



ANNO QUINQUAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. xxiv.

An Act for continuing the Term and enlarging the Powers of two Acts of the Eleventh and Thirty-seventh Years of His present Majesty for repairing the Road leading from *Wem* in the County of *Salop* to the Lime Rocks at *Bron y Garth*, and several other Roads in the Counties of *Salop* and *Denbigh*; for repairing and diverting the Roads leading out of the said Road from *Wem* to *Bron y Garth* into the Turnpike Road leading from *Ellesmere* to *Wrexham*; and for repealing so much of the said Acts as relates to a certain Part of the said Roads. [19th March 1818.]

WHEREAS an Act was made in the Eleventh Year of the Reign ^{11G.3 c.115.} of His present Majesty, intituled "*An Act for repairing and widening the Road leading from Wem in the County of Salop to the Lime Rocks at Bron y Garth, and several other Roads in the Counties of Salop and Denbigh*:" And whereas another Act was made in the Thirty-seventh Year of the Reign of His present Majesty, intituled "*An Act for ^{37G.3.c.151.}reviving, continuing, and amending an Act passed in the Eleventh Year of His present Majesty for repairing and widening the Road leading from Wem in the County of Salop to the Lime Rocks at Bron y Garth, and several other Roads in the Counties of Salop and Denbigh*:" And whereas the Road leading out of the said Turnpike Road from *Wem* to *Bron y Garth*, over *Pont y Blew*, to join the Road from *Ofwestry* to *Wrexham*, near the House called *Whitehurst's House*, on the Road between *Chirk* and the *New Bridge* in the County of *Denbigh*, has long been discontinued and shut up, and it is therefore desirable that so much of the said Acts as relates to that

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Part of the said Roads should be repealed, and the Trustees for executing the said Acts be discharged from the Care and Management thereof: And whereas the present Road leading out of the said Turnpike Road from *Wem* to *Bron y Garth*, at or near a place called *Ifton Heath* in the Parish of *Saint Martin* in the County of *Salop*, into the Turnpike Road leading from *Ellesmere* in the same County to *Wrexham* in the County of *Denbigh*, is very incommodious, and in Parts narrow and dangerous, and it would be of great public Utility if the same were widened, diverted, and repaired, and put under the Care and Management of the Trustees for executing the said Acts: And whereas the Trustees acting in the Execution of the said Acts have borrowed several Sums of Money on the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, nor so much of the said Roads as are not hereby discontinued as Turnpike effectually amended and kept in Repair, unless the Term of the said Acts be further continued, and some of the Powers thereof altered and enlarged; but as the said Purposes cannot be effected without the Aid and Authority of Parliament; 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 Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except such Parts thereof as are hereby varied, altered, or repealed,) shall be and continue in full Force and Effect, and together with this present Act shall be executed and applied, as well in respect of so much of the several Roads included in the said recited Acts as are not hereby discontinued as Turnpike, as also of the Road herein-before described, in as full, ample, and beneficial a Manner, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, subject nevertheless to the Amendments, Alterations, Variations, and Additions herein contained, and which shall commence and take Effect upon the passing of this Act, and shall continue in Force during the Term hereby granted; and that this Act and the Term and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing, or which shall or may hereafter be borrowed or become due on the Credit of the said recited Acts and of this Act, or any of them, and all Interest due or to become due for the same respectively.

Acts continued.

Discharging Trustees from Care of certain Roads.

II. And be it further enacted, That from and immediately after the passing of this Act, so much of the said recited Acts as relates to the said Road leading out of the aforesaid Road from *Wem* to *Bron y Garth* over *Pont y Blew*, to join the Road from *Oswestry* to *Wrexham*, near the House called *Whitehurst's House*, in the Road between *Chirk* and the *New Bridge*, in the County of *Denbigh*, shall be and the same is hereby repealed; and that the Trustees for executing the said Acts and this Act shall be and are hereby absolutely freed and discharged from the Care and Management of the said Piece of Road.

New Trustees.

III. And be it further enacted, That *Josiah Boydell*, *John William Bourke*, *Peter Bentley*, *Robert Clerk*, *Edward Dymock*, *Whitehall Whitehall Davies*, *William Edwards*, *Edward Edwards*, *Philips Lloyd Fletcher*, *Thomas Lloyd Fletcher*, *Lloyd Fletcher*, *Samuel Fallows*, *William Ormsby Gore*, *Richard Heber*,

Heber, Reginald Heber, Thomas Bulkeley Hatchett, Richard Hilton, Richard Hanmer Hilton, Thomas Jones, Richard Jebb, Thomas Kynaston, Francis Lloyd, Joseph Venables Lovett, Abednego Mathew, John Mytton, Edward Morrall, Cyrus Morrall, Robert Morrall, Edward Meeson, Sir Richard Puleston Baronet, Richard Puleston, Francis Richard Price, John Powell, John Rowland, William Sparling, The Honourable Arthur Trevor, The Honourable Charles Trevor, Fryer Walker, and George Walker, (being qualified according to the Directions of the said first recited Act,) shall be and are hereby added to and joined with the surviving and remaining Trustees, appointed by or in pursuance of the said recited Acts, for putting the said recited Acts and this Act into Execution, and shall have the like Powers for that Purpose as if they had been named and appointed Trustees in or by virtue of the said recited Acts, or either of them.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed or elected for executing the said Acts and this Act, or any Five or more of them, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any number of Persons, not exceeding Ten in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby appointed; and such Trustees so elected and being duly qualified shall be and are hereby invested with the same Powers and Authority for executing the said recited Acts and this Act as if they had been hereby nominated and appointed.

Additional Trustees may be elected.

V. And be it further enacted, That the said Trustees shall meet together at the House known by the Name or Sign of the *Bridgewater Arms* in *Ellesmere*, on the Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to the Execution of the said Acts and this Act, and shall from Time to Time afterwards meet at the same or any other Place near the said Roads as often as they shall think fit; and shall and may, from Time to Time, when they think proper, adjourn any such Meeting to a future Time, not exceeding Three Calendar Months, at the same Place, or at some other convenient Place near to the said Roads, as they shall think proper, for putting this Act in Execution; and if it shall happen that there shall not appear at any such Meeting a sufficient Number of Trustees to act, or to adjourn to any other Time and Place, then the Clerk to the said Trustees shall adjourn the said Meeting to, and appoint the Trustees to meet at, the Place where the last Meeting was appointed to be held, on that Day Three Weeks next after the Day on which such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on all the Toll Gates then erected or continued by virtue of this Act, at least Ten Days before such Meeting; and that the said Trustees, at all their Meetings, shall defray their own Charges and Expences, except in paying for the Use of the Room or Rooms where their Meetings shall from Time to Time be held for the Purposes of the said Acts and this Act: Provided always, that Two Trustees shall be sufficient to adjourn any such Meeting.

First Meeting of Trustees.

VI. And be it further enacted, That if after any adjourned Meeting of the said Trustees, made either by themselves or their Clerk, it shall be thought

Power to call intermediate Meetings.

thought necessary by Three or more of the Trustees, upon some Emergency, that there should be an earlier Day of Meeting than the Day appointed by such Adjournment, in that Case the Clerk of the said Trustees, on an Order in Writing to be delivered to him, to be signed by any Three or more of the said Trustees, although not assembled at a Meeting, shall forthwith give Notice of such Meeting by Writing to be affixed on all the Turnpike Gates then erected upon the said Roads at least Five Days before such Meeting, mentioning the Time, Place, and Purpose of such Meeting, as specified in the said Order; and the Proceedings of the Trustees at all such Meetings, respecting the Matters contained in such Notice, shall be as valid and effectual, to all Intents and Purposes, as if such Meeting had been held in pursuance of Adjournment: Provided always, that no further or other Business shall be entered upon or taken into Consideration at any such Meetings, so to be called upon any such Emergency as aforesaid, than such as shall have been set forth in the Order and Notice for calling such Meetings.

No Order to be repealed unless the Trustees exceed the Number who made it.

VII. And be it further enacted, That no Order made by the said Trustees, and entered in the Book in which their Orders are usually entered, shall be revoked, repealed, or set aside, at any subsequent Meeting of the Trustees, unless a greater Number of Trustees than were present when such Order was made shall be present at such subsequent Meeting, and consent to such Revocation or Alteration; and no Order made at any Meeting of the said Trustees shall be repealed or altered, unless Ten Days' Notice of the Intention of repealing or altering such Order, and of a Meeting to be held for that Purpose, shall have been given at the Meeting held previous to the Repeal or Alteration being made, and also by affixing the same on all the Turnpike Gates then standing on the said Roads, and by inserting such Notice in some Newspaper circulated in the Counties of *Salop* or *Flint*.

Appointing Officers.

VIII. And be it further enacted, That the said Trustees or any Five or more of them, shall at their Meeting, to be held as aforesaid on the Third *Tuesday* next after the passing of this Act, appoint a Treasurer or Treasurers, Clerk, Surveyor, and other Officers, for executing the said recited Acts and this Act, subject to the Regulations of the said recited Acts, except where altered by this Act.

Same Person not to act as Clerk and Treasurer.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to continue or appoint the Person who has been or may be appointed Treasurer or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk, in the Execution of this Act, every Person shall for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered 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 Imparlance, shall be allowed.

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X. 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 to be kept by the Clerk to the said Trustees, true and regular Accounts of all Sums of Money received and expended by them in the Execution of this Act, and of the several Articles, Matters, and Things, for which such Sums of Money shall have been disbursed, laid out, and paid; which Book shall at all seasonable Times be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Tolls hereby or by the said recited Acts granted, without any Fee or Reward; and the said Trustees and Creditors shall and may take any Copies or Extracts from such Book, without paying any thing for the same; and in case such Clerk shall refuse to permit such Trustees or Creditors, or any of them, to inspect the same, or take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Ten Pounds.

Book of Accounts to be kept.

XI. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates erected or to 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 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 any or either of the said Cases, it shall and may be lawful for any Justice of the Peace for the County, Town, or Place in which any such Toll House may be situated, to order a Constable or other Peace Officer, with such Assistance as shall be necessary, to enter into and upon the Possession of the Toll House and Toll Houses, with the Toll Gates, Buildings, and Appurtenances thereunto 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 Tolls there payable, and thereupon it shall be lawful for the said Trustees, by an Order in Writing under the Hands of them, 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 Covenants and Agreements for Payment of the Rent or Rents which shall then be in Arrear,) as if such Contract 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 Tolls again to any other Person or Persons, in the same Manner as if no prior Contract or Agreement had been entered into relative to the same.

Power to eject Farmers of Tolls.

XII. And be it further enacted, That if any Dispute shall happen about the Amount of the Tolls due, or the Charges of making, keeping, or selling 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,) until the Amount of the Tolls due, and of the Charges of the Distress and Sale, and of keeping the Distress, (as the Case

Settling Disputes.

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shall happen,) shall be ascertained by some Justice of the Peace for the County, Liberty, or Place where such Dispute shall arise, who, on Application made to him 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 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 of such Justice, rendering the Overplus (if any) on Demand, after deducting 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.

Land may be taken for Gardens for Toll-Houses.

XIII. And be it further enacted, That the said Trustees or any Five or more of them shall and may, if they shall see fit, cause a convenient Piece of Land, not exceeding One-eighth Part of an Acre in Quantity, to be set out as a Garden Spot and for needful Accommodations to each and every or any of the Toll-Houses erected or to be erected by virtue of the said recited Acts or this Act; and also shall and may take and enclose such a Quantity of Ground from any Field or Land adjoining the said Road as they shall deem convenient and necessary for the Purpose of erecting a Weighing Machine, with a House or Lodge annexed thereto, for the Use of the said Roads, making Satisfaction for the Land so taken in the Manner directed by the said first recited Act.

Toll Collectors to put up their Names, &c.

XIV. And be it further enacted, That all and every Toll Collector appointed either by the said Trustees, or any Five or more of them, or by any Lessee or Lessees under them, to collect the Tolls payable at any Turnpike or Toll-Gate erected by virtue of the said Acts or this Act, shall and he is hereby required to place his Christian and Surname, painted on a Board in legible Characters, in the Front or on some other conspicuous Part of the Toll-House or Toll-Gate immediately upon his coming on Duty, each of the Letters of such Name or Names to be at least Two Inches in Length and of a Breadth in Proportion, and painted 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 shall be upon such 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 or Persons than he shall be authorized to do by virtue of the Powers of the said Acts and this Act, 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 anywise hinder any Person or Persons from reading such Christian or Surname, or shall refuse to tell his Christian or Surname to any Person or Persons who shall demand the same on having paid the said Tolls or any of them, or shall give a false Name or Names on such Demand; or shall refuse or neglect to give a Ticket to denote the Payment of the Toll, such Ticket having specified thereon the several Gates freed by such Payment; or shall make use of any scurrilous or blasphemous Language to any Trustee, Treasurer, Clerk, Surveyor, or other Officer, or to any Person or Persons travelling upon the said Roads; or shall, without sufficient Cause, detain or delay any Person or Persons travelling thereon; then and in every such Case every such Collector shall forfeit and pay any Sum not exceeding Forty Shillings for

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 first recited Act directed to be recovered and applied.

XV. And be it further enacted, That if any Person or Persons shall with any Horse, Cattle, Beast, or Carriage, pass through or over any Land, Ground, or Place, lying by the Side of or near to any Part of the said Roads, (except the Owner or Occupier of such Land, Ground, or Place, or any of his or their Family or Servants,) or if any Person or Persons owning or occupying any such Land, Ground, or Place, the same not being a public Highway, shall knowingly permit or suffer any Person or Persons (except as aforesaid) to pass with any Horse, Cattle, Beast, or Carriage, through or over the same, with Intent to evade the Payment of the said Tolls or any Part thereof; or if any Person or Persons shall forge or counterfeit, or shall give to or receive from any Person or Persons any Note or Ticket by this Act directed to be given by the Collectors of the Tolls; or unload or cause to be unloaded any Goods, Wares, or Merchandize, or take off, or cause to be taken off, any Horse or other Beast from any Carriage, or having passed through any Turnpike shall afterwards add or put any Horse or other Beast to any such Carriage, with an Intent to evade the Payment of the said Tolls or any Part thereof; every such Person so offending in any of the Cases aforesaid shall, for each Offence, forfeit any Sum not exceeding Forty Shillings, One-half whereof shall be paid to the Informer, and the other Half shall be applied towards the Purposes of this Act.

To prevent
Evasion of
Tolls.

XVI. And be it further enacted, That from and after the passing of this Act, no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Roads, or any other Roads in the Townships or Parishes in which any Parts of the said Roads lie; or Hay, Straw, or Corn in the Straw, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners; or for any Horse, Cattle, or Beast employed in carrying or conveying, or going empty to carry or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any Ploughs, Harrows, or Implements of Husbandry, Corn for seeding the Ground, or any Dung, Compost, or Manure employed in Husbandry, for manuring or improving Lands (Lime and Lime Stone excepted;) nor for any Horses or Cattle going to or returning from Pasture or Watering Places, nor from any Person going to or returning from his or her proper parochial Church or Chapel, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person who shall die and be buried in any of the said Townships or Parishes; or from any Clergyman going to or returning from visiting any sick Person, or going to or returning from his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; nor for any Horse, Cattle, or Carriage, of whatever Description, employed or to be employed in conveying

Exemptions
from Tolls.

conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cattle, or Beast attending any Soldiers on their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; 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; nor for any Horse, Cart, Cattle, or Beast employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; nor for any Horse, Cattle, or Beast carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Salop* and *Flint*, on the Day or Days of such Election, or on the Day before or after such Election shall begin or be concluded; 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 or 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 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 any Sum not exceeding Forty Shillings, One Half whereof shall go to the Informer, and the other Half shall be applied for the Purposes of this Act.

Carriages conveying Military Stores not to be subject to Penalties for Overweight, &c.

XVII. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart, or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack, or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture for Overweight, nor shall any such Waggon, Wain, Cart, or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart, or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in the said recited Acts or this Act, contained to the contrary notwithstanding.

Persons only to pay once for passing and repassing through the Overton Gate.

XVIII. Provided always, and be it enacted, That no Person shall be subject to the Payment of any of the Tolls payable under the said recited Acts or this Act, more than once in any one Day, (to be computed from Twelve of the Clock on One Night, to Twelve of the Clock on the succeeding Night,) for passing and repassing with the same Horse or Beast, Cattle and Carriage through all or any of the Turnpikes which shall be erected on the *Overton* Branch of Road, such Person producing a Note or Ticket denoting the Payment of the said Toll on that Day, but if any Person shall

shall pass a third Time through any such Gate or Turnpike on the same Day, such Person shall be subject and liable to the Payment of another Toll, and so *toties quoties* every third Time such Person shall with the same Horse or Beast, Cattle and Carriage, pass or repass through any Gate or Turnpike as aforesaid.

XIX. And be it further enacted, That upon Payment of the Tolls by the said Acts granted, the Collector or Receiver thereof shall, and he is hereby required to deliver *gratis* to the Person paying such Tolls a Note or Ticket denoting such Payment, and which Note or Ticket shall be provided by the said Trustees, and there shall be printed and specified thereon the Names of the several and respective Gates freed by such Payment. Tickets to be provided.

XX. And be it further enacted, That the Tolls to be taken and received at all the Toll Gates erected or to be erected under the Authority of the said recited Acts and this Act, shall be applied generally in the making and repairing of the Roads to which the said recited Acts extend, and the additional Roads contained in this Act, and without any separate Account of Receipts or Disbursements being kept in respect thereof. Tolls to be applied generally.

XXI. And be it further enacted, That out of the Monies which shall be borrowed, raised, or received by the said Trustees, upon the Credit of the said Tolls as aforesaid, and out of the Tolls payable under the said recited Acts and this Act, the said Trustees, or their Treasurer or Treasurers, shall in the first Place pay and discharge all the Expences and Charges of procuring and passing this Act, or anywise relating thereto, and shall in the next Place pay the Interest on the several Sums of Money borrowed and owing on the Credit of the said Tolls, and in paying off the principal Sums so borrowed or owing, in case the said Trustees, or any Five or more of them, shall so order or direct; and the Remainder of the Monies so raised shall be, from Time to Time, employed in forming, making, repairing, and improving the said Roads, in the Purchase of Lands and Hereditaments necessary for that Purpose, and in defraying the Costs, Charges, and Expences attending the Execution of the said recited Acts, and this Act, in such Manner as the said Trustees, or any Five or more of them, shall from Time to Time direct. Application of Tolls.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees or any Five or more of them, at their First or any other subsequent Meeting, to borrow and take up at Interest upon the Credit of the Tolls to arise by virtue of the said Acts and this Act, such Sum or Sums of Money, in addition to the now existing Debts and Sums of Money chargeable thereon, as they the said Trustees or any Five or more of them shall think expedient, for the Purpose of enabling them to carry into Execution in the most beneficial Manner the Powers and Provisions in the said recited Acts and this Act, and they the said Trustees or any Five or more of them shall and may, and are hereby authorized by Writing or Writings under their Hands and Seals, to mortgage or assign over the said Tolls or any Part thereof, as a Security or Securities unto any Person or Persons, or their Trustees, by whom such Sum or Sums of Money shall be respectively advanced, which Mortgage or Assignment may

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be in the following Form, or in Words of the like Purport or Effect; that is to say,

‘ BY virtue of Three Acts of Parliament passed in the Eleventh, Thirty-
 ‘ seventh, and Fifty-eighth Years of His present Majesty King George
 ‘ the Third, intituled [*here set forth the Title of the Acts,*] We
 ‘ being of the
 ‘ Trustees appointed by or in virtue of the said Acts, some or one of
 ‘ them, in consideration of the Sum of paid into the Hands of the
 ‘ Treasurer of the said Roads by of on or
 ‘ before the Execution hereof, do hereby assign over unto the said
 ‘ his Executors, Administrators, and Assigns, such
 ‘ Proportion of the Tolls arising and payable under the said Acts, as
 ‘ the said Sum of doth or shall bear to the whole Sum
 ‘ advanced and owing on the Credit of the said Tolls, to hold unto the said
 ‘ his Executors, Administrators, and Assigns, from henceforth
 ‘ during the Continuance of the said Acts, or until the said Sum of
 ‘ with lawful Interest for the same, shall be fully paid and satisfied. Dated
 ‘ this Day of .’

And Copies of all such Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose, by the Clerk or Treasurer to the said Trustees, to be seen and perused at all reasonable Times, by any Person or Persons, without Fee or Reward; and all and every Person or Persons to whom any such Assignment or Assignments shall be made as aforesaid, and his, her, or their Executors or Administrators, Assignee or Assignees, may and are hereby empowered from Time to Time, by proper Words of Assignment, to be indorsed in his, her, or their Security or Securities, or by any Deed or Deeds, Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of one or more credible Witness or Witnesses, to assign and transfer such Security or Securities, and all the Money that shall be due thereon, to any other Person or Persons whomsoever; and that every such Transfer or Assignment of any Security of the said Tolls shall, from Time to Time, be produced and notified to the Clerk or Treasurer to the said Trustees for the Time being, who shall make or cause to be made a Memorial or Entry of every such Transfer or Assignment, containing the Date thereof, and the Names, Additions, and Places of Abode of the several Parties thereto, and the Sum or Sums of Money therein mentioned, and other the material Contents thereof, together with the Name or Names of the Witness or Witnesses to the Execution thereof, in the Book or Books to be kept for entering the said original Mortgages or Assignments; and for every such Entry the said Clerk or Treasurer shall be paid the Sum of Five Shillings and no more, by the Person or Persons to whom such Assignment shall be made; and after such Entry made, but not otherwise, such Assignment shall entitle the Assignee or Assignees therein named, and his, her, or their Executors or Administrators, to the Benefit thereof, and Payment of the Money thereby secured; and it shall not be in the Power of the Person or Persons making such Assignment, afterwards to make void, release, or discharge the same, or the Money thereby secured, or any Part thereof.

Trustees not
 personally
 liable.

XXIII. Provided always, and be it further enacted, That the Trustees executing such Mortgages or Securities of the said Tolls as aforesaid shall

not be thereby deemed to be personally subject or liable to the Payment of the Monies thereby secured, or the Interest accruing due thereon; nor shall their or any of their Persons, Property, or Effects, be affected thereby.

XXIV. And be it further enacted, That it shall and may be lawful for the Trustees appointed in or by virtue of the said recited Acts or this Act, or any Five or more of them, and they are hereby authorized and empowered to make the before-mentioned Road, leading out of the said Road from *Wem* to *Bron y Garth*, into the Turnpike Road from *Ellesmere* to *Wrexham*, and which shall be called the *Overton Branch* of Road, of such Width as they shall deem necessary, not exceeding Forty Feet between the Fences, and also to make and open a New Road of any Width not exceeding Forty Feet between the Fences in the Courses and Directions particularly described in the Plans hereinafter mentioned; and that the Lands and Hereditaments which shall be taken by the said Trustees, for the Purpose of making the said new intended Road, (Satisfaction being first made to the respective Owners of such Lands and Hereditaments and Persons interested therein,) shall be for ever thereafter deemed a Common Highway to all Intents and Purposes, and be repaired and kept in Repair by the Parishes, Townships, or Districts, through which the same shall pass, in like Manner as the Highways in general within such Parishes, Townships, or Districts, respectively are required by Law or legal Prescription to be repaired and amended, and as in the said recited Acts or this Act is further provided in that Behalf; and that from the Time when such Lands or Hereditaments shall be taken by the said Trustees for the Purposes aforesaid, all other Parties or Persons whatsoever shall be divested of all Right or Title to such Lands and Hereditaments, except nevertheless, and hereby reserving to the respective Owners and Proprietors of such Lands and Hereditaments, all Mines and Minerals lying and being within and under the same.

XXV. And whereas Maps or Plans, describing the Line of the said New Road, and the Lands through which the same is to be carried, together with a Book of Reference, containing Lists of the Names of the Owners or reputed Owners and Occupiers of such Lands, have been deposited at the respective Offices of the Clerks of the Peace for the several Counties of *Salop* and *Flint*: Be it therefore enacted, That the said Maps or Plans, and Books of Reference, shall remain in the Custody of the respective Clerks of the Peace, for the said Counties, to the End that all Persons may at any reasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Pleasure; paying to the said respective Clerks of the Peace the Sum of Five Shillings for every such Inspection, and at the Rate of Sixpence for every Seventy-two Words of such Copies or Extracts of the said Maps or Plans, and Books of Reference; and that the said Trustees, in making, widening, or repairing the said Road, shall not deviate more than One hundred Yards from the Line described in the said Maps or Plans, without the Consent or Approbation in Writing of the Person or Persons, Body Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

XXVI. Provided always, and be it further enacted, That if any of the Lands laid down or described in the said Maps or Plans, or any of the Persons in Misnomers or wrong Descriptions not

to prevent
the Execu-
tion of this
Act.

in whose Possession or Occupation the same, or any Part thereof, are or is stated or described to be, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the several Premises, and every Part thereof, shall and may be purchased for the Purposes of this Act, as fully and effectually as if the same were more properly named; provided it shall appear to any one or more Justices of the Peace for the County in which the Lands are situated, and be certified in Writing under his or their Hands, that such Misnomer or inaccurate Description proceeded from Mistake.

Not to de-
viate more
than One
hundred
Yards.

XXVII. And be it further enacted, That it shall not be lawful for the said Trustees in diverting, turning, varying, or altering the Course or Path of any Part of the Roads comprized in the said Acts, to deviate more than One hundred Yards from the present Line or Course thereof, without the Consent in Writing of the Owners or reputed Owners and Occupiers for the Time being of the Lands and Grounds which may be affected by any such Diversion or Alteration.

Compelling
Payment of
Subscriptions.

XXVIII. And be it further enacted, That the several Persons who have subscribed or agreed in Writing to subscribe and advance, or shall hereafter agree in Writing to advance any Sum or Sums of Money on the Credit of the Tolls of the said Roads, for or towards the Expences of making the new Roads by this Act authorized to be made, and for carrying such Work or the Provisions of the said recited Acts or this Act into Execution, shall pay, and they are hereby directed and required to pay the respective Sums by them subscribed or agreed to be advanced, at such Time or Times, and to such Person or Persons, as the said Trustees or any Five or more of them shall by Writing under their Hands order or direct; and in Default of Payment of such respective Sums, or any Part thereof, the same shall be recovered by Action at Law, to be brought in any of His Majesty's Courts of Law at *Westminster* in the Name of the Clerk or Treasurer to the said Trustees.

Getting Ma-
terials.

XXIX. And be it further enacted, That it shall and may be lawful to and for the Surveyor or Surveyors, or such Person or Persons as he or they shall appoint, to dig, gather, and carry away any Gravel, Furze, Heath, Sand, Flints, Stones, or other Materials, out of any common River or Brook, or out of or from any Waste or Common, proper and convenient for repairing and amending the Roads aforesaid, without paying any Thing for the same, such Surveyor or Surveyors, or other Person levelling or causing to be levelled all such Holes and Pits where any Materials as aforesaid shall be digged, gathered, or taken, and from whence the same shall be carried away, or making a safe and sufficient Fence round all such Holes or Pits; and where a sufficient Quantity of Materials cannot be had from such Rivers, Brooks, or Common, for repairing and amending the said Roads, it shall and may be lawful for such Surveyor or Surveyors, or other Persons as aforesaid, by Order of any Justice or Justices of the Peace for the County in which such Materials are to be gotten, to be made upon the Application of the said Trustees, or any Five or more of them, to dig and gather such Materials in, and carry the same out of and from the Lands and Grounds of any Person or Persons (not being the Ground whereon any House stands, or a Garden, Orchard, Yard, or Park, Paddock, planted Walk, or

or Avenue to any House, or a Piece or Parcel of Ground set apart or used as a Nursery for Trees,) where such Materials are or may be found, and from Time to Time to carry away the same, or so much thereof as the Surveyor or Surveyors shall judge necessary for repairing and amending the said Roads, paying such Rates for such Materials, and for the Damage done to the Owners and Occupiers respectively of the Lands or Grounds where and from whence the same shall be digged, gathered, or carried away, or over which the same shall be carried, as also for the Damage done to the Owners and Occupiers of any private Lands or Grounds over which such Materials gotten in any River, Brook, or Waste Ground shall be carried or conveyed, as the said Trustees, or any Five or more of them, shall judge reasonable; and in case of Difference concerning the same between such Owners or Occupiers and the said Trustees, touching such Damages as aforesaid, then Two Justices of the Peace acting in and for the said County shall and may adjudge, assess, and finally determine the same.

XXX. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or other Person or Persons acting under the Authority of this Act, to dig, cut, gather, get, take, or carry away any Materials proper for repairing such Roads, out of or from any inclosed Land or Ground, until Notice in Writing, signed by the Surveyor, shall have been given to the Owner or Occupier of the Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owner or Occupier, to appear before any One or more Justice or Justices of the Peace acting in and for the said County, to shew cause why such Materials shall not be had from such Lands or Grounds; and in case such Owner or Occupier or Agent shall attend pursuant to such Notice, but shall not shew sufficient cause to the contrary, such Justice or Justices shall if they think proper authorize such Surveyor or other Persons to dig, gather, take, and carry away such Materials at such Time or Times as to such Justice or Justices shall seem proper; and if such Owner or Occupier shall neglect or refuse to appear by himself or Agent, such Justice or Justices may (upon Proof on Oath of the Service of such Notice, and which Oath they or any of them are hereby empowered to administer) make such Order therein as he or they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier or his Agent had attended.

Notice to be given of taking Materials.

XXXI. And be it further enacted, That if any Person or Persons shall ride upon any Causeway or Footpath now made, or hereafter to be made, on the Side of the said Roads, or any Part thereof, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall wilfully cause any Damage whatsoever to be done thereto, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, One-half whereof shall go to the Informer, and the other Half shall be applied to the Purposes of the said Acts, and this Act.

Preserving Footpaths.

XXXII. And be it further enacted, That if any Person or Persons using any large Stones for the Purpose of blocking up or stopping their Carts or Waggons, shall not immediately afterwards remove the same from off the said Roads, he or they so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings to any Person who shall

To prevent Stones being left on the Roads.

[Local.]

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make

make Information thereof, upon Oath, before One or more Justice or Justices of the Peace for the County where the Offence shall be committed, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of the said Acts and this Act.

Gates to
open inwards.

XXXIII. And be it further enacted, That no Gate of any Park, Paddock, or Field, shall be made to open towards the said Roads, or shall be suffered to continue so to open, unless the Hanging-Posts thereof shall be Thirty Feet at least from the Centre of the Road; and the Occupier or Occupiers of every Park, Paddock, or Field, the Gate whereof shall open towards the said Roads, shall, within Fourteen Days after Notice from the Surveyor or Surveyors of the said Roads, cause such Gate to be altered in such a Manner as that no Part of the Gate when open shall project over any Part of the said Roads, and in Default thereof the said Surveyor or Surveyors is and are hereby authorized to cause such Gate to be taken down, and afterwards fixed up in the Manner hereinbefore directed; and the Person or Persons making Default shall, upon Complaint made to any Justice of the Peace for the County in which such Road shall lie, and on Conviction thereof, on the Oath of One credible Witness, pay to such Surveyor or Surveyors such Sum as the said Justice shall direct for defraying the Expence of such Alteration, and shall also forfeit and pay any Sum not exceeding Forty Shillings for his or their Default therein.

Application
of Money
above 200l.

XXXIV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased or to be purchased by virtue of the said Acts or this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or other Person or Persons under any other Disability or Incapacity, 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 Acts 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 Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other 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 and with 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, 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 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 High Court of Chancery, upon Ap-
plication

plication 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, and Hereditaments so to be purchased under the Authority of this Act, in case such Purchase or Settlement was made.

XXXV. 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 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 be, 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 of *England*, 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 hereinbefore 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 for executing the said 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 hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said High Court of Chancery.

Where less than 200l. and not less than 20l.

XXXVI. Provided also, and be it further enacted, That when 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 for the Purposes of the said Acts 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.

When under 20l.

XXXVII. And be it further enacted, That in case the Person or Persons to whom any such Sum or Sums of Money shall be adjudged or awarded by or for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said Acts and 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

In case of not making out Titles, &c.

if

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 for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed 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 High Court of Chancery, which said Court, on the Application of any Person or Persons making Claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered in a summary Way of Proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Title, or Interest of the 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 is and are hereby required to give a Receipt or Receipts for the same, 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.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in Possession at the Time of such Purchase shall be deemed entitled thereto.

XXXVIII. 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 High Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest of any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and 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, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, 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 may order reasonable Expences to be paid by the Trustees.

XXXIX. Provided always, 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 Acts and this Act, the Purchase Money for the same shall be required to be paid into the said High Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said High Court of Chancery to order the Expences of all Purchases from

Time to Time to be made in pursuance of the said Acts and this Act, or so much of such Expences as the said Court shall deem reasonable to be paid by the said Trustees, out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XL. And be it further enacted, That so much of the said recited Acts Statute Labour. as relate to the Performance of Statute Labour on the said Roads shall be and the same is hereby repealed, and 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 be lawful for any Two or more Justices of the Peace within their respective Jurisdictions for the said Counties of *Salop* and *Flint*, and they are hereby required and empowered upon Application made to them by the said Trustees, or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes or Places in which the said Roads do 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 or Treasurers; and in order thereunto, it shall be lawful 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 Fourteen 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 are or may be directed by any Law or Statute in force or effect for the Repairs of the Public Highways; and out of such Lists the said 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 at such Days and at such Times, (not being Hay Time or Harvest,) and in such Parts of the said Roads, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct, and in default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Acts authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to

[Local.]

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or

or left for him, her, or them, at his, her, or their usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall for every Day of his; her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force or Effect for the Repair of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and discharge the Person who shall be found idle or negligent as aforesaid; and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads, all which Forfeitures shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Highways; and if any Surveyor 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 and wilfully give in false or imperfect Lists, every such Offender shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Protecting
Collectors of
Tolls.

XLI. 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, in the Execution of any Part of the said recited Acts or this Act, every such Person shall, for every such Offence, forfeit and pay a Sum not exceeding Ten Pounds, which Penalty shall be applied towards the Repairs of the said Roads, and shall be recovered in such Manner as the other Penalties are by the said recited Acts or this Act, or any of them, directed to be recovered.

Form of
Conviction.

XLII. And for the more easy and speedy Conviction of Offenders against the said recited Acts and this Act, or any of them, be it further enacted, That every Justice of the Peace, before whom any Person or Persons shall be convicted of any Offence against the said recited Acts, or any of them, or this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case may happen; (that is to say,)

To wit. } Be it remembered, That on the Day of
 } in the Year of Our Lord A. B. is convicted
 before me C. D. One of His Majesty's Justices of the Peace for the
 County of [here specify the Offence, and the Time and Place
 when and where the same was committed, as the Case may be,] con-
 trary to the Provisions of some or One of the several Acts of Parlia-
 ment passed in the Eleventh, Thirty-seventh, and Fifty-eighth Years of
 the Reign of His Majesty King George the Third, for repairing the
 Road from Wem to the Lime Rocks at Bron y Garth, in the County
 of Salop, and other Roads therein mentioned; and for the said Offence
 the said A. B. is fined in the Sum of Given under
 my Hand the Day and Year first above written. C. D.

XLIII. And be it further enacted, That the Costs, Charges, and Expences Expences of the Act. incident to and attending the procuring and obtaining this Act, together with lawful Interest from the Time of advancing the same until the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby required to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the first Monies that shall be collected, borrowed, or received by virtue of the said recited Acts or this Act, in preference to all other Payments and Disbursements whatsoever.

XLIV. And be it further enacted, That this Act shall be deemed and Public Act. 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.

XLV. And be it further enacted, That the said recited Acts (subject to Continuance. the Alterations, Variations, and Additions herein-before contained,) and this Act, shall continue in force and be executed for and during the Residue now to come and unexpired of the Term granted by the said recited Acts, and from the Expiration thereof 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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