ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 135.

An Act for continuing and amending Two Acts of His preſent Majeſty, for repairing the Road from *Shelton* to *Blakeley Lane Head*, and from *Bucknall* to *Weſton Coyney*, in the County of *Stafford*; and alſo for altering and repairing the Road from *Adderley Green* to *Lane End*, in the ſame County.

[3d *June* 1813.]

WHEREAS an Act was paſſed in the Eleventh Year of the Reign of His preſent Majeſty, intituled *An Act for repairing and widening the Road from* Shelton *to the Road between* Cheadle *and* Leek, *and from* Bucknall *to* Weſton Coyney, *and from the Road between* Cheadle *and* Leek *to the Turnpike Road above* Frogall Bridge, *and from the ſame Road to the Road between* Blyth Marſh *and* Thorp, *at or near* Rue Hill Gate, *in the County of* Stafford, which ſaid Roads were divided into Two ſeparate Diſtricts, and the Road from *Shelton* to *Blakely Lane Head*, and from *Bucknall* to *Weſton Coyney*, was thereby declared to be compriſed in the Firſt Diſtrict: And whereas another Act was paſſed in the Thirty-ſecond Year of the Reign of His preſent Majeſty, intituled *An Act to continue the Term, and alter and enlarge the Powers of an Act paſſed in the Eleventh Year of the Reign of His preſent Majeſty, for repairing and widening the Road from* Shelton *to the Road between* Cheadle *and* Leek, *and from* Bucknall *to* Weſton Coyney, *and from the Road between* Cheadle *and* Leek *to the Turnpike Road above* Frogall Bridge, *and from the ſame Road* 11 G. 3. c. 87.

32 G. 3. c. 160.

to the Road between Blyth Marſh *and* Thorp, *at or near* Rue Hill Gate, *in the County of* Stafford, *ſo far as the ſame relates to the Road from* Shelton *to* Blakely Lane Head, *and from* Bucknall *to* Weſton Coyney: And whereas, in purſuance of the Powers and Proviſions of the ſaid recited Acts or one of them, divers Sums of Money have been borrowed and are now due on the Credit and Security of the Tolls thereby granted in the ſaid Firſt Diſtrict, and other Sums of Money have been advanced at Intereſt on the Perſonal Security of ſome of the Truſtees of the ſaid Road for the Satisfaction of the Perſons lending the ſame, and paid to the Treaſurer of the ſaid Truſtees, and applied for the Repairs of the ſaid Road, or otherwiſe for the Purpoſes thereof; and a large Arrear of Intereſt is now due and owing on Part of ſuch Principal Monies, which Principal Monies and Intereſt ſo reſpectively due and owing cannot be paid, nor can the ſaid Road compriſed in the ſaid Firſt Diſtrict be effectually improved and maintained, and kept in ſufficient Repair, unleſs the ſaid Acts which are near expiring be continued for a further Term, and the Tolls thereby granted increaſed; and it is alſo expedient that divers of the Powers and Proviſions contained in the ſaid recited Acts, or one of them, ſhould be altered, amended or repealed, and that other Powers and Proviſions ſhould be enacted for the better repairing and improving the Road compriſed in the ſaid Firſt Diſtrict: And whereas the Road leading out of the ſaid Turnpike Road from *Bucknall* to *Weſton Coyney*, at or near *Adderley Green*, in the Pariſh of *Caverſwall*, in the ſaid County of *Stafford*, to and into the Vill of *Lane-End* in the Pariſh of *Stoke-upon-Trent*, in the ſaid County, extending about One Mile and a Quarter in Length, is at preſent very narrow, incommodious, and out of Repair, and cannot be effectually amended, widened and kept in Repair, by the ordinary Courſe of Law, and it would be a Benefit and Convenience to the Owners and Occupiers of Lands and Tenements, and Inhabitants in that populous Neighbourhood, and others, if the ſame Road was effectually widened, improved, and kept in Repair; and if for effecting thoſe Purpoſes the Powers and Proviſions of the ſaid recited Acts, and this Act, were extended to the ſaid Road, and the ſame was to be compriſed in the ſaid Firſt Diſtrict: 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 of the Eleventh and Thirty-ſecond Years of the Reign of His preſent Majeſty, and all and every the Powers, Authorities, Penalties, Forfeitures, Clauſes, Proviſions, Matters and Things therein reſpectively contained and now in force, ſo far as the ſame relate to the Road compriſed in the ſaid Firſt Diſtrict (except ſuch of them as relate to Exemption from Stamp Duties, and except ſo far as the ſame are hereby altered, varied, or repealed, or are repugnant to, or otherwiſe provided for in this Act), and alſo the Tolls, Powers, Authorities, Clauſes and Proviſions in this Act contained ſhall be and continue in full Force and Effect during the Term herein-after granted or mentioned for amending, widening, altering, improving, maintaining, and keeping in Repair the ſaid Road from *Shelton* aforeſaid through *Bucknall*, and by *Aſh* and *Cellar Head*, to the Turnpike Road between *Cheadle* and *Leek* at *Blakely-Lane Head*, and from *Bucknall* to *Weſton Coyney* aforeſaid, and ſo far as the ſame are applicable thereto, ſhall alſo extend to and be duly enforced, practiſed, applied, and put in Execution for making, widening, ſhortening, altering, improving, maintaining and keeping in Repair the ſaid Road, leading from the ſaid Turnpike Road between

Former Acts continued for a further Term.

between *Bucknall* and *Weſton Coyney*, at or near *Adderly Green* aforeſaid, to and into *Lane End* aforeſaid; which ſaid laſt deſcribed Road ſhall henceforth be deemed Part of the Road compriſed in the ſaid Firſt Diſtrict, and which ſaid Term hereby granted ſhall be, and is hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing on the Credit and Security of the Tolls granted by the ſaid recited Acts, or either of them, in the ſaid Firſt Diſtrict, and of all Sums of Money which have been advanced on the Perſonal Security of any of the ſaid Truſtees, and of ſuch Sums of Money as ſhall be borrowed in purſuance of this Act, and of all Intereſt due or to grow due for the ſame reſpectively.

New Branch of Road to Lane End to be made according to the Plan depoſited with the Clerk of Peace.

II. And whereas a Map or Plan deſcribing the Line of the ſaid Branch of Road from *Adderly Green* to *Lane End*, and the Lands through which the ſame is to be carried, together with a Book of Reference containing a Liſt of the Names of the Owners and Occupiers of ſuch Lands, has been depoſited at the Office of the Clerk of the Peace for the ſaid County of *Stafford*, be it therefore enacted, That the ſaid Map or Plan, and Book of Reference, ſhall remain in the Cuſtody of the Clerk of the Peace for the ſaid County, to the End that all Perſons may at any ſeaſonable Times have Liberty to inſpect and peruſe the ſame, and to take Copies thereof or Extracts therefrom at their Will and Pleaſure, paying the Clerk of the Peace the Sum of One Shilling for every ſuch Inſpection, and at the Rate of Sixpence for every One hundred Words of ſuch Copies or Extracts, and that the ſaid Truſtees in making the ſaid Branch of Road ſhall not deviate more than One hundred Yards of Three Feet from the Line deſcribed in the ſaid Map or Plan, without the Conſent of the Perſon or Perſons, Body Politic or Corporate, or in caſe of Infancy or Lunacy, then of his, her, or their Guardian or Guardians, Committee or Committees, through whoſe Lands or Grounds ſuch Deviation ſhall be made.

No further Deviation from the Line in the Plan than 100 Yards without Conſent of Land Owners.

Truſtees may make Road through Lands although omitted in Book of Reference.

III. Provided always, and be it further enacted, That it ſhall be lawful for the ſaid Truſtees to make the ſaid Branch of Road into, through, acroſs or over the ſeveral Lands or Grounds of any Perſon or Perſons who is, or are, or may be Owner or Owners of Land over which the ſame is ſet out and deſcribed in the ſaid Map or Plan as aforeſaid, although the Name or Names of ſuch Perſon or Perſons may happen to be erroneouſly ſtated or omitted in the ſaid Book of Reference, in caſe it ſhall appear to any Two or more Juſtices of the Peace for the County wherein ſuch Lands are ſituate, and be certified by Writing under their Hands that ſuch Error or Omiſſion proceeded from Miſtake.

Truſtees' Names.

IV. And be it further enacted, That *Robert Ellis Aitkens* Clerk, *William Adams* of *Bucknall*, *David Aſkin*, *Thomas Allen*, *William Adams* of Cobridge, *Thomas Aſtbury*, *Jonathan Adams*, *John Baddeley*, *Edward Baddeley*, *Edmund John Birch*, *Thomas Baddeley*, *Daniel Bird Baddeley*, *Thomas Brandon*, *James Bulkeley*, *James Bagnall*, *William Bourne*, *Joſeph Brittain*, *Hugh Booth*, Sir *John Fenton Boughey* Baronet, *Ralph Bourne*, *John Bourne*, *Charles Bourne*, *William Baker*, *John Bennett*, *Thomas Broade*, *William Bagnall*, *Walter Still Coyney*, ——— *Coyney*, *William Corſer* Clerk, *Thomas Cotterill* Clerk, *Francis Coxon*, *John Daniel*, *Thomas Dale*, *Thomas Griffin*, *Thomas Griffin* junior, *Thomas Honeyborne*, *John Howe*, Sir *John Edenſor Heathcote* Knight, *Richard Edenſor Heathcote*, *Richard Hicks*, *John Hales*, *Charles Harvey*, *Charles Harvey* junior, *Edward Keeling*, *James Keeling*, *William Shepherd Kinnerſly*, *Thomas Kinnerſly*,

Kinnerſly junior, *William Kenwright*, *Samuel Keys*, *Joſeph Locker*, *George Wood Lloyd* Clerk, *Stephen Mare*, *John Mare* junior, *Joſeph Mayer*, *Richard Mountford*, *Elijah Mayer* junior, *William Moxon*, *Matthew Mare*, *Thomas Parker*, *Edward Powys* Clerk, *Edward Powys* junior, *Job Ridgway*, *George Ridgway*, *Joſeph Roe*, *John Ridgway*, *William Ridgway*, *Samuel Gray Simpſon*, *William Sneyd*, *John Stanley*, *John Smith*, *John Shorthoſe*, *Thomas Smith*, *Clement Sneyd*, *Thomas Sparrow*, *Joſiah Spode*, *William Spode*, *Joſiah Spode* junior, *Walter Sneyd*, ——— *Sneyd*, *John Smith*, *Ralph Shaw*, *Richard Sims*, *William Shirley*, *John Tomlinſon*, *Thomas Toſt*, *Thomas Turner*, *Thomas Taylor*, *James Taylor*, *Thomas Wilſon*, *Sampſon Wright*, *John Whieldon*, *David Wilſon*, *Samuel Wright*, *Thomas Walters*, *Daniel Whalley* junior, *Joſiah Wedgwood*, *Thomas Yeoman*, and *Charles Yates*, together with ſuch other Perſons, not exceeding Ten, as the ſaid Truſtees may appoint, ſhall be, and they are hereby appointed Truſtees for carrying this Act and the ſaid recited Acts into Execution, and they are hereby added to and joined with the Truſtees appointed by and in purſuance of the ſaid recited Acts, or either of them, and (being duly qualified according to the Directions thereof) they are hereby empowered to act in the Execution of the ſaid Acts, and this Act, as fully and effectually to all Intents and Purpoſes, as the Truſtees appointed by or in purſuance of the ſaid recited Acts or either of them.

Power to appoint Truſtees in the Room of thoſe who ſhall die.

V. And be it further enacted, That when and as often as any of the Truſtees appointed or to be appointed by or in purſuance of the ſaid recited Acts and this Act, or any of them, ſhall die, or by Writing under their reſpective Hands decline to act in the Execution thereof, it ſhall be lawful for the remaining or ſurviving Truſtees, from Time to Time, by Writing under their reſpective Hands, to elect and appoint one or more other fit Perſon or Perſons to be a Truſtee or Truſtees in the room of every Truſtee or Truſtees dying or declining to act as aforeſaid, provided that public Notice of the Time and Place of Meeting of the ſaid Truſtees for every ſuch Election be given by the Clerk to the ſaid Truſtees, by affixing the ſame in Writing upon all the Turnpike Gates then erected upon the ſaid Roads Ten Days at leaſt before every ſuch Meeting; and every Perſon who ſhall be elected and appointed a Truſtee purſuant to the Directions of this Act, ſhall and may act with the ſurviving and remaining Truſtees in the Execution of the ſaid recited Acts and this Act, to all Intents and Purpoſes, as if he had been named and appointed a Truſtee in and by this Act.

All Acts may be done by Truſtees.

VI. And be it further enacted, That all Acts and Proceedings whatſoever in the Execution of the ſaid recited Acts and this Act, ſhall and may be done and executed by any Five or more of the Truſtees for the Time being.

Truſtees may ſue and be ſued in the Name of their Clerk or Treaſurer.

VII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Matter or Thing to be done or ariſe by virtue or in purſuance of the ſaid recited Acts and this Act, or for the enforcing any Penalty, Claim or Demand under the ſame, or any Obligation or Agreement heretofore, or which may be hereafter entered into with the ſaid Truſtees, in the Name of their Clerk or Treaſurer for the Time being; and in all Indictments, Informations, and Proſecutions for or concerning any Property or Thing of or belonging to the ſaid Truſtees, the ſame may be ſtated to be the Property of the Truſtees for executing this

Act

Act without naming them; and that no Action, Suit or Proceeding to be brought, inſtituted or commenced by the Direction of or againſt the ſaid Truſtees by virtue of this Act in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death, Reſignation or Removal of any ſuch Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer without the Conſent of the ſaid Truſtees; but that the Clerk or Treaſurer for the Time being to the ſaid Truſtees ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action, Suit and Proceeding: Provided always, that every ſuch Clerk and Treaſurer in whoſe Name any Action, Suit or other Proceeding ſhall be commenced or defended in purſuance of this Act, ſhall be fully reimburſed and paid out of the Monies to ariſe by virtue of this Act, all ſuch Coſts, Charges, Damages and Expences as by the Event, or in conſequence of any ſuch Action, Suit or Proceeding, he ſhall pay, bear, expend or be put unto or become chargeable with by reaſon of his being made Plaintiff or Defendant as aforeſaid.

New Tolls to be taken in lieu of the former.

VIII. And be it further enacted, That from and after the Twenty-fourth Day of *June* One thouſand eight hundred and thirteen, the ſeveral Tolls and Duties granted and made payable by the ſaid recited Acts, or either of them, ſhall ceaſe and determine; and that from thenceforth in lieu thereof there ſhall be demanded and taken at each and every Toll Gate to be continued or erected by virtue of this Act, before any Horſe or other Beaſt, Cattle or Carriage, upon which any Toll is hereby impoſed ſhall be permitted to paſs through the ſame, the ſeveral Tolls and Duties hereinafter mentioned, (that is to ſay):

Tolls.

For every Horſe, Mare, Gelding, Mule, or other Beaſt (except an Aſs), drawing in any Cart, Waggon, Chaiſe, or other Carriage (except when employed in conveying Lime or Lime-ſtone for agricultural Purpoſes), the Sum of Sixpence; and when employed in conveying Lime or Lime-ſtone for agricultural Purpoſes, the Sum of Three-pence:

For every Horſe, Mare, Gelding, Mule, or other Beaſt (except an Aſs), laden or unladen, and not drawing, the Sum of Two-pence:

For every Aſs when drawing any Cart or other Carriage, the Sum of Three-pence; and when not drawing any ſuch Carriage, the Sum of One Penny:

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Eight-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Ten-pence *per* Score; and ſo in Proportion for any greater or leſs Number:

And on every *Sunday* (to be computed from Twelve of the Clock in the preceding *Saturday* Night to Twelve o'Clock in the next ſucceeding Night) Double the Tolls which ſhall for the Time being be authorized to be collected on any other Day under or by virtue of this Act.

Subject to the ſame Reſtrictions and Powers of Reduction as in former Acts.

Which ſaid Tolls and Duties in and by this Act granted and made payable as aforeſaid, ſhall be, and are hereby veſted in the Truſtees for the Time being for carrying the ſaid recited Acts, and this Act, into Execution; and ſhall be received and taken at each and every of the Toll-gates or Turnpikes erected, or to be erected, upon the ſaid Roads in purſuance of the ſaid recited Acts, and this Act, or any of them; and ſhall be paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of, and aſſigned in ſuch Manner, and with and under ſuch Limitations and Reſtrictions, not only in regard to the Number of Tolls to be paid in the

the courſe of One Day, but in all other Reſpects as the Tolls and Duties granted by the ſaid recited Acts, or either of them, are thereby authorized and directed to be received, paid, levied, leaſed, mortgaged, reduced, altered, applied, diſpoſed of, and aſſigned, except as by this Act is otherwiſe particularly directed: Provided always, that in caſe One Year's Intereſt upon any of the Monies borrowed, or Securities granted by virtue of the ſaid recited Acts or this Act, ſhall at any Time be in Arrear for the Space of Three Calendar Months next after the ſame ſhall become due, and there ſhall not be ſufficient Funds in the Hands of the Treaſurer to the ſaid Truſtees for the Time being to anſwer and meet ſuch Intereſt, and the current Expences of the ſaid Roads, then, and in every ſuch Caſe, if any previous Reduction ſhall have been made in the ſaid Tolls, or any of them, the ſaid Truſtees ſhall, and are hereby required, at the next Meeting which ſhall be held after any Application ſhall be made in Writing for that Purpoſe by the Perſon or Perſons whoſe Intereſt Money ſhall be ſo in Arrear, to advance the ſaid reduced Tolls to the Rates herein-before granted and ſet forth; and that the ſaid Tolls, or any of them, ſhall not be again reduced or leſſened, until all Arrears of Intereſt upon the Principal Monies advanced and owing upon Security of the ſaid Tolls ſhall be fully paid and ſatisfied, together with the current Expences of the ſaid Roads, or there ſhall be ſufficient Funds in the Hands of the Treaſurer to the ſaid Truſtees to anſwer, meet, and ſatisfy the ſame reſpectively.

Exemptions from Tolls.

IX. And be it further enacted, That all and every Exemption or Exemptions from the ſeveral Tolls and Duties granted and made payable by the ſaid recited Acts, or either of them, ſhall ceaſe; and that in lieu thereof, the ſeveral Exemptions from Tolls hereinafter mentioned ſhall be allowed; that is to ſay, That no Toll ſhall be demanded or taken for any Horſe or Carriage paſſing through any of the Turnpike or Toll Gates erected, or to be erected, upon or on the Sides of the ſaid Roads, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Heath, Gravel, or other Materials to be uſed in or about the ſaid Roads, or for repairing any Highways in the Pariſhes, Townſhips, Diſtricts, or Places which are liable to perform Satute Duty upon the ſaid Roads, or returning empty when ſo employed; or carrying or conveying Hay, Corn in the Straw, or other Produce of Lands not ſold or diſpoſed of; nor any Ploughs, Harrows, or other Implements of Huſbandry to be uſed in the Cultivation of Lands; or any Dung, Compoſt, or other Manure (except Lime or Limeſtone) to be uſed or laid upon Lands, or returning empty when ſo employed; nor for any Horſes, Mares, Geldings, Mules, Aſſes, or Cattle going to or returning from Work in cultivating the Lands within the ſame Pariſhes, Townſhips, Diſtricts or Places, or any of them; nor for any Horſes, Mares, Geldings, Mules, Aſſes, Cattle, Sheep, Lambs, or Hogs, going to or returning from Paſture on the Commons or other grazing Grounds, or watering Places, or Blackſmith's Shops to be ſhod, or having been ſhod; nor for any Horſe, or other Beaſt of Draught, or Carriage employed in carrying or conveying any Furze, Peats, Turf, or Heath for Fuel, or returning empty having been ſo employed; nor ſhall any Toll be paid by any Rector, Vicar, or Curate going to officiate, or returning from officiating, at any Church, Chapel, or other Place of religious Worſhip, or when viſiting his ſick Pariſhioners, or upon any other parochial or miniſterial Duty; or by any other Perſon or Perſons reſiding in the ſaid Pariſhes, Townſhips, Diſtricts or Places, who ſhall paſs through the ſaid Turnpikes or Toll Gates to or from Church,

Chapel, or other Place of religious Worſhip, or who ſhall attend the Funeral of any Perſon or Perſons who ſhall die and be buried in any of the ſaid Pariſhes, Townſhips, Diſtricts, or Places; nor for any Horſes, or Carriages of whatſoever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes, under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding the ſame, or on returning back from conveying the ſame; or for the Horſes of Soldiers on the March, or on Duty, or Carriages, or Horſes, or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers; or for any Horſe, Mare, or Gelding, furniſhed by or for any Perſon belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for, and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemption; nor for any Waggon, Wain, Cart, or other Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Carriage, Horſe, or other Beaſt, employed in the Conveyance of Vagrants ſent by legal Paſſes, or travelling with Vagrants ſent by legal Paſſes; nor for any Horſe or Carriage going to or returning from any Election of a Repreſentative or Repreſentatives to ſerve in Parliament for the County of *Stafford*, on the Day or Days of any ſuch Election, or on the Day before or Day after any ſuch Election ſhall begin and be concluded; and if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being entitled thereto, or ſhall make uſe of any Fraud whatſoever, whereby the Payment of the ſaid Tolls, or any Part thereof, ſhall be evaded, every ſuch Perſon ſhall for every ſuch Offence, forfeit and pay a Sum not exceeding Five Pounds.

Carriages employed on His Majeſty's Service not to be ſubject to Regulation for Over-weight.

X. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Over-weight, nor ſhall any Waggon, Wain, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage, to put any Number of Horſes or Oxen, to ſuch Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act, contained to the contrary notwithſtanding.

Power to let the Tolls.

XI. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees from Time to Time, either by Deed under their reſpective Hands and Seals, or by Agreement in Writing under their Hands, or ſigned, or entered into on their Behalf, by their Clerk or Treaſurer, in purſuance of any Order made by the ſaid Truſtees; or by Parol, as to the ſaid Truſtees in their Diſcretion ſhall think fit, to let or demiſe the Tolls granted by this Act, and ariſing upon the ſaid Roads, or any Part or Parts thereof, for any Term of Years not exceeding Three Years at any One Time, for the beſt

beſt Rent that can be gotten for the ſame, payable at ſuch Times, and under ſuch Reſervations, Conditions, Stipulations and Reſtrictions, as the ſaid Truſtees ſhall in their Diſcretion think fit.

Subſcribers compellable to pay their Subſcriptions.

XII. And be it further enacted, That if any Perſon or Perſons who have become Subſcribers towards the Expences of making the ſaid New Branch of Road, or of obtaining this Act, and carrying the ſame or any of the Purpoſes thereof, into Execution; or any Perſon or Perſons who ſhall hereafter become, or agree to become, a Subſcriber or Subſcribers for any of the Purpoſes aforeſaid, ſhall, after Twenty Days previous Notice in Writing, under the Hands of the Treaſurer or Clerk to the ſaid Truſtees, for that Purpoſe, to him, her, or them given, or left at his, her or their Dwelling-houſe, or uſual Place or Places of Abode, refuſe, or neglect to make Payment of the reſpective Sums by him, her, or them ſo ſubſcribed, or agreed to be ſubſcribed, or ſuch Part or Parts thereof as may be required in ſuch Notice, it ſhall be lawful for the ſaid Truſtees to bring, or cauſe to be brought, any Action of Debt, or on the Caſe, Bill, Plaint, or Suit, againſt the Perſon or Perſons ſo neglecting or refuſing as aforeſaid, his, her, or their Heirs, Executors, or Adminiſtrators, in any of His Majeſty's Courts of Record at *Weſtminſter*; and after Proof of ſuch Perſon or Perſons having ſubſcribed or agreed to ſubſcribe, and that ſuch Notice was given as aforeſaid, a Verdict ſhall be given for the Plaintiff, and Execution ſhall iſſue thereupon, as the Caſe may require.

Agreements and Compoſitions with Money Lenders to be valid.

XIII. Provided alſo, and be it further enacted, That all Agreements and Compoſitions already made and entered into, or which ſhall or may at any Time hereafter be made and entered into, by and between the ſaid Truſtees and any Perſon or Perſons holding any Security or Securities, or having any Claim or Claims upon the ſaid Tolls, for accepting a leſs Security, or Sum, or lower Rate of Intereſt than the Amount due or claimed, ſhall be valid and effectual, and obligatory upon all Parties, and be acted upon and carried into Execution according to the Terms, Tenor, Effect, and true Intent and Meaning of ſuch Agreement and Compoſition reſpectively.

Surveyors may remove Annoyances.

XIV. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors appointed by the ſaid Truſtees, and ſuch Perſon and Perſons as he or they ſhall appoint, from Time to Time, to remove and prevent all Nuiſances and Annoyances on any Part or Parts of the ſaid Roads, by Timber, Stone, Carriages, Saw-pits, or other Pits, Aſhes, Dung, Filth, Rubbiſh, or otherwiſe; and to turn any Watercourſes, Gutters, Conduits, or Drains running into the ſame to the Prejudice thereof; and to open, ſcour, cleanſe, deepen, and enlarge any Gutter, Ditch, Conduit, or Watercourſe, adjoining or near to the ſaid Roads, or any Part or Parts thereof reſpectively; and alſo to cut down, top, or lop, at proper Seaſons of the Year, any Trees, Branches, or Buſhes growing in the Hedges, Fences, or Grounds adjoining thereto (ſo as to reduce ſuch Hedges to any Heighth not leſs than Four Feet), and to take and carry away the ſame, in caſe the reſpective Owners or Occupiers of the Lands where ſuch Annoyances ſhall happen ſhall neglect ſo to do for Seven Days after Notice in Writing given for that Purpoſe, under the Hand or Hands of ſuch Surveyor or Surveyors, the Charges whereof (to be ſettled by the ſaid Truſtees) ſhall be reimburſed to the ſaid Surveyor or Surveyors by ſuch reſpective Owners

or

or Occupiers neglecting to cut down such Trees, Branches or Bushes, or by the Person or Persons occasioning, or neglecting or refusing to remove such Annoyances as aforesaid; which Charges shall be levied and recovered in the same Manner as Forfeitures and Penalties are by the said recited Acts, or this Act, authorized to be levied and recovered; and if, after the removal of any such Annoyances, any Person shall offend again in the like Manner, every such Person shall, for every such Second, or other repeated Offence, forfeit and pay any Sum not exceeding Forty Shillings.

For protecting Footpaths.

XV. And be it further enacted, That if any Person or Persons shall wilfully ride on Horseback, or drive any Horse, Ass, or other Beast, or any Carriage, or wheel, draw, or thrust any Wheelbarrow or Truck upon any of the Footpaths or Causeways by the Sides of the Roads to be repaired by virtue of the said recited Acts, and this Act, and which have been, or may be appropriated and maintained as a Way for Foot Passengers, each and every Person so offending shall forfeit and pay a Sum not exceeding Twenty Shillings for each and every such Offence; to be recovered and applied as any Penalties under the said recited Acts, or this Act, are authorized to be recovered and applied.

Application of Compensation when amounting to 200*l.*

XVI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used for the said Roads by virtue of the said recited Acts, and this Act, or any of them, which shall belong to any Body Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Feoffees in Trust, Guardians, Committees, Trustees, Femes Covert, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled to the same, or the like Uses, Intents or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be

ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſame Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application when the Compenſation is leſs than 200l. and exceeds 20l.

XVII. Provided always, and be it further enacted, That if any Money ſo agreed or aſſeſſed to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Body Politic, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed, or of his, her or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing this Act, ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties, in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application when the Amount is leſs than 20l.

XVIII. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or aſſeſſed to be paid as herein-before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Acts, and this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles.

XIX. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded or aſſeſſed for any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes to the Satisfaction of the ſaid Truſtees; or in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded or aſſeſſed as aforeſaid, cannot be found, or if the Perſon or Perſons ſo entitled to ſuch Lands, Tenements, or Hereditaments be not known or diſcovered, then and in every ſuch Caſe it ſhall be lawful for the ſaid Truſtees to order the Sum or Sums of Money ſo awarded or aſſeſſed as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed

to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be, and is hereby empowered in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what, and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any Sum or Sums of Money into the Bank as aforeſaid.

Perſons in Poſſeſſion to be deemed preſumptively entitled.

XX. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe, touching the Title of any Perſon or Perſons to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance thereof, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, and Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to be lawfully entitled to ſuch Lands, Tenements, and Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court, that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court of Chancery may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

XXI. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, or Tenements, to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court of Chancery, and to be applied in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes in Purſuance of this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

XXII. And

Regulations as to Performance of Statute Duty.

XXII. And be it further enacted, That ſo much of the ſaid recited Acts as relate to the Performance of Statute Duty or Labour on the ſaid Road, ſhall be, and the ſame is hereby repealed; and that all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Roads, or any Part thereof, ſhall ſtill remain liable thereto, and it ſhall be lawful for any Two or more Juſtices of the Peace within their reſpective Juriſdictions, and they are hereby required, upon Application made to them by the ſaid Truſtees, or by their Treaſurer, Clerk, or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants and Occupiers of Lands, Tenements, Woods, Tithes, or Hereditaments within the reſpective Pariſhes, Townſhips, or Places in which the ſaid Roads lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them, paid to the ſaid Truſtees, or to their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful for ſuch Juſtices, from Time to Time, to ſummon the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons within Fourteen Days after the ſerving of ſuch Summons, of the Names of the ſeveral Perſons who within ſuch Pariſh, Townſhip, or Place, are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts, or otherwiſe, and alſo the Amount of the reſpective Sums to be paid, which Liſts or Names ſhall be made in ſuch Manner, and under ſuch Regulations and Reſtrictions as are or may be directed by any Law or Statute in Force for the Repairs of the public Highways; and out of ſuch Liſts, the ſaid Juſtices ſhall or may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear ſubject and liable to do Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Roads as the ſaid Juſtices ſhall think reaſonable, and the ſame ſhall be done on ſuch Days, and at ſuch Times (not being Hay-Time or Harveſt) and on ſuch Parts of the ſaid Roads as the ſaid Truſtees, or their Surveyor or Surveyors, ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as the Juſtices or any Two or more of them ſhall direct; and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Acts, or either of them, authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor or Clerk to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or

or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject and liable to by any Law or Statute in Force for the Repair of the public Highways; and if any Person who shall come or be sent to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove or dismiss the Persons who shall be found idle or negligent as aforesaid; and in that Case, every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, or Places shall refuse, or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; the said several Forfeitures and Penalties last aforesaid to be recovered as any Forfeiture or Penalty is by the said recited Acts, or either of them, authorized to be recovered.

Trustees may compound for Statute or other Work.

XXIII. And be it enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to compound or agree by the Year or otherwise with the Possessors, Occupiers, Grantees, Trustees, Feoffees, and Committees of Lands, Tenements, or Hereditaments, and with all other Persons and Bodies Politic, which are or shall be liable to, or chargeable with the Repair of any Part of the said Roads, or with any Person or Persons for the Performance of his, her, 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 Parishes, Townships, or Places through which any of the said Roads shall lead, to compound and agree by the Year, or otherwise, with the said Trustees for and in lieu of the Statute Work to be performed by such Inhabitants upon any Part of the said Roads.

Composition Monies how to be recovered.

XXIV. Provided always, and be it enacted, That in case any Composition Money agreed to be paid for or in lieu of any Statute or Day's Work, or in respect of any Lands, Tenements, or Hereditaments, or by any Person or Persons, or Bodies Politic, liable or chargeable by Tenure or otherwise as aforesaid, shall not be paid within Ten Days next after the same shall become payable, it shall be lawful for any one or more Justice or Justices of the Peace of the said County of *Stafford*, by Writing under his or their Hand and Seal, or Hands and Seals, to empower the Person or Persons authorized to receive such Composition Money (Proof having been first made that the same hath been demanded, and remains unpaid by Oath before such Justice or Justices, who is and are hereby empowered to administer such Oath) to levy the same by Distress and Sale of the Goods and Chattels of the Person or Persons, or Bodies Politic, so having compounded as aforesaid, or of the Surveyor or Surveyors for the Time being of such Parish, Township, or Place, in respect of whose Statute or Day's Work such Composition shall be made, returning the Overplus (if any) upon Demand, to the Owners of the Goods and Chattels so distrained, after deducting the Charges of such Distress and Sale.

For paying the Expences of the Act.

XXV. And be it further enacted, That all the Fees, Costs, Charges, and Expences of obtaining and passing this Act, with lawful Interest upon any Money advanced for that Purpose, shall be paid out of any Money already advanced, collected, or received, or out of the first Monies to be advanced, collected or received, by virtue of the said recited Acts, and this Act.

Public Act.

XXVI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Commencement and Continuance of the Act.

XXVII. And be it further enacted, That this Act shall commence upon the Twenty-fourth Day of *June* next after the passing thereof, and shall continue in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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