



ANNO QUINQUAGESIMO SEPTIMO

GEORGI II. REGIS.

Cap. vi.

An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Road from the Town of *Shrewsbury* to *Bridgnorth*, and several other Roads near or adjoining thereto, in the Counties of *Salop* and *Stafford*.

[17th March 1817.]

WHEREAS an Act was passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the High Road from the Town of Shrewsbury, through Cressage, Harley, Much Wenlock, by Muckley Cross, and through Morville to Bridgnorth, in the County of Salop*: And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for enlarging the Term and Powers of an Act made in the Twenty-fifth Year of the Reign of His late Majesty, for repairing the High Road from the Town of Shrewsbury, through Cressage, Harley, Much Wenlock, by Muckley Cross, and through Morville to Bridgnorth, in the County of Salop, and for amending several other Roads near or adjoining thereto*: And whereas another Act was passed in the Twelfth Year of the Reign of His present Majesty, intituled *An Act to amend an Act of the Sixth Year of the Reign of His present Majesty, for repairing and widening the Stone Bridge in the Town of Shrewsbury, and for appropriating Part of the Tolls collected upon certain Roads leading to the said Bridge towards finishing the same, and for granting additional Terms to the several Acts for repairing the said Roads*; whereby the Term granted by the said Two first-

25 G. 2. c. 49.

5 G. 3. c. 86.

12 G. 3. c. 77.

[Local.]

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recited

recited Acts was enlarged for the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees appointed for putting the said Two first-recited Acts into Execution have made considerable Progress in the Repair of the said Roads, for which Purpose several Sums of Money borrowed upon the Credit of the Tolls thereby authorized to be taken have, together with such Tolls, been duly applied; but the said Tolls are insufficient for the Payment of the Interest of the Money so borrowed, and for the proper Maintenance and Repair of the said Roads; and the Principal Money which is now due and owing cannot be repaid, nor the said Roads effectually amended and kept in Repair, unless the Term and Powers of the said Acts be further continued and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Two first-recited Acts, for repairing the High Road from the Town of *Shrewsbury*, through *Cressage*, *Harley*, *Much Wenlock*, by *Muckley Cross*, and through *Merwille* to *Bridgnorth*, in the County of *Salop*, and for amending several other Roads near or adjoining thereto, and all the Clauses, Tolls, Powers, Provisions, Matters, and Things therein contained (except such Parts thereof as are varied, altered, or repealed, and such as relate to Exemptions from Stamp Duties), shall be and continue in full Force and Effect, and shall be executed for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Alterations and Amendments herein contained; and that this Act shall commence and take Effect upon the passing thereof; and the Term and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said recited Acts, and of such other Sums of Money as shall be borrowed upon the Credit thereof, and of this Act, and of all Interest due and to grow due thereon respectively.

Former Acts
continued.

Additional
Trustees.

II. And be it further enacted, That the Mayor, Aldermen, Recorder, Steward, Justices, and Town Clerk of *Shrewsbury*; the Bailiff, Bailiffs Peers, Recorder, Justices, and Town Clerk of *Wenlock*; and the Bailiffs, Aldermen, Recorder, and Town Clerk of *Bridgnorth* for the Time being; Sir *Ferdinand Richard Acton* Baronet, *Charles Acton*, Reverend *William Bates*, *Joel Butcher*, *John Clarke*, *Congreve*, Reverend *Richard Corfield*, Reverend *Sherrington Davenport*, *George Davis*, *Thomas Devey*, *Benjamin Edwardes*, Reverend *Benjamin Edwardes*, *Thomas Evans*, *James Eykyn*, *Cecil Weld Forester*, Reverend *Townsend Forester D.D.*, Reverend *John Gibbons*, *Francis Blythe Harries*, Honourable *William Hill*, *Humphry Hinton*, *Edward Howells*, *William Jeffreys*, Sir *Thomas Tyrwhitt Jones* Baronet, Sir *Robert Lawley* Baronet, *John Lloyd*, *John Marshall*, *James Marshall*, *John Meire*, *Samuel Nicholls*, Reverend *Edward Owen*, *Francis Pitt*, *John Pritchard*, Sir *Edward Smythe* Baronet, *John Groome Smythe*, *Charles Stokes*, *Joseph Tongue*, *Valentine Vickers*, *Thomas Whitmore*, *William Woolrich Whitmore*, Reverend *Charles Whitmore*, Sir *Watkin Williams Wynn* Baronet, Reverend *Maurice Wynn LL.D.*, and *Harriman Wellings*, together with Ten other Persons, to be named as Trustees at the First or any other

other Meeting to be held under this Act, shall be added to and joined with the surviving and remaining Trustees appointed by or in pursuance of the said Two first-recited Acts for putting the said Acts and this Act into Execution; and the Trustees hereby nominated and their Successors (being qualified according to the Directions of the said recited Acts) shall be and they are hereby empowered to act in the Execution thereof, as fully and effectually to all Intents and Purposes, as if they had been appointed Trustees in or by virtue of the said recited Acts.

III. And be it further enacted, That all and every Toll Collector, being Lessee of the Tolls, authorized to be collected upon the said Roads, or appointed or continued either by the said Trustees or by any such Lessee or Lessees to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of the said recited Acts or this Act, shall and he or she is hereby required to place his Christian and Surname, painted on a Board in legible Characters in the Front, or on some other conspicuous Part of the Toll House or Toll Gate, immediately on his 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 either in White Letters on a Black Ground, or Black Letters on a White Ground, and shall continue the same so placed during the whole Time he or she shall be upon Duty; and if any Collector of the said Tolls shall not place such Board as aforesaid, and keep the same there during the Time aforesaid; or shall demand or take a greater or less Toll from any Person than he or she shall be authorized to do by virtue of the Powers of this Act or the said recited Acts, or of the Orders and Resolutions of the Trustees made in pursuance thereof; 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 any ways hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his or her 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 Toll when demanded (all which Tickets the Collectors of the Tolls are hereby required to deliver *gratis* on the Receipt of such Toll, and such Tickets shall name and specify the several Gates freed by the Payment of such Toll or Tolls); or shall unnecessarily detain any Passenger or Passengers, or shall make use of abusive Language to any Traveller or Travellers, Passenger or Passengers, 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; and such Penalty shall be recovered and applied as other Penalties are by the said recited Acts or this Act directed to be recovered and applied.

For preventing Toll Collectors from taking undue Tolls.

IV. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining to retain such Distress, or the Money arising from the Sale thereof (as the Case may happen), till the Amount of the Tolls due, and the Charges of the Distress and Sale, and of keeping the Distress (as the Case may happen),

For settling Disputes concerning Tolls.

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be ascertained by One or more Justice or Justices of the Peace for the County, Town, or Place in which the Cause of Dispute shall arise, who, upon Application made to him or them for that Purpose, shall examine the Matter on the Oath of the Parties or other Witness or Witnesses, and shall determine the Amount of the Tolls due, and shall award such Costs and Charges to either Party, as to the said Justice or Justices shall appear right and proper; all which Costs and Charges shall and may be levied and recovered, in case of Non-payment thereof forthwith, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus (if any) on Demand, after deducting such Costs and Charges, and the Costs and Charges of making such Distress and Sale, to the Person or Persons whose Goods and Chattels shall be so distrained and sold.

Accounts of the Trust to be open to the Inspection of Creditors.

V. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required from Time to Time to cause to be entered in a Book regular Accounts of the Receipts and Disbursements, and of the several Articles for which such Sums have been disbursed; which Book shall be kept by the Treasurer or Clerk, in order that any of the said Trustees, or any Creditor or Creditors on the said Tolls, may at all reasonable Times have Access thereto, and take Copies or Extracts therefrom, without paying any Thing for the same; and in case the said Treasurer or Clerk shall refuse to permit such Person or Persons as aforesaid to inspect or take Extracts from such Book of Accounts, he shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Trustees may sue and be sued in the Name of the Clerk or Treasurer, who is to be reimbursed his Expences.

VI. And be it further enacted, That the said Trustees may sue and be sued for and concerning any Thing to be done against or by virtue or in pursuance of the said recited Acts or this Act, in the Name either 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 the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of such Clerk or Treasurer, or by any Act of such Clerk or Treasurer, without the Consent of the said Trustees or any Five or more of them at any Meeting to be held in pursuance of this Act, but that the Clerk or Treasurer for the Time being shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action or Suit; and every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of the said recited Acts or this Act, shall be fully reimbursed, out of the first Money to arise by virtue of the said recited Acts and this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Suit, or any Proceeding past thereon, he shall bear, pay, expend, or be put unto or become chargeable with or liable to, by reason of his so being made Plaintiff or Defendant as aforesaid.

Office of Clerk and Treasurer not to be held by one Person.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of the said recited Acts and this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Acts or this Act, or to appoint the Person who may be

be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing the said recited Acts or this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes aforesaid, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of the said recited Acts or this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparance shall be allowed.

VIII. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls or any of them, or the Recovery of any of the Penalties by the said recited Acts or this Act to be levied, or to the Execution of any of the Powers of the said recited Acts or this Act, no Person or Persons appointed to collect the said Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be deemed to be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of his or their being appointed to collect the said Tolls.

Collectors of Tolls not to be deemed incompetent Witnesses.

IX. Provided always, and be it further enacted, That no more than Three full Tolls shall be demanded or taken in any one Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), for or in respect of the same Horses, Beasts, Cattle, and Carriages for passing through all the Turnpikes or Toll Gates erected upon that Branch of the said Roads, leading from *Shrewsbury* to *Bridgnorth*, nor more than One full Toll on any of the other Four Branches of Road, as mentioned and described in the said recited Acts, or any of them.

Directing what Number of Tolls shall be taken in one Day.

X. And be it further enacted, That if any Carriage laden with Bricks, Tiles, Slate, Lime, Limestone, or other Stone, Coal, Timber, or Iron, and passing upon any of the said Roads, shall not have a Slipper affixed to the same, to be made use of whenever it shall be necessary to lock the Wheel of such Carriage, every Horse or other Beast employed in drawing any such Carriage shall be charged with double Toll, over and above the Toll such Horse or other Beast would have been liable to be charged with if such Slipper had been affixed to such Carriage as aforesaid; and if the Driver of any such Carriage laden as aforesaid, and having such Slipper as aforesaid, shall at any Time lock the Wheel of any such Carriage without making a proper use of such Slipper to prevent injuring the Road, every such Driver shall forfeit and pay any Sum not exceeding Twenty Shillings.

Directing Slippers to be affixed to certain Carriages.

XI. Provided always, and be it further enacted, That no Person shall be charged with or subject to the Payment of Toll for any Horse or other Cattle which shall be employed in the Conveyance of any Stones, Gravel, or other Materials for the repairing of any Road or Highway in any Town, Parish, or Place through which the said Roads lead, or for the

Exemptions.

[Local.]

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repairing of any Road or Highway, Street, Lane, or Public Carriage or Footway, in the said Towns of *Shrewsbury, Much Wenlock, Church Stretton, and Bridgnorth*; or in the Carriage of any Dung, Mould, Soil, or Compost of any Kind, for the manuring of any Garden or other Land or Ground; or for any Horse or other Cattle employed in the ploughing, sowing, tilling, cultivating, or stocking of any Land or Ground in any such Parish or Hamlet; or in the Carriage of any Hay, Straw, or Corn in the Straw, not sold or disposed of, nor carrying to be sold or disposed of, but to be laid in the Houses, Outhouses, or Grounds of the Owner or Owners or Occupiers of the Lands on which such Hay, Straw, or Corn in the Straw shall grow, belonging to any of the Occupiers of Land or Ground in the several Parishes, Hamlets, or Places in which the said Roads lie; or in the drawing or conveying any Plough, Harrow, Dray, or other Implements of Husbandry, or any Thing whatsoever that shall be used or employed in Husbandry, or in the manuring or stocking of Land in any of the said Parishes, Hamlets, or Places; or for any Horses or other Beasts, or any Carriage carrying or conveying any Person or Persons residing in any Township or Hamlet in which the said Roads lie, going to or from their proper parochial Church or Chapel, or other Place of Religious Worship, on a *Sunday* or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for attending the Funeral of any Person who shall die in any such Parish, Township, or Hamlet, and be buried in the Parish, Township, or Place where such Person shall die; or the Minister of any Parish going to visit the Sick, or baptize any Child, or upon other his Parochial or Ministerial Duty within such Parish; or for any Horse or other Cattle belonging to any Person or Persons in any of the Parishes wherein the said Roads lie, or any other Person or Persons who are Occupiers of Land within such Parishes, going to or from Water or Pasture within the Parish where the Owner of such Horse or other Cattle doth live, or is or shall be an Occupier of Lands therein; or for any Horses or other Beasts carrying any Person or Persons, being Owner or Occupier of any Farms or Lands in any Parish or Place contiguous to any or either of the said Turnpikes, to his or their Farm or Lands, only to view the same, not going or travelling from or out of the Parish or Place where such Farm or Lands are situate; or for any Horse or other Cattle passing in order to or returning from being shod or farried; or for any Horses or other Beasts, or any Carriage, of what Description soever, employed in conveying from one Part of the Kingdom to another the Mail or Packet which shall be made up under the Authority or Direction of His Majesty's Postmaster General, or his Deputy or Deputies; or for any Horse or other Cattle employed in the passing of Vagrants travelling with lawful Passes; or for any Horses or Carriages belonging to Officers or Soldiers on their March or upon Duty; or for any Horse, Cattle, or Carriage which shall be employed in the Carriage or Conveyance of the Arms or Baggage of any such Officers and Soldiers, or any sick, wounded, or disabled Officers or Soldiers; nor for any Waggon, Wain, Cart, or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack, or Commissariat or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse or other Cattle used by any Person or Persons going to or returning from any Election of a Knight of the Shire to serve in Parliament for the Counties

of *Salop* and *Stafford*, on the Day or Days of Election, or on the Day before or the Day after such Election shall begin and be concluded, or any Surveyor or Surveyors of the said Roads; and that no Tolls shall be demanded or taken for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit for every such Offence the Sum of Five Pounds; one Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

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 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 any such Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the said recited Acts contained to the contrary notwithstanding.

Owners or Drivers of Waggons employed in the Service of His Majesty's Forces not to be subject to Penalties for Overweight, &c.

XIII. Provided always, and be it further enacted, That the said Trustees in altering or improving any Part of the said Roads under the Powers of the said recited Acts shall not deviate more than One hundred Yards of Three Feet each from the present Line, without the Consent and Approbation in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

No Alteration of the present Roads to deviate more than One hundred Yards without Consent.

XIV. 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 Acts or 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 recited Acts particularly 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 the said recited Acts or this Act; 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

Application of Compensation Money when amounting to 200l.

to

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, and Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or other Incumbrances, or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Tenements, and Hereditaments, or affecting other Lands, Tenements, and 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 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 such Conveyance or Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, 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 meantime, 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 said Lands, Tenements, or Hereditaments by the said recited Acts or this Act directed to be purchased, in case such Purchase or Settlement were made.

When less
than 200l.
and amount-
ing to 20l.

XV. 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 Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, to be placed to his Account as aforesaid, in order to be applied in Manner 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 Seven or more of the said Trustees for executing the said recited Acts 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 Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

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XVI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of the said recited Acts and this Act, in such Manner as the said Trustees or any Seven or more of them shall think fit; and 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.

When less than 20l.

XVII. 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 Acts 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 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 and may be lawful to and for the said Trustees, or any Seven 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 Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Control, and Disposition of the said Court of Chancery; which said Court of Chancery, 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 said 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.

Directions in Cases of not making out Titles.

XVIII. 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 Court of Chancery in pursuance of the said recited Acts or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said recited Acts or this Act, 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, Tene-

Respecting disputed Titles.

ments, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, 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 Trustees to pay Expences.

XIX. 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, Tenements, or Hereditaments to be purchased under the Authority of the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, and Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts or this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said recited Acts or 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 Seven or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Notice to be given to the Owners and Occupiers of Lands before Materials are taken for repairing the Road.

XX. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor or Surveyors, or other Person or Persons, under the Authority of the said recited Acts or this Act, to dig, gather, get, take, or carry away any Materials for repairing the said Roads, or any Part thereof, out of or from any inclosed Lands or Grounds, until Notice in Writing, signed by the Surveyor or Surveyors for the Time being, shall have been given to the Owner and Occupier of the Premises from which such Materials are intended to be taken, or left for such Owner and Occupier at their respective usual Places of Residence, to appear before Two or more Justices of the Peace acting for the said Counties of *Salop* and *Stafford*, or either of them (as the Case may be), to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Owners and Occupiers, or any of them, or their or his Agent or Agents, shall not attend, or shall attend in pursuance to such Notice but shall not shew sufficient Cause to the contrary, then and in either of the said Cases the said Justices shall or may authorize such Surveyor or Surveyors or other Person or Persons to dig, get, gather, and carry away such Materials, at such Time or Times as to the said Justices shall seem proper; and if such Owner or Occupier shall refuse or neglect to appear by himself or herself, or his or her Agent, such Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier had attended; any Thing in the said recited Acts contained to the contrary hereof notwithstanding.

XXI. Provided always, and be it further enacted, That such Surveyor or Surveyors, or other Person or Persons as aforesaid, shall make or tender Satisfaction for the Materials so taken away, and for the Damages done thereby, to the Owners and Occupiers of such Lands, Fields, or Grounds where and from whence the same shall be cut, dug, gotten, gathered, and carried away, or over which the same or any other Materials for making and repairing the said Roads shall be carried, according to their respective Rights and Interests in such Lands, Fields, or Grounds, as the said Trustees shall judge reasonable; and in case of any Difference between the said Trustees, Surveyor or Surveyors, or other Person or Persons employed as aforesaid, and the said Owners or Occupiers respectively, or any of them, concerning such Damages, it shall be lawful for any Two or more Justices of the Peace for the County, City, or Place where or from whence such Materials shall be so cut, dug, gathered, taken, and carried away, on Application made to them for that Purpose, and Ten Days Notice thereof in Writing being given by either Party to the other, or left at their respective Places of Abode, to hear, settle, and determine such Payment and Damages; and the Judgment or Order of the said Justices therein shall be final and conclusive to and upon all Parties.

Satisfaction for Materials and Damages

not to be taken

XXII. And be it further enacted, That all Gates to be hereafter made and placed in any Hedge or other Fence of any Field, Ground, Yard, or other Place adjoining to any Part of the said Roads, shall be so made, hung, and constructed as to open inward towards such Field or Ground, and not outwards towards the said Roads; and in case any Person, or Persons shall hang or construct any Gate or Gates contrary to the Directions of this Act, or shall after the same shall have been hung so as to open inwards towards such Fields again alter the same so as to open outwards towards the said Roads, every such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds; and that it shall be lawful for the said Trustees to cause all or any of such Gates, as are now erected and open outward towards the said Roads to be altered and made to open inward towards such Field, Ground, Yard, or other Place, as they the said Trustees shall think proper.

Gates to Fields to open inward.

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

For securing transient Offenders.

XXIV. And be it further enacted, That if any Person or Persons shall ride upon any Footpath or Causeway, or other Way or Ways made or to be made upon or by the Side of any of the said Roads for the Use of Foot Passengers, or shall lead or drive any Horse or Horses, or other Cattle, Beasts, or Swine, or any Carriage, or shall wheel any Barrow upon any such Footpath or Causeway, or shall cause any Injury or Damage

Penalties on Persons riding or driving Cattle upon Footpaths or Causeways.

to

to be done to the same, or shall wilfully pull up, remove, injure, or damage any Post, Rail, Stone, or Fence which shall be put up for the Protection or Security of such Footpath or Causeway, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; which said Penalties shall be levied and recovered in Manner directed by the said recited Acts, and shall be applied towards repairing of the said Roads, and to and for no other Use or Purpose whatsoever.

Respecting
Statute
Work.

XXV. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Roads, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said Counties of *Salop* or *Stafford*, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads lie; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish 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 their Treasurer; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons), of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts or otherwise, and also the Amount of the respective Sums to be paid; which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed by any Law or Statute in force and effect for the Repair of the Public Highways; and out of such Lists such Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject 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 on such Parts of the said Roads, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to 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 Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid

said (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, signed by the Surveyor or Surveyors to the said Trustees) shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or 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 and effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work upon the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXVI. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Statute Work to be by them done on the said Roads, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of and in all or any of the Parishes or Places in which the said Roads are situate, for a certain Sum of Money, by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Roads, which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer to the said Trustees in Advance, on or before the First Day of *November* in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

For compounding for Statute Work.

XXVII. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for the same from the passing thereof, shall be paid out of any Money now remaining in the Hands of the Treasurer to the said Trustees, or out of the first Money to arise by virtue of the said recited Acts and this Act, in preference to all other Payments whatsoever, except such Payments as shall be made from Time to Time for the Repair and Maintenance of the said Roads.

For paying the Expences of this Act.

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

Public Act.

[Local.]

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XXIX. And

Commence-
ment and
Continuance
of this Act.

XXIX. And be it further enacted, That the Term granted by the said recited Acts shall upon the passing of this Act cease and determine; and the said recited Acts (subject to the Alterations, Additions, and Amendments herein-before contained) and this Act shall from thenceforth commence, continue, and be in force and be executed 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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