ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxxiv.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads from *Womborne* to *Princes End*, and from *Gospel End* to the Village of *Over Penn*, and thence to the Turnpike Road leading from *Wolverhampton* to *Stourbridge*, and other Roads therein mentioned, in the County of *Stafford*. [7th *June* 1815.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty, intituled *An Act for amending, widening, and keeping in Repair the Roads leading from* Womborne *to* Princes End, *and from* Gospel End *to the Village of* Over Penn, *and from thence to the Turnpike Road leading from* Wolverhampton *to* Stourbridge, *and from* Chitt's Grave *to or near* Princes End, *and from* Can Lane *to the Town of* Bilston, *in the County of* Stafford: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term of the said Act be continued, and some of the Powers and Provisions of the said Act be altered and enlarged, and the Tolls increased: 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 33 G. 3. c. 167.

Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, paſſed in the Thirty-third Year of the Reign of His preſent Majeſty, and all and every the Authorities, Powers, Privileges, Proviſions, Penalties and Clauſes therein contained (except ſuch as are varied, altered or repealed) ſhall be and continue in full force, and be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purpoſes, as if the ſame were herein particularly repeated and re-enacted; but ſubject nevertheleſs to the Amendments, Variations, Alterations and Additions herein contained, and which ſhall commence and take Effect upon the paſſing of this Act; and this Act, and the additional Term hereby granted, ſhall be ſubject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the ſaid Act, or which may hereafter be borrowed, or become due and owing on the Credit of the ſaid Act and this Act, and of all Intereſt due and to grow due for the ſame reſpectively.

Truſtees Names.

II. And be it further enacted, That *Thomas Barrs*, the Reverend *Bevan*, *James Bourne*, *Joſeph Green Bourne*, *Burne*, the Reverend *Henry Antrobus Cartwright*, *John Cartwright*, *Joſhua Cartwright*, *Joſeph Cartwright*, *Edward Parkes Cartwright*, *Edward Dixon*, *Elwell*, *Dudley Fereday*, *John Turton Fereday*, *William Fereday*, *Thomas Hawkes*, *Roger Wright Hawkes*, *James Shaw Hellier*, *Richard Homer*, *Henry Jeſſon*, *Henry King*, *Richard Bailey Marſh*, *Joſeph Parkes*, *William Bradney Perſhouſe*, *Thomas Peach Aſton Pudſey*, *Joſeph Smith*, *David Smith*, *Thomas Smith*, *Richard Smith*, *William Stevens*, *Joſiah Tay*, *William Thacker*, *Thomas Tickell*, *John Tompſon*, *Edward Wainwright*, *John White*, *Benjamin Whitehouſe*, and *Eliſha Whitehouſe*, ſhall, from and immediately after the paſſing of this Act, be added to and joined with the Truſtees appointed by or in purſuance of the ſaid recited Act, for putting the ſame and this Act in Execution; and the Truſtees hereby appointed and their Succeſſors, being qualified according to the Directions of the ſaid recited Act, are hereby empowered to put the ſaid recited Act and this Act in Execution, as fully and effectually to all Intents and Purpoſes as if they had been named in and appointed by the ſaid recited Act.

Power to appoint additional Truſtees.

III. And be it further enacted, That it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, at a Meeting to be held for that Purpoſe, (of which Meeting and of the Purpoſe thereof ſuch Notice ſhall be given as is directed by the ſaid recited Act, reſpecting the Appointment of future Truſtees on Vacancies) to elect, nominate and appoint any Number of fit and proper Perſons not exceeding Ten, to be Truſtees for the Purpoſes of the ſaid recited Act and this Act, in addition to the Truſtees hereby nominated and appointed.

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

IV. And be it further enacted, That the ſaid Truſtees may ſue or be ſued for or concerning any Thing to be done by virtue or in purſuance of the ſaid recited Act and this Act, either in the Name of the Truſtees, who may be Parties to any Deed or Inſtrument in Writing, upon which any Action ſhall or may be brought, or in the Name of their Clerk or Treaſurer for the Time being; and that no Action or Suit to be brought

or commenced by the Direction of or againſt the ſaid Truſtees, in their Names or in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death, Incapacity or Removal of any Truſtee or Truſtees, or Clerk or Treaſurer, or by the Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees, or any Five or more of them; but that the Clerk or Treaſurer for the Time being to the ſaid Truſtees, in caſe ſuch Action ſhall be brought by or againſt, or defended in the Name of ſuch Clerk or Treaſurer, ſhall be deemed to be Plaintiff or Defendant (as the Caſe may be) in every ſuch Action or Suit: Provided always, that every ſuch Truſtee, or Clerk or Treaſurer, in whoſe Name or Names any Action or Suit ſhall be commenced, proſecuted or defended, in purſuance of the ſaid recited Act or this Act, ſhall be fully reimburſed and paid out of the Monies ariſing by virtue of the ſaid recited Act and this Act, all the Coſts, Charges, Damages and Expences, which by the Event, or in conſequence of any ſuch Action or Proceeding, he ſhall bear, pay, expend or be put unto, or become chargeable with, by reaſon of his being made Plaintiff or Defendant as aforeſaid.

Former Tolls repealed.

V. And be it further enacted, That from and after the paſſing of this Act, all and every the Tolls by the ſaid recited Act authorized to be taken, ſhall ceaſe and be no longer payable, and thenceforth it ſhall be lawful for the ſaid Truſtees or any Perſon to be continued or appointed Collector or Collectors by virtue of the ſaid recited Act or this Act, to demand and take the ſeveral Tolls and Duties herein-after particularly mentioned, at each and every of the Turnpikes or Toll Gates already erected, or which ſhall at any Time hereafter be erected, in, upon, acroſs or on the Sides of any Part or Parts of the ſaid Roads, or acroſs any Way or Lane leading into or out of the ſame, except as herein-after is expreſsly directed or provided to the contrary, 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 Coach, Berlin, Landau, Chariot, Chaiſe, Calaſh, Chair, Caravan, Hearſe or Litter, drawn by Six or more Horſes, Mares, Geldings or Mules, the Sum of Two Shillings; and drawn by Four or Five Horſes, Mares, Geldings, or Mules, the Sum of One Shilling; and drawn by Two or Three Horſes, Mares, Geldings or Mules, the Sum of Sixpence; and drawn by One Horſe, Mare, Gelding or Mule, the Sum of Four-pence:

For every Waggon or other Four-wheeled Carriage, the Sum of One Shilling and Sixpence:

For every Cart or other Two-wheeled Carriage, the Sum of Nine-pence:

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

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

And for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and ſo in Proportion for any greater or leſs Number.

And on every *Sunday* during the Continuance of this Act, there shall be demanded and taken, at each and every of such Turnpikes or Toll Gates, Double the said respective Tolls; and the said respective Tolls shall be demanded and taken before any Carriage whatsoever, or Horse or Horses, or other Beast or Cattle, be permitted to pass through any such Turnpike or Toll Gates; and upon Payment of any of the said Tolls the Collector or Receiver shall and he is hereby required to deliver *gratis* to the Person paying such Toll, a Note or Ticket denoting such Payment, and also specifying thereon the Names of the different Toll Gates through which such Ticket will entitle the Horses, Cattle or Carriages for which Toll may have been paid, to pass Toll-free; and all and every Sum and Sums of Money which shall arise and be produced therefrom, shall be vested in the said Trustees for the Time being; and the said Tolls and every Part thereof shall and may be demanded and collected, and be recovered and recoverable in the same Manner, and be applied and disposed of for such Uses, Intents, and Purposes, as the Tolls granted by the said recited Act are authorized and directed to be taken, recovered, applied, and disposed of, but subject nevertheless to the Provisions and Directions of this Act.

No Turnpike to be erected between Womborne and Gospel End.

VI. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Trustees to erect any Turnpike or Toll Gate upon any Part of the Road between the Town of *Womborne* and the Road leading from *Gospel End* to the Village of *Over Penn* aforesaid.

Toll to be paid but once a Day on the different Roads.

VII. Provided always, and be it further enacted, That no Person shall be subject to the Payment of any of the Tolls by this Act granted, more than once in any one Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) for passing and repassing any Time or Times with the same Carriage, Horse or other Beast or Cattle, through all or any of the Turnpikes or Toll Gates erected or to be erected by virtue of this or the said recited Act; nor shall any more than One Half of the Tolls hereby granted be demanded or taken for any Waggons, Carts or other Carriages going to or returning from *Hurst Hill* or the *New Park* Lime Works, in the Parish of *Sedgley*, or any Extension of such Lime Works to be hereafter made or opened, and which shall pass through any Turnpike or Toll Gate erected or to be erected at any Place between the said Lime Works respectively and the Village of *Sedgley*, without passing upon any other Part of the said Roads; nor shall more than One Third of the Tolls hereby granted be demanded or taken for any Waggons, Carts or other Carriages; nor more than One Half of the Tolls upon Horses, Sheep or Cattle, passing upon that Part of the said Road which lies between the *Red Lion* Public House in the Village of *Sedgley*, and a certain Lane called *Downing's Lane*, leading towards *Himley*, and which shall not pass upon any other Part of the said Roads to be repaired under the Powers of the said recited Act and this Act.

Trustees may reduce Tolls.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, from Time to Time when they shall think proper, to lessen or reduce all or any of the Tolls by this Act granted

granted or made payable, and to cauſe the ſame to be collected in ſuch Manner, Parts and Proportions, as they ſhall think fit, and to raiſe the ſame again, ſo as they do not at any Time exceed the Tolls by this Act granted and made payable, and ſo as every ſuch Reduction thereof be made with the Conſent of the Perſon or Perſons for the Time being entitled to Five Sixth Parts at the leaſt of the Money then due on the Credit or Security of the Tolls: Provided alſo, that no Reduction ſhall be made in any of the ſaid Tolls, unleſs Notice of the Intention to make ſuch Reduction, and of the Meeting to be holden for that Purpoſe, ſhall be given by Writing to be affixed upon all the Turnpikes and Toll Gates which ſhall be then ſtanding in, upon, acroſs or on the Sides of the ſaid Roads, and inſerted in ſome Newſpaper publiſhed or circulated in the ſaid County of *Stafford*, at leaſt Twenty-one Days before ſuch Meeting.

Regulations as to Toll Collectors.

IX. And be it further enacted, That all and every the Toll Collectors, being Leſſee of the ſaid Tolls, or appointed either by the ſaid Truſtees, or by any ſuch Leſſee or Leſſees to collect the Tolls payable at any Turnpike Gate to be continued or erected by virtue of the ſaid recited Act or this Act, ſhall and he is hereby required to place his Chriſtian and Surname painted on a Board in legible Characters in the Front or in ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately on his beginning to collect ſuch Toll, or coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length, and of a Breadth in Proportion, and painted in Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall collect ſuch Toll, or be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in anyways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Tolls when demanded, or ſhall unneceſſarily detain any Paſſenger or Paſſengers, or ſhall make Uſe of any ſcurrilous or abuſive Language to any Traveller or Paſſenger, then and in every ſuch Caſe, every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge.

Toll Collectors not to make uſe of any ſcurrilous Language.

Penalty on Renters of Tolls compounding for Overweight.

X. And be it further enacted, That no Farmer or Farmers, Renter or Renters of the Tolls of any Turnpike Gate now erected or hereafter to be erected upon the ſaid Roads, or his or their Deputy or Deputies, Agent or Agents, ſhall, without the Conſent in Writing of the ſaid Truſtees for that eſpecial Purpoſe given, make any Compoſition by the Year or otherwiſe, with the Inhabitants of any Town or Place, or with any Perſon or Perſons whomſoever, for or in lieu of the Tolls of any Waggon, Wain, Cart or other Carriage, liable to be weighed at the Engine or Engines erected or to be erected upon the ſaid Roads, for or in reſpect of the Over-

weight thereof; and in caſe any Farmer or Renter, or Perſon or Perſons ſhall offend herein, every ſuch Farmer or Renter, Deputy or Agent, ſhall on Conviction thereof, by Confeſſion, or upon the Oath of One Witneſs, before any One of His Majeſty's Juſtices of the Peace for the County of *Stafford*, forfeit and pay beſides the Coſts and Charges attending the Conviction any Sum not exceeding Five Pounds, and ſhall alſo forfeit his or their Contract or Leaſe for renting the Tolls, if the Truſtees or any Five or more of them ſhall think proper to order that the ſame ſhall be thereupon vacated and made void; and every ſuch Compoſition ſhall be, and the ſame is hereby directed to be null and void; and one Moiety of every ſuch Penalty as aforeſaid ſhall be paid to the Informer, and the other Moiety to the Treaſurer or Surveyor of the ſaid Roads, to be applied towards the Repairs thereof, the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo convicted, by Warrant under the Hand and Seal, or Hands and Seals of ſuch Juſtice or Juſtices as aforeſaid.

General Exemptions from Toll.

XI. And be it further enacted, That none of the Tolls hereby authorized to be taken, ſhall be demanded, taken or received at any of the Toll Gates erected or to be erected, or continued in, upon, acroſs, or on the Sides of any Part of the ſaid Roads, for any Horſes, Cattle 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 ſuch Mails or Expreſſes, or in returning therefrom; nor for the Horſes belonging to any Officers or Soldiers on their March or on Duty; nor for any Horſes, Cattle or Carriages employed in carrying or conveying the Arms or Baggage of any ſuch Officers or Soldiers, or in carrying any ſick, wounded, or diſabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carrriage whatſoever, or the Horſe or Horſes 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; nor from any Rector, Vicar or Curate going to or returning from his own Pariſh Church or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners; nor from any Perſon or Perſons going to or returning from Church, Chapel, or other uſual Place of Religious Worſhip within the Pariſh or Place where he, ſhe, or they may reſide, on *Sundays* or on any other Day on which Divine Worſhip is or ſhall be ordered by Authority to be celebrated; or attending the Funeral of any Perſon or Perſons who ſhall die and be buried in any Pariſh, Hamlet, or Place through which any Part of the ſaid Roads lie; nor for any Horſes, Beaſts, Cattle or Carriages uſed or employed for the Purpoſe only of carrying or conveying Perſons to or from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of *Stafford*; or of carrying or conveying Vagrants ſent by legal Paſſes; or of carrying or conveying Hay, Straw, or Corn in the Straw, for the Uſe of the Owners, and not for Sale or purchaſed, or of carrying or conveying any Dung, Mould, Manure or Compoſt (other than Lime) to be uſed only for manuring the Land, or returning empty in that Employment; nor for any Horſes, Beaſts or Cattle employed in carrying or conveying, or going to carry or convey,

convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow, or other Implement of Husbandry, unless the Carriage bearing any such Plough, Harrow, or other Implement of Husbandry, be also laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horse, Beast or Cattle, passing to or repassing from Water or Pasture; nor for any Horse, Beast or other Cattle, when going to or returning from being shod or farried; nor for any Horse, Beast, or Cattle used or employed for the Purpose only of carrying or conveying Materials for making or repairing any Highway or public Road within any such Parish, Hamlet or Place as aforesaid, or for rebuilding, building or repairing any present or future Bridge or Bridges on the said Roads under this Trust; nor for any Horse, Beast, Cattle or Carriage, which shall cross the said Roads only, or shall not pass more than One hundred Yards thereon; nor 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 any Place appointed for Exercise, Inspection, or Review, provided that such Person is in the Uniform of his Corps, and has his Arms, Furniture and Accoutrements, according to the Regulations appointed for such Corps at the Time of claiming the Exemption; and if any Person shall claim and take the Benefit of any Exemption in this Act contained or provided for, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in all Cases, the Proof of Exemption shall lie upon the Person claiming the same.

Owners or Drivers of Waggons conveying Military Stores not subject to Penalties for Overweight.

XII. 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 or 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 Overweight; nor shall any such 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 the said recited Act or this Act contained to the contrary notwithstanding.

Application of Compensation when amounting to 200l.

XIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken or used by virtue of the Powers of the said recited Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as in the said Act mentioned, such Money shall, in case the same shall amount to or exceed 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

cuting the ſaid recited Act and this Act, purſuant to the Method preſcribed by the Act of the Twelfth Year of King *George* the Firſt, Chapter Thirty-two, and the General Orders of the ſaid Court, without Fee or Reward, to the Intent that ſuch Money ſhall be applied, 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 towards the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting any other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Truſts, 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 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 Meſſuages, Lands, Tenements, or 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 the 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 ſaid 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 Lands, Tenements, and Hereditaments, ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

When leſs than 200l. and exceeding 20l.

XIV. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, 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 Lands, Tenements, or 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 with the Privity and in the Name 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

by Five or more of the Truſtees, for executing the ſaid recited Act and 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 any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Application where the Money is leſs than 20l.

XV. Provided alſo, and be it further enacted, That when ſuch Money ſo agreed or awarded to be paid as laſt before mentioned ſhall not exceed 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 Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Truſtees or any Five or more of them 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.

Purchaſe Monies to be paid into the Bank of England in certain Caſes.

XVI. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of the ſaid recited Act or 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 any Five or more of them; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found, or if the Perſon or Perſons 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, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid High Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands 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 ſuch Sum or Sums of Money into the Bank as aforeſaid.

In caſe of not making out Titles, &c.

XVII. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands 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 or 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 have been lawfully entitled to ſuch Lands or 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.

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

XVIII. 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 Hereditaments to be purchaſed, under the Authority of the ſaid recited Act or of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance thereof, 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 the ſaid recited Act, or of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees, or any Five or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Regulations as to Performance of Statute Duty.

XIX. And be it further enacted, That ſo much of the ſaid recited Act as relates to the Performance of Statute Labour on the ſaid Roads, ſhall be and the ſame is hereby repealed; and 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 in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the County of *Stafford*, and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor or by their Order, yearly to adjudge and determine what Part or Proportion of Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes, Hamlets or Places in which the ſaid Roads lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors

veyors of the Highways of every ſuch Pariſh, Hamlet 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 thereto it ſhall be lawful for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Hamlet or Place, to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons, (within Five Days after the ſerving of ſuch Summons), of the Names of the ſeveral Perſons who within ſuch Pariſh, Hamlet 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 as aforeſaid, 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 are or may be directed by any Law or Statute in force and effect for the Repairs of the Public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may appoint and order ſuch and ſo many of the Perſons as ſhall appear to be ſubject and liable to 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 in 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 the 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 ſaid Juſtices 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 Act 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 laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor of 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 them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in force or 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 diſcharge 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 if any Surveyor of the

Highways for any of the ſaid Pariſhes, Hamlets, or Places, ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly and wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

For getting Materials to repair the Roads.

XX. And be it further enacted, That ſo much and ſuch Parts of the ſaid recited Act as authorizes the ſaid Surveyors, by Order of the ſaid Truſtees, to get Materials for repairing the ſaid Roads, ſhall be and the ſame is and are hereby repealed; and it ſhall and may be lawful for the Surveyor or Surveyors of the ſaid Roads, and all ſuch Perſon or Perſons as he or they ſhall appoint, to ſearch for, dig, gather and take away any Stones, Gravel, Sand or other Materials, for making or repairing the ſaid Roads, out of any Waſte or Common Ground, Common River or Brook, in any Pariſh, Town or Place in, adjoining to, or lying near the ſaid Roads, or in any neighbouring Pariſh, Town or Place, without paying any Thing for the ſame, they the ſaid Surveyor or Surveyors or other Perſon or Perſons filling up the Pits or Quarries, levelling the Ground or ſloping down the Banks from whence ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and if ſufficient Quantities of Materials cannot be had or found in or upon any ſuch Waſte or Common Ground, Common River or Brook, then and in ſuch Caſe, the Surveyor or Surveyors or other Perſons as aforeſaid, may by Order of any Two Juſtices of the Peace ſearch for, dig, gather and take away any ſuch Materials, in and out of the Lands, Fields or Grounds of any Perſon or Perſons where the ſame may be had or found (ſuch Lands, Fields or Grounds, not being a Garden, Orchard, Yard, Park, Paddock, Planted Walk or Walks, or Avenue to a Houſe, or any Piece of Ground planted and ſet apart as a Nurſery for Trees, or any of the Lands or Grounds belonging to the Reverend *Thomas Shaw Hellier* Clerk, in the Pariſhes of *Womborne* or *Penn*, or either of them, or Part of a Cloſe of Land called *The Dean*, in the Pariſh of *Sedgley*), making or tendering ſuch Satisfaction for the Value of the Materials, and for the Damage done to the Owners and Occupiers of ſuch Grounds, where and from whence the ſame ſhall be dug, gathered and carried away, or over which the ſame or any other Materials for making or repairing the ſaid Roads ſhall be carried, as the ſaid Juſtices ſhall adjudge reaſonable.

Notice to be given before Materials taken.

XXI. And be it further enacted, That it ſhall not be lawful for any Surveyor or Surveyors, or any Perſon or Perſons acting under the Authority of this or the ſaid recited Act, to dig, gather, get, take or carry away any Materials for repairing ſuch Roads, out of or from any incloſed Lands or Grounds, without the Conſent in Writing of the Owners thereof firſt had and obtained for that Purpoſe, and until Ten Days previous Notice in Writing, ſigned by the Surveyor of the ſaid Roads, ſhall have been given to the Occupiers of the Premiſes from which ſuch Materials are intended to be taken, or left at the Houſe or laſt uſual Place of Abode of ſuch Occupiers, to appear before any Juſtice or Juſtices of the Peace acting in and for the County or Place in which ſuch Lands or Grounds ſhall be ſituate, to ſhew Cauſe why ſuch Materials ſhould not be had from

ſuch

such Lands or Grounds; and in case such Occupier or his Agent shall attend pursuant to such Notice, but shall not shew sufficient Cause to the contrary, such Justice or Justices shall, if he or they think proper, authorize such Surveyor or other Persons to dig, gather, get, take and carry away such Materials, in such Manner as is directed by the said recited Act, at such Time or Times as to such Justice or Justices shall seem proper; and if such Occupiers shall neglect or refuse to appear by himself or his Agent, such Justice or Justices may (upon Proof on Oath of the Service of such Notice, and which Oath they or any of them are hereby empowered to administer) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes, as if such Occupier or his Agent had attended.

Penalty on damaging Footpaths.

XXII. And be it further enacted, That if any Person or Persons shall ride upon any Causeway or Causeways, or other Way or Ways to be made upon the said Roads for the Use of Foot Passengers, or shall lead or drive any Horse or Horses, or Cattle or Swine, upon any such Causeway or Causeways, or shall cause any Injury or Damage to be done to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, which said Penalties shall be applied towards the repairing of the said Roads, and to or for no other Purpose whatsoever.

For securing transient Offenders.

XXIII. And whereas Offences may be committed against the said recited Act and this Act, by Persons unknown to the Trustees, Collectors, Surveyors or other Officers appointed to put the same in Execution, be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors or other Officers respectively, and such Person or Persons as they or he shall call to their or his Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons as shall commit any such Offence or Offences, and to take him, her, or them before any Justice of the Peace of the County or Place where the Offence or Offences shall be committed.

For paying the Expences of the Act.

XXIV. And be it further enacted, That the Charges and Expences incurred in and about the obtaining and passing of this Act, together with lawful Interest for the Money which shall be advanced from Time to Time for that Purpose, shall be paid out of any Money already raised by virtue of the said recited Act, or out of the First Monies which shall be raised or borrowed upon the Credit of the said recited Act and this Act, in preference to all other Payments whatsoever.

Public Act.

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

Commencement and Continuance of the Act.

XXVI. And be it further enacted, That the said recited Act (subject to the Alterations, Additions and Amendments in this Act contained) and this Act, shall be put in force and be executed for and during the

Residue now to come of the Term granted by the said recited Act, and from the Expiration thereof, for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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