ANNO QUARTO

GEORGII IV. REGIS.

Cap. xlvii.

An Act for repairing and improving divers Roads in the Counties of *Stafford* and *Salop*, comprised in Three Districts, called the *Eccleshall*, *Newport*, and *Watling Street* District, the *Newcastle* and *Eccleshall* District, and the *Hilton* and *Honnington* District. [23d *May* 1823.]

WHEREAS an Act was passed in the Forty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better amending and repairing of the Road leading from a certain Stone which divides the Liberties of* Ranton *and* Ellenhall *in the County of* Stafford, *through* Sutton, *to the* Whitchurch *Turnpike Road near* Newport *in the County of* Salop, *and several other Roads in the Counties of* Salop *and* Stafford; by which Act Trustees were appointed and Provisions were made for the Support and Repair of the Road leading from a Stone which divides the Liberties of *Ranton* and *Ellenhall*, in the Road leading from *Bridgford* through *Sutton*, in the said County of *Stafford*, to the *Whitchurch* Turnpike Road near *Newport* aforesaid; and also for the Support and Repair of a Road leading from a certain Part of the said before-mentioned Road between *Bridgford* and *Newport*, at or near a Place called *Weston Wood*, over *Wood's Eves Common*, and through the Town of *Eccleshall*, to the further or North-east Side of *Cotes Heath*, in the said County of *Stafford*; and also for the Support and Repair of a Road leading from *Newport* aforesaid, through *Donnington*, to a House called *The Buck's Head*, at *Watling Street*, near *Wellington*, in the said County of *Salop*; 44 G. 3. c. 25.

Salop; and likewise for the Support and Repair of the Road branching out of the last-mentioned Road, and leading from a House formerly known by the Sign of *The Harp*, through *Brockton* and *Edgmond*, to the said *Whitchurch* Turnpike Road at *Chetwynd*, in the said County of *Salop*: And whereas the Trustees appointed by or under the Authority of the said recited Act have proceeded to put the same into Execution, and have borrowed the Principal Sum of One thousand seven hundred and fifty Pounds on Mortgage upon the Credit of the Roads mentioned in the same Act, and of the Tolls granted thereby, which Principal Sum now remains due and owing; and the Roads mentioned in the said recited Act cannot be effectually maintained and improved, nor can the said Debt be repaid, or the Interest thereon discharged, unless the Term granted by the said Act be extended, and the Powers and Provisions of the said Act be altered, amended, and enlarged: And whereas Two several Portions of One of the Roads before mentioned, between the said Town of *Eccleshall* and *Cotes Heath* aforesaid, and which Parts lie in the several Townships of *Slindon* and *Mill Meece* in the Parish of *Eccleshall* aforesaid, are very narrow, circuitous, and inconvenient, and it would be of public Utility to divert the Lines of the last-mentioned Portions of the said Roads: And whereas the Road leading from the Termination of One of the Roads mentioned in the said recited Act, at the North-east Side of *Cotes Heath* aforesaid, to the Borough of *Newcastle-under-Lyme* in the said County of *Stafford*, is narrow, ruinous, and circuitous, and it would be of great Convenience and Advantage, not only to the Proprietors and Occupiers of the neighbouring Estates, but also to the Public at large, to improve Part of the Line of such Road, and to constitute and maintain the same Road as a Turnpike Road: And whereas it would be both of local and public Convenience and Utility, that Powers should be likewise granted for making and repairing as a Turnpike Road, a Road leading out of One of the Roads comprised in the said recited Act at *Honnington Grange* in the Parish of *Lilleshall* in the said County of *Salop*, to the *Newport* and *Shiffnall* Turnpike Road in the Township of *Hilton* and Parish of *Sheriffhales* in the said County of *Stafford*: And whereas all the Roads herein-before mentioned may be more effectually and conveniently managed and maintained by dividing the same into Three several Districts, as herein-after mentioned: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas it would facilitate the Execution of the Purposes aforesaid if the Powers of the said first recited Act were repealed, and further Provisions made for the Repair of the said Roads: 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 on the Fourth *Tuesday* next after the passing of this Act the said recited Act of the Forty-fourth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby declared to be repealed; and that this Act shall then commence and take effect and be put in Execution for and during the Term and in the Manner herein-after mentioned.

3 G. 4. c. 126.

Recited Act 25 G. 3. c. 44. repealed.

District of Roads to be called Eccleshall, Newport, and Watling Street District.

II. And be it further enacted, That the Road leading from the aforesaid Stone, which divides the Liberties of *Ranton* and *Ellenhall* aforesaid, through *Sutton*, to the *Whitchurch* Turnpike Road near *Newport* aforesaid; and also the Road leading out of the said before-mentioned Road, over *Wood's Eves Common* to the *Stafford* Turnpike Road in the Town of *Eccleshall* aforesaid; and also the Road from *Newport* aforesaid, through *Donnington*, to a House called *The Buck's Head* at *Watling Street* near *Wellington* aforesaid; and the Road branching out of the said last-mentioned Road, at a House formerly known by the Sign of *The Harp*, through *Brocton* and *Edgmond*, to the said *Whitchurch* Turnpike Road at *Chetwynd* aforesaid (all of which Roads are Parcel of the Roads which were comprehended in the said first recited Act), shall, from and after the Commencement of this Act, be formed into and constitute a District of Roads to be hereafter called *The Eccleshall, Newport, and Watling Street District*; and that the remaining Road which was comprehended in the said first recited Act, being the Road which extends from the *Stafford* Turnpike Road in the Town of *Eccleshall* aforesaid, to the North-east Side of *Cotes Heath* aforesaid, together with the additional Road hereinafter mentioned; that is to say, the Road leading from the said North-east Side of *Cotes Heath* aforesaid, to the *Trentham* and *Stableford* Turnpike Road, adjacent to *Trentham Park*, and from the said last-mentioned Turnpike Road at *Hanchurch Brook*, through the Village of *Clayton* and the *Clayton Field*, to certain Parts of the Borough of *Newcastle-under-Lyme* aforesaid, so as to form Communications there with the *Newcastle* and *Nantwich* Turnpike Road, and with the *London* and *Liverpool* Turnpike Road, shall, from and after the Commencement of this Act, be formed into and constitute a District of Roads, to be hereafter called *The Newcastle and Eccleshall District*; and that the before-mentioned Road leading from *Honnington Grange*, in the Parish of *Lilleshall* aforesaid, to the *Newport* and *Shiffnall* Turnpike Road, in the Township of *Hilton* and Parish of *Sheriffhales* aforesaid, shall, from and after the Commencement of this Act, be formed into and constitute a District of Roads, to be hereafter called *The Hilton and Honnington District*.

District of Roads to be called Newcastle and Eccleshall District.

District of Roads to be called Hilton and Honnington District.

Powers of the General Turnpike Act extended to this Act.

III. And be it further enacted, That all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things contained in the said last recited Act passed in the Third Year of the Reign of His present Majesty (save and except such Parts thereof as are expressly varied, altered, or repealed by this Act), shall be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

Trustees appointed for Eccleshall, Newport, and Watling Street District.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting for the several Counties of *Stafford* and *Salop*, or either of them, for the Time being, together with the Right Honourable *George Granville Leveson Gower* commonly called Earl *Gower*, the Right Honourable *George Augustus Frederick Henry Bridgeman* commonly called Lord Viscount *Newport*, the Right Honourable *Francis Leveson Gower* commonly called Lord *Francis Leveson Gower*, the Honourable *George Anson*, Sir *John Fenton Boughey* Baronet, Sir *George Anson* Knight, Sir *William Anson* Knight, *John Chappel Woodhouse* Doctor in Divinity, *William Addison*, *Ralph Aston*, *John Astbury*, *Richard Ash*, *Thomas Adams*, *Thomas Fletcher Fenton Boughey*, *John Fenton Fletcher Boughey*, *George Fenton Fletcher*

cher Boughey, Hugh Booth, Henry Stephens Belcombe Doctor of Physic, *Thomas Stonehewer Bright* Clerk, *Thomas Butt* Clerk, *Charles Horsfall Bill, John Blunt* Clerk, *Richard Beech, William Blest, Thomas Borrough, George Bishton, John Buckley, John Bridgen, Joseph Boycott, Thomas Baddeley, Thomas Bernard Baddeley, Ambrose Brookes, Thomas Boultbee, Thomas Blakemore, Thomas Blakemore* the younger, *William Briscoe, Timothy Blenman, Thomas Bayley, Thomas Botfield, William Botfield, John Cotes, Charles Grey Cotes, William Lacon Childe, William Cludde, Thomas Jukes Collier, William Collier, Henry Crockett, John Murhall Crockett, George Crockett, Edward Scott Dickenson* Clerk, *John Horatio Dickenson* Clerk, *Thomas Dickenson, Robert Dean* Clerk, *Thomas Derrington, William Derrington, John Duncalfe, Thomas Eyton, Francis Eld, Francis Eld* the younger, *George Wood Eaton, Thomas Fitzherbert, John Fitzherbert, George Fitzherbert, Francis Fitzherbert, Robert Fisher, Henry Green, Rowland Hill, James Hadderton, George Hadderton, Richard Clarke Hill, Sambroke Higgins* Clerk, *Robert Higgins, Corbet Howard, William Jellicoe, Swynfen Jervis, John James, George Jackson, George Jellicoe, John Kite, Edward John Littleton, Ralph Leeke, James Loch, Thomas Leeke, Ralph Harvey Leeke* Clerk, *William Lewis, James Cornwallis Mann, William Moore, John Marsh, Richard Mountford, Charles Morris, John Morris, Edward Meredith* Clerk, *Matthew Mountford, Arthur Mountford, William Masefield, Richard Masefield, William Bewley Meek, Henry Moore* Clerk, *Francis Hickin Northen* Doctor of Physic, *John Nicholls, Robert Outlaw* Clerk, *William Otter* Clerk, *John Dryden Pigott* Clerk, *John Cressett Pelham, Thomas Parsons, Thomas Parsons* the younger, *Ralph Palin* Doctor of Physic, *William Phillips, William Penson, John Ravenshaw, John Rylands, Peter Rasbotham, Thomas Swinnerton, John Stevenson Salt, William Simkin, Joseph Skitt, Thomas Skitt, Moses Mitchell Silvester, William Silvester, John Stanley, William Smith, John Thomas, Richard Taylor, John Tunnicliff, Thomas Walker* Clerk, and *Peter Whitmore*, and their Successors, shall be and they are hereby appointed Trustees for maintaining, improving, and keeping in repair the said District of Roads called the *Eccleshall, Newport*, and *Watling Street* District, and for otherwise putting this Act into execution, so far as regards the same District only; and that all His Majesty's Justices of the Peace acting for the County of *Stafford* for the Time being, together with the Right Honourable *Henry Charles Howard* commonly called Earl of *Surrey*, the Right Honourable *George Granville Leveson Gower* commonly called Earl *Gower*, the Right Honourable *Richard Grosvenor* commonly called Lord Viscount *Belgrave*, the Right Honourable *Francis Leveson Gower* commonly called Lord *Francis Leveson Gower*, the Honourable *William Jervis Ricketts*, the Honourable *John Edward Ricketts*, the Honourable *George Anson*, Sir *John Fenton Boughey* Baronet, *John Chappel Woodhouse* Doctor in Divinity, *Joseph Adams, Benjamin Adams* Clerk, *William Addison, Ralph Adderley, John Anderton* Clerk, *Lawrence Armitstead, John Astbury* Doctor of Physic, *John Astbury, James Astbury, John Aston, Ralph Aston, Isaac Aston, William Bagot, Samuel Bagshaw, William Baker, John Ball, Thomas Barnford, John Birch Basnett* Clerk, *Richard Beech, Henry Stephens Belcombe* Doctor of Physic, *William Bent, Rowland Bent, Richard Bent* Doctor of Physic, *John Bent, William Blest, John Blunt* Clerk, *Charles Horsfall Bill, John Bill, Hugh Booth, Thomas Fletcher Fenton Boughey, John Fenton Fletcher Boughey, George Fenton Fletcher Boughey, Ralph Bourne, Thomas Butt* Clerk, *Thomas Stonehewer Bright* Clerk, *Joseph Booth, James Caldwell, James Stamford Caldwell,*

Trustees appointed for Newcastle and Eccleshall District.

well, George Chetwynd, Baddeley Child, Ralph Clews, Bernard Coombe, John Cotes, Charles Grey Cotes, Walter Hill Coyney, Walter Weston Coyney, John Murhall Crockett, John Davenport, John Davenport the younger, *Henry Davenport, George Wood Eaton, Francis Eld, Francis Eld* the younger, *John Fenton* Clerk, *Thomas Fenton, Robert Fenton, John Thomas Fenton, George Fitchett, Thomas Fitzherbert, John Fitzherbert, George Fitzherbert, Francis Fitzherbert, Richard Sutton Ford, John Gardner, Samuel Glover, George Hadderton, James Hadderton, John Hadderton, Charles Hassells, Charles Stephen Hassells, Richard Edensor Heathcote, Samuel Henshall, William Henshall, Sambroke Higgins* Clerk, *Caleb Hill, William Hill, Robert Hill, Richard Clarke Hill, Robert Hill, William Holland, William Hyatt, George Jackson, Swynfen Jervis, Terrick Jones, John Kirkham, William Shepherd Kinnersly, Thomas Kinnersly, Edward Kinnersley, James Leech, Clement Leigh* Clerk, *William Lewis, Edward John Littleton, James Loch, Ralph Leeke, Edward Mainwaring, Charles Mainwaring, James Mainwaring* Clerk, *James Cornwallis Mann, Matthew Mare, John Marsh, Samuel Mayer, Samuel Mayer* the younger, *William Bewley Meek, Thomas Minton, Thomas Webb Minton, William Moore, Henry Moore* Clerk, *John Nicholls, William Nickisson, John Nickisson, Francis Hickin Northen* Doctor of Physic, *Thomas Hawe Parker, John Phillips, John Eldershaw Phillips, Thomas Phillips, James Poole, Peter Rasbotham, John Robison, Spencer Rogers, John Stevenson Salt, William Simkin, John Smith* of *Fenton, John Smith* of *Springfield, Robert Smith, James Smith, John Gabriel Smith, Walter Sneyd, Ralph Sneyd, Thomas Sparrow, Josiah Spode, Josiah Spode* the younger, *Jacob Stanley, William Swift, Thomas Swinnerton, George Tollet, John Thomas, John Tomlinson, John Wickes Tomlinson, Frederick Wright Tomlinson, John Turner, Thomas Twemlow, Francis Twemlow, Charles John Kemeys Tynte, John Tunnicliff, John Whalley* Clerk, *Daniel Whalley, John Whalley* the younger, *Peter Walthall, Peter Walthall* Clerk, *Thomas Walthall, Thomas Walker* Clerk, *Thomas Ward, Josiah Wedgwood, Josiah Wedgwood* the younger, *Charles Wicksted, Robert Williamson, Hugh Henshall Williamson, William Yates* and *John Yates,* and their Successors, shall be and they are hereby appointed Trustees for maintaining, improving, and keeping in repair the said District of Roads called *The Newcastle and Eccleshall District*, and for otherwise putting this Act into Execution, so far as regards the said last-mentioned District only; and that all His Majesty's Justices of the Peace acting for the said several Counties of *Stafford* and *Salop*, or either of them, for the Time being, together with the Right Honourable *Henry Charles Howard* commonly called Earl of *Surrey*, the Right Honourable *George Granville Leveson Gower* commonly called Earl *Gower*, the Right Honourable *Richard Grosvenor* commonly called Lord Viscount *Belgrave*, the Right Honourable *George Augustus Frederick Henry Bridgeman* commonly called Lord Viscount *Newport*, the Right Honourable *Francis Leveson Gower* commonly called Lord *Francis Leveson Gower*, Sir *John Fenton Boughey* Baronet, *John Chappel Woodhouse* Doctor in Divinity, *Thomas Adams, Thomas Bayley, Thomas Baddeley, Thomas Bernard Baddeley, George Bishton, John Blunt* Clerk, *Thomas Botfield, William Botfield, Thomas Fletcher Fenton Boughey, John Fenton Fletcher Boughey, George Fenton Fletcher Boughey, Thomas Boultbee, Joseph Boycott, John Bridgen, Thomas Stonehewer Bright* Clerk, *William Briscoe, Thomas Butt* Clerk, *Ambrose Brookes, Thomas Borrough, William Lacon Childe, William Cludde, Thomas Jukes Collier, John Cotes, Charles Grey Cotes, Henry Crockett, John Murhall Crockett, George Crockett, Robert Dean* Clerk, *Thomas Dickenson, Thomas Eyton,*

Trustees appointed for Hilton and Honnington District.

Eyton, Robert Fisher, Henry Green, Rowland Hill, Corbet Howard, George Jellicoe, William Jellicoe, John Kite, Ralph Leeke, Thomas Leeke, Ralph Harvey Leeke Clerk, *Edward John Littleton, James Loch, William Lewis, Charles Morris, John Morris, Richard Mountford, John Gressett Pelham, John Dryden Pigott* Clerk, *John Ravenshaw, Moses Mitchell Silvester, William Silvester, Thomas Skitt, Joseph Skitt, Richard Taylor, Henry Williams,* and *Peter Whitmore,* and their Successors shall be and they are hereby appointed Trustees for amending, improving, and keeping in repair the said District of Roads called *The Hilton and Honnington District,* and for otherwise putting this Act into Execution, so far as regards the said last-mentioned District only.

Power to appoint Five additional Trustees in each District.

V. And be it further enacted, That it shall and may be lawful for the said Trustees, acting under the Authority of this Act, for the said several Districts of Road herein-before mentioned, and they are hereby respectively empowered in their said several Districts from Time to Time, at any of their Meetings to be holden in pursuance of this Act, to elect and appoint any Number of Persons to be Trustees for the Purposes of this Act, so far as regards the said several Districts respectively, in addition to the several Numbers of Trustees herein-before appointed for such Districts, but not exceeding the Number of Five additional Trustees for each of the said Districts.

Trustees to take an Oath for acting impartially.

VI. And be it further enacted, That no Person shall be capable of acting as a Trustee for any of the Purposes of this Act (save as to the signing of any Notice for convening any Meeting of Trustees, and as to the administering or receiving of the Oath or Affirmation herein-after mentioned) until, at some Meeting of the Trustees for the District in respect of which he shall have been appointed a Trustee, he shall have taken and subscribed the Oath, or being One of the People called *Quakers,* shall have made and subscribed the Affirmation herein-after mentioned, before any Two or more of the Trustees of the same District, who are hereby empowered to administer or receive such Oath or Affirmation, in the Words following; (that is to say),

Oath.

'I do swear [*or,* being one of the People called *Quakers,* do solemnly affirm], That I will faithfully and impartially according 'to the best of my Judgment, act in the Execution and Performance of 'the several Trusts and Powers reposed in me as a Trustee, by virtue of 'an Act passed in the Fourth Year of the Reign of His Majesty King 'George the Fourth, intituled [*here set forth the Title of this Act*].

'So help me GOD.'

[*Or, in the Case of a Quaker, omit the Words,* 'So help me GOD.']

Penalty for acting without having taken such Oath.

And if any Person not having taken and subscribed the Oath herein-before mentioned, or being a Quaker not having made and subscribed the Affirmation herein-before mentioned, shall nevertheless presume to act as a Trustee in the Execution of this Act, (save only in the Cases before mentioned and excepted), 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 with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster,* by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance shall be

allowed; and the Person so sued or prosecuted shall prove that he has taken or made and subscribed the said Oath or Affirmation in the Manner aforesaid, or otherwise shall pay the said Penalty, without any other Proof on the Part of the Prosecutor than Proof of such Person having acted as a Trustee in the Execution of this Act: Provided nevertheless, that no Act or Proceeding touching the Execution of this Act, which shall be done or performed by any such disqualified Person previously to his being convicted of the Offence, shall be thereby impeached or rendered nugatory, but all such Proceedings shall be as valid and effectual as if such Person had duly conformed to the Provisions of this Act.

First Meeting of Trustees for the several Districts.

VII. And be it further enacted, That the Trustees for the said *Eccleshall, Newport,* and *Watling Street* District, shall hold their First Meeting at the *Red Lion Inn,* or some other convenient Place in *Newport* aforesaid, upon the Fourth *Tuesday* next after the passing of this Act, or as soon after as may be convenient; and that the Trustees of the said *Newcastle* and *Eccleshall* District shall hold their First Meeting at the Public Office, or some other convenient Place in *Newcastle-under-Lyme* aforesaid, upon the Fourth *Tuesday* next after the passing of this Act, or as soon after as may be convenient; and that the Trustees of the said *Hilton* and *Honnington* District shall hold their First Meeting at the *Red Lion Inn*, or some other convenient Place in *Newport* aforesaid, upon the Fourth *Tuesday* next after the passing of this Act, or as soon after as may be convenient; and that the said Trustees acting for the said several Districts shall and may at such their several Meetings to be held by virtue of this Act, proceed to execute the Powers and Provisions of this Act, in reference to their said several Districts respectively; and shall and may from Time to Time adjourn to and meet at such Times and such Places (not exceeding the Distance of Four Miles from their respective Districts) as they shall respectively think proper, for putting the Powers and Provisions of this Act into further Execution; and all the Powers and Authorities by this Act or the said last recited Act given to, and all the Matters and Things by this Act or the said last recited Act directed or authorized to be done by the said Trustees, shall and may be executed and done by or before the Majority of the Trustees assembled at any Meeting to be held in pursuance of this Act, the whole Number present not being less than Three, and the same shall be of as full Force and Effect as if executed or done by or before all the Trustees for executing this Act (except in such Cases where any such Power, Authority, Matter, or Thing is by this Act, or the said last recited Act, particularly directed or authorized to be executed or done by any other Number of Trustees, or in any other Manner); and at all Meetings to be held in pursuance of this Act, a Chairman shall or may be appointed; and in all Cases where there shall be an Equality of Votes upon any Question, (including the Vote of the Chairman) such Chairman shall have the decisive or casting Vote; and all Orders made under the Powers and Provisions of this Act, or of the said last recited Act, may be revoked or altered if Occasion shall require, provided that no such Order shall be revoked or altered, except at some Meeting where not less than Five Trustees shall be present, nor unless the Majority of the Trustees so present shall concur in such Revocation or Alteration, nor unless Three or more Trustees, although not assembled at a Meeting, shall give Notice in Writing to the Clerk under their Hands, and also cause Notice to be inserted in some public News-

Powers of the Act may be executed by Three or more Trustees at Meetings.

No Order to be revoked unless Five Trustees present, and major Part concur.

Newspaper usually circulated in the said County of *Stafford*, and affixed on all the Turnpike Gates on the said Roads, specifying that such Revocation or Alteration is intended to be moved for, Ten Days at least previous to any Meeting to be holden for that Purpose.

Adjournments.

VIII. And be it further enacted, That in case there shall not appear at any Time and Place appointed for a Meeting of the Trustees of any of the said Districts, a sufficient Number of Trustees to act in the Execution of this Act, then the Trustees or Trustee appearing at such Time and Place shall and they and he are and is hereby respectively authorized to adjourn the Meeting to the Place where the same was appointed to have been held, and to such Time as they or he shall think fit, not being more than Fourteen Days nor sooner than Seven Days from the Day on which such Adjournment shall be made; and in case it shall at any Time happen that no proper Adjournment shall have been made of any Meeting or intended Meeting of the said Trustees, then and so often it shall be lawful for the Clerk of the Trustees, acting for the District wherein such Case shall occur, or for any Two or more of the Trustees acting for the same District (although not assembled at a Meeting) to convene a General Meeting of the Trustees of such District, by Notice to be inserted in some Newspaper usually circulated in the Neighbourhood of such District, and to be affixed on all the Turnpike Gates therein, appointing the Trustees of such District to meet at some Place in the Neighbourhood of such District, and at such Time as the Person or Persons giving such Notice shall think proper, not exceeding Fourteen Days, nor sooner than Seven Days from the Date of advertising such Meeting; and all the Orders and Determinations of the Trustees of such District, at any Meeting so convened as aforesaid, shall be as valid as if the said Trustees had met in pursuance of a regular Adjournment.

Meetings on Emergencies.

IX. And be it further enacted, That if after any Adjournment of any Meeting of the Trustees of any of the said Districts, it shall at any Time be thought necessary, for the better Execution of this Act, that the Trustees of such District shall meet on an earlier Day than the Day to which such Meeting shall stand adjourned, it shall be lawful for any Two or more of the Trustees of such District (although not assembled at a Meeting) to convene a Special Meeting of the Trustees of such District, to be held at the same Place at which the last preceding Meeting shall have been held, and at such Time as they shall think proper, by Notice mentioning the Place and Time and also the Object or Purpose of such Special Meeting, to be inserted in some Newspaper usually circulated in the Neighbourhood of such District, (such Time being not less than Fourteen Days after the advertising of such Notice); and all the Orders and Determinations of the Trustees of such District, at any such Special Meeting as aforesaid, shall be as valid and effectual as they would have been in case the same Trustees had met in pursuance of an Adjournment; provided, that no other Business than such as shall be specified in such Notice as aforesaid shall be transacted at any such Special Meeting so convened as is lastly before mentioned.

Appointment of Officers.

X. And be it further enacted, That the said Trustees acting in their respective Districts, at any of their Meetings, shall and may from Time to Time appoint, for each of the said Districts respectively, a Clerk or Clerks

Clerks, and also a Treasurer or Treasurers, a Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the Roads, and such other Officers as they the said Trustees shall think necessary within their respective Districts, and shall and may from Time to Time remove any such Officer or Officers, and on the Death or Removal of any such Officer or Officers shall and may appoint another or others in his or their Stead; and every such Appointment and Removal shall be entered in the Book of Proceedings of the Trustees; and the said Trustees in their respective Districts shall and may and are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries and make such Allowances to such Officers, and any other Persons to be employed or who shall assist in the Execution of this Act, for their Services in or about the carrying of this Act into Execution, as they the said Trustees shall think reasonable.

Clerk not to act as Treasurer, and vice versa.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees acting for any of the said Districts, to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending 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 with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Treasurer, &c. to give Security.

XII. And be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act, for the due and faithful Execution of his or their Office, and also shall or may take such Security from any Collector or Receiver of the Tolls, or any other Officer acting in the Execution of this Act.

Temporary Collectors of Tolls may be appointed.

XIII. And be it further enacted, That when and as often as any Collector of the Tolls hereby granted shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, or shall otherwise misbehave or misconduct himself, it shall and may be lawful for any Two or more of the Trustees acting for the District in which such Case shall occur (although not assembled at a Meeting) to discharge such Collector, and in such Case to nominate and appoint a proper Person or Persons to be Collector or Collectors of the Tolls, and to officiate until the next Meeting of the Trustees of such District, or until removed by virtue of the

Powers and Provisions of this Act; and which Person or Persons so appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all Respects, as if he or they had been nominated and appointed at a Meeting of the Trustees.

For erecting Turnpikes.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, acting in their respective Districts, to continue all and every or any of the Toll Gates, Turnpikes, Side Bars, and Chains, now standing or being in, upon, or across all or any of the Roads comprised in their respective Districts, or on the Side thereof; and also from Time to Time to erect and set up, or cause to be erected and set up, in, upon, or across the said Roads comprised in their respective Districts, or any Part thereof, or (subject to the Provisions of the said last-recited Act) upon or across the Entrance to any public Road, Lane, or Way leading into the same, when, where, and as the said Trustees shall judge necessary or expedient, any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Bar or Side Bars, Chain or Chains; and also to continue, or, where Need shall be, to erect and build, or cause to be erected and built, proper Toll Houses, with sufficient Outhouses and Conveniences thereto, at or near each and every such Toll Gate, Turnpike, Side Bar, or Chain, and to inclose on the Side of the said Roads suitable Gardens, not exceeding One-eighth Part of a Statute Acre each, for the Use and Convenience of the said Toll Houses; and from Time to Time to take down and remove, or alter or discontinue the aforesaid Toll Gates, Turnpikes, Side Bars, and Chains, Toll Houses and Gardens, or any of them, as the Trustees, so acting for the said respective Districts, shall from Time to Time think proper and expedient.

Power to take Tolls.

XV. And be it further enacted, That it shall be lawful for the said Trustees, acting in their respective Districts, or any Person or Persons appointed or to be appointed as Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned, at the several and respective Toll Gates, Turnpikes, Side Bars, and Chains which shall be continued, erected, or set up by virtue of this Act in, upon, across, or on the Side of any of the Roads comprised in the said several Districts, or any of them, or any Part thereof, or upon or across the Entrance to any public Road, Lane, or Way leading into the same, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; that is to say,

Tolls.

For every Horse or Mule, drawing any Carriage of whatever Name or Description, the Sum of Sixpence:

For every Ox, Steer, or Bull, drawing any Carriage of whatever Name or Description, the Sum of Three-pence:

For every Ass, drawing any Carriage of whatever Name or Description, the Sum of OnePenny:

For every Horse or Mule, laden or unladen, and not drawing, the Sum of One Penny and One Halfpenny:

For every Ass, laden or unladen, and not drawing, the Sum of One Halfpenny:

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

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Tenpence *per* Score; and so in proportion for any less Number.

Which said Sums of Money or Tolls shall be demanded and taken before any Horse, Mule, Ass, Ox, Steer, Bull, Beast, or other Cattle, or any Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Bar or Chain, which shall be continued, erected, or set up by virtue of this Act in, upon, or across the said Roads comprised in the said several Districts, or any of them, or any Part thereof, or upon or across the Entrance to any public Road, Lane, or Way leading into the same; and which said Tolls shall be and are hereby vested in the Trustees of the said several Districts respectively, and shall be applied for the Purposes of this Act, in the Manner herein-after directed.

Tolls to be paid but Once a Day.

XVI. Provided always, and be it further enacted, That if any Person shall upon any Day have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage, through any One of the said Toll Gates, Turnpikes, Side Bars or Chains, the same Horse, Cattle, Beast, or Carriage shall, upon the Production of a regular Ticket from the Collector or Collectors of the Tolls, denoting such Payment to have been made upon that Day, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Bar or Chain, at any Time or Times afterwards, in the Course of the same Day, to be computed in the Manner aforesaid.

In the Eccleshall, Newport, and Watling Street District, only One Toll to be taken.

XVII. Provided always, and be it further enacted, That no Person or Persons shall be liable to pay more than One Toll for passing or repassing at any Time or Times in any One Day, to be computed as aforesaid, with the same Horses, Cattle, or Carriages, through all or any of the Toll Gates, Turnpikes, Side Bars, or Chains to be continued or erected upon any Part of the Roads comprised in the said *Eccleshall*, *Newport*, and *Watling Street* District.

In the Newcastle and Eccleshall District only Two Tolls in the whole to be taken.

No Second Toll to be paid within Seven Miles.

XVIII. Provided also, and be it further enacted, That no Person or Persons shall be liable to pay more than Two Tolls for passing or repassing at any Time or Times in any One Day, to be computed as aforesaid, with the same Horses, Cattle, or Carriages through all or any of the Toll Gates, Turnpikes, Side Bars or Chains to be continued or erected upon any Part of the Roads comprised in the said *Newcastle* and *Eccleshall* District; and also that no Person or Persons who shall on any Day have paid One Toll for passing through any Toll Gate, Turnpike, Side Bar, or Chain to be continued or erected upon the Roads comprised in the said *Newcastle* and *Eccleshall* District, shall afterwards be liable to pay Toll for passing or repassing at any Time or Times in the same Day, to be computed as aforesaid, with the same Horses, Cattle, or Carriages, through any other Toll Gate, Turnpike, Side Bar, or Chain to be continued or erected upon any Part of the Roads comprised in the same District, within the Distance of Seven Miles from the Toll Gate, Turnpike, Side Bar, or Chain at which One Toll shall previously have been paid as aforesaid.

In the Hilton and Honnington Dis-

XIX. Provided also, and be it further enacted, That no Person or Persons shall be liable to pay more than One Toll for passing or repassing at any

trict only One Toll to be taken.

any Time or Times in any One Day, to be computed as aforesaid, with the same Horses, Cattle, or Carriages, through all or any of the Toll Gates, Turnpikes, Side Bars, or Chains to be erected upon any Part of the Roads comprised in the said *Hilton* and *Honnington* District.

Stage Coaches, &c. to pay every Time of passing.

XX. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads or any of them.

Horses let to hire, and drawing Post Chaises, &c. to pay whenever a new Hiring takes place.

XXI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Beasts of Draught let out to hire, and drawing any Post Chaise or other Carriage, every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place.

Exemptions from Toll for Lime in Eccleshall, Newport, and Watling Street District.

XXII. Provided always, and be it further enacted, That no Toll whatever shall be demanded or taken at any Toll Gate or Turnpike erected or to be erected within the said *Eccleshall*, *Newport*, and *Watling Street* District, for or in respect of any Horse, Beast, Cattle, or Carriage employed in carrying or conveying, or going unladen or empty to fetch, carry, or convey, or returning unladen or empty from carrying or conveying, having been employed only in carrying or conveying on the same Day, any Lime for improving Lands only: Provided always, that if any Person or Persons shall, by any fraudulent or collusive Means whatsoever, claim or take the Benefit of the said Exemption from Toll, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered in the Mode by which Penalties imposed by the said last-recited Act are thereby directed to be recovered, and in every Case the Proof of Exemption shall be upon the Person claiming the same.

Lessees of Tolls may occupy Toll Houses.

XXIII. And be it further enacted, That during such Time as the Tolls arising on the Roads comprised in any of the aforesaid Districts, or any Part thereof, shall be demised or let to any Person or Persons whomsoever, it shall be lawful for the Lessee or Farmer thereof, or such other Person or Persons as he shall appoint, to occupy and enjoy the Toll House or Toll Houses at which the said Tolls so let are to be collected, with all the Appurtenances and Conveniences thereto belonging, during such Time only as such Lessee or Farmer shall duly pay his Rent, and perform the Covenants, Agreements, and Conditions contained in his Lease or Contract for the said Tolls, but not further or otherwise.

Enabling Trustees to recover Possession of Toll Houses when let to farm.

XXIV. And be it further enacted, That in case all or any of the Tolls arising in any of the said Districts shall be demised or let to farm to any Person or Persons in any Manner whatsoever, and the Lessee or Farmer thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent agreed to be paid by such Lessee or Farmer, or any Part thereof, shall be in arrear or unpaid for the Space of Three Days next after any of the Days on which the same ought to be paid, pursuant to the Lease or Contract for demising or letting the same; or in case such Lease or Contract shall in any Manner

Manner become void; then and in any of the said Cases it shall be lawful for any Justice of the Peace for the County wherein the Toll House, Toll Gate, Bar or Chain, demised or let to such Person or Persons shall be situated, upon Application made by the Trustees acting for such District, or by any Person authorized on their Behalf, by Warrant under the Hand and Seal of such Justice, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter upon and take Possession of such Toll House, Toll Gate, Bar or Chain, and the Buildings and Appurtenances thereunto belonging, in the Day-time only, and to remove and put such Lessee or Farmer of the Tolls, or other the Person or Persons who shall be found therein, together with his, her, or their Goods out of the same, and from the Possession thereof, and from the Collection of such Tolls, and to deliver the Possession thereof to the Trustees for such District, or such other Person acting under their Authority as aforesaid; and thereupon it shall be lawful for the Trustees of such District, if they shall think fit, to vacate and determine the Lease or Contract for demising or letting the said Tolls to such Lessee or Farmer, and the same shall thereupon be utterly void, save only so far as respects the Covenants or Agreements therein contained for Payment of Rent, and the other Obligations or Agreements therein, which may then remain unpaid or unperformed on the Part of such Lessee or Farmer; and it shall and may be lawful for the Trustees of the same District in every such Case again to demise or let to farm the said Tolls to any other Person or Persons, or cause them to be collected in such and the same Manner as if no former Lease or Contract had been made relative thereto.

Toll Houses becoming useless may be sold by the Trustees.

XXV. And be it further enacted, That it shall be lawful for the Trustees of the said several Districts absolutely to sell and dispose of any Toll House or Toll Houses already erected in their said several Districts, or hereafter to be erected or continued in the same respectively by virtue of this Act, together with the Ground whereon the same may stand, and all Outhouses, Gardens, and Appurtenances belonging thereunto, whenever the same shall be considered by such Trustees to be useless or unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as the said Trustees can obtain for the same; and in case of any such Sale being made as aforesaid, it shall be lawful for the said Trustees to convey the said Toll Houses, Gardens, and Premises to the Purchaser or Purchasers thereof; and upon Payment of the Purchase Money to the Treasurer of the said Trustees for the Time being, such Purchaser or Purchasers shall hold and enjoy the Premises in Fee Simple, discharged from all Trusts and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of the Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such and the like Preference and Priority of purchasing the Premises so to be sold, shall always be given to the Owner or Owners of the next adjoining Land, as is by the said last recited Act directed to be given in case of the Sale of any Piece or Pieces of Ground not wanted for the Purposes of a Turnpike Road.

Subscribers to pay their Subscriptions.

XXVI. And be it further enacted, That the several and respective Persons who have subscribed for or agreed to advance any Sum or Sums of Money for or towards the making, altering, diverting, or improving of the

the Roads in the said respective Districts, or any Part thereof, shall and they are hereby required to pay the Sum or Sums of Money so subscribed by them respectively, within such Time and Times, and in such Parts and Proportions as is or are expressed in the Writing or Writings subscribed by them respectively, or as the Trustees acting for the District, for the Improvement whereof such Sums have been respectively subscribed, shall order and direct; and the same shall be demanded by and paid to such Person or Persons as such Trustees shall by any Writing authorize to receive the same; and if any Person or Persons having so subscribed or agreed to advance any Sum or Sums of Money for the Purposes aforesaid, shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall be lawful for such Trustees to sue for the same in the Name of any Two of such Trustees or of their Clerk, and to recover the same, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and all such Monies shall be vested in such Trustees respectively, and shall be applied as far as may be necessary for or towards the Purposes specified in the several written Agreements by which the same were respectively subscribed or agreed to be advanced; and if any Surplus of such Monies shall afterwards remain, then such Surplus shall be applied for the general Advantage of the District of Road, for the Improvement whereof such Sums were respectively subscribed.

Powers to make diverted and new Lines of Road in Parts of the Newcastle and Eccleshall District.

XXVII. And be it further enacted, That it shall be lawful for the Trustees acting for the said *Newcastle* and *Eccleshall* District, and they are hereby empowered, in the Manner directed by this Act, to divert a certain Part of the said Roads comprised therein, which lies in the Townships of *Slindon* and *Mill Meece* in the said Parish of *Eccleshall*, and to make in lieu thereof a shorter and more commodious Line of Road within and through Parts of the same Townships, to the Eastward of the present Line; and likewise to divert a certain other Part of the Roads comprised in the same District, which lies in the said Township of *Mill Meece* and Parish of *Eccleshall*, and to make in lieu thereof a shorter and more commodious Line of Road within and through Part of the said last-mentioned Township to the Westward of the present Line; and likewise to improve, shorten, and make more easy and commodious the Line and Course of another Part of the said Roads between the North End of *Swinnerton Common* and a Place called *Knowl Wall*, by making and carrying a new Road to the Eastward of the present Line, through Parts of the Townships of *Beech* and *Trentham*; and likewise to improve and make more easy and commodious the Course of another Part of the said Roads adjoining to and crossing *Northwood Brook*, within Part of the Townships of *Hanchurch* and *Trentham*, by diverting the Line thereof to the Westward; and also to make a new Line of Road from the North End of the Village of *Clayton* to the South End of the Marquess of *Stafford's* new Plantation near the *Clayton Field*; and likewise to make and carry a new Line of Road from or nearly from *Barnsford Bridge* in the *Clayton Field* aforesaid, to certain Parts of the said Borough of *Newcastle-under-Lyme*, so as to form Communications there with the *Newcastle* and *Nantwich* Turnpike Road, and with the *London* and *Liverpool* Turnpike Road; and for the Purpose of making the said several improved and new Lines of Road herein-

herein-before mentioned, it shall be lawful for the Trustees of the said *Newcastle* and *Eccleshall* District, and they are hereby authorized and empowered to make and carry the said several improved and new Lines of Road herein-before mentioned, in, upon, over, or through any private Lands or Grounds described in the Plan and Book of Reference herein-after mentioned, of such Width as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains, as they shall think necessary or expedient; and for the better Execution of such Purpose or Purposes, or any of them, to purchase and take, and to pull down, use, and lay into the said Roads any of the Houses, Buildings, Tenements, Yards, Gardens, and Hereditaments mentioned in the Schedule to this Act annexed, making Satisfaction to the Owners thereof, and other Persons interested therein, for the same, or for the Damage they may respectively sustain thereby.

Power to complete the Roads in Hilton and Honnington District.

XXVIII. And be it further enacted, That it shall be lawful for the Trustees acting for the said *Hilton* and *Honnington* District, and they are hereby empowered to make and complete the Roads comprised within the same District, upon or according to the Line described in the Plan herein-after mentioned, of such Width as they shall think proper, not exceeding Forty-two Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient.

Roads to be made according to Plans deposited with the Clerk of the Peace.

XXIX. And whereas a Map or Plan describing the intended new Lines of the said Roads within the said *Newcastle* and *Eccleshall* District, and the Lands and Hereditaments through or over which the same are to be made or carried, has been deposited, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands and Hereditaments, at the Office of the Clerk of the Peace for the said County of *Stafford*, and Duplicates of a Map or Plan describing the Line of the said Roads comprised in the said *Hilton* and *Honnington* District have been deposited at the Offices of the several Clerks of the Peace for the said several Counties of *Stafford* and *Salop*; be it therefore enacted, That the said Maps or Plans and the said Book of Reference shall remain in the Custody of the respective Clerks of the Peace for the said several Counties, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies and Extracts thereof at their Will and Pleasure, paying to the Clerk of the Peace in whose Custody the same may be found the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts of the said Maps or Plans and Book of Reference; and that the Trustees of the said respective Districts, in making such Lines of Road, shall not deviate more than One hundred Yards from the respective Lines described in the said Maps or Plans, without the Consent in Writing of the Person or Persons, or Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises any such Deviation shall be made.

Lands marked in the Plan may be used notwith-

XXX. Provided always, and be it further enacted, That it shall and may be lawful for the Trustees of the said *Newcastle* and *Eccleshall* District to make and carry the said improved and new Lines of Road into, through,

standing Errors in the Book of Reference.

through, across, or over the Lands of any Person or Persons who is or are or may be Owner or Owners of any Lands, over which the same Lines of Road are set out and described in the said Map or Plan as being intended to be carried, although the Name or Names of such Owner or Owners, or of his or their Tenant or Tenants, may happen to be omitted or erroneously stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Stafford*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Inadvertence or Mistake.

No Houses, &c. to be taken without Owner's Consent, except scheduled Houses, &c.

XXXI. Provided always, and be it further enacted, That neither the Powers and Authorities given by this Act, for making the said improved and new Lines of Road herein-before mentioned, nor the Powers and Authorities given by the said last recited Act, for amending, altering, turning, widening, or improving any of the Roads comprised in this Act, shall extend or be construed to extend to empower or authorize the Trustees of any of the said Districts, to take or use, for any of the Purposes of this Act, any Dwelling House or other Building, or any Garden, Yard, Paddock, Park, Lawn, planted Walk, or Avenue to a House, or any inclosed Ground planted as an Ornament or Shelter to a House, or planted and set apart as a Nursery for Trees, or any Part thereof, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained, except such as are mentioned in the said Schedule to this Act annexed.

Fences to be made on the Sides of the new Lines of Road.

XXXII. And be it further enacted, That the said Trustees acting in their respective Districts shall and they are hereby required to make and erect sufficient Fences on the Sides of the said Roads, where any new or improved Line of such Roads shall pass through or over any private Lands or Grounds; and after such Fences shall be first made, the same shall be for ever thereafter the Property of the Persons or Parties on whose Lands or Grounds the same shall have been made and erected, and shall be supported and maintained by or at the Expence of the Occupiers of the Lands or Grounds whereon such Fences shall have been so made and erected.

Statute Work.

XXXIII. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work upon, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto as heretofore; and it shall and may be lawful for any Two or more Justices of the Peace for the County or Place in which the said Roads or any Part thereof lies, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their 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 of the respective Parishes, Townships, Hamlets, Divisions, or Places liable thereto, or 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, Hamlet, Division, or Place, in lieu of or as a Composition for such Statute Work, shall be by him or them paid to the said Trustees or to their Treasurer; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Sur-

veyors of the Highways for every such Parish, Township, Hamlet, Division, or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons, either personally or by leaving the same at his or their Dwelling House or Dwelling Houses), of the Names of the several Persons who within such Parish, Township, Hamlet, Division, 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 of Names shall be made in such Manner and under such Regulations and Restrictions as is, are, or may be directed by any Law or Statute in Force and Effect for the Repair of the Public Highways; and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject or 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 by their Order shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Surveyor or Surveyors of every such Parish, Township, Hamlet, Division, or Place, to pay over to the said Trustees or their Treasurer, such Proportion of the Composition Money for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do Statute Work as aforesaid, (after Notice in Writing given to or left for him or them at his or their last or usual Place or Places of Abode for that Purpose, signed by the Surveyor or Surveyors to the said Trustees), shall for every Day of his 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 or them, be subject and liable to such Pains, Penalties, and Forfeitures, as any Person or Persons may be subject or liable to by any Law or Statute in Force and Effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or who 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 and turn off or discharge the Person 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 of the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, Hamlets, Divisions, 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, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways by Distress

and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two or more Justices of the Peace for the County or Place wherein such Surveyor or Surveyors of the Highways shall live or reside, on Complaint made to such Justices by the Surveyor or Surveyors to the said Trustees.

Contracts may be made for altering or repairing the Roads, &c.

XXXIV. And be it further enacted, That the said Trustees acting in their respective Districts, or their respective Surveyors, acting by the Order and under the Authority of such Trustees respectively, shall and may and they are hereby severally empowered to contract with any Person or Persons for making or amending, repairing and maintaining the said Roads, or any Part or Parts thereof, or for erecting Mile or Direction Stones or Posts, or for making or continuing Fences, Ditches, Drains, Watercourses, Bridges, Arches, Culverts, Tunnels, or other Works, or for the Purchase of Materials, Tools, or Implements for the Use of the said Roads, or for the Carriage of any Materials, Soil, Earth, or other Matters to or from the said Roads, or for executing or performing any other Works necessary to be done or performed in the Execution of this Act, in such Manner and for such Sum or Sums of Money as the said Trustees shall think proper; and all Contracts or Agreements in Writing entered into pursuant to any Order of the said Trustees acting in their respective Districts, by their respective Surveyors, with any Workmen or other Person or Persons, relating to any of the Matters or Things aforesaid, shall be binding on the Trustees of the District for which the same shall have been entered into, and upon all other Parties who shall sign the same, and the Executors and Administrators of such other Parties; and any Action or Actions, Suit or Suits, shall and may be maintained by the Trustees of such District, upon and in virtue of such Contracts or Agreements, and Damages and Costs shall and may be recovered against the Person or Persons making default in the Performance of such Contracts or Agreements respectively; and such Sum or Sums of Money as shall be requisite for the Purchase, Execution, or Performance of the several Matters or Things, which by such Contracts or Agreements respectively ought to have been done or provided by the Person or Persons so making default as aforesaid, shall be the Measure of the Damages to be recovered in every such Action or Suit against such Person or Persons so making default in fulfilling his or their Contract or Agreement; any Law or Usage to the contrary in anywise notwithstanding.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods vested in Trustees or their Treasurer,

XXXV. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of the said last recited Act or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said respective Trustees, or any Person or Persons acting by or under their Authority respectively, and such Sum or Sums of Money shall not be paid by such Trustees or their Treasurer (which such Treasurer is hereby authorized and required to pay), to the Party or Parties entitled to the same, within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to such Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of

such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Trustees by virtue of this Act, or of the Goods and Chattels of their respective Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to such Sum or Sums of Money, or Compensation or Satisfaction aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such case such Overplus shall be returned on Demand to the Trustees whose Goods and Chattels shall have been so distrained and sold, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain out of any Monies which he shall receive in pursuance of the said last recited Act or this Act, all such Costs, Charges, and Expences, as he shall be put unto by virtue of any such Order as aforesaid.

Damages, &c. in certain Cases how to be ascertained.

XXXVI. And be it further enacted, That where by the said last recited Act, any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, and shall and may be levied and recovered by such and the like Ways and Means as any such Penalty or Penalties may be recovered by virtue of the said last recited Act.

For apportioning the Debts due from the Road under the old Act between Two of the new Districts.

XXXVII. And be it further enacted, That the Sum of Three hundred and fifty Pounds, being One-fifth Part of the said Principal Debt of One thousand seven hundred and fifty Pounds, herein-before recited to be now owing upon Mortgage on the Credit of the said first recited Act, together with all Interest which shall accrue upon the said Sum of Three hundred and fifty Pounds from and after the Commencement of this Act, shall be and the same is hereby charged (as between the said respective Districts) exclusively upon the Tolls and Revenues of the said *Newcastle* and *Eccleshall* District; and that the Sum of One thousand and four hundred Pounds, being the Residue of the said Principal Debt of One thousand seven hundred and fifty Pounds, together with all Interest which shall accrue upon the said Sum of One thousand and four hundred Pounds from and after the Commencement of this Act, and likewise all Money which at the Time of the Commencement of this Act shall happen to be due, as well for the Interest of the whole of the said Debt of One thousand seven hundred and fifty Pounds, as also for the Repairs and Management of all the Roads comprised in the said first recited Act, and likewise for Work, Labour, Materials, Tools, Implements, and other Matters and Things done, used, employed, purchased, or had for the Use of the same, and all Salaries and Wages of Officers employed by the Trustees under the said first recited Act, and all other legal Debts and Demands incurred and to be incurred in the Execution of the same, up to the Commencement of this Act, (save only the said Sum of Three hundred

hundred and fifty Pounds herein-before mentioned) shall be and the same are hereby charged (as between the said respective Districts) exclusively upon the Tolls and Revenues of the said *Eccleshall*, *Newport*, and *Watling Street* District; and the Tolls hereby granted and made payable in the said Two last-mentioned Districts respectively, shall be and the same are hereby made exclusively subject and liable to the Payment of the aforesaid Debts and Sums of Money (as between the said respective Districts) in the Manner and Proportions aforesaid.

All Tolls, Monies, &c. due to the old Trust to be paid over to the Eccleshall, Newport, and Watling Street District.

XXXVIII. And be it further enacted, That all Tolls, Rents, Compositions, Dues, Debts, and Demands, which at the Time of the Commencement of this Act shall happen to be due or owing to the Trustees acting under the Authority of the said first recited Act, and all Sums of Money which shall be at that Time in the Hands of the Treasurers, Surveyors, Collectors, or other Officers of the Trustees acting under the said first recited Act, and also all Materials, Tools, Implements, and other Matters and Things purchased or had for the Purposes of the said first recited Act, previous to the Commencement of this Act, shall belong to and the same are hereby vested in the Trustees of the said *Eccleshall*, *Newport*, and *Watling Street* District; and it shall be lawful for the Trustees of the said last-mentioned District to commence and prosecute any Action or Actions, Suit or Suits at Law or in Equity, against any Person or Persons whomsoever, for recovering and obtaining Possession of all such last-mentioned Tolls, Rents, Compositions, Dues, Debts, Demands, Monies, Materials, Tools, Implements, and other Matters and Things; and the same when so recovered and taken Possession of shall be applied and used solely for the Purposes of the said last-mentioned District.

The Mortgage Creditors on the old Road may recover Monies from the other Districts.

XXXIX. And in order that the Securities of the Creditors to whom the said Debt of One thousand seven hundred and fifty Pounds and Interest is now owing on the Credit of the said first recited Act, may not be prejudiced or affected by the Repeal of the same; be it further enacted, That the whole of the Tolls arising or to be produced on all the Lines of Road comprised in the said Two Districts called the *Eccleshall*, *Newport*, and *Watling Street* District, and the *Newcastle* and *Eccleshall* District, shall from and after the Commencement of this Act be subject and chargeable to and with the said Sum of One thousand seven hundred and fifty Pounds, and all Arrears of Interest which shall be due at the Commencement of this Act, for or in respect of the same, and also all future Interest hereafter to accrue thereupon, in the same Manner, and with the same Powers and Remedies for recovering and receiving the same, as if the Act had still remained in force by virtue of which the said Debt of One thousand seven hundred and fifty Pounds was originally borrowed, and as if the Whole of the Roads comprised in the said Two last-mentioned Districts had originally been comprehended in the said Securities; and it shall be lawful for each and every of the Creditors, to whom the Whole and every Part of the said Sum of One thousand seven hundred and fifty Pounds shall be due and owing, or their respective Executors, Administrators, or Assigns, as soon as conveniently may be after the Commencement of this Act, by Notice in Writing, whereof Copies shall be delivered to the Treasurers of each of the said Two last-mentioned Districts, to make their Election and Choice, whether they will respectively

tively demand and receive the Interest to accrue on their respective Securities, from the Treasurer of the said *Eccleshall*, *Newport*, and *Watling Street* District, or from the Treasurer of the said *Newcastle* and *Eccleshall* District; and also afterwards from Time to Time in the like Manner, and by the like Notice as aforesaid, to make a new Election and Choice in that respect, when and as often as it shall be found convenient so to do; and from and after the first and every other such Election and Choice, such Creditors so making the same, and their respective Executors, Administrators, and Assigns, shall continue to demand and receive the Interest becoming due on their respective Securities of and from the Treasurer of the District specified in such Notice as aforesaid, until such Creditors or their respective Executors, Administrators, or Assigns, shall have again made a new Election and Choice, and have caused Notice in Writing thereof to be given to the Treasurers of both of the said Districts.

Provision in case either of such Districts shall have advanced more than its appropriate Share of such Mortgage Debts.

XL. And be it further enacted, That when and so often as the Treasurer of the said *Eccleshall*, *Newport*, and *Watling Street* District, or the Treasurer of the said *Newcastle* and *Eccleshall* District, shall in consequence of any such Election or Choice, or any other Proceeding of any of the said last-mentioned Creditors, or any of their respective Executors, Administrators, or Assigns, have paid or advanced a larger Share or Proportion either of the said Principal Debt of One thousand seven hundred and fifty Pounds, so due and owing upon the Credit of the said first recited Act, or of the Interest thereof, than the Share or Proportion thereof which is herein-before directed to be a Charge (as between the said respective Districts) upon the Tolls arising within the particular District for which he shall act as Treasurer as aforesaid; then and so often, the Treasurer of the other of the said Two last-mentioned Districts, charged with the said Debt of One thousand seven hundred and fifty Pounds, shall and he is hereby required forthwith, out of the first Monies which he shall have in hand by virtue of his said Office, after Demand made for that Purpose, to reimburse and pay to the Treasurer who shall have so paid or advanced such larger Share or Proportion of the aforesaid Monies, or his Successors, all and every such Sum and Sums of Money as shall have been so paid or advanced by him, over and above the just Proportion of the said Monies which ought (as between the said Districts) to have been borne and defrayed by the District for which he shall so act as Treasurer as aforesaid; and in case such Monies so advanced and paid, over and above the just Proportion before mentioned, shall not be reimbursed or paid in the Manner hereby directed, then and so often the Treasurer having advanced the same, and his Successors, shall have, and he and they is and are hereby invested with such and the same Powers and Authorities for recovering the same Monies, together with all Costs, Charges, Damages, and Expences attending the Nonpayment and Recovery thereof, by Entry upon the Turnpikes or Toll Houses, and Perception of the Tolls or Rents of the Tolls arising and being within the District by which the same ought to be reimbursed or paid, as any Creditor or Creditors in virtue of the said Mortgage Debts is or are or shall or may be invested with or entitled unto by Law.

Conveyances, &c. under the former Act made valid.

XLI. And be it further enacted, That all Conveyances, Covenants, Agreements, Contracts, and Securities, made to or by, or entered into by any

any Person or Persons to or with the Trustees for executing the said first recited Act hereby repealed, shall remain in full force and effect, and be and continue available, in all Courts of Law and in Equity, until the same be fully satisfied and performed, on account and for the Benefit of such One of the Districts created by this Act as comprehends the Road referred to in such Instruments respectively; and all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the Trustees for executing the said first recited Act, with or to any Person or Persons, for any Purpose relating to the said Roads, or to the Execution of the said Act, shall remain in full force and effect, and be observed and kept by the Trustees under this Act, for the Roads to which such Bargains, Contracts, Agreements, or Notices respectively apply, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first recited Act.

Proceedings under the former Act may be given in Evidence.

XLII. And be it further enacted, That all Books of Proceedings of the Trustees in the Execution of the said first recited Act, and which have been kept according to the Directions or Provisions thereof, and are made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Proceedings under the former Act may be inspected.

XLIII. And be it further enacted, That all Books of Proceedings of the Trustees in the Execution of the said first recited Act, and all Books of Accounts of Receipts and Disbursements kept under the Authority of the same, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be delivered up to and be preserved by the Clerk for the Time being of the Trustees for the said *Eccleshall, Newport*, and *Watling Street* District, and shall at all seasonable Times be open to the Inspection of the Trustees, as well of the last-mentioned District as of the said *Newcastle* and *Eccleshall* District, or any of them, and of any Creditor or Creditors of any of the said Roads, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from such Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Trustees or such Creditors, or any of them, to inspect the said Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Costs of this Act.

XLIV. And be it further enacted, That the general Costs and Charges attending the obtaining and passing of this Act, with Interest from the Time of advancing the Money for the same, shall be paid and defrayed by and at the joint Expence of the said Three Districts of Road hereby constituted, in Three equal Shares; and that the Costs attending the making of Surveys and other Charges which have been incurred in relation to this Act, upon the separate Account of any of the said several Districts, together with Interest from the Time of advancing the Money for the same, shall be paid and defrayed by and at the Expence of such of the said Districts, on the separate Account of which such last-mentioned Costs and Charges have been respectively incurred; and all such Costs, Charges, and Expences shall be ascertained as soon as may be

after the passing of this Act, and the same shall afterwards be paid in the Proportions and Manner aforesaid, out of the first Monies which shall respectively arise or be received in the said several Districts under the Provisions of this Act.

Application of the Tolls and Money to be borrowed.

XLV. And be it further enacted, That after paying the Costs of this Act and the other Costs before mentioned in the Proportions before directed, all the Monies already subscribed and which shall be subscribed for making, repairing, or maintaining the several Roads comprised in the said respective Districts, or which shall hereafter be borrowed for the Purposes of this Act by the Trustees respectively acting in the said several Districts, and all the Tolls and other Monies arising and to be received by virtue of this Act within the said several Districts, shall be respectively paid, laid out, and expended by the said Trustees respectively, acting for the said several Districts, in the making, maintaining, and improving of the several Roads comprehended in the several Districts, for which the same Monies have been or shall be so subscribed, or for which the same shall be so borrowed, or wherein the said Tolls shall so arise or become payable, and in keeping down the Interest of the Principal Monies chargeable to the said respective Districts by virtue of the Provisions herein-before contained, and the Interest of all Monies hereafter to be borrowed or advanced in the said Districts respectively by virtue of this Act and the said last recited Act, and in otherwise putting this Act into Execution; and lastly, in repaying out of the Funds of the Districts respectively chargeable therewith, all the Principal Monies already due upon Mortgage, and hereafter to be borrowed or advanced by virtue of this Act and the said last recited Act.

Trustees not personally liable for Mortgages.

XLVI. Provided always, and be it further enacted, That the Trustees appointed or to be appointed by virtue of this Act shall not be personally subject to or charged with the Payment of any Sum or Sums of Money by reason of their having signed or executed any Mortgage, or Assignment by way of Mortgage, or other Security to be made to any Person or Persons lending or advancing any Sum or Sums of Money to the said respective Trustees upon the Credit of the Tolls and Revenues of the said respective Districts of Roads, in pursuance of the Provisions contained either in the said last recited Act or this Act, but all such Sums of Money shall be repaid out of the Tolls by this Act granted.

Public Act.

XLVII. 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 this Act.

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

The

The SCHEDULE referred to by this Act.

Places;—and Description of Premises.	OWNERS.	OCCUPIERS.
In the Borough of Newcastle-under-Lyme:		
A Yard - - -	Mr. James Smith - -	Mr. James Smith.
A House, Shop, and Cow-house - - -	George Thomas - -	George Thomas.
A House - - -	Same - - -	John Myatt.
A House and Stables - -	William Barlow - -	William Barlow.
A House - - -	The Marquess of Stafford -	John Biddulph.
A House - - -	Same - - -	Richard Buck.
A House - - -	Same - - -	Thomas Malkin.
A House - - -	Same - - -	John Malkin.
Four Gardens - - -	Same - - -	William Sorton.
A Timber Yard - -	Same - - -	The Marquess of Stafford.
A Shop and House - -	The Corporation of Newcastle - - -	Thomas Downs.
In the Township of Trentham:		
A Cottage and Garden -	The Marquess of Stafford -	James Cliff.
In the Township of Beech:		
A Garden - - -	Thomas Fitzherbert, Esq. -	John Boulton.
In the Township of Mill Meece:		
A Garden - - -	Charles Horsfall Bill, Esq. -	Ralph Pilsbury.
In the Township of Slindon:		
A Garden - - -	John Marsh, late —— Jackson - - -	Moses Summerfield.
A Garden - - - -	John Stevenson Salt, Esq. -	William Lawton.
A Garden - - - -	Same - - -	Thomas Bolton.

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