



ANNO QUADRAGESIMO TERTIO

GEORGI II. REGIS.

Cap. 64.

An Act for continuing the Term, and altering and enlarging the Powers of an Act, made in the Thirty-third Year of the Reign of His present Majesty, for more effectually amending and keeping in Repair the Road from the City of *Worcester*, through *Droitwich*, to *Spadesbourne Bridge*, within the Parish of *Bromsgrove*, in the County of *Worcester*, and other Roads therein mentioned. [11th June 1803.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His present Majesty King *George the Third*, intituled, *An Act for more effectually amending and keeping in Repair the Road from the City of Worcester, through Droitwich, to Spadesbourne Bridge, within the Parish of Bromsgrove, in the County of Worcester, and other Roads therein mentioned*: And whereas the Trustees appointed in or by virtue of the said Act, have proceeded to put the same in Execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit thereof, which are still due and owing, and cannot be paid of, nor can the said Roads be effectually amended, improved,

33 Geo. 3.
recited.

[Loc. & Per.]

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proved,

Former Act
continued.

proved, and kept in Repair, unless the Term of the said Act is continued, some of the Powers and Provisions thereof in some Respects altered, amended, and enlarged, and the Tolls by the said Act granted, increased; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Powers, Authorities, Privileges, Exemptions, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, (except such as relate to Exemptions from Stamp Duties, and except such as are hereby varied, altered, or repealed), shall be, and the same are hereby continued for and during the Term herein-after mentioned, as fully and effectually to all Intents and Purposes as if the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 Amendments, Variations, Alterations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Credit of the said recited Act and this Act, and the Interest due and to grow due thereon respectively, in Manner herein-after mentioned.

Additional
Trustees ap-
pointed.

II. And be it further enacted, That, in Addition to the Trustees named in, and acting under and by virtue of the Powers and Authorities of the said recited Act, and their Successors, appointed since the passing of the same, by virtue of the Powers therein contained, *John Ashmore, Thomas Allies, James Allies, Richard Holmden Amphlett, William Amphlett, John Adams, Robert Berkeley junior of Spetchley, James Bingham, John Boughton, Philip Brookes, John Blew, William Blew, Richard Barnaby, James Bowyer, Martin Barr, Robert Brown, Thomas Bund, Thomas Bund junior, Thomas Burbage, Richard Bridgewood, Christopher Burbage, Richard Burbage, James Bedford, John Bell, William Blackford, Henry Bullock, Thomas Brooks, George Brooks, John Baker junior, Thomas William Waldron Baker, William Justice Burslem, Henry Burslem, Robert Brewster, Richard Chambers of Boycot, John Chance, John Copson, Charles Edward Somers Cocks, John Somers Cocks, James Somers Cocks, Samuel Crane, Benjamin Cowell, Robert Chamberlain, Humphrey Chamberlain, Thomas Carden, John Carden, Denham Cookes, Jacob Corbett, Thomas Cooke, Daniel Creswell, William Carpenter, William Connard, Thomas Collet, Richard Collet, John Collet, Samuel Collet, Russell Collet, John Dowding, William Dowding, Charles Dowding, Archibald Duncan, Edward Downes, James Downes, William Dewes, John Dalloway, Henry Douglas, Robert Archibald Douglas, John Emufs, George Fownes, Richard Frances junior, William Fieldhouse, Benjamin Fieldhouse, John Green, Robert Golding, Thomas Gwinnell, William Gwinnell, Thomas Greening, William Green, Thomas Vincent Holbeche, William Heath Clerk, William Hicks, Thomas Hollington, Philemon Baylis Haynes, John Horton, Henry Dowler Humphreys, John Hemus, John Jones of Droitwich, Elias Isaac, John Jakeman, Benjamin Jones, Thomas Jones, William Johnson, Thomas Ireland, Richard Kilvert Clerk, John Leger Lamotte, William Lygon junior, John Lygon, Henry Lygon, Edward Lygon, Evan Lloyd, Wakeman Long of Worcester, John Laurence, William Lilley, Clement Lucas, William Lucas,*

Lucas, John Lucas, Clement Lucas junior, Richard Nash, Humphrey Nash, John Nash of Newland Common, John Pritchett Clerk, Henry Payton, George Parkes, Rawson Parke, John Pigot, Thomas Parkes, William Parkes, Isaac Parkes, John Parkes, William Parry, William Phillips, Edward Bookey Penrice, George Prescott, William Ricketts, Robertson, William Roe, John Robeson, Henry Robeson, John Read, Thomas Saint John, Ferdinando Smith, John Smith, John Smith junior, Robert Smith, Digby Smith Clerk, William Sandford, William Smith of Hadfor, Edward Smith, William Sanders, William Smitheringale, Thomas Sarsons, Thomas Sockett Clerk, Charles Sanders, John Frederick Tonym Clerk, Aaron Test, John Tolley, William Tolley, Benjamin Tolley, James Taylor, George Thomas, John Taylor, William Villers, Robert Villers, Robert Vernon Clerk, Thomas Shrawley Vernon, John Wood, John Weir, John Williams of Worcester, Francis Williams of Worcester, Samuel Wall junior, Joseph Wythes, Richard Windle, William Wythes junior, John Wheeler of Sadgbury, John Wall, Thomas Wall, George Wall, John Walford junior, John Waterston, James Wilkinfon, Richard Wattell, Henry Wakeman junior, Charles Wakeman, Matthew Wilson, William Wilson, Thomas Tate, and their Successors, to be appointed as herein-after mentioned, shall be and are hereby appointed Trustees for amending, widening, and keeping in Repair the Roads in the above recited Act mentioned; which said several Roads, from and after the passing of this Act, shall be divided, and are hereby declared from thenceforth to be divided into Four several Districts, in Manner herein-after set forth; (that is to say), the Road leading from the End of *Broad Street* at the *Market Cross* in the City of *Worcester*, through the Borough of *Droitwich*, by a Lane called *Harriot's Lane*, within the said Borough, to *Spadesbourne Bridge*, in the Parish of *Bromsgrove*, and the Road or Lane called *Claines Lane*, leading from the Bottom of *Red Hill* in the Parish of *Claines*, into the Turnpike Road between *Worcester* and *Ombersley*; and the Road or Street called the *Broad Street* aforesaid, leading from the Cross aforesaid in the City of *Worcester*, to the Bottom of the said Street opposite the End of *Newport Street*, (during such Period as the said Trustees shall have Power and Authority over the said Road or Street called *The Broad Street*, under the said recited Act and this Act, and no longer), and also the Road or Lane called *Salt Lane*, leading out of the Tything of *Whestones*, in the County of *Worcester*, to *Saint Clement's Gate* in the City of *Worcester*; and also the Road or Lane called *Saint Andrew's Lane*, leading from the South End of *Harriot's Lane* aforesaid to the *Market House* in *Droitwich* aforesaid; and also the Road or Way leading from the North End of *Harriot's Lane* aforesaid to *Netherwich Bridge* aforesaid; and also the Roads or Lanes called *Frog Lane* and *Backbridge Lane*, within the Borough of *Droitwich* aforesaid; and also so much of the Road between a Place called *The Chapel on the Bridge*, in the Borough of *Droitwich* and *Bradley Brook*, as lies between the said *Chapel on the Bridge* and the End of the Pavement near to the Turnpike Gate at the End of *Hanbury Lane*, as One District, by the Name and Distinction of *The Worcester and Bromsgrove District*; the Road from *The Chapel on the Bridge*, in the Borough of *Droitwich*, to *Bradley Brook*, (except so much of it as is intended to be included in the before mentioned District), and the Road from a Place called *Woolmore Green*, over *Hanbury Common* to the *Worcester Turnpike Road* at *Park Hall*, as another District, by the Name and Distinction of *The Hanbury and Stoke*

Roads divided
into Districts.

Stoke District; the Road from a Place called *Netherwich Bridge* in *Droitwich* aforesaid, through *Hampton Lane* and *The Hyde Lane*, to a Place called *Low Hill*, and also the Road leading out of the Road between *Hampton Lane* and *Low Hill* aforesaid, at a Place called *Bradford Brook*, through *Curseley Lane* to *Mustard Green*, as another District, by the Name and Distinction of *The Hampton Lane District*; and the Road from the Top of the said Lane, called *Saint Andrew's Lane* in *Droitwich* aforesaid, to a Place called *Holt Fleet*, in the Parish of *Ombersley*, as another District, by the Name and Distinction of *The Ombersley District*.

Trustees to
be chosen on
Vacancies.

III. And be it further enacted, That, upon the Death or Refusal to act of any or either of the Trustees already named and appointed, or hereafter to be chosen by virtue of the said recited Act or this Act, it shall be lawful for the surviving or remaining Trustees, or any Eleven or more of them, on the Second *Monday* in *October* yearly, at the Exchequer House Chamber, or some other Place within the Borough of *Droitwich*, to elect, nominate, and appoint such other Person as they shall see proper to be a Trustee in the Room of every Trustee dying or refusing to act, but Notice of such Meeting for every such Election, and of the Time and Place in which the same shall be held, shall be published in One or more Newspaper or Newspapers published in and for the said County of *Worcester*, and also affixed upon all the Turnpike Gates then erected upon the said Roads, and upon the Door of the Town Hall in the said City of *Worcester*, and also upon the Door of the Exchequer House in the said Borough of *Droitwich*, at least Ten Days before every such Meeting; and all Persons who shall be so elected, nominated, and appointed, are hereby empowered to act, in putting the said recited Act and this Act in Execution, in as full and ample a Manner as any of the Trustees named in or appointed by the said recited Act are empowered to do.

Former Tolls
repealed, and
others granted.

IV. And whereas the Tolls by the said recited Act authorized to be taken on the said Roads, are insufficient for the Purposes thereof; be it therefore enacted, That, from the First Day of *July* after the passing of this Act, the said Tolls shall be and the same are hereby repealed; and instead thereof the following Tolls shall be demanded and taken; (that is to say),

For every Coach, Chariot, Landau, Berlin, Chaise, Calash, Curricle, Hearse, or Litter, drawn by Three or more Horses, Mares, Geldings, Mules, or other Cattle, the Sum of One Shilling; and drawn by One or Two Horses, Mares, Geldings, Mules, or other Cattle, the Sum of Sixpence:

For every Waggon, Wain, Cart, or other Carriage, with Four Wheels, and having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards from Side to Side, at the Bottom or Sole thereof, the Sum of One Shilling:

For every Waggon, Wain, Cart, or other Carriage, with Four Wheels, having the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches from Side to Side, at the Bottom or Sole thereof, the Sum of One Shilling and Sixpence:

For every Wain, Cart, or other Carriage with Two Wheels, and having the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards

upwards from Side to Side, at the Bottom or Sole thereof, the Sum of Sixpence :

For every Wain, Cart, or other Carriage with Two Wheels, having the Fellies of the Wheels thereof of less Breadth or Gauge than Six Inches from Side to Side, at the Bottom or Sole thereof, the Sum of Nine-pence :

For every Dray, Sledge, or other Carriage, not drawn upon Wheels, the Sum of Sixpence :

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

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

For every Drove of Hogs, Swine, Sheep, or Lambs, the Sum of Ten-pence *per* Score, and so in Proportion for a greater or less Number, passing through the Turnpike Gate or Turnpike Gates erected or to be erected upon the several Roads comprised in the said District called *The Worcester and Bromsgrove District*; and also all and every the same Tolls, with the Addition of One Half more, for every Carriage, Horse, Beast, or other Cattle passing through any Turnpike Gate or Turnpike Gates erected or to be erected upon the Roads comprised in the Three several other Districts called *The Hanbury and Stoke District*, *The Hampton Lane District*, and *The Ombersley District* :

Which said several and respective Tolls by this Act authorized to be taken, shall be and the same are hereby vested in the Trustees for putting the said recited Act and this Act in Execution, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, lessened, raised, varied, and disposed of in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, and Restrictions, as are contained in the said recited Act, with respect to the Tolls thereby authorized to be taken, but subject nevertheless to the Provisions and Regulations herein contained.

Tolls vested
in the said
Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, or such Person or Persons as shall be authorized by them to collect the said Tolls, to ask, demand, and take, at the several Toll Gates already erected or to be erected on the said Roads, for every Carriage, Horse, Beast, and other Cattle whatsoever passing through any such Gate or Turnpike, or any or either of them, on every Sunday throughout the Year, (to be computed from Twelve of the Clock in every Saturday Night to Twelve of the Clock in the next succeeding Sunday Night), Double the respective Tolls herein-before made payable for the same Carriage, Horse, Beast, or other Cattle, before such Carriage, Horse, Beast, or other Cattle, shall be permitted to pass through such Gate or Turnpike, (except such Carriage, Horse, Beast, or other Cattle, as is or are exempted from the Payment of Toll on Sundays by the said recited Act).

Increased
Toll on
Sundays.

VI. Provided always, and be it further enacted, That when and as soon as the Debt which shall be chargeable on the said several Roads at

To cease
in the *Wor-*
cester and

[*Loc. & Per.*]

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the

Bromsgrove
District,
when Debt
reduced to
3,700 l.

the Time of passing this Act shall be reduced to the Sum of Three thousand seven hundred Pounds, then and from thenceforth the *Sunday* Toll hereby granted, so far as respects the said first mentioned District, shall cease and be no longer paid or payable.

Only One
Toll to be
paid between
Worcester and
Droitwich, &c.

VII. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Trustees, or any of them, to collect or cause to be collected more than One of the Tolls herein-before mentioned, at any Time during the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), for any such Carriage, Horse, Beast, or other Cattle, passing through any Turnpike or Turnpikes erected or to be erected on the *Worcester* and *Bromsgrove* District, between the City of *Worcester* and the Town of *Droitwich*, or between the said Town of *Droitwich* and the Town of *Bromsgrove* aforesaid; and that all and every Person and Persons having paid the Toll aforesaid, at either of the Turnpike Gates erected or to be erected on any Part or Parts of the said other Districts of Roads, upon producing a Note or Ticket denoting such Payment, (which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Receipt of such Toll), shall afterwards at any Time during the same Day, (to be computed as aforesaid), pass and repass with the same Horses, Beasts, Cattle, and Carriages Toll-free, through the same Turnpike, and through all and every other Turnpike and Turnpikes, Side Gate and Side Gates, erected or to be erected upon the said Roads, in the said Three several Districts, called *The Hanbury and Stoke District*, *The Hampton Lane District*, and *The Ombersley District*; and also in passing and repassing between the Town of *Droitwich* and the City of *Worcester*, or between the said Towns of *Droitwich* and *Bromsgrove* respectively, upon the Roads in the said District called *The Worcester and Bromsgrove District*; any Thing herein contained to the contrary notwithstanding: Provided always, that all and every Person and Persons having paid the said Toll or Tolls at any of the Turnpike Gates erected or to be erected on the Roads within the *Worcester* and *Bromsgrove* District, upon producing a Note or Ticket denoting such Payment, (which Note or Ticket the Collectors of the Tolls are hereby required to deliver *gratis* on Receipt of such Toll or Tolls), shall at all Times during the same Day, to be computed as before mentioned, pass through any One of the Turnpike Gates upon the said Roads, in the Three several other Districts, upon Payment only of Half the Toll or Tolls paid by such Person or Persons on the said *Worcester* and *Bromsgrove* District, with the same Horses, Beasts, Cattle, and Carriages, and shall, upon producing a Note or Ticket, denoting such last Payment, (which Note or Ticket is hereby directed to be given *gratis* as aforesaid), afterwards at any Time during the same Day, to be computed as aforesaid, pass and repass with the same Horses, Beasts, Cattle, and Carriages, through the same Turnpike; and also through all and every other Turnpike and Turnpikes, Side Gate and Side Gates, erected or to be erected upon the said Roads in all the said Three other Districts; any Thing herein contained to the contrary notwithstanding.

Directing out
of what Fund
the Expences
of this Act
shall be paid,
&c.

VIII. And be it further enacted, That, from and after the passing of this Act, as well the Money which has arisen or been raised under any of the Powers of the said recited Act, and still remaining undisposed of, as
also

also the Money to arise and be produced by and from the Tolls granted by the said recited Act and this Act, for and in respect of the said Roads in the said first mentioned District, distinguished by the Name of *The Worcester and Bromsgrove District*; and also all other Money which shall come to the Hands of the said Trustees or their Treasurer, by virtue of the said recited Act or this Act, in respect of the Roads in the said District, shall be and be considered as a separate Fund, and shall, in the first Place, be applied in the Payment of the Expences incident to and attending the procuring, settling, obtaining, and passing of this Act, together with lawful Interest of any Money to be borrowed for the Expences aforesaid, from the Time of advancing the same until the Time of Payment, and afterwards in amending, widening, and keeping in Repair the said Roads in the said *Worcester and Bromsgrove District*, and carrying this Act into Execution, so far as regards the Roads in the said District.

IX. And be it further enacted, That, from and after the passing of this Act, the Money to arise and be produced by and from the Tolls granted by the said recited Act and this Act, for and in respect of the said several Roads in the said Three several other mentioned Districts, distinguished by the Names of *The Hanbury and Stoke District*, *The Hampton Lane District*, and *The Ombersley District* respectively, and also all other Money which shall come to the Hands of the said Trustees or their Treasurer, by virtue of the said recited Act or this Act, in respect of the said Roads in such Three Districts respectively, shall be and be considered as separate and distinct Funds, and shall be separately and distinctly applied in amending, widening, and keeping in Repair the said several Roads in the said Three other Districts respectively, and carrying this Act into Execution, according to the Sum which shall arise and be produced from such Three Districts respectively.

Directing the Application of the Monies to be received in certain Districts.

X. And be it further enacted, That in case it shall hereafter be deemed necessary to erect a Bridge over the Brook at the said Place called *Netherwich Bridge*, situate in the said District called *The Hampton Lane District*, the Expence of erecting, building, and maintaining such Bridge shall be borne and sustained by the Tolls to be collected in the said *Worcester and Bromsgrove District*.

Directing out of what Fund *Netherwich Bridge* shall be built.

XI. And be it further enacted, That all and every Sum and Sums of Money, which the said Trustees may think necessary to borrow for repairing or improving the said Roads, shall be raised on the Security of the Tolls hereby granted of the Roads in the respective Districts for the Repairs whereof such Sum or Sums of Money shall be wanted, and that the Tolls arising and to be produced from the Roads in the District for the Repairs and Improvements whereof such Money shall be borrowed shall be alone charged and chargeable with the Repayment of such Sum or Sums of Money, and the Interest thereof respectively: Provided nevertheless, that nothing herein contained shall extend or be construed to extend so as to defeat, alter, lessen, or prejudice any Security or Securities for any Sum or Sums of Money already borrowed on the Credit of the Tolls collected on the said Roads, but all and every such Security or Securities shall be as good, valid, and effectual as if this Act had not been made; and the several Tolls arising from all the Roads in the said Four several Districts shall be as heretofore, and remain a Security to all and every the Mortgagee and Mortgagees, and

Money hereafter to be borrowed for the Repair of the Roads in the respective Districts, shall be charged upon the Tolls, &c.

and other Persons to whom any Sum or Sums of Money, before the passing of this Act, was due and owing on the Security of the said Tolls; for such Debts and Sums of Money, and the Interest due and to grow due thereon.

Directing at what Places Meetings shall be held.

XII. And be it further enacted, That, from and after the passing of this Act, the Place of Meeting of the Trustees, for carrying into Execution the Purposes of the said recited Act and of this Act; shall be either at *Worcester, Droitwich, or Bromsgrove* aforesaid, and no Meeting of the said Trustees shall be held at any other Place; and that the First Meeting of the said Trustees under this Act shall be held at the *George Inn in Droitwich* aforesaid, on the First Monday in the Month of *July* next; and shall thenceforward be adjourned to such Time and Place in *Worcester, Droitwich, or Bromsgrove*, as the said Trustees, or any Five or more of them, shall from Time to Time think proper.

Impowering Two Trustees to inspect the Books, etc.

XIII. And be it further enacted, That it shall and may be lawful to and for any Two or more Trustees acting in the Execution of the said recited Act and this Act, at all reasonable Times in the Day Time, and upon giving One Day's previous Notice of such their Intention to the Clerk, Treasurer, or other Officer appointed by the Trustees, in whose Custody any of the Books and Papers relating to and concerning the said Trust shall, for the Time being, be lodged and deposited, to have recourse to and inspect and examine such Books and other Papers in the Custody of such Clerk, Treasurer, or other Officer, and to take Copies thereof or Extracts therefrom, at their Will and Pleasure, without any Interruption from or by such Clerk, Treasurer, or other Officer, or any other of the said Trustees for the Time being, acting in the Execution of the said Trust; and in case such Clerk, Treasurer, or other Officer, shall neglect or refuse to produce and shew such Books and Papers, and shall not permit the same to be inspected and copied, as aforesaid, or shall in any Way interrupt such Trustee or Trustees in the Exercise of the Power hereby given, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds, to be recovered in such and the same Manner as Penalties and Forfeitures by the said recited Act are directed to be recovered, and shall be applied by the said Trustees in Aid of or Addition to the Funds of the said District called *The Worcester and Bromsgrove District*.

Gate Keepers to be competent Witnesses.

XIV. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said respective Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be, and they are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

For Appointment of temporary Collectors.

XV. And be it further enacted, That when and as often as any Collector or Receiver of the said respective Tolls shall neglect or be incapable of performing his Duty, or shall abscond or absent himself, any Two or more of the said Trustees, although not assembled at a Meeting held pursuant to the Directions of the said recited Act, shall and may, and they are hereby authorized to discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself;

himself; and in such Case, and also in case any such Collector or Receiver shall die, any Two or more of the said Trustees as aforesaid shall and may, and they are hereby authorized to nominate and appoint a proper Person to be Collector of the said Tolls, to continue until the then next Meeting of the said Trustees, in the Stead of such Collector or Receiver as shall die or be discharged; and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner in all Respects as the Person who shall so die or be discharged would have had or would have been subject to; and if any Collector or Receiver of the said respective Tolls, who shall be discharged from his Office by virtue of this or the said recited Act, or the Wife or Widow or any of the Children, Family, or other Representative of any Collector or Receiver, who shall die or be discharged, or any other Person or Persons, shall refuse to deliver up the Possession of any Toll House or Building continued or erected by virtue of the said recited Act or this Act, for the Space of Three Days after Demand thereof made, and Notice in Writing given for that Purpose by any Two or more of the said Trustees, though not assembled at a Meeting, or by their Clerk or Treasurer for the Time being, then and in any of the Cases it shall be lawful for any Justice or Justices of the Peace for the County, Borough, or Place, in whose Jurisdiction such Toll House or Building shall be situate, by Warrant under his or their Hand and Seal, or Hands and Seals, to order and direct a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House or Building in the Day Time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said Trustees, or any Two or more of them, or such new appointed Collector, into the Possession thereof.

XVI. And be it further enacted, That in case the Tolls arising from all or any of the Toll Gates erected or to be erected on the said respective Districts of 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 thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear, by the Space of Ten 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 those Cases the said Trustees, or any Five or more of them, or their Clerk, Treasurer, or other Person, authorized by Writing under the Hands of any Five or more of the said Trustees, shall be at Liberty and they are hereby authorized to enter into and upon Possession of the Toll House or Toll Houses, with the Buildings, Weighing Machines, Gates, and Appurtenances thereto belonging, so let as aforesaid, and to remove and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the respective Tolls there made 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 be utterly void to all Intents and Purposes (save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved as may be in Arrear or

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

[Loc. & Per.]

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unpaid)

unpaid) as if such Demise or Agreement had never been made; and it shall 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 respective Tolls again to any other Person or Persons, or cause them to be taken and collected, as if no former Contract or Agreement had been entered into relative thereto.

Penalty for riding on Footways, etc.

XVII. And be it further enacted, That if any Person shall ride upon any Footway or Path, or shall wilfully drive any Carriage upon any Footway or Path adjoining to or on the Side of the said respective Districts of Roads, or shall wilfully cause any Damage to be done to any such Footway; or if any Person driving any Pigs, Swine, Sheep, or Cattle, upon the said Roads, shall suffer the same to stop on the said Roads, or root up and damage the same or any Part thereof, or the Hedges, Fences, or Banks on either Side thereof; or if any Person or Persons shall turn any Horses, Asses, Sheep, Swine, or Cattle, to depasture in any of the said Roads; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage, upon the said Roads, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Roads; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Roads, or the Coach, Chaise, Waggon, Cart, or other Carriage, under his Care; or if any Person shall make or assist in making any Fire or Fires commonly called *Bonfires*, or shall set fire to or let off or throw any Squib, Rocket, Serpent, or Fire Work whatsoever, on any Part of the said Roads, to the Prejudice, Annoyance, or Inconvenience of any Person travelling thereon, every Person so offending in any or either of the Cases aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Application of Money paid for Compensation of Land, etc. when exceeding 200*l.*

XVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act or this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or other Person or Persons under any Disability or Incapacity, as in the said recited Act 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 there *ex parte* the Trustees for executing the said Act and 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 to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Tenements, or Hereditaments, standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such

such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until such 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, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

XIX. 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 exceed or be equal to 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, and be placed to his Account as aforesaid, in order to be applied in Manner herein before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where exceeding 20/
and less than
200/.

XX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 Act and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Where less
than 20/.

XXI. And

Limitation of
Actions.

XXI. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of the said recited Act or of this Act, until One Calendar Month's Notice shall be thereof given to the Clerk or Clerks of the said Trustees, nor after a sufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be laid and brought in the County of *Worcester*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall or may plead the General Issue Not Guilty, and give the said Act and this Act, and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Act and this Act; and if the same shall appear to be so done, or if the said Action or Suit shall be brought before One Calendar Month's Notice thereof shall be given as aforesaid, or after a sufficient Satisfaction made or Tender as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than as aforesaid, then 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 or Defendants 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 the same as any Defendant hath for Costs of Suit in any other Case by Law; nor shall any Person or Persons who shall offend against the said recited Act or this Act be sued or prosecuted, or be liable to pay any Penalty or Forfeiture laid or inflicted by the said recited Act or this Act, after the Expiration of Six Calendar Months from the Time of the Offence committed; any Thing herein or in the said recited Act contained to the contrary thereof in anywise notwithstanding.

Publick Act.

XXII. And be it further enacted, That this Act shall be deemed and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without the same being specially pleaded.

Term of this
Act.

XXIII. And be it further enacted, That the Term granted and continued by the said recited Act shall, upon the passing hereof, cease and determine; and that the said Act (subject to the Amendments, Alterations, and Additions herein contained) and this Act shall from thenceforth 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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