers, John Corne of Worceſter, Thomas Cheeke, Richard Caſe of Powick, Eſquires; Lewis Cruſius D. D. Robert Job Charlton Doctor of Laws, Butler Cowper, John Cowcher, John Cocks, Phillip Cocks, Walter Cotton, Richard Chambers, William Chapeau, Thomas Cooke of Powick, Clerks; Thomas Cornwell, John Clements, Joſeph Clements, Samuel Corbyn, Richard Colley, William Carter of Bewdley, John Cooper of Bewdley, John Croydon, John Craig, George Baylis Cornwell, John Craig of Claines, Thomas Chambers of Studley, Samuel Crane of Worceſter, Caleb Cooke of Worceſter, Charles Collins of Worceſter, John Crump of Worceſter, Ely Crump of Worceſter, Benjamin Crouch of Worceſter, Thomas Colly, William Cooke, John Cowper, Joſeph Crane, John Crane, the Right Honourable George Coventry commonly called Lord Viſcount Deerhurſt, Charles Dowdeſwell of Chaſeley, Joſiah Dinely, Thomas Dunn, John Dovey, Rupert Dovey, Edward Dandridge, Thomas Davies, Eſquires; William Dowding of Worceſter, William Davis of Worceſter, Thomas Dyſon, George Deakin, John Dillon of Worceſter, William Davis Apothecary, John Dunlop, John Douglas, the Reverend Thomas Evans Prebendary of Worceſter, William Ellis, Robert Elliot, Eſquires; Edward Ellins Clerk, Timothy Edwards of Worceſter, John Ellis, Thomas Foley junior, Edward Foley, John Forteſcue, Robert Buſhell Fettiplace, Thomas Fettiplace, John Freeman of Gaines, Sambroke Freeman, Thomas Edwards Freeman, John Folliot, Eſquires; Harry Thomas Foley, Philip Foley, Clerks; George Farley of Worceſter, James Fewtrell, Thomas Floyer of Worceſter, Thomas Farley of Worceſter, Thomas Freeman, the Right Honourable Harry Grey, commonly called Lord Grey; the Honourable Booth Grey, Sir Nigel Greſley Baronet, William Gower D. D. John Green D. D. Walwyn Greaves, Richard Gorges, Caleb Garway, Eſquires; Jonathan Green, James Giles, Thomas Griffiths, John Giles, Clerks; Richard Gem of Worceſter, Thomas Giles of Worceſter, Armel Green, Joſeph Glover of Aſtley, James Godſall, James George, Philip George, Moſes Goodeare, William Groſvenor, William George of Worceſter, Hugh Gough of Worceſter, John Gorle of Worceſter, Thomas Gorle of Worceſter, the Honourable and Reverend William Harley, Sir Samuel Hellier Knight, Peter Hancock,

cock, Thomas Hayward, John Hornyold, Thomas Hornyold, John Hurtle, Davenant Hankins, Windſor Harris, William Harriſon of Barbone, James Hanford, Richard Cope Hopton of Lincoln's Inn, William Haden of Worceſter, Eſquires; Robert Harriſon, Talbot Harris, William Hale, John Hemington, Thomas Howard, Ralph Hopton, Clerks; Walter Haynes of Worceſter, Doctor Thomas Hooper, Edward Hickman, Francis Homfray, Rowland Hill, John Hunt, Robert Hunt, Richard Hudſon, John Huband, Edward Hale of Bewdley, William Hale of Bewdley, John Hale of Bewdley, Joſeph Hurdman, John Hayley, John Harriſon of Worceſter, John Hunter of Perſhore, John Haines, Leonard Hill, George Hales, John Holmes, George Hill, Walter Hill, Richard Hooper, Samuel Hill, Thomas Harris, John Harris of Belbroughton, Thomas Hallward of Worceſter, James Holyoake of Worceſter, Conningſby Harris of Northwick, Edward Hardman of Powick, Whittington Higgins of Tedſtone, William Harris of Worceſter, John Hill of Worceſter, Joſeph Harris of Worceſter, Samuel Harper of Worceſter, Joſiah Holdſhip, Thomas Jenner D. D, the Reverend William Jennings Prebendary of Worceſter, Francis Ingram, Richard Jackſon, John Ingram junior, James Johnſon of Ham Caſtle, Edward Ingram, Richard Ingram, Benjamin Johnſon of Worceſter, Eſquires; Doctor James Johnſtone, Evan Jones, William Jarvis, Roynon Jones, Thomas Jennings, Clerks; Colonel James of Worceſter, John Jackſon of Aſtley, Henry Vaughan Jeffreys of Worceſter, Edward Jackſon of Worceſter, John Jones of Worceſter, Henry Jourden of Worceſter, John Jones, Benjamin Johnſon junior, of Worceſter, Edward Knight, Edward Knight junior, John Knight, Thomas Kemble, John Knottesford, John Daſhwood King, Eſquires; Thomas King Clerk, the Honourable Thomas Lyttelton, William Lygon, Edmund Lechmere junior, Richard John Warburton Litton, Henry Lambert of Hopend, Eſquires; Landon Clerk, William Lilly of Worceſter, Samuel Lowe, John Lowick of Holt, Sir John Morgan Baronet, Joſeph Martin, Jeffery Moulding, Richard Morley, Robert Martin of Pebworth, Robert Martin of the College Preſents, Charles Watkins Meyſey, Robert Martin of Worceſter, Eſquires; John Morton, John Martin of Kidderminſter, Edward Moulding, Clerks; Joſeph Millington of Worceſter, John Morris, Thomas Marſhall, Francis Moule, Edmund Mawthill of Stockton, William Mathers of Worceſter, John Moore of Worceſter, Joſeph Mann of Worceſter, Benjamin Newcombe D. D. Richard Norbury,

bury, James Wakeman Newport, Thomas Newnham, John Naſh, Slade Naſh, Eſquires; Samuel Nott Clerk, Richard Norris, John Noxon of Shelſley, William Nott of Stockton, John Nott of Warſley, George Norris of Droitwich, Thomas Newman, James Oliver of Worceſter Eſquire, Joſeph Oldham of Bewdley, William Oliver of Worceſter, the Honourable George Perrot One of the Barons of His Majeſty's Court of Exchequer, Jonathan Pytts, Samuel Pytts, John Phillpott, John Parſons, James Poole, Benjamin Pearkes of Worceſter, Eſquires; Doctor Palmer of Worceſter, Other Phillpott, Thomas Phillips, Samuel Pritchett, Phillips of Feckenham, Daniel Piercy, Andrew Perrott, Clerks; William Phillips of Eveſham, Edward Purcell, Gilbert Penrice, Robert Penrice, Thomas Prattington, William Prattington, James Prattington, John Patten, John Pidcock, Thomas Poole of Martley, John Perſhouſe of Shelſley, John Proſſer of Little Shelſley, Thomas Palmer of Birlingham, Benjamin Pearkes junior, Richard Perſehouſe of Claines, John Poſtans, John Partridge of Worceſter, John Paine of Worceſter, John Ruſhout, Thomas Rogers, Francis Rocke, Eſquires; William Ruſſell, Edward Ruſſell, Wilſon Ayleſbury Roberts, James Rickards, Samuel Rickards, John Racſter, Thomas Rogers of Beſtford, Philip Rufford of Worceſter, Joſeph Randall, the Honourable Martin Sandys, Sir John Sebright Baronet, John Soley junior, Thomas Byrche Savage, George Savage, Henry Seymour, Thomas Sheldon, Samuel Sandys, John Sheward, John Skipp, Edward Squire, Eſquires; George Sparrow, Sheldon Stevens, Dormer Sheldon, Edward Stillingfleet junior, Thomas Lockey Soley, Clerks; John Skey, Samuel Skey, Thomas Severn of Shrawley, John Southall of Great Witley, George Southall of Great Witley, Nathaniel Smith of Great Witley, Joſeph Sheward, John Skinner, Samuel Smith of Powick, Joſeph Shelton, Stephen Smith of Powick, John Smith of Worceſter, Thomas Spilſbury of Worceſter, Charles Steward of Worceſter, John Southan of Worceſter, Nicholas Smithſend of Worceſter, Richard Sockett, Thomas Sheward of Bewdley, Sir Richard Temple Baronet, Sir Robert Throckmorton Baronet, John Tottie D.D. John Timbrell Eſquire, James Turner Eſquire, Philip Tomlins Eſquire, Thomas Thomas Clerk, Richard Tompkyns Clerk, John Thorneloe, James Turner junior, Taylor of Winterford, William Nott Turner, Abraham Turner, Henry Turner, Tandy of Littleton, John Triſtram of Belbroughton, Thomas Vernon of Worceſter Eſquire, William Vernon, Thomas Vernon of Areley, Clerks; the

Right Honourable Other Windſor, commonly called Lord Windſor; the Honourable Thomas Windſor, the Honourable William Ward, the Reverend Sir Richard Wrotteſley Baronet, Dean of Worceſter; Edward Winnington, John Walſh, James Weſt, James Weſt junior, Charles Walcott, Thomas Wylde, George Wingfield, Edmund Martyn Welles, Moſes Winſmore, William Winſmore, Eſquires; the Recorder of the City of Worceſter for the time being, Samuel Wanley D. D. Bernard Wilſon LL. D. John Warren Doctor of Laws, John Wall M. D. John Waugh, Pynſon Willmott, Stanwix Whittingdale, Reginald Wyniatt, Edward Wigley, Clerks; Thomas Wakeman of Worceſter, Edward Wellings of Worceſter, Charles Welch, Thomas Wakeman junior, Samuel Weſt, William Wheeler, Edward Wheeler ſenior, Allen Wheeler of Lindridge, Edward Winwood, Edward Whitcomb of Orleton, John Warrell of Newnham, Captain Whitmore of Worceſter, Gregory Watkins, James Woolley, Thomas Ward of Henwick, Thomas Willoughby, George Wagſtaffe of Worceſter, Thomas Williams the elder, of Worceſter; John Williams of Worceſter, Nathaniel Wilkins of Worceſter, William Wrenford of Longdon, Thomas Wrenford of Longdon, William Woodhouſe of Salwarp, Thomas Wickins of Worceſter, Samuel Wall of Worceſter, William Williams of Perry, John Williams, Edward Young of Perſhore, ſhall, from and immediately after the paſſing of this Act, be added to, and joined with, ſuch Truſtees as were living on the Fourth Day of November, One thouſand ſeven hundred and ſixty ſix, in the Execution of all and every the Powers and Truſts in them repoſed by the ſaid Two former Acts, or by this preſent Act, or any of them; and they are hereby impowered, upon all Occaſions, and to all Intents and Purpoſes, to act in the Premiſſes in as full, large, and ample Manner, as the Truſtees then in being are or were in any wiſe impowered to act.

Qualification of Truſtees.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, ſhall act as a Truſtee under the ſaid Two former Acts, or this preſent Act, unleſs he ſhall be in his own Right, or in Right of his Wife, in the actual Poſſeſſion and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, in the County of Worceſter, or in the County of the City of Worceſter, or in both, of the clear yearly Value of One hundred Pounds, above Reprizes; or poſſeſſed of, or intitled to, a Perſonal Eſtate to the Amount or Value of Three thouſand Pounds; or be Heir Apparent of a Perſon

ſon having an Eſtate in Lands, of the clear yearly Value of Two hundred Pounds: And if any Perſon, not being ſo qualified, as aforeſaid, ſhall preſume to act, contrary to the Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame; to be recovered in any of His Majeſty's Courts of Record, 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 every Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, upon Proof given of his having acted as a Truſtee in the Execution of this Act. Penalty on Perſons acting if not qualified.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall take ſuch Security from their Treaſurers, or other Officers, for the due Execution of his or their Offices, as any Seven or more of them ſhall think proper. Treaſurers to give Security.

Provided always, and be it further enacted by the Authority aforeſaid, That no Meeting ſhall be held in any Caſe for electing any new Truſtee, appointing Officers, or borrowing Money, unleſs Fourteen Days publick Notice in Writing, of the Time, Place, and Purpoſe, of every ſuch Meeting, ſhall have been affixed upon all the Turnpikes which ſhall then be erected by virtue of the ſaid former Acts, or this preſent Act; and alſo ſuch Notice Twice publiſhed in the Worceſter Journal, in caſe any ſuch Paper ſhall at that Time be printed; and that no Truſtee ſhall be elected, but at ſome Meeting to be held between the Firſt Day of July and the Firſt Day of November, in any Year. Notice of Meetings to be given.

Provided always, and be it enacted by the Authority aforeſaid, That no more than One full Toll ſhall be paid in any One Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the ſucceeding Night, for paſſing along all the Roads directed to be repaired by the ſaid former Acts, and this preſent Act; but that all Perſons, having paid Toll Once at any Turnpike-gate erected or to be erected upon the ſaid Roads, upon producing a Ticket, denoting the Payment of ſuch Toll, ſhall afterwards paſs Toll-free, with the ſame Horſes, Cattle, Beaſts, and Carriages, in reſpect whereof Toll ſhall have been paid during ſuch Day, through all the Turnpikes erected or to be erected upon the ſaid Roads (except between Knightsford Bridge and Red Marley as aforeſaid) Tolls to be paid but Once a Day; except, &c.

Provided

Tolls to be taken but Once a Day between *Knightsford Bridge* and *Red Marley*.

Provided always, That no more than One Toll ſhall be demanded or taken in any One Day, to be computed as aforeſaid, for the ſame Horſe, Cattle, Beaſt, and Carriage, paſſing or repaſſing upon any Part of the ſaid Road between Knightsford Bridge and the Houſe of Maſter George Southall in Red Marley aforeſaid.

Clauſe in Act 20 *Geo.* II. repealed.

And whereas, by the ſaid Act of Parliament made in the Tenth Year of the Reign of His late Majeſty King George the Second, the Truſtees were required to order and direct the ſeveral Roads mentioned in the former Act, to be firſt repaired, and were thereby reſtrained from amending and repairing the additional Roads, till after the ſeveral Roads mentioned in the ſaid former Act ſhould have been ſufficiently amended, which Clauſe hath been found to be inconvenient; be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the ſaid recited Clauſe, and every Article, Matter, and Thing, therein contained, ſhall be, and is hereby repealed.

When the Road from *Holt Heath*, thro' *Shrawley* and *Aſtley*, is to be repaired.

Provided always, and be it enacted by the Authority aforeſaid, That the aforeſaid Road leading from Holt Heath, through the ſeveral Pariſhes of Shrawley and Aſtley, towards the Bewdley Turnpike Road, ſhall not be liable to be repaired by virtue of this preſent Act, till ſuch Time as the Road from the City of Worceſter to the Hundred Houſe, and the afore-mentioned Road to the Long Lane, ſhall have been effectually amended and repaired.

No Gate to be erected between the Places herein mentioned.

Provided alſo, and be it further enacted by the Authority aforeſaid, That no Gate or Turnpike ſhall be erected, during the Continuance of this Act, between Upton Bridge, and the North Side of the Lane leading from the Blue Bell to Perſhore; and that no Gate (except Side-gates) ſhall be erected on the Road between Worceſter and Wribbenhall, and Worceſter and Goodneſs Farm, except where the preſent Turnpike-gate now ſtands, in the Pariſh of Claines, near Barbone.

Directions for repairing Soils, &c. before certain Houſes.

And whereas, in order to make a commodious Road from the College Grates to Sidbury Gate, and alſo through the Town of Perſhore, to the Mill Tail, herein before mentioned, it will be neceſſary to level the Ground on the Sides of the ſaid ſeveral Roads; be it therefore enacted by the Authority aforeſaid, That upon the laying out, and making the ſaid Roads, the Perſon or Perſons now liable to repair the Soils before their Houſes on the Sides of the ſaid Roads, ſhall with all convenient Speed repair the ſame, and keep the ſame in good Repair, from time to time, in ſuch Manner as the ſaid Truſtees,

Truſtees, or any Seven or more of them, ſhall from time to time direct and appoint: And in caſe any Perſon or Perſons ſhall refuſe or neglect to level the Ground, and make good the Soils before their Houſes, and to repair the ſame, from time to time, in ſuch Manner as the ſaid Truſtees, or any Seven or more of them, ſhall direct and appoint, for the Space of Ten Days after Notice given for that Purpoſe by the Surveyor to the ſaid Truſtees; that then, it ſhall and may be lawful for ſuch Surveyor, to cauſe the ſame to be done in ſuch Manner as he ſhall think fit, at the Expence of the Perſon or Perſons who ought to have done and performed the ſame; and in caſe ſuch Perſon or Perſons ſhall refuſe or neglect to pay the ſame, for the Space of Ten Days after Demand thereof made by ſuch Surveyor or Surveyors, that then, it ſhall and may be lawful for any One Juſtice of the Peace for the ſaid County or City reſpectively, to cauſe ſuch Expences to be levied by Diſtreſs and Sale of the Goods and Chattles of ſuch Perſon or Perſons who ought to have amended and repaired the ſame as aforeſaid.

And whereas the Owners or Managers of the Water-works in the City of Worceſter may have Occaſion to take up, or alter the Pavement of the Road between the College Grates and Sidbury Gate aforeſaid, be it therefore enacted by the Authority aforeſaid, That when and as often as the Owners or Managers of the ſaid Water-works, or their Workmen or Servants, ſhall have Occaſion to break up the Pavement on the Road or Highway, for laying or repairing the Water-pipes belonging to the ſaid Water-works, they ſhall uſe all poſſible Diligence to make good the Pavement, and repair the Road ſo by them taken up, broken, or damaged; and the ſame ſhall be relaid and repaired with good Gravel and good Pebbles only, and be pitched and laid in a workmanlike and ſubſtantial Manner, and all the Rubbiſh ſhall be taken and carried away as ſoon as the Work is completed: And in caſe of their Neglect or Refuſal ſo to do, for the Space of Two Days after Notice given by the Surveyor of the ſaid Roads to any of the Owners or Managers of the ſaid Water-works, ſuch Surveyor ſhall cauſe the neceſſary Repairs to be made in a ſubſtantial and workmanlike Manner; and in caſe any of the ſaid Owners or Managers ſhall, upon Demand made by the ſaid Surveyor, refuſe or neglect to pay ſuch Charges and Expences for the Space of Ten Days; it ſhall and may be lawful for any Juſtice of the Peace for the ſaid County or City of Worceſter reſpectively,

Owners of the *Worceſter* Water-works to make good the Pavements taken up by them.

tively, upon Complaint made to him by ſuch Surveyor or Surveyors, to ſummon the Parties before him; and upon Proof made, upon the Oath of the Surveyor, of the Work being done, and of Refuſal or Neglect to defray the Expences thereof (which Oath ſuch Juſtice is hereby authorized and required to adminiſter) all ſuch Charges and Expences ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattles of any of the Owners or Managers of the ſaid Water-works, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace; and if any Overplus ſhall remain, after deducting all the Charges and Expences attending ſuch Repairs, and of ſuch Diſtreſs and Sale, ſuch Overplus ſhall be paid upon Demand to the Perſon or Perſons whoſe Goods and Chattles ſhall be ſo diſtrained and ſold.

Penalty on cauſing Annoyances.

And be it further enacted by the Authority aforeſaid, That in caſe any Perſon ſhall lay any Dung, Manure, or Compoſt, or any other Annoyance whatſoever, upon the Sides of the ſaid Roads, where the Roads are not Sixty Feet wide at the leaſt, or in any Place within Forty Feet of the Centre of any Part of the ſaid Roads; every ſuch Perſon ſo offending, ſhall forfeit any Sum not exceeding Forty Shillings, for every ſuch Offence.

Charges of paſſing this Act to be firſt paid.

And be it further enacted by the Authority aforeſaid, That the Charges and Expences of obtaining this Act, ſhall be forthwith defrayed out of any Monies which are or ſhall be in the Hands of the Treaſurer to the ſaid Truſtees; and in caſe ſuch Monies ſhall not be ſufficient to defray all the Expences thereof, that then the ſame ſhall be paid out of the firſt Tolls which ſhall be collected upon the ſaid Roads, or out of the firſt Monies which ſhall be borrowed upon the Credit thereof, in ſuch Proportions as are herein after mentioned, with reſpect to the Payment of the Debt now owing on the Credit of the ſaid Acts.

And whereas the Money now owing upon the Credit of the ſaid Acts, ſtands charged in general upon the whole Tolls collected upon all the ſaid Roads; and it is propoſed, that all Money which ſhall be borrowed for the future, ſhall be charged upon each Gate ſeparately, and that the ſame, together with the Tolls ariſing at ſuch Gates reſpectively, ſhould be applied only in amending the reſpective Roads, where the ſame ſhall be collected; and that ſuch of the preſent Creditors under the ſaid Acts, as are not willing to conſent to have their Debts ſecured only by the Tolls to be collected at particular Gates, ſhall be forthwith paid off and diſcharg-

ed; be it therefore enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall, and they are hereby authorized and required, forthwith to cauſe Notice to be given to the ſeveral Perſons to whom any Money ſhall be due and owing, of their Intention to pay off and diſcharge the ſeveral Sums of Money now due and owing on the Credit of the ſaid Acts; and in caſe the ſeveral Creditors ſhall not conſent to have their Monies ſecured by the Tolls to ariſe at ſuch Gate or Gates only as the ſaid Truſtees, or any Seven or more of them, ſhall think fit, all ſuch Creditors ſhall be paid the Monies which ſhall be then due and owing to them on the Credit of the ſaid Acts, and all Intereſt thereupon; and that a Receipt for the Principal and Intereſt-monies, ſigned by any of the preſent Creditors, indorſed upon their reſpective Securities, ſhall be ſufficient to all Intents and Purpoſes, without an Aſſignment or Transfer to be made of their ſeveral Mortgages. Notice of Payment to be given to Creditors.

And, in order to aſcertain the Proportions to be paid at the ſeveral Gates in Diſcharge of the preſent Debt due upon the Credit of the ſaid Acts, be it therefore further enacted by the Authority aforeſaid, That as ſoon as all the Charges and Expences of paſſing this preſent Act ſhall be fully paid and ſatisfied, all the Money due and owing upon the Credit of the ſaid Acts, ſhall be paid and ſatisfied in Manner, and in the Proportions following; that is to ſay, Eight hundred Pounds, Part thereof, out of the Tolls which ſhall be collected at ſuch Gate as ſhall be erected upon the London Road; Five hundred Pounds, Part thereof, out of the Tolls which ſhall be collected at any ſuch Gate as ſhall be erected upon the Road leading from Worceſter to Upon upon Severn; One thouſand and fifty Pounds, Part thereof, out of the Tolls which ſhall be collected at Powick Gate; Six hundred and fifty Pounds, Part thereof, out of the Tolls which ſhall be collected at Broadwas Gate; Six hundred Pounds, Part thereof, out of the Tolls which ſhall be collected at the Hundred Houſe, or Henwick Gate; and the remaining Six hundred Pounds out of the Tolls to be collected at Barbone Gate, or out of any Money which ſhall or may be borrowed upon the Credit of the Tolls which ſhall be collected at the ſaid Gates reſpectively; and the Perſon or Perſons who ſhall advance the Monies for the Purpoſes aforeſaid, ſhall not be liable to ſee the Application, but ſhall be acquitted by paying the Monies borrowed to the Truſtees, who ſhall be Parties For apportioning the Tolls.

to

to his or their Security, or to ſuch Perſon as ſhall be by them appointed to receive the ſame.

Application of certain Tolls.

And be it further enacted by the Authority aforeſaid, That from and after the Twenty fifth Day of March, One thouſand ſeven hundred and ſixty ſeven, all Money received and ariſing at each and every Gate already erected, or to be erected, upon the ſaid Roads, or any of them, and alſo all Money which ſhall, from time to time, be borrowed on the Credit thereof, ſhall be ſeparately and diſtinctly borrowed, and ſhall be applied and diſpoſed of for and towards amending, and keeping in Repair, the particular Roads hereafter-mentioned; that is to ſay, All the Tolls to be collected at Loſemore Gate, and Money to be borrowed on the Credit thereof, ſhall be applied in repairing the Road leading to Cudley Heath, and from thence by Ravenſhill to Crowle Hill, and from thence to join the Alceſter Turnpike Road at a Place called Bradley Green; and all the Tolls to be collected at ſuch Gate as ſhall be erected on the London Road, and Money to be borrowed on the Credit thereof, ſhall be applied in repairing the Road leading to Stone Bow Bridge, and that Part of the ſaid Bridge which is not included within the Eveſham Turnpike Road; and from the Yew Tree in the Pariſh of Spetchley to Upton Snodſbury, and from thence to Wheelbarrow Caſtle, in the Pariſh of Rouſelench, and from Sidbury Gate to Ayleſborough Farm, and from thence to the Mill Tail, in the Town of Perſhore; and alſo the Road leading from Sidbury Gate to the College Grates; and all the Tolls to be collected at ſuch Gate as ſhall be erected upon the Upton Road, and the Money to be borrowed on the Credit thereof, ſhall be applied to repair the Road leading to Upton Bridge; and from the ſaid Gate, by Maſter Andrews's Houſe on the Hill, to Narrow Wood Lane, and from Kempſey by Croome, to Defford; and all the Tolls to be collected at Powick Gate, and all the Money to be borrowed on the Credit thereof, ſhall be applied in repairing the Road leading from Worceſter to Rid Green, in the Pariſh of Hanley Caſtle, and alſo the Road leading to and over the Link, through Great Malvern, to the Wych, and to a certain Place in the Pariſh of Little Malvern, where it joins the Turnpike Road leading from Upton to Ledbury, and alſo in repairing the Road leading from Worceſter to High Ladder Stile, to Crumpall Hill, and from thence to Frome's Hill, and alſo the Road from Bransford to Petty-ford Bridge, and to Herefordſhire Lake, in the Pariſh of Suckley; but in ſuch Sort and Manner, as that One Fifth Part only of the Income of the aforeſaid Gate called

called Powick Gate, which ſhall remain after Payment of the Intereſt to be incurred upon the Monies borrowed, or hereafter to be borrowed, upon the Credit of the ſaid Gate, ſhall be applied in repairing the ſaid Road leading from Worceſter to Frome's Hill, and the Road leading from Bransford to Herefordſhire Lake, until ſuch Time as the ſaid Road leading from Worceſter to the Rid Green, and the aforeſaid Road leading from Worceſter to the Wych, together with the other Road leading from Worceſter to Little Malvern above deſcribed, ſhall have been ſeverally amended and repaired; and after the Three laſt-mentioned Branches of Road ſhall have been ſeverally repaired and made good, then the aforeſaid ſeveral Roads leading from Worceſter to Frome's Hill, and from Bransford to Herefordſhire Lake, ſhall be aided by the Income of the ſaid Gate, ſetting apart a competent Sum to pay the Intereſt as aforeſaid, and to keep in order the other Three Branches of Road; and all the Tolls which ſhall be collected at Broadwas Gate, and all Money to be borrowed on the Credit thereof, ſhall be applied in repairing the Road leading to Knightsford Bridge, and to Herefordſhire Lake, in the Pariſh of Knightwick; and all the Tolls which ſhall be collected at Henwick Gate, and all Money to be borrowed on the Credit thereof, ſhall be applied in repairing the Road leading to the Hundred Houſe, in the Pariſh of Great Witley; and alſo the Road leading to Holme Bridge, and from thence to Clifton Wood Gate, and to the Turnpike Road leading from Stanford to the Town of Tenbury, at a Place called Long Lane, in the Pariſh of Over Sapey, and from Holth Heath, through Shrawley and Aſtley, to Lower Arley, where it joins the Bewdley Turnpike Road; and all the Tolls which ſhall be collected at the Gate near Barbone, in the Pariſh of Claines, and all Money to be borrowed on the Credit thereof, ſhall be applied in repairing the Road leading from the ſaid City of Worceſter to the Mitre Oak, in the Pariſh of Hartlebury, and from thence to Titton Brook, and to Wribbenhall, and through the ſame to join the Road from Kidderminſter to Bewdley, and from the ſaid Mitre Oak to a Farm Houſe in the Pariſh of Hartlebury, called Goodneſs, and in defraying all neceſſary Expences attending the ſame reſpectively; and the reſpective Clerks, Treaſurers, and Surveyors, of the ſaid Roads, are hereby required to keep ſeparate and diſtinct Accounts of all the Money received at each and every ſeparate Gate, and of all Monies borrowed on the Credit thereof, and of the Diſburſements on account of each and every Branch of Road reſpectively,

ly, and to deliver the ſame to the Truſtees, at their reſpective Meetings, as often as the ſaid Truſtees, or any Seven or more of them, ſhall think proper.

Roads lying between *Knightsford Bridge* and *Red Marley* to be independent of the reſt.

Provided always, and be it further enacted by the Authority aforeſaid, That ſo much of the Roads aforeſaid as lies between Knightsford Bridge, and the Houſe of Maſter George Southall, ſhall be ſeparate and independent of all or any of the other Roads directed to be repaired by the ſaid former Acts, and this preſent Act; and that all the Tolls ariſing upon the ſaid Road, and alſo all Money which ſhall be borrowed on the Credit thereof, ſhall be applied and diſpoſed of in amending and keeping the ſaid Road in Repair, and in defraying all other neceſſary Charges and Expences attending the ſame, diſtinct and ſeparate, in all Reſpects whatſoever, from any other Part of the Roads directed to be repaired by the ſaid former Acts, or this Act.

How the Road in the Pariſh of *Croome* ſhall be repaired.

And whereas, Part of the Road leading from Kempſey to Defford Bridge, lies within the Pariſh of Croome Dabitot: And whereas, the Right Honourable George William Earl of Coventry, is willing, at his own Expence (with the Aid of the Statute-duty) during the Continuance of this Act only, to defray the Charges of making and repairing the ſame, though not liable ſo to do; be it therefore enacted by the Authority aforeſaid, That when the ſaid Truſtees ſhall have cauſed the Road leading from Kempſey to the Pariſh of Croome, and alſo from the Pariſh of Croome to Defford Bridge, to be made and put in good Repair, the ſaid George William Earl of Coventry, or his Heirs, ſhall, with the Aid of the Statute-duty, during the Continuance of this Act only, make and keep in Repair, ſo much of the Road as lies within the Pariſh of Croome Dabitot aforeſaid.

Proviſo.

Provided always, That the ſaid Earl ſhall have Power to order and appoint in what Manner and Direction, ſo much of the Road as lies within the ſaid Pariſh of Croome Dabitot, ſhall be made.

Preference with reſpect to the Road leading from *Kempſey*, &c.

And be it further enacted by the Authority aforeſaid, That the Road leading from the Village of Kempſey to Defford Bridge, ſhall be amended and put into good Repair, in Preference to the Road leading from a Place called Maſter Andrew's Houſe, at the Hill through Hatfield, to Narrow Wood Lane, but not in Preference to the Road leading from Worceſter to Upton upon Severn.

Courſe of the Road between *Kempſey* and *Draycott*.

And be it further enacted, That ſo much of the ſaid Road leading from Worceſter to Upton upon Severn, as lies between the Talbot Alehouſe in Kempſey, and a certain Gate called Ripple Gate, ſhall be made through the

Village

Village of Draycott, instead of the present Course of the said Road.

Preference to the *London* Road.

And be it further enacted by the Authority aforesaid, That the London Road from the College Grates, to the Mill Tail, in Pershore, shall be amended and repaired in Preference to the other Roads comprised within the same Branch.

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, or any Thirteen or more of them, from time to time, at any Meeting to be held for that Purpose, to lessen or reduce all or any of the Tolls by the said recited Acts granted, and for such Time or Times as they the said Trustees, or any Thirteen 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 by the said recited Acts granted; and may also, from time to time, direct the Tolls, so reduced or raised again as aforesaid, to be collected and received in such Manner, Parts, and Proportions, as they shall think fit; but no such Reduction shall be made at any Time, unless the Person or Persons who shall be intitled to the Money which shall be then due upon the Credit of the Tolls intended to be reduced shall be consenting thereto; and that no such Reduction shall be made, unless Fourteen Days previous Notice at the least shall be given in Writing to be affixed upon all the Turnpikes which shall be then erected by virtue of the said former Act or of this Act, of the Intention to make such Reduction or Advancement of the said Tolls.

Tickets for reduced Tolls; not to pass elsewhere, &c. unless the Sum be made up.

Provided always, That no Ticket received at any Gate where the Tolls shall have been reduced as aforesaid, shall intitle any Person to pass through any other Gate upon any of the Roads where the Tolls shall not have been equally reduced, unless such Person shall pay at such other Gate so much Money as shall, together with the Money already paid, make up the full Tolls directed to be paid at such Gate.

Trustees may lease, &c. the Tolls.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Thirteen or more of them, may, and are hereby authorized and impowered, at any Time or Times between the First Day of July and the First Day of November, in any Year during the Continuance of this Act; Twenty one Days Notice in Writing being affixed on all the Turnpike Gates which shall be then standing upon the said Roads, and also Three Times published in the Worcester News Paper,

in caſe any ſuch Paper ſhall be then publiſhed, to leaſe or farm by the Year all the Tolls granted by the ſaid recited Acts or this preſent Act, or any Part or Parts thereof, to any Perſon or Perſons whomſoever, at or for the largeſt yearly Sum or Sums that can be gotten for the ſame, taking ſufficient Security for the Payment thereof: Provided that ſuch Leaſes or Agreements be in Writing, and ſigned by the Perſon or Perſons taking or farming the ſame, and by any Thirteen of the ſaid Truſtees, and be not made for more than Three Years at any one Time; and that the Money which ſhall be ſo agreed to be paid for the ſaid Tolls ſhall be made payable, and ſhall be paid to the ſaid Truſtees, or any Seven or more of them, or to ſuch Perſon as they, or any Seven or more of them, ſhall, by any Writing under their Hands and Seals, authorize and impower to receive the ſame, by Four equal Quarterly Payments; and that the Perſon or Perſons to whom the ſame ſhall be let, ſhall always pay down One Quarter's Rent in Advance: And in caſe any Agreement ſhall be made for letting or farming the ſaid Tolls, or any Part thereof, contrary to the true Intent and Meaning of this Act; or if any Default ſhall be made in paying the full Money agreed to be paid for the ſaid Tolls, or any Part or Parts thereof, contrary to the true Intent and Meaning of this Act; that then in either of the Caſes aforeſaid, every ſuch Agreement ſhall be void, and the Perſon or Perſons to whom the ſaid Tolls ſhall have been letten or farmed as aforeſaid, ſhall be liable to account for the ſame to the ſaid Truſtees, or any Seven or more of them; and the ſame ſhall be levied and recovered upon and from him and them by the ſame Ways and Means, and in ſuch Manner, as the Tolls granted by the ſaid recited Acts are thereby directed to be levied and recovered from the Collectors thereof.

Aſſignments may be transferred.

And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons to whom any ſuch Aſſignment or Aſſignments ſhall be made by the ſaid Truſtees, or any Seven or more of them, or who ſhall be intitled to the Money thereby ſecured, may and are hereby impowered, from time to time, by Words of Aſſignment to be indorſed on his, her, or their Security or Securities, to aſſign or transfer ſuch Security or Securities, and all Benefit and Advantage thereof, and all his, her, and their Right, Title, and Intereſt, to and in the Principal and Intereſt Money thereby ſecured, or any Part thereof, to any Perſon or Perſons whatſoever; and ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her,

her, or their Executors, Administrators, and Assigns; to the Benefit thereof and Payment thereon; and such Assignee may and is hereby impowered in like manner to assign the same again, and so toties quoties.

Materials for Repair of the Roads may be taken from Orchards and Meadows.

And whereas, by the said recited Act of the Twelfth Year of the Reign of his Majesty King George the First, the Surveyors, or other Persons acting by the Direction of the Trustees, are restrained from getting Materials for repairing the said Roads out of Orchards and Meadows: And whereas such Restriction may in some Cases make it very inconvenient to get Materials for repairing the said Roads; Be it therefore enacted by the Authority aforesaid, That so much of the said Act as restrains the searching for, digging, gathering, taking, or carrying away any Materials out of Orchards or Meadows for repairing the said Roads, or any Part thereof, shall be and the same is hereby repealed.

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

And whereas, it may be necessary in some Cases to widen, turn, and alter, the Course or Path of the said Roads, for the better Accommodation of Passengers and Carriages, be it therefore further enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall be, and are hereby fully impowered, to widen, divert, turn, or alter, the Course or Path of any Part or Parts of the Road, through any Moor or Waste Ground, without making any Satisfaction for the same; and also through any private Grounds or Hereditaments, first making Satisfaction to the Owners thereof, and Persons interested therein, as well for the Ground to be taken in, as for the Damage they may sustain by widening or altering the said Roads; and for that Purpose, it shall be lawful for the said Trustees, or any Nine or more of them, to contract and agree with the 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 widening, diverting, turning, or altering, the Course or Path of any Part or Parts of such Road, through such Lands or Hereditaments; and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Trustees, and Feoffees in Trust, Committees, Executors, Administrators, and all other Trustees whatsoever, not only for and on Behalf of themselves, their Heirs, and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, Femes Covert, or other Person or Persons whatsoever, and to and for all Femes

Covert, who are or ſhall be ſeiſed or intereſted in their own Right, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be poſſeſſed of, or intereſted in, any ſuch Lands or Hereditaments, to contract with the ſaid Truſtees, or any Nine or more of them, for the Satisfaction to be made for ſuch Damages as aforeſaid; or to ſell and convey unto them, or any Nine or more of them, all or any of ſuch Lands or Hereditaments, or any Part thereof, for the Purpoſes aforeſaid; and all Contracts, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Uſage, or other Matter whatſoever, to the contrary notwithſtanding: And all ſuch Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Husbands, Guardians, Truſtees, Feoffees, Committees, Executors, Adminiſtrators, and all other Perſons, ſhall be and are hereby indemnified for what they ſhall do by virtue of this Act; and if any ſuch Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, Husbands, Guardians, Truſtees, Feoffees, Committees, Executors, Adminiſtrators, or any Perſon or Perſons intereſted in any ſuch Lands or Hereditaments, upon Notice to him, her, or them given, or left in Writing at the Dwelling-houſe or Houſes, or Place or Places of Abode of ſuch Perſon or Perſons, or of the principal Officer or Officers of any ſuch Body Politick, Corporate, or Collegiate, Corporation Aggregate or Sole, or at the Houſe of the Tenant in Poſſeſſion of the Lands or Hereditaments through which any Part of ſuch Road is intended to be widened, diverted, turned, or altered, ſhall, for the Space of Ten Days next after ſuch Notice given or left, neglect or refuſe to treat, or ſhall not agree in the Premiſſes, or by reaſon of Abſence ſhall be prevented from treating; then, and in every ſuch Caſe, the ſaid Truſtees, or any Nine or 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 Counties of Worceſter or Hereford, or City of Worceſter, where the Land ſhall lie; 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 ſuch Perſon and Perſons whomſoever, who ſhall be thought neceſſary and proper to be examined concerning the Premiſſes (which Oath any One or more of the ſaid Truſtees, are hereby impowered to adminiſter) and ſuch Truſtees, or any Nine or more of

Owners, &c. neglecting to treat,

Jury to ſettle the Damages and Recompence.

Witneſſes may be ſummoned, and examined upon Oath.

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 Information in the Premiſſes; and after the ſaid Jury ſhall have inquired of and aſſeſſed ſuch Damage and Recompence, they the ſaid 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, 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, and Collegiate, Corporations Aggregate or Sole, as well as all other Perſon and Perſons whomſoever: And for ſummoning and returning ſuch Juries, the ſaid Truſtees, or any Nine or more of them, are hereby impowered to iſſue their Warrant or Warrants to the Sheriff of the ſaid Counties of Worceſter or Hereford, or of the City of Worceſter reſpectively, as the Caſe ſhall happen, commanding him to impanel, ſummon, and return, an indifferent Jury of Twenty four Perſons, qualified to ſerve upon Juries, to appear before the ſaid 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 out of the Perſons ſo ſummoned, impanelled, and returned, or out of ſuch of them as ſhall appear upon ſuch Summons, the ſaid Truſtees, or any One or more of them, ſhall, and they are hereby impowered 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 of the Standers-by, or that can ſpeedily be procured to attend that Service, to the Number of Twelve: And all Perſons concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen, when they come to be ſworn; and the ſaid Truſtees, or any Nine or more of them, acting in the Premiſſes, ſhall have Power, from time to time, to impoſe any

Verdict of the Jury to be final.

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

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

any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiffs, or Agents, making Default in the Premisses; and on any of the Persons that shall be summoned and returned on such Jury, and shall not appear, or 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, refuse to be examined, or to give Evidence; and which Fine or Fines shall be levied and applied in such Manner, as the Penalties and Forfeitures are herein after directed to be levied and applied; so that no such Fine be more than Ten Pounds, nor less than Forty Shillings, on any One Person for One Offence.

Fine not to exceed 10 *l.*

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

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 said Tolls, or out of the Monies to be borrowed upon the Credit of such respective Tolls, to the Parties or Persons respectively intitled to such Monies, or to their Agents; and upon Payment thereof, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Clerk to the said Trustees, for the Use of such Parties or Persons, it shall be lawful for any Person or Persons, authorized by Writing under the Hands of the said Trustees, or any Seven or more of them, to widen, divert, or turn, such Road through such Lands or Hereditaments, and to do all and every such Act, Matter, or Thing, with relation to such Lands or Hereditaments, as the said Trustees, or any Seven or more of them, shall think fit; and the said Trustees, or any Seven or more of them, shall cause such Parts of the said Roads as shall be widened, diverted, or turned, through any private Grounds, to be ditched and fenced from the adjoining Lands; and all Lands and Hereditaments which shall be made a Part or Parts of the said Road by virtue of this Act, shall be for ever thereafter to all Intents and Purposes a common Highway, and shall be repaired and kept in Repair in such Manner as the Road hereby appointed to be repaired is by this or any other Law to be amended, and from thenceforth all Parties and Persons whatsoever shall be divested of all Right and Title to such Lands and Hereditaments: And after any new Road shall be completed, the Lands constituting the former Road, unless leading

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

and deemed a publick Highway.

Old Road may be sold.

over

over ſome Wood or Waſte Ground, or to ſome Village, Town, or Place, to which ſuch new Road doth not lead, ſhall be veſted in, and ſhall and may be ſold and conveyed by the ſaid Truſtees, or any Seven or more of them, for the beſt Price that can be gotten for the ſame; and the Perſon over whoſe Land ſuch new Road ſhall be made, ſhall have the Preference in the Purchaſe of the old Road to be ſold; and the Money ariſing by ſuch Sale ſhall be applied to the Repair of the ſaid Road; but this Act ſhall not extend to the taking down any Dwelling-houſe or other Building, except the Houſe or Building called Sidbury Gate; or to take in any Garden, 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.

Buildings, &c. not to be damaged.

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

Truſtees not to act where intereſted.

And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Seven or more of them, ſhall and may cauſe the ſaid Roads to be meaſured from the Croſs at Worceſter, 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 Stone or Poſt from the ſaid Croſs, to any Town or Place, as they ſhall think fit; and alſo to direct Guide or Direction Poſts with Inſcriptions thereon, as the ſaid Truſtees, or any Seven or more of them, ſhall think proper: And if any Perſon or Perſons ſhall wilfully pull down, break, or damage, any ſuch Stone or Poſt, which is now or may hereafter be erected, or obliterate any Inſcription which ſhall have been made thereon, or ſhall cauſe or procure the ſame to be done, or in caſe any Perſon ſhall wilfully pull down, break, or damage, any Poſts or Rails erected or ſet up by the ſaid Truſtees, for fencing any Pits or Precipices, or ſhall cauſe or procure the ſame to be done, and be thereof convicted upon Oath by One or more credible Witneſs or Witneſſes, or by his or her own Confeſſion, before any Juſtice of the Peace for the County or Place wherein ſuch Offence ſhall be committed (which Oath ſuch Juſtice is hereby impowered and required to adminiſter without Fee or Reward) every ſuch Perſon offending in any of the Caſes aforeſaid, ſhall forfeit the Sum of Forty Shillings for every ſuch Stone or Poſt

Roads to be meaſured, and Mile-ſtones erected.

Penalty on defacing Mile-ſtones, &c.

or Rail 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 any of the Penalties or Forfeitures are by the ſaid recited Acts directed to be recovered and 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 of the County or Place where the Offence ſhall have been committed; there to remain without Bail or Mainprize, for any Space not exceeding Three Calendar Months, nor leſs than One Calendar Month, unleſs ſuch Penalty and all reaſonable Charges ſhall be ſooner paid.

Juſtice of the County of *Worceſter* to adminiſter Oaths within the City.

And be it further enacted by the Authority aforeſaid, That all Perſons who are in the Commiſſion of the Peace for the County of Worceſter, ſhall and are hereby authorized and impowered to adminiſter Oaths to any Perſon or Perſons, at any Time or Times, within the ſaid City of Worceſter, for the Purpoſes of this Act only.

Writings to be without Stamps.

And be it further enacted, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security for the borrowing of Money, or other Writing whatſoever, under the Hand and Seal or Hands and Seals of, or only ſigned by, any Truſtee or Truſtees for putting this Act in Execution, or by any Juſtice or Juſtices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any Power or Authority hereby veſted in them, ſome, or One of them reſpectively, or Transfer of any of the Securities aforeſaid, which ſhall be made by any Perſon or Perſons, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Penalties and Forfeitures how to be recovered.

And be it further enacted by the Authority aforeſaid, That all Penalties, Forfeitures, and Fines, hereby inflicted or authorized to be impoſed (the Manner of levying and recovering whereof is not hereby particularly directed) ſhall, upon Proof of the Offence before One Juſtice of the Peace for the County or Place where the Offence ſhall be committed, either by the Confeſſion of the Party offending, or by the Oath of One or more Witneſs or Witneſſes (which Oath 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 (which Warrant or Warrants ſuch Juſtice

is hereby impowered to grant for thoſe Purpoſes) and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale, are recovered and deducted, ſhall be returned, upon Demand, unto the Owner or Owners of ſuch Goods and Chattles; and the Penalties, Forfeitures, and Fines, when paid or levied, ſhall (if not otherwiſe directed to be applied by this Act) from time to time, be paid to any Seven or more of the ſaid Truſtees, or to their Treaſurer, and ſhall be applied in repairing ſuch Part of the ſaid Roads, in reſpect whereof the ſame ſhall be incurred: And in caſe ſufficient Diſtreſs cannot be found, or ſuch Penalties or Forfeitures ſhall not be forthwith paid, it ſhall be lawful for ſuch Juſtice of the Peace, and he is hereby authorized and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction, there to remain without Bail or Mainprize, for any Time not exceeding Two Calendar Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

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

FINIS.