



ANNO TRICESIMO NONO

GEORGI II. REGIS.

Cap. 75.

An Act for amending, widening, altering, and keeping in Repair, the Road leading from *Cheadle*, through *Alveton*, to the *Uttoxeter* and *Ashborne* Turnpike Road, at or near *Quickshill Bank*; and also the Road leading from the *Stone* and *Uttoxeter* Turnpike Road, at *Bears Brook*, through *Hollington*, to the said *Uttoxeter* and *Ashborne* Turnpike Road, at or near the *Churnet Bridge* at *Rocester*, in the County of *Stafford*; to continue in Force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

[12th July 1799.]

WHEREAS the Road leading from the Town of *Cheadle*, through *Alveton*, to the *Uttoxeter* and *Ashborne* Turnpike Road, at or near *Quickshill Bank*; and also the Road leading from the *Stone* and *Uttoxeter* Turnpike Road, at *Bears Brook*, through *Hollington*, to the said *Uttoxeter* and *Ashborne* Turnpike Road, at or near the *Churnet Bridge* at *Rocester*, in the County of *Stafford*, are in a ruinous Condition, and in many Parts narrow and incommodious for Travellers, and cannot be effectually amended, widened, altered, and kept in Repair, by the ordinary Course of Law; may it therefore please Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Arnold*, *John Astbury*, *Jeremiah Allcock*, *Thomas Alkin*, *David Askin*, *Thomas Allcock*, *Isaac Aston*, the Reverend

Preamble.

Trustees,

[Loc. & Per.]

14 F

verend

verend *Walter Bagot* Clerk, *Thomas Bambrige*, *John Blurton*, *James Belcher*, *Robert Biurton*, *Edward Blurton*, *Thomas Brindley*, *Samuel Bamford*, *John Blagg*, *Matthew Brindley*, *William Boswell*, *John Beardmore*, *Thomas Blurton*, *William Bourne*, *Thomas Brandon*, *John Beech*, *Charles Bowler*, *Thomas Beech*, *Thomas Branson*, *Joseph Burton*, *John Child*, the Reverend *Charles Benjamin Charlewood* Clerk, *Richard Clarke*, *Samuel Cope*, *Thomas Chawner*, *Thomas Carrington*, *William Carrington*, *John Clarke*, *Samuel Collis*, *John Cruso*, *Thomas Dent*, *Robert Dagley*, *Philip Draycott*, *John Emery*, *Richard Emery*, *Samuel Emery*, the Reverend *William Edwes* Clerk, *Hugh Ford*, *Henry Fower*, *John Fallows*, *William Fallows*, *Lawrence Fallows*, *Thomas Fletcher*, *Thomas Gardner*, *Thomas Griffin*, *Francis Griffin*, *Thomas Griffin the younger*, *Edward Ginder*, *John Ginder*, the Reverend *John Grenville* Clerk, *Thomas Gerrard*, *John Gerrard*, *George Gent*, *Thomas Gent*, *John Gerrard*, *Thomas Gould*, *William Gallimore*, *Thomas Gallimore*, *George Goodwin*, *Sampson Handley*, *Sampson Handley the younger*, *John Handley*, *Thomas Howe*, *Thomas Higgott*, *Robert Harvey*, *Joseph Hart*, *John Henderson*, *John Holliday*, *Thomas Harvey*, *Samuel Harvey*, *William Harrison*, *John Holmes*, *Anthony Hordern*, *John Hughes*, *John Higgs*, *William Ingleby*, *James Johnson*, *Godfrey Johnson*, *Thomas Johnson*, *John Jifferys*, *John Kent*, *John Leigh*, *Thomas Leese of the Stone*, *Thomas Leese of Hurlestone*, *Lefton*, the Reverend *Samuel Langley* Clerk, *Samuel Leese*, *Francis Lowe*, *John Locker*, *George Locker*, *Robert Mycock*, *Thomas Milner of Fole*, *Joseph Masgreave*, *John Masgreave*, *William March*, *William Milner*, *Thomas Milner of Over Team*, *William Morrey*, *John May*, *John Moulard*, *Thomas Mills*, *John Mycock*, *William Orpe*, *John Philips*, *William Platt*, *Samuel Platt*, *Richard Riddleston*, *James Richardson*, *Sampson Shelley*, *William Saunders senior*, *William Saunders junior*, *William Sutton*, *John Smith*, *George Spencer*, *Thomas Smith*, *George Smith of Oakacre*, *George Smith of Whiston*, *James Smith*, *Thomas Salt*, *Samuel Shaw*, *Edward Saunders*, *Charles Smith*, *Loton Tipper*, *John Tomlinson*, *Thomas Tomlinson*, *Thomas Turner*, *Edward Tompson*, *James Unwin*, *George Vernon of Woodleafow*, *George Vernon of Stone*, *William Warner*, *Samuel Weston*, *Benjamin Ward the elder*, *James Walters*, *Thomas Walters*, *George Walker*, *William Willcock*, *John Watson senior*, *John Watson junior*, *Samuel Watson*, *Stephen Willcock*, *Richard Willcock*, *Thomas Whiston*, *Jarvis Wood*, *John Wood*, *Thomas Wood*, *Samuel Ward*, *George Wood*, and *George Young*, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Trustees for putting this Act in Execution.

Appointment
of new Truf-
tees.

II. And be it further enacted, That when and as often as any of the Trustees hereby appointed, or to be elected as herein-after mentioned, shall die, or by Writing under his Hand refuse to act in the Execution of this Act, it shall be lawful for the surviving or remaining Trustees, or any Five or more of them, at their General Annual Meeting to be held in pursuance of this Act, by Writing under their Hands, to nominate and appoint a fit Person to be a Trustee in the Room of every Trustee so dying or refusing to act; and every Person so from Time to Time to be nominated and appointed shall be joined with the surviving Trustees, and shall have the same Power to act in the Execution of this Act, as if he had been named and appointed a Trustee in and by this Act.

Qualification
of Trustees.

III. Provided always, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless at the Time of his acting he shall

shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds above Reprizes; or shall be Heir Apparent, or presumptive Heir Apparent; of a Person possessed of an Estate of Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred Pounds above Reprizes; or possessed of or entitled to a Personal Estate, or a Personal and Real Estate together, of the Value of Eight hundred Pounds, nor unless, (not being such Heir Apparent as aforesaid), he shall, before he acts, take and subscribe an Oath before any Two or more of the Trustees, who are, hereby authorized and empowered to administer the same, in the Words or to the Effect following; (that is to say),

‘ I Do swear, That I truly and *bona fide* am, in my own Right, [or, in the Right of my Wife], in the actual Possession and Enjoyment, [or, Receipt], of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Fifty Pounds, [or, possessed or entitled to a Personal Estate, or a Personal and Real Estate together, of the Value of Eight hundred Pounds, *as the Case may be*].’

Trustees
Oath:

And if any Person, not being so qualified, shall presume to act as a Trustee in the Execution of this Act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act: Provided nevertheless, That all Acts and Proceedings which shall have been done and performed by any such Person, touching the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Penalty on
Trustees
acting if not
qualified.

IV. Provided also, That after the Expiration of One Year from the Commencement of this Act, no Trustee shall be capable of voting in the Appointment of any Clerk or other Officer in pursuance of this Act, unless he shall have attended some Meeting of the said Trustees within the Space of One Year next preceding the Appointment of such Officer.

No Trustee
to act in ap-
pointing Of-
ficers, unless
he attends a
Meeting
within One
Year.

V. Provided also, That such of the said Trustees as are or shall be in the Commission of the Peace for the County of *Stafford*, may act as Justices of the Peace in the Execution of this Act, notwithstanding their being Trustees, except in Cases where they shall be personally interested; and that in all Cases where Cognizance of any Matter is given by this Act to any Justice or Justices of the Peace, it shall be lawful for such Justice or Justices to administer an Oath to any Person or Persons for the more certain Information in the Matter depending; but no Person shall be capable of acting as a Trustee in the Execution of this Act in any Case where he shall be concerned in Interest, or during the Time he shall hold any Place of Profit under this Act, or who shall sell any Wine, Ale, or Spirituous Liquors, by Retail.

Trustees may
act as Justices
of the Peace;
but not to
hold Places of
Profit, &c.

VI. Provided also, That any Mortgagee or Assignee of any Mortgage or other Security, or any Lender of Money upon the Credit of the Tolls granted

Mortgagees
may act as
Trustees.

granted by this Act, or receiving Interest thereout for the same, shall not, on that Account, be deemed unqualified or defeated from acting as a Trustee in the Execution of this Act.

Meeting of
Trustees di-
rected.

VII. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the House of *Joseph Masgreave*, known by the Name of *The Royal Oak*, in *Alveton* aforesaid, upon the Twenty-seventh Day of *July* One thousand seven hundred and ninety-nine, between the Hours of Eleven in the Forenoon and Three in the Afternoon, and proceed to the Execution of this Act, and may then, and from Time to Time afterwards, adjourn themselves, and meet at the same or any other Place or Places near the said Roads, as often as it shall be necessary for the putting this Act into Execution; and if it shall happen that there shall not appear, at any Meeting appointed to be holden in pursuance of this Act, a sufficient Number of Trustees to act or to adjourn to another Day, the Trustee or Trustees then present, or the Clerk to the said Trustees, shall, from Time to Time, as often as such Case shall happen, by Notice to be given in some Newspaper published or circulated within the County of *Stafford*, and also in Writing to be affixed upon all the Turnpikes which shall be then erected by virtue of this Act, at least Ten Days before the next Meeting, appoint the said Trustees to meet at the Place where the last Meeting was appointed to be held, on the Fourteenth Day after the Day for which such last Meeting was appointed; and in case no Adjournment, Notice, or Appointment, for Meeting shall be made or given by the Clerk, then it shall be lawful for any Five of the said Trustees to cause Notice in Writing to be affixed on all the Turnpike Gates upon the said Roads, appointing the Trustees to meet at such Time and Place near the said Roads as they the said Five Trustees shall think proper, not exceeding Thirty Days, nor being less than Ten Days from the Time of affixing such Notice; and the said Trustees shall also hold a General annual Meeting on the last *Thursday* in *August*, in every Year, at *Alveton* and *Over Tean* alternately, and which shall be called *The Annual General Meeting of the said Trustees*, and at such Annual General Meetings the said Trustees, or any Five or more of them, shall examine and audit the Accounts of the Clerk, Treasurer, Surveyors, and Collectors, relating to their respective Offices, upon Oath, and then and there, from Time to Time, to pass such Accounts, or so much thereof as they shall think fit and proper; and that at all Meetings to be held in pursuance of this Act, the said Trustees shall defray their own Expences; and all Acts, Orders, and Proceedings, of the said Trustees, or any of them, in the Execution of this Act, shall be made at Meetings to be held in pursuance of this Act, (except as herein-after is mentioned), and shall be signed by the Trustees making the same, or their Clerk, at some Meeting of the said Trustees, and that no such Act, Order, or Proceeding, shall be valid, unless the Majority of such Trustees present at a Meeting shall concur therein, the whole Number present not being less than the Number of Trustees by this Act authorized to make any such Order or Determination; nor shall any such Order or Determination be revoked or altered at any subsequent Meeting, unless Fourteen Days Notice shall be given upon all the Turnpikes then standing on the said Roads, expressing the Purpose of such Meeting, and also unless Thirteen Trustees attend such Meeting, and a greater Number of the said Trustees than made such Order so to be revoked or altered as aforesaid, shall concur therein.

General An-
nual Meet-
ings.

Orders to be
made at
Meetings.

No Order to
be repealed,
unless by a
greater
Number than
made it.

VIII. Provided

VIII. Provided always, and be it further enacted, That if after any Adjournment of any Meeting, or before any future Meeting can be had, it should be thought necessary that an earlier Day of Meeting should be appointed than the Day to which any Meeting may have been adjourned, or on which a future Meeting shall be appointed to be held as aforesaid, the Clerk, by an Order in Writing, signed by Five or more of the said Trustees, mentioning the Time, Place, and Purpose, of such Meeting, shall forthwith give Notice thereof in Manner before directed, and of the Time and Place which shall be mentioned in the Order of the said Trustees, (such Time not being less than Three Days after such Notice), but such Special Meeting shall be held at the Place where the last preceding Meeting was held; and all Proceedings of the Trustees at such Meetings shall be as valid as they would have been in case the Trustees had met in pursuance of any Adjournment.

Meetings on Emergencies.

IX. And be it further enacted, That all Orders and Proceedings of the Trustees at their several Meetings, shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered, and signed by a competent Number of the said Trustees, or their Clerk, as the Case shall require, shall be deemed to be Originals; which Book or Books shall and may be read in Evidence in all Courts whatsoever.

Proceedings to be entered.

X. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, from Time to Time, appoint a Treasurer and Clerk, and such Collectors of the Tolls hereby granted, and Surveyors and other Officers, as they shall think necessary, and may, from Time to Time, remove any such Treasurer, Clerk, Collectors, Surveyors, and other Officers, as they shall see Occasion: Provided nevertheless, That when any Collectors of the said Tolls shall die, refuse to act, resign, or become incapable of performing his Duty, it shall be lawful for any Three or more of the said Trustees, although not assembled at a Meeting, by Writing under their Hands, to appoint a new Collector of the said Tolls in the Stead of such as shall so die, refuse to act, resign, or become incapable of performing his Duty as aforesaid, and the Person so appointed shall have the same Authority for the collecting and recovering of the Tolls hereby granted, as the Person he shall succeed was invested with, until the said Trustees, or any Five or more of them, shall, at a Meeting to be holden by virtue of this Act, appoint a Collector of the said Tolls; and the said Trustees, or any Five or more of them, shall, and are hereby required to take such Security from every such Treasurer and Collector to be appointed as aforesaid, for the due Execution of their respective Offices, as they shall think proper.

Officers to be appointed.

Treasurer and Collectors to give Security.

XI. And be it further enacted, That every such Officer so to be appointed as aforesaid, shall, as often as thereunto required by the said Trustees, or any Five or more of them, render and give to them a true and perfect Account in Writing under his Hand, with the proper Vouchers, of all Money which he shall, to such Time, have received, paid, and disbursed; by virtue of this Act, or by reason of his Office, and shall verify such Account upon Oath (which Oath any Five or more of the said Trustees are hereby empowered to administer); and in case any Money so received by such Officer shall remain in his Hands, the

Officers to account.

same shall be paid to the said Trustees, or any Five or more of them, or to such Person as they shall, by Writing under their Hands, authorize and empower to receive the same; and in case any such Officer shall refuse or wilfully neglect to give in, and make such Account and Payment as aforesaid, or shall, for the Space of Ten Days after being thereunto required by the said Trustees, or any Five or more of them, refuse or neglect to render and give up to them, or to such Person as they shall direct, all Books, Papers, Writings, Matters, and Things, in his Hands, Custody, or Power, relating to the Execution of this Act, then any Justice of the Peace for the County where such Officer making Default shall dwell, shall and may make Enquiry of and concerning such Default in a summary Way, as well by the Confession of the Party as by the Testimony of any credible Witness upon Oath, (which Oath the said Justice is hereby empowered and required to administer without Fee or Reward), and if any such Officer shall be convicted of either of the Offences aforesaid, such Justice shall commit him to the Common Gaol or House of Correction, without Bail or Mainprize, until he shall have made a perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees, or any Five or more of them, and have paid such Composition Money, (which Composition the said Trustees, or any Five or more of them, are hereby authorized and empowered to take and receive), and shall have also rendered and given up to the said Trustees, or any Five or more of them, or to such Person as they shall direct, all such Books, Papers, Writings, Matters, and Things, as aforesaid; and the said Trustees, or any Five or more of them, shall and may, out of the Money arising by virtue of this Act, make such Allowance to any such Clerk, Collector, Surveyor, and other Officer, for or in respect of his Care and Pains in the Execution of this Act, and to such other Persons as shall have been employed therein, as they shall think reasonable.

Trustees may erect Turnpikes, &c.

Situation of Gates may be altered, and new ones erected, on Twenty-one Days Notice.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may cause such and so many Gates or Turnpikes to be erected upon or across the said Roads, and upon or near the Sides thereof, across any Lanes or Ways leading into the same, as they shall think proper, and also a Toll House adjoining or near to every such Gate or Turnpike, and may, if they think proper, cause a convenient Piece of Ground for a Garden to be set out to every such Toll House, and from Time to Time cause any such Gates, Turnpikes, or Toll Houses, to be taken down, removed, or altered, as they the said Trustees, or any Five or more of them, shall think proper, but no such Alteration shall be made in the Situation of any Gate or Turnpike, nor shall any new Gate or Turnpike be erected after Two Years from the First Meeting of the said Trustees, but by Order of a General Annual Meeting, nor unless Twenty-one Days Notice in Writing be given of such intended Alteration, or new Gate or Turnpike, by affixing the same on all the Gates or Turnpikes which shall be then standing on the said Roads, and inserting the same in some Newspaper published or circulated within the County of *Stafford*; and the respective Tolls following shall and may be demanded and taken at every such Gate or Turnpike before any Horses, or other Beasts or Cattle, shall be permitted to pass through the same; (that is to say),

For

For every Horse, Mare, Gelding, or other Beast, drawing any Carriage Tolls, whatsoever, the Sum of Four-pence Halfpenny :

For every Horse or other Beast of Burthen, laden or unladen, and not drawing, the Sum of One Penny :

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

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

All which said respective Tolls shall be, and are hereby vested in the said Trustees; and it shall be lawful for the respective Persons who shall, by virtue of this Act, be appointed Collectors of the said Tolls, to demand, collect, and receive, the Tolls hereby granted, and also to levy such Tolls upon any Person or Persons who shall, after Demand made thereof, refuse or neglect to pay the same, by Distress of any Horse or Horses, or other Beasts or Cattle, upon which such Tolls are by this Act imposed, or by Distress of any of the Goods and Chattels carried or drawn by such Horse or Horses, or other Beasts or Cattle, or of any other Goods or Chattels of or belonging to the Person or Persons who ought to pay such Tolls, and to detain the same until such Tolls, with the reasonable Charges of detaining and keeping such Horse or Horses, or other Beasts or Cattle, or Goods or Chattels, shall be paid, and the Person or Persons making such Distress shall and may, after the Expiration of Five Days from the Day on which such Distress shall be taken, sell the Horse, or other Beast or Cattle, or Goods or Chattels so distrained, returning the Overplus (if any there be) upon Demand, to the Owners thereof, after such Tolls, and the reasonable Charges of detaining, keeping, and selling the same, shall be deducted and paid.

Tolls vested
in Trustees

XIII. Provided always, That no Gate or Turnpike shall be erected upon or across the said Road leading from *Cheadle* to *Quickshill Bank*, or near the Sides thereof, at a less Distance than One Mile from the Town of *Cheadle* aforesaid.

Limiting the
Erection of
Turnpikes.

XIV. Provided also, That no Person shall be liable to pay more than One full Toll for travelling or passing on the said Road between *Cheadle* and *Quickshill Bank*, nor more than One full Toll for travelling or passing on the said Road between *Bears Brook* and *Rocester*; nor shall any Person be liable to pay more than Once for passing and re-passing at any Time or Times in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) with the same Horse, Beast, or Cattle, through any one of the Turnpikes to be erected by virtue of this Act; but that every Person, after having paid Toll Once, and producing a Note or Ticket denoting such Payment, shall afterwards be permitted to pass with every such Horse, Beast, or other Cattle Toll free, during such Day, through the respective Turnpikes or Turnpike where such Payments or Payment respectively were or was made; which Notes or Tickets the Collectors of the Tolls are hereby required to give *gratis* on Receipt of the Toll.

Only One full
Toll to be
taken between
Cheadle and
Quickshill Bank,
or between
Bearsbrook and
Rocester; nor
Tolls to be
paid but Once
a Day.

XV. Provided always, and be it further enacted, That the said Trustees, or any Five or more of them, are hereby authorized and empowered from Time to Time, if they shall think proper, to lessen or reduce all or any

Tolls may be
lessened.

any of the said Tolls, and to raise the same again, so as not to exceed the respective Sums by this Act granted, and that such Tolls, so lessened or reduced, shall be collected and recovered in the same Manner as the Tolls herein-before granted are directed to be collected and recovered: Provided nevertheless, That no such Reduction as aforesaid shall be made, unless the Person or Persons who shall be entitled to Three Fourth Parts at least of the Money which shall then be due on the Credit of the said Tolls, shall consent thereunto; and no Alteration shall be made in any of the said Tolls, unless Notice of the Intention of making such Alteration, and of the Meeting to be holden for such Purpose, be given by Writing to be affixed upon all the Turnpikes which shall be then standing upon the said Roads, and in some Newspaper published or circulated in the County of *Stafford*, at least Ten Days before such Meeting.

Penalty on
Persons
avoiding
Tolls.

XVI. And be it further enacted, That if any Person shall forcibly or wilfully go or pass with any Horse, or other Beast or Cattle, through any such Turnpike as aforesaid without paying the Toll for the same, or shall assault, interrupt, or obstruct any Collector of the said Tolls in the Execution of his said Office, or shall with any Horse or other Beast or Cattle on which Toll is hereby made payable, go or pass through any Gate, Land, private Passage, or other Place, adjoining or lying near to any Turnpike to be erected by virtue of this Act, (the same not being a common Road), or if the Owner or Occupier of any Gate, Land, private Passage, or Place which shall adjoin or lie near to any such Turnpike, shall knowingly or willingly permit or suffer any Person or Persons with any such Horse, or other Beast or Cattle, to go or pass through the same, whereby the Payment of any of the said Tolls shall be avoided, or if any Person shall give to or receive from any other Person (except the Collectors of the said Tolls) any Note or Ticket directed to be given by the Collectors of the Tolls as aforesaid, or shall forge or counterfeit, or knowingly make use of any forged or counterfeited Note or Ticket, whereby the Payment of any of the said Tolls shall be avoided, or shall take off or cause to be taken off any Horse, or other Cattle or Beast, from any Carriage, or shall leave or cause to be left upon or near to any Part of the said Roads, any Carriage, Horse, Cattle, or Beast, with an Intent to avoid the Payment of any of the said Tolls, or any Part thereof, or with such Intent shall unload any Goods from any Horse, Cattle, Beast, or Carriage, every Person so offending in each of the Cases aforesaid, shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, whereof One Moiety shall go to the Informer.

Exemptions
from Toll.

XVII. Provided always, and be it further enacted, That no Toll shall be demanded or taken for the Passage of any Cattle or Carriage employed only in carrying or conveying Stones, Bricks, Lime, Gravel, or other Materials for the making or repairing of the said Roads or Toll Houses, or for repairing the Highways in any Parish or Place through which such Roads do or shall pass, or in any of the next adjoining Parishes or Places; or with any Dung, Marl, Mould, Soil, Compost, or other Manure, of any Nature or Kind whatsoever, (Lime only excepted), for the manuring or improving of Land; or any Implements of Husbandry, or Hay, Fodder, Straw, or Corn unthreshed (except such which shall be sold or carried for Sale); or with any Corn or Grain, Flour or Meal, not sold or disposed of, to or from any Corn Mill or Mills situate within any Township in which
such

such Roads do or shall pass; or for any Horses or other Beasts employed only in carrying or conveying any Ploughs, Harrows, or other Implements of Husbandry, in order to the using or repairing the same, or any other Thing whatsoever employed in Husbandry for manuring or stocking of Land, in the several Parishes or Places through which the said Roads do or shall pass; nor shall any Toll be demanded or taken from any Person or Persons residing in any of the said Parishes or Places through which the said Roads do or shall pass, for passing through any Turnpikes or Toll Gates on *Sundays*, or any other Days on which Divine Worship is ordered by Authority to be celebrated, to or from his, her, or their Parish Church or Chapel, or other Place of Religious Worship, or attending the Funeral of any Person who shall be buried in any of the Parishes wherein the said Roads do or shall pass; nor from any Clergyman going to or returning from visiting any sick Person, or other his Parochial Care or Duty within any of the said Parishes or Places; nor for any Cattle which shall be only going to or returning from Pasture or Water, or any Smith's Shop, unladen, and for the Purpose of being shod; nor for any Horses or Carriages of whatsoever Description employed in carrying or conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, guarding, or fetching such Mails or Expresses, or returning therefrom; nor for any Horses belonging to Officers or Soldiers on their March or upon Duty, or for any Horses or other Beasts 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 Horses or other Beasts travelling with, or returning unladen after having conveyed Vagrants sent by Passes; nor for any Horses or other Beasts carrying or conveying any Persons to or from any Election of a Member or Members to serve in Parliament for the County of *Stafford*, on the Day or Days of Election, or on the Day before or Day after such Election shall begin or be concluded.

XVIII. Provided nevertheless, That no Person shall have or claim any Benefit or Exemption from Toll, for or in respect of any Waggon, Cart, or other Carriage having Wheels of less Breadth than Six Inches on the Bottom or Sole thereof, or having Wheels of the Breadth of Six Inches or upwards, upon which the Tire shall not be flat, or so as not to deviate more than Half an Inch from a flat Surface, and shall not have the Nails counterfunk so as not to rise above the Surface, other than and except Carts and Carriages employed in carrying Stones, Bricks, Lime, Gravel, or other Materials for repairing any of the said Roads, or for repairing the Highways in any Parish or Place through which the said Roads, or any of them, do or shall pass, or in any of the next adjoining Parishes or Places; or Dung, Marl, Compost, or other Manure, of any Nature or Kind whatsoever (Lime only excepted) for the manuring or improving of Land; or any Implements of Husbandry, or Hay, Fodder, Straw, or Corn unthreshed, except such as shall be carried for Sale, or for or in respect of any Waggon, Cart, or other Carriage, which, together with the Loading thereof, shall be of greater Weight than is allowed by an Act of the Thirteenth Year of the Reign of His present Majesty (relating to the Turnpike Roads in that Part of *Great Britain* called *England*) to Waggon, Carts, or Carriages of the same Kind respectively, and laden with such Goods as do not exempt them from additional Toll; and it shall be

[*Loc. & Per.*]

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lawful

No Exemption from Toll for Carriages with Wheels of less Breadth than Six Inches.

lawful for the said Trustees, or any Five or more of them, to order all such Waggon, Carts, or other Carriages, which shall pass laden on any Part of the said Roads, and within One hundred Yards of any Crane, Machine, or Engine, built or erected, or to be built or erected, in pursuance of the said Act of the Thirteenth Year of the Reign of His present Majesty, to be weighed, in like Manner, and with the same Powers and Authorities, as are by the same Act directed for weighing of Carriages passing through any Turnpike or Turnpikes: Provided also, That if any Person shall claim and take the Benefit of any of the Exemptions herein contained, not being entitled to the same, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, whereof One Moiety shall go to the Informer.

Exemptions
to the Inha-
bitants of
Croxden and
Great Yate.

XIX. Provided always, and be it further enacted, That it shall and may be lawful for the Inhabitants of *Croxden* and *Great Yate*, with any Carriages, Horses, or other Beasts or Cattle, to pass to and from *Croxden* and *Great Yate* aforesaid, through any Turnpike to be erected on the said Road leading from *Bears Brook* to *Rocester*, or on the Sides thereof between *Croxden*, *Great Yate*, and *Combridge*, for the Payment of One Quarter of a Toll only; and also that it shall and may be lawful to and for the said Inhabitants of *Croxden* and *Great Yate*, with any Carriages, Horses, Beasts, or other Cattle, to carry and convey Lime from *Cauldon Low*, or from any Lime Kiln to be erected at or near the Wire Mill at *Alveton* aforesaid, to *Croxden* and *Great Yate* aforesaid, through any Turnpike or Toll Gate which may be erected in the said Parish of *Alveton*, upon or near the Sides of the said Road leading from *Cheadle* to *Quick-shill Bank*, without paying any Toll whatsoever; and likewise that it shall and may be lawful to and for the said Inhabitants of *Croxden* and *Great Yate* to pass to and from *Croxden* and *Great Yate* aforesaid, with any Carriages, Horses, Beasts, or other Cattle over *Hollington Heath*, to the Turnpike Road leading from *Cheadle* aforesaid to *Oakamoor*, at or near a Place called *The High Shutt*, without paying any Toll whatsoever; any Thing herein contained to the contrary notwithstanding.

Exemptions
at any Gate
which may
be erected
between
Bears Brook
and *Dodsley*.

XX. And be it further enacted, That no more than Half Toll shall be demanded or taken for the Passage of any Carriages, Horses, or other Beasts or Cattle as aforesaid, through any Turnpike or Toll Gate which may be erected upon that Part of the said Road leading from *Bears Brook* to *Rocester*, which leads from *Bears Brook* to *Dodsley*.

Power to
lease Tolls.

XXI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at a publick Meeting to be held for that Purpose, of which Notice shall be given by a Writing affixed on all the Turnpikes then standing on the said Roads, and also by an Advertisement in some Newspaper circulated in the County of *Stafford*, at least Fourteen Days before such Meeting, from Time to Time to lease and demise the Tolls granted by this Act, or any Part or Parts thereof, for any Term of Years not exceeding Three Years at a Time, for the best Price that can be gotten for the same, payable at such Times, and under such Covenants as the said Trustees, or any Five or more of them, shall think fit, they the said Trustees having a Counterpart of such Lease or Leases, and taking such other sufficient Security from the Person or Persons to whom any such Tolls shall be leased or demised, for Payment of such Rents,

Rents, and Performance of the Covenants to be reserved and comprized in such Lease or Leases, as the said Trustees, or any Five or more of them, shall think proper.

XXII. And be it further enacted, That in case the Tolls arising from all or any of the Turnpike Gates which may be erected on the said Roads, shall at any Time or Times, during the Continuance of this Act, be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, 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 or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear for the Space of Twenty Days next after any of the Days on which the same ought to be paid, pursuant to the Agreement for letting the same, then and in either of the said Cases the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of them, shall be at Liberty, and they are hereby authorized to enter into and upon the Possession of the Toll House and Toll Houses, with the Buildings and Appurtenances thereunto belonging, so demised or let as aforesaid, and to remove, evict, and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the Tolls there-payable, and that thereupon it shall be lawful for the said Trustees, or any Five or more of them, if they shall think fit, to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void to all Intents and Purposes. (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved) as if such Demise or Agreement had never been made; and it shall and may be lawful for the said Trustees, or any Five or more of them, in every such Case, to demise or let to farm the said Tolls again to any other Person or Persons, in the same Manner as if no former Contract or Agreement had been entered into relative to the same.

Trustees enabled to take Possession of the Toll Houses when let to farm.

XXIII. And be it further enacted, That if any Collector or Person appointed by the said Trustees, or any of them, shall at any Time or Times neglect or refuse to quit his or her Employment, conformably to the Orders of the said Trustees, or any Five or more of them, and to deliver up the Possession of the Turnpike, or Toll Gate and Toll House, with the Appurtenances thereunto belonging, unto the said Trustees, or to such Person or Persons as they, or any Five or more of them, shall appoint, and shall be convicted of such Neglect or Refusal before any Justice of the Peace of the said County of *Stafford*, either upon the Confession of the Party, or by the Oath or Oaths of One or more credible Witness or Witnesses, (which Oath such Justice is hereby empowered to administer), then it shall be lawful for such Justice, and he is hereby required to issue his Warrant to some Constable, Headborough, or other Officer of the Peace of the said County, to turn such Collector or Person out of the Possession of the said Turnpike, or Toll Gate and Toll House or other Building, with the Appurtenances, and to take and deliver the Possession thereof to such Person or Persons as the said Trustees, or any Five or more of them, shall have directed or appointed in Manner aforesaid.

Gate Keepers to deliver Possession of Gates and Tolls.

XXIV. And

Power to
borrow Mo-
ney.

XXIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to borrow and take up at Interest upon the Credit of the Tolls arising by virtue of this Act, such Sum or Sums of Money as they shall think fit, not exceeding Six thousand Pounds, and may and are hereby empowered to assign over or mortgage the said Tolls, or any Part thereof, (the Costs and Charges of such Assignments or Mortgages to be paid out of such Tolls, or the Money to be borrowed on the Credit thereof), as a Security to the Person or Persons who shall advance the same, his, her, or their Executors, Administrators, and Assigns; which Mortgages or Assignments may be in the Form or to the Effect following:

‘ BY virtue of an Act, made in the Thirty-ninth Year of the Reign of
 ‘ King *George* the Third, intituled, [*Insert the Title of the Act*], We
 ‘ whose Names are hereunto subscribed, being Trustees for putting in
 ‘ Execution the said Act, in Consideration of the Sum of
 ‘ now advanced and paid by *A. B.* do hereby assign
 ‘ unto the said *A. B.* his Executors, Administrators, and Assigns, such
 ‘ Proportion of the Tolls arising by virtue of the said Act, as the said
 ‘ Sum of doth or shall bear to the whole
 ‘ Sum advanced or to be advanced on the Credit of the said Tolls, to
 ‘ hold unto the said *A. B.* his Executors, Administrators, and Assigns,
 ‘ during the Continuance of the said Act, redeemable nevertheless by the
 ‘ said Trustees on Payment of the said Sum of
 ‘ with Interest, after the Rate of
 ‘ for by the Year. In Witness whereof we have
 ‘ hereunto set our Hands and Seals, this Day of
 ‘ in the Year of our Lord

And Copies of all such Securities shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees, but no Money shall be borrowed upon the Credit of the said Tolls after the First Meeting of the said Trustees, unless Notice be for that Purpose affixed upon all the Turnpikes which shall be then standing upon the said Roads, at least Ten Days before the borrowing thereof, and all and every Person and Persons to whom such Assignments or Mortgages shall be made as aforesaid, or who shall be entitled to the Money thereby secured, may from Time to Time transfer the same, and his, her, and their Right, Title, and Interest to the Principal and Interest thereby secured, to any Person or Persons whomsoever, either by a separate Instrument, or by Indorsement on such Security, in the Form or to the Effect following:

‘ I *A. B.* do hereby transfer the within Mortgage, [*If by Indorsement, or*
 ‘ *if by a separate Instrument, a certain Mortgage*], bearing Date the
 ‘ Day of of the Tolls
 ‘ arising by virtue of an Act, made in the Thirty-ninth Year of the Reign
 ‘ of King *George* the Third, intituled, [*Insert the Title of the Act*], and
 ‘ all my Right and Title to the Principal Sum of
 ‘ thereby secured, and all Interest thereof, unto *C. D.*
 ‘ his Executors, Administrators, and Assigns. In Witness whereof I
 ‘ have hereunto set my Hand and Seal, this
 ‘ Day of

And

And every such Transfer shall be valid and effectual in the Law, and shall be produced and notified to the said Clerk who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sum of Money so secured, in the Book to be kept for entering the said original Securities, for which he shall be paid the Sum of Two Shillings and Sixpence, and no more; and all Persons to whom any such Securities shall be made as aforesaid, or who shall be entitled to the Money thereby secured, shall be, in Proportion to the Sums therein respectively mentioned, Creditors on the said Tolls in equal Degree one with the other, and shall have no Preference in respect of the Priority of advancing any such Money, or the Dates of such Securities; and which said Book or Books so to be kept for registering the said Mortgages, Assignments, and Transfers as aforesaid, shall and may be produced and read in Evidence in all Courts whatsoever.

XXV. Provided always, and be it further enacted, That the Trustees executing such Securities as aforesaid, shall not thereby be deemed to be personally subject or liable to the Payment of the Monies thereby secured, or the Interest to accrue due thereon, nor shall their or any of their Persons, Property, or Effects, be affected thereby.

Trustees not liable by executing the Mortgages.

XXVI. And be it further enacted, That out of the First Money arising by virtue of this Act, the said Trustees, or any Five or more of them, shall in the first Place pay and discharge all Expences incident to and attending the obtaining and passing this Act, and after Payment thereof, all the Money which by virtue of this Act shall come to the Hands of the said Trustees, or any Person acting under their Authority, shall from Time to Time be applied in erecting Turnpikes and Toll Houses, and repairing and making the said Roads, and defraying the necessary Costs, Charges, and Expences attending the same, and the Execution of this Act, in such Manner as the said Trustees, or any Five or more of them, shall order and direct, and to no other Use or Purpose whatsoever.

Application of the Money.

XXVII. Provided always, and be it further enacted, That the said Trustees, shall not be entitled to pay off, or tender to any Creditor or Creditors of the Tolls hereby granted any Sum or Sums of Money to be secured or borrowed under this Act, without giving to such Creditor or Creditors Six Calendar Months previous Notice in Writing, signed by their Clerk, unless such Creditor or Creditors shall agree to accept such Money on shorter or less Notice.

Creditors not compellable to accept Payment of their Securities without Six Months Notice.

XXVIII. And be it further enacted, That all the Turnpikes and Toll Houses, and Fences to be erected by virtue of this Act, and the Right and Property in and to the same, and the Materials of which the same shall consist, and the Gardens to be set out to any such Toll Houses, and also the Materials which shall be gotten for making or repairing the said Roads, shall be and are hereby vested in the said Trustees, and they, or any Five or more of them, are hereby authorized and empowered to cause an Action to be brought in the Name of the Treasurer or Clerk, or to prefer, or order and direct the preferring of Indictments against any Person or Persons who shall dig up, break, pull down, steal, take, carry away, destroy, spoil, or injure any such Turnpikes or Toll Houses, or any of the Materials of which the same shall consist, or any such Gardens

Turnpikes, &c. vested in Trustees.

so to be set out as aforesaid, or any Materials which shall be gotten as aforesaid for making or repairing the said Roads.

Roads may be varied and widened.

Trustees may contract for, purchase, or exchange Land, for that Purpose.

Upon Refusal to treat for Sale of Lands, &c. Value to be ascertained by a Jury.

XXIX. And be it further enacted, That the said Trustees, or any Five or more of them, are hereby authorized and empowered, from Time to Time, to make, divert, shorten, turn, widen, or alter the Course of any Part or Parts of the said Roads over or through any Common or Waste Ground, without making any Satisfaction for the same, and also upon, over, or through any private Lands, first making Satisfaction to the Owners thereof and Persons interested therein, for the Damages they may thereby sustain; and for that Purpose it shall be lawful for the said Trustees, or any Five or more of them, to contract and agree with any such Owners and Persons interested, for the Purchase or Exchange of such Lands, or for the Loss or Damage they may sustain by the making, diverting, turning, widening, or altering the Course of any Part of the said Roads through such Lands; and it shall be lawful for all Bodies Politick and Corporate, and all Husbands, Guardians, Trustees, Committees, Executors, and Administrators, not only for and on the Behalf of themselves, their Heirs and Successors, but also of their Cestuique Trusts, whether Femes Covert, Infants, Lunaticks, or Persons under any other Disability, and to and for all other Persons seised, possessed of, or interested in any such Lands, to contract with the said Trustees, or any Five or more of them, or any Person on their Behalf, for the Satisfaction to be made for such Damages as aforesaid, or to exchange with, sell, and convey unto them the said Trustees, or any Five or more of them, any such Lands for the Purposes aforesaid, and all such Contracts, Exchanges, Sales, and Conveyances, shall be valid in the Law, any Law, Usage, or other Matter to the contrary notwithstanding; and all such Bodies Politick or Corporate, or Husbands, Guardians, Trustees, Committees, Executors, and Administrators, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act; but if any such Corporations, Husbands, Guardians, Trustees, Committees, Executors, Administrators, or other Persons interested as aforesaid, upon Notice to them given, or left in Writing at the Dwelling Houses or Places of Abode of such Person or Persons, or of the principal Officer of any such Corporation, or at the House of the Tenant in Possession of the Lands through which any Part of the said Roads are intended to be made, diverted, turned, or altered, shall, for the Space of Twenty Days next after such Notice, refuse to treat, or shall not agree in the Premises, or by reason of Absence or otherwise shall be prevented from treating, then such Damage and Recompence shall be enquired into and ascertained by a Jury, at some General Quarter Sessions of the Peace for the County of *Stafford*, and the Justices at such Sessions shall and are hereby authorized and required, upon Application made to them for that Purpose by the said Trustees, or any Five or more of them, or their Treasurer or Clerk, to charge a Jury to be impannelled and returned by the Sheriff of the said County, without Fee or Reward, consisting of Twelve indifferent Men, qualified to serve on Juries upon Trials of Issues at Law, and to cause them to be sworn well and truly to enquire into and ascertain such Damages and Recompence as aforesaid, to which said Jury any of the Parties interested shall have their lawful Challenges when they come to be sworn; and any Justice of the Peace for the said County of *Stafford* is hereby authorized and empowered, upon Application

plication to him by any of the Parties interested, by Warrant under his Hand and Seal, to call before the Justices at such Sessions any Person or Persons who shall be thought proper to be examined concerning the Premises, and the said Jury, upon their Oaths, (which Oaths, and also the Oaths to be taken by the Persons who shall appear to be examined and give Evidence as aforesaid, any One of the said Justices is hereby empowered to administer), shall enquire touching the Value or Amount of such Damage, and shall ascertain the Recompence to be made for the same, and the said Justices shall and may give Judgement for the Money so to be ascertained, which Verdict of the said Jury, and the Judgement thereupon, shall be binding and conclusive, to all Intents and Purposes, upon all Parties or Persons interested in any Manner whatsoever, and shall be fairly entered and kept amongst the Records of the Quarter Sessions for the same County: Provided nevertheless, That previous to any such Application to the Quarter Sessions as aforesaid, Ten Days Notice at the least shall be given in Writing to the Owner, or other Person or Persons interested in such Lands as aforesaid, by the Clerk or Treasurer to the said Trustees, of such intended Application to the Quarter Sessions; and the Justices at any such Sessions have hereby full Power to impose any reasonable Fine on any Person, who, being summoned in Manner aforesaid to give Evidence before the said Justices touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be examined and give Evidence, so as no such Fine shall exceed the Sum of Ten Pounds for One Offence.

XXX. And be it further enacted, That in case any Jury shall give and deliver a Verdict or Assessment for more Money as a Recompence or Price for the Right, Interest, or Property of any Person or Persons in any Lands or Hereditaments, or for any Loss or Damage to be by them sustained, than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the Application to the said Quarter Sessions, as a Recompence, Price, or Satisfaction, for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then and in such Case the Costs and Expences of the Application to the said General Quarter Sessions, and of the Jury and Witnesses, and all other Expences respecting the taking of the said Verdict or Inquisition, and the Judgement, Order, or Adjudication thereon, shall be borne and paid by the said Trustees, or any Five or more of them, out of the Money to arise by virtue of this Act, but if such Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the said Application to the said General Quarter Sessions, as a Recompence, Price, or Satisfaction for any such Right, Property, or Interest, or Loss or Damage as aforesaid, that then the full Costs and Expences to be occasioned as aforesaid, and all other the Expences attending the hearing and determining of such Difference, shall be borne and paid by the Person or Persons with whom the Trustees shall have such Controversy or Dispute; which said Costs and Expences having been ascertained and settled by the Justices of the Peace at such General Quarter Sessions where the Cause of Dispute shall have been heard and determined, (who are hereby required to settle and examine the same), shall and may be deducted out of the Money so assessed and adjudged, as so much Money advanced to or for the Use of such Person or Persons, and the Payment

Expences of
Jury, &c. how
to be paid.

or

or Tender of the Remainder of such Monies shall be deemed and taken, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums so assessed or adjudged; or otherwise such Costs and Expences, in case the same be not paid on Demand, after being so ascertained and settled as aforesaid, may be recovered by the Clerk to the said Trustees, by such Ways and Means as are herein-after provided for Recovery of Penalties and Forfeitures.

Persons who cannot treat, by reason of Absence, to be charged with only Half the Expences.

XXXI. Provided always, and be it further enacted, That in case where any Person or Persons shall, by reason of Absence, have been prevented from treating with the said Trustees as aforesaid, One Half only of such Costs and Expences shall be deducted out of the Purchase or Consideration Money, and the other Half shall be borne and paid by the said Trustees in Manner aforesaid.

On Payment of Purchase Money, Lands to be made Part of the Roads.

XXXII. And be it further enacted, That every Sum of Money or Recompence to be agreed for or assessed by the Jury as aforesaid, shall be paid out of the Tolls, or other Money which shall be collected or raised by virtue of this Act, to the Person or Persons entitled thereto, or to his, her, or their Agent or Agents, and that upon such Payment, or (in case of Refusal to accept such Money or Recompence, or the Person or Persons entitled thereto not being to be met with) upon leaving the same in the Hands of the Treasurer to the said Trustees for the Use of such Person or Persons, and after Ten Days Notice thereof given to such Person or Persons, or his, her, or their Agent or Agents, or left at his, her, or their, or any of their usual Place or Places of Abode, or with the Tenant in Possession of the Lands, it shall be lawful for any Person or Persons, authorized by Writing under the Hands of the said Trustees, or any Five or more of them, to make, divert, widen, shorten, and turn any Part of the said Roads through such Lands; and all Lands which shall be made Part of the said Roads by virtue of this Act shall be for ever thereafter, to all Intents and Purposes, a common Highway, and shall be amended and kept in Repair in such Manner as the Roads hereby directed to be made or repaired, are to be amended and kept in Repair, and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title to such Lands; and after any such new Road shall be completed, the Lands constituting the former Road, unless leading over some Moor or Waste Ground, or to some Village, Town, or Place to which such new Road doth not lead, shall be vested in the said Trustees, and shall and may, by any Five or more of them, be sold and conveyed to any Person or Persons, for the best Price that can be reasonably gotten for the same, or may be exchanged by any Five or more of them, for other Lands, to be taken and used for the Purposes of this Act, and the Money arising by such Sale shall be applied for the Purposes of this Act; and the Conveyances or Exchanges to be made of such Land, being executed by any Five or more of the said Trustees, as well as all Deeds and Conveyances to be made to them, or any Five or more of them, of any Lands or Hereditaments for the Purposes aforesaid, shall be good and effectual to all Intents and Purposes: Provided always, That nothing herein contained shall extend to the laying into any Part of the said Roads any House or other Building, or any Garden, Orchard, Yard, Park, Plantation, or Nursery of Trees, Lawn, planted Walk, or Avenue to a House, without the Consent of the Owner or Proprietor thereof.

No Gardens, &c. to be laid into the Roads.

XXXIII. And

XXXIII. And be it further enacted, That in all Cases where the said Trustees shall widen, turn, or alter any Part or Parts of the said Roads, or make any new Road over and through private Grounds, the said Trustees shall make, or cause to be made proper Walls or Quickset Fences, as the Case shall require, so as effectually to guard and fence off the Lands so adjoining to the said Roads, and also proper Gates, Bridges, and Arches where necessary, out of the said Roads into the Lands adjoining, and shall keep the Quickset Fences in proper Order and Repair, for and during the Term of Seven Years from the Time that such Quickset Fences shall have been planted.

The Road to be sufficiently fenced off where carried through private Lands.

XXXIV. Provided always, That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands in which he shall be concerned in Interest, on pain of forfeiting the Sum of Fifty Pounds, to be recovered in such Manner as the Penalty upon Persons acting as Trustees, not being qualified according to this Act, is herein-before directed to be recovered.

Trustees not to act in Cases where they are interested.

XXXV. And be it further enacted, That when any Part of the said Roads over any Commons, Waste Lands, Open Fields, or Pastures, shall be made or repaired in pursuance of this Act, the same shall for ever thereafter be and remain Forty Feet broad, and be deemed a publick and common Highway; and the said Trustees, or any Five or more of them, may and are hereby empowered (if they see Occasion) to cause to be made such Fences by the Sides of the said Roads, or upon, over, or across the said Commons, Waste Lands, Open Fields, or Pastures, in such Manner and Direction as they shall think necessary, so that the Payment of the said Tolls may not be avoided.

Roads over Moors to be Forty Feet broad, and may be fenced.

XXXVI. Provided always, That when any new Road shall be made by virtue of this Act, instead of any former Road, the Inhabitants of the Parish or Place shall not be obliged to repair such former Road, unless the same doth lead to some Town or Place with which such new Road doth not communicate.

Old Roads not to be repaired where new ones made in their Stead.

XXXVII. And be it further enacted, That the Money or Recompence to be paid for any Messuages, Buildings, Lands, or Hereditaments, which shall be purchased, taken, or used, for the Purposes of this Act, to any Corporation, Feme Covert, Infant, Lunatick, or Person under any other Disability or Incapacity as aforesaid, shall, in case the same be not less than the Sum of One hundred Pounds, with all convenient Speed, be invested in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled upon, and subject to the like Uses, Trusts, and Limitations, as the said Messuages, Lands, Tenements, or Hereditaments, belonging to such Corporation, or other Persons as aforesaid, so to be purchased, taken, or used, for the Purposes of this Act, were settled, limited, or assured; and in the mean Time, and until such Purchase can be made, such Money shall 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 there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by the Act of the Twelfth Year of King George the First, Chapter the Thirty-second, and the General Orders of the said

For re-investing Purchase Monies.

Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out, in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy and Victualling Bills and Exchequer Bills, shall be deposited in the Bank in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Trustees, or any Five or more of them, and until the same shall, upon a Petition setting forth such Approbation, (to be preferred to the Court of Chancery in a summary Way, by the Person or Persons who would be entitled to the Rents and Profits of any of the Lands, Tenements, or Hereditaments to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General for the completing such Purchase, in such Manner as the said Court shall think just and direct; and it shall and may be lawful for the said Court to make such Order or Orders, in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit; but in case any such Money shall be less than the Sum of One hundred Pounds, and not less than the Sum of Twenty Pounds, then such Money shall be paid to such Person or Persons as the Party or Parties entitled thereto shall respectively nominate to receive the same, in Trust with all convenient Speed to be re-invested in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, Hereditaments, and Premises, which shall be purchased from them respectively by the said Trustees, were respectively settled, limited, or assured to, upon, or subject to, at the Time of purchasing the same, or such of them as at the Time of making such Conveyances and Settlements shall be existing and capable of taking Effect; and in the mean Time, and until such Purchase or Purchases shall be made, the said Money shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons as aforesaid, in some of the Publick Funds, or on Government or Real Securities, in the Names of Two or more Persons, to be nominated by the Party or Parties interested therein, and to be approved of by the Trustees, or any Five or more of them; and the Dividends or Interest arising or to be produced from such Funds or Securities, shall be paid to such Person or Persons respectively as would for the Time being be entitled to the Rents and Profits of such Lands, Tenements, or Hereditaments, so to be purchased, conveyed, and settled, by virtue of this Act.

Power to get
Materials.

XXXVIII. And be it further enacted, That the Surveyor or Surveyors to be appointed as aforesaid, and such Person or Persons to be employed by him or them for that Purpose, may, and is or are hereby authorized and empowered, from Time to Time, to cut, dig, gather, take, and carry away any Stones, Gravel, Sand, or other Materials proper for repairing

pairing the said Roads, in, upon, out of, or from any Waste or Common, River or Brook, without paying for the same, such Surveyors, or other Person or Persons, filling up or fencing off the Pits from which such Materials shall be taken, or sloping or levelling the Ground on the Sides thereof, so that the same may not be dangerous to Passengers or Cattle; and also that the said Surveyor or Surveyors, or other Person or Persons as aforesaid, may, by Order of the said Trustees, or any Five or more of them, search for, cut, dig, take, and carry away all such Materials as aforesaid, in, upon, out of, from, and over the Lands of any Person or Persons (such Lands not being a Yard, Garden, Orchard, Park, Lawn, planted Walk, or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for the Growth of Trees), the said Trustees paying, or causing to be paid, or tendering Payment for the Damage done to the Owners or Occupiers respectively of the Lands from whence or over which such Materials shall be dug, got, or carried away, such Equivalent in Money as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between the said Trustees, Surveyor or Surveyors, or other Person or Persons appointed and employed as aforesaid, and such Owners or Occupiers, or any of them, concerning the Damages, the Justices of the Peace, at their next General Quarter Sessions to be holden for the said County of *Stafford*, on Ten Days Notice thereof being given in Writing by such Surveyor or Surveyors to such Owner or Occupier, or Owners or Occupiers, or by him or them to such Surveyor or Surveyors, or to be left at their respective Places of Abode with some or one of their respective Families, shall hear, settle, and determine the Matter of such Damages, and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties; Provided nevertheless, That it shall not be lawful for any Person, under the Authority of this Act, to dig, gather, take, or carry away any Materials for any of the Purposes aforesaid, from any inclosed Lands, until Notice in Writing, under the Hands of Five or more of the said Trustees, shall have been given to the Occupier of such Lands, or left for him at his usual Place of Residence, to appear before the said Trustees, or any Two Justices of the Peace for the said County, at such Time and Place as shall be mentioned in such Notice, to shew Cause why such Materials shall not be had from such Lands; and in case such Occupier shall attend pursuant to such Notice, the said Trustees or Justices shall, if they think fit, after having heard the Matter, authorize any such Person as aforesaid to dig, gather, take, and carry away such Materials, at such Time or Times as the said Trustees or Justices shall think proper; and if such Occupier shall neglect or refuse to appear by himself or his Agent, the said Trustees or Justices shall and may make such Order therein as they shall think fit, in like Manner, and the same shall be as effectual as if such Occupier or his Agent had attended.

XXXIX. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Five or more of them, to cause to be made any Causeways, Ditches, Drains, or Trenches, in or along the Sides of the said Roads, and to cause to be made, erected, or built any Bridges or Arches upon or across the said Roads, and cause to be digged, cut, or made any Ditches, Drains, or Watercourses, in or through any adjoining Lands or Grounds; and cause to be erected any Bridges over such Ditches, Drains, or Watercourses, if they think necessary; and also

Surveyors
may make
Causeways,

and a tem-
porary Way.

to

to cause a temporary Road or Way to be made through or over any adjoining Lands or Grounds, to be made use of as a publick Highway whilst any Parts of the said Roads are making or repairing, and until the same shall be made safe and convenient for Passengers and Carriages, the said Trustees, or any Five or more of them, making such Satisfaction to the Owners and Occupiers of such private Lands or Grounds as shall be made use of or damaged for or by Means of any of the Works aforesaid, for the Damages they may thereby sustain, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and in case of any Difference concerning the Amount or Value of such Damages, the Justices of the Peace, at their next General Quarter Sessions to be holden for the County of *Stafford*, on Ten Days Notice thereof to be given in Writing by any Surveyor to be appointed by virtue of this Act, to the Owner or Occupier of such Lands and Grounds, or by such Owner or Occupier to any such Surveyor, or to be left at their respective Places of Abode, with some or one of their respective Families, shall hear and finally determine the same.

Surveyors
may remove
Annoyances.

XI. And be it further enacted, That it shall and may be lawful for the said Trustees, or their respective Surveyors, and such Persons as they shall appoint for that Purpose, from Time to Time to remove all Annoyances by Timber, Stone, Sawpits, Filth, Dung, Ashes, Rubbish, Straw, or otherwise, which are or shall be in or upon the said Roads, and to cut down, top, or lop, and carry away any Trees, or Boughs of Trees, growing in the said Roads, or in the Hedges or Banks adjoining thereto, and to cut, prune, and plash such Hedges, in such Manner as that the said Roads shall not be prejudiced by the Shade thereof, and to turn any Watercourses, Sinks, or Drains running along, into, or out of the said Road to the Prejudice thereof, and to open, scour, cleanse, widen, or make deeper any Ditch, Drain, or Watercourse, lying in or leading into the said Roads, and make the same as deep and large as they shall think necessary, in case the Person or Persons occasioning such Annoyances, or who ought to remove the same, or to cut, lop, or top, and carry away such Trees, or Boughs of Trees, or to cut, prune, or plash such Hedges, or to open, scour, or cleanse such Ditch, Drain, or Watercourse, shall refuse or neglect so to do for the Space of Ten Days after Notice in Writing to him, her, or them given for those Purposes, or left at his, her, or their Place or Places of Abode, under the Hand of such Surveyor, or of the Clerk to the said Trustees, and the Charges thereof, to be settled by the said Trustees, or any Five or more of them, shall be reimbursed to such Surveyor by the Person or Persons making Default as aforesaid, the same to be recovered in like Manner as Penalties or Forfeitures are herein-after directed to be recovered and levied.

Statute Work.

XLI. And be it further enacted, That the Owners and Occupiers of any Lands, Tenements, or Hereditaments, liable to the repairing any Part of the said Roads, or any Bridges thereon, shall still remain liable and chargeable to the Repair thereof, in such Manner as they would have been if this Act had not been made; and that all Owners and Occupiers of Lands, and Inhabitants of and within the Township or Parishes in which the said Roads lie, and who are or shall be liable to perform Statute Work upon the Highways within the respective Townships, Parishes, or Vills, through which the said intended Roads shall pass, shall be obliged to perform such Number of Days Statute Work in every Year upon the said Roads, as the said Trustees, or any Five or more of them, shall think proper, the same

to be done in such Parts of the said Roads within their respective Townships or Parishes, at such Times, and in such Manner, as the said Trustees, or any Five or more of them, or the Surveyor, shall direct and appoint, so that no more than Three Days shall be done by any One Person, or with any Team, Plough, or Draught, on the said Roads in any One Year, and every Person who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments of the yearly Value of Fifty Pounds or upwards, shall be deemed to keep a Team for every Fifty Pounds *per Annum* so held and occupied, and shall be liable to perform such Statute Work as Persons keeping Teams are obliged by Law to do.

XLII. And be it further enacted, That the Surveyors of the Highways for the respective Townships and Parishes in which the Roads lie or shall pass, or where no such Surveyor is or shall be appointed, the Churchwardens or Overseers of the Poor of such Townships or Parishes, shall yearly and every Year, within Ten Days after Demand made to them respectively in Writing by any Surveyor to be appointed by the said Trustees, or any Five or more of them, deliver to such Turnpike Surveyor an exact Account in Writing under their respective Hands, of the Christian and Surname of every Person who within such respective Townships or Parishes is liable to do Statute Work upon the said Roads, and shall distinguish in such Lists which of such Persons shall keep, or by this Act be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams; and such Surveyor of the Highways, Churchwardens, or Overseers of the Poor for such Townships or Parishes respectively, shall, within Three Days after Notice shall be given to them by any Surveyor to be appointed by virtue of this Act, of the Time or Times when, the Place where, and how many of such Persons are to do such Work upon any Part or Parts of the said Roads, give publick Notice thereof to such Persons; and if any such Surveyor of the Highways, Churchwardens, or Overseers of the Poor, shall neglect or refuse to do as he is hereby directed, he shall, for every such Neglect and Refusal, forfeit and pay the Sum of Five Pounds; and all Persons who shall neglect or refuse to do such Work as aforesaid, shall forfeit and pay the respective Sums herein-after mentioned; (that is to say), every Person who shall keep, or by virtue of this Act be deemed to keep, a Team, Draught, or Plough, for every Day's Default for each Team, Draught, or Plough, the Sum of Twelve Shillings, and every other Inhabitant or Person not keeping, or not being by Law deemed to keep a Team, Draught, or Plough, for every Day's Default the Sum of Two Shillings; and every Person who shall, according to such publick Notice as aforesaid, come as a Labourer, or with a Team or Draught, to work on the said Roads, and be found idle or negligent by any One or more of the said Trustees, or by their Surveyor, any such Trustee or Surveyor may and is hereby required to discharge such Person, and it shall be deemed as if such Person, or such Team or Draught, had not come or been sent to do such Work, and every such Labourer and Person, or the Owner of such Team or Draught, shall be liable to the Penalty herein-before imposed on Persons neglecting or refusing to do such Statute Work as aforesaid.

Surveyors of Highways to give in Lists of the Persons liable to do Statute Work.

XLIII. And, for preventing of Differences between the said Trustees and the Surveyors of the Highways for the Time being of the several

Justices to determine Statute Work.

[*Loc. & Per.*]

14 L

Townships,

Townships or Parishes and Places through which the said Roads hereby directed to be made and repaired do lead, respecting what Part of the Statute Work in any Parish ought to be done on the said Roads, be it further enacted, That it shall be lawful for any Two or more of the Justices of the Peace, at any Petty Sessions of the Peace to be holden for the Division where such Part of the said Roads doth lie, upon Application made to them for that Purpose by the said Trustees, or any Five or more of them, or by the Surveyor of the Highways for the Time being, or any of the Owners or Occupiers of Lands, or Inhabitants liable to perform Statute Work on the said Roads, to adjudge and determine what Part or Proportion of the Statute Work shall be done on the said Roads, by and in each and every of the Townships, Parishes, and Places aforesaid.

Trustees may
compound for
Statute Work.

XLIV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to compound or agree, by the Year or otherwise, with the Owners or Occupiers of any Lands, Tenements, or Hereditaments, which are or shall be liable to or chargeable with the Repair of any Part of the said Roads, or with any Person or Persons for the Performance of his, her, or their Statute Work thereon; and it shall also be lawful for the Surveyor of the Highways for any of the said Townships or Parishes, or such Churchwardens or Overseers of the Poor respectively as aforesaid, by and with the Consent of the Majority of the Inhabitants of such Township or Parish first had at a Vestry or other publick Meeting of such Inhabitants, to compound and agree, by the Year or otherwise, with the said Trustees, or any Five or more of them, for and in lieu of the Statute Work to be performed by such Inhabitants upon any Part of the said Roads, all which Compositions shall be from Time to Time paid in advance to the Treasurer to the said Trustees; and in case such Composition Money shall not be paid to the said Treasurer, or such Person as he shall appoint to receive the same, within Ten Days after the same shall be demanded, it shall be lawful for any One or more Justice or Justices of the Peace for the said County of *Stafford*, upon Oath made before him or them of such Default, (which Oath the said Justice or Justices is and are hereby empowered to administer), and he or they are hereby required to issue a Warrant under his or their Hand and Seal, or Hands and Seals, empowering the said Treasurer, or such Person or Persons so by him appointed to receive such Composition Money, to levy the same by Distress and Sale of the Goods and Chattels of the Surveyor of the Highways of such Township or Parish, or of such Inhabitants respectively, as the Case shall be, and such Goods and Chattels so distrained, if such Composition Money, and the reasonable Charges of such Distress, shall not be paid within the Space of Five Days, to sell the same, returning the Overplus, (if any), to the Owner or Owners thereof, upon Demand, after the Composition Money, and all reasonable Charges of such Distress and Sale, shall be deducted; and all such Surveyors of the Highways, Churchwardens, or Overseers of the Poor, shall be reimbursed the Monies so by them paid, in such Manner as Surveyors of the Highways are by the Laws now in being to be reimbursed the Monies by them expended in buying any Materials for repairing the Highways.

XLV. And

XLV. And be it further enacted, That the said Trustees, or any Five or more of them, may, and they are hereby empowered from Time to Time to contract and agree with any Person or Persons for the making, repairing, widening, altering, turning, or amending the Roads by this Act directed to be made, completed, and repaired; or any Part or Parts thereof, in such Manner, and for such Sum or Sums of Money as the said Trustees, or any Five or more of them, shall think proper; and that all Contracts and Agreements in Writing, entered into pursuant to an Order made at any Meeting of the said Trustees, or any Five or more of them, shall be binding on all the Parties who shall sign the same, his, her, and their Executors and Administrators, and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Party or Parties failing in the Execution of such Contracts or Agreements, which Actions shall be brought or defended by Order of the said Trustees, or any Five or more of them; in the Name of their Clerk for the Time being.

Trustees may contract for repairing the Roads.

XLVI. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder, or disturb, or cause, promote, or encourage to be assaulted, interrupted, hindered, or disturbed, the Collectors of the Tolls, or any of them, or the Turnpike Surveyor or Surveyors, or any Person or Persons employed by them, or either of them respectively, or by the said Trustees, or any of them, in the Execution of any Part of this Act, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Ten Pounds nor less than Twenty Shillings.

Penalty on assaulting Persons in the Execution of this Act.

XLVII. And be it further enacted, That if any Person shall cause to be hauled or drawn upon any Part of the said Roads, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber or Stone which shall be conveyed upon Wheel Carriages, to drag upon any Part of the said Roads to the Prejudice thereof, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Penalty on Persons hauling Timber, &c. otherwise than on Wheel Carriages.

XLVIII. And be it further enacted, That the said Trustees, or any Five or more of them, shall cause the Roads to be measured, and Stones or Posts to be set up in, upon, or near the Sides thereof, at the Distance of One Mile from each other, with Inscriptions thereon, denoting the Distance thereof from any Town or Place, and also to erect Guide or Direction Posts, with such Inscriptions thereon, at such Places as they shall think proper; and if any Person shall wilfully pull down, break, deface, or damage any such Stone or Post, or obliterate any Inscription which shall have been made thereon, or shall cause or procure the same to be done, every such Person shall forfeit and pay any Sum not exceeding Forty Shillings for every such Post or Stone so pulled down, broken, or damaged, or Inscription so obliterated, whereof One Moiety shall be paid to the Informer.

Roads may be measured.

XLIX. And be it further enacted, That the several Persons who have subscribed, or shall subscribe, to pay Money for or towards preparing, obtaining, or passing this Act, or making or repairing the said Roads, shall, and are hereby required to pay such Money within such Time,

Compelling Payment of Subscriptions.

Time, in such Parts or Proportions, and to such Person or Persons as the said Trustees, or any Five or more of them, shall direct or appoint, and in Default of such Payment, such Money shall be recovered by Action at Law, to be brought in any of His Majesty's Courts of Record at *Westminster*, in the Name of the Treasurer or Clerk to the said Trustees.

Recovery of Penalties.

L. And be it further enacted, That all Penalties and Forfeitures hereby inflicted or imposed (the Manner of levying and recovering whereof is not herein-before otherwise directed) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County or Place wherein the Offender shall be or reside, either by the Confession of the Party offending, or by the Oath of any credible Witness, be levied by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant for those Purposes, and to administer such Oath *gratis*), and the Overplus remaining after such Penalties and Forfeitures, and the Charges of such Distress and Sale are recovered and deducted, shall be returned, upon Demand, unto the Owners of such Goods and Chattels, and the Monies arising by such Penalties and Forfeitures (if not otherwise directed to be applied by this Act) shall from Time to Time be paid to any Five or more of the said Trustees, or to their Treasurer, and applied for the Purposes of this Act; and in case sufficient Distress shall not be found, or any such Penalties or Forfeitures shall not be forthwith paid, it shall be lawful for any Justice of the Peace as aforesaid, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender to be committed to the Common Gaol, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Appeal.

LI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance or by virtue of this Act, (except in such Cases where the final Determination is herein-before directed), every such Person may appeal to the Justices at any General Quarter Sessions of the Peace to be holden for the County of *Stafford*, within Four Calendar Months next after such Cause of Complaint shall have arisen, such Appellant first giving or causing to be given Ten Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Matter thereof, to the Clerk or the Treasurer of the said Trustees, and within Three Days after such Notice, entering into Recognizance before some Justice of the Peace for the said County, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and finally determine the Causes and Matters of Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

LII. And

LII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be quashed, vacated, or discharged for Want of Form only, or be removed or removable by *Certiorari* or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary notwithstanding; and that where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Distress, or other Proceedings relative thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the special Damage in an Action on the Case; but no Plaintiff shall recover in any Action for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on the Behalf of the Party distraining, before such Action brought.

Proceedings
not to be
quashed for
Want of
Form, or re-
moved by
Certiorari.

LIII. Provided always, and be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any Thing done in pursuance of this Act, until Twenty-one Days Notice shall be thereof given to the Clerk or Treasurer to the said Trustees, or after a sufficient Satisfaction or Tender thereof hath been made to the Party aggrieved, or after Six Calendar Months next after the Fact committed, and every such Action or Suit shall be laid, brought, and tried in the County of *Stafford*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act, and the special Matter in Evidence, in any Trial or Trials which shall be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or that such Action or Suit shall be brought before Twenty-one Days Notice thereof shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Limitation
of Actions.

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

Publick Act.

Commence-
ment and
Continuance
of this Act,

LV. And be it further enacted, That this Act shall commence and take place upon the Twenty-third Day of *July* One thousand seven hundred and ninety-nine, and shall be in Force and have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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