



ANNO QUARTO

# GEORGIIV. REGIS.

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## Cap. xxv.

An Act for more effectually amending, widening, and keeping in Repair several Roads in and near to the Town of *Tenbury*, in the Counties of *Salop*, *Worcester*, and *Hereford*, and the Roads leading from the *Knowle Gate* to the Turnpike Road on the *Clee Hill*, and from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Tenbury*.

[12th May 1823.]

**W**HEREAS an Act was passed in the Thirtieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for amending, widening, and keeping in repair several Roads in and near to the Town of Tenbury, in the Counties of Salop, Worcester, and Hereford*: And whereas another Act was passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for reviving and continuing the Term and enlarging the Powers of an Act of the Thirtieth Year of His late Majesty, intituled 'An Act for amending, widening, and keeping in repair several Roads in and near to the Town of Tenbury, in the Counties of Salop, Worcester, and Hereford;'* and for amending and keeping in repair the Roads leading from the *Knowle Gate* to the Turnpike Road on the *Clee Hill*, leading from *Ludlow* to *Cleobury Mortimer*, and from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Tenbury* in the said Counties: And whereas

[Local.]

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another

42 G. 3. c. 2.

another Act was passed in the Forty-second Year of the Reign of His said late Majesty King George the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts, passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, and the Twenty-second Year of the Reign of His present Majesty, for amending, widening, and keeping in repair several Roads in and near to the Town of Tenbury, in the Counties of Salop, Worcester, and Hereford; and also the Roads leading from the Knowle Gate to the Turnpike Road on the Clee Hill, leading from Ludlow to Cleobury Mortimer, and from Kyre Mill to the Turnpike Road leading from Bromyard to Tenbury in the said Counties:* And whereas the Trustees for the Care and Management of the said Roads have made considerable Progress in the Repairs thereof, and for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls authorized to be collected thereon, Part of which Money still remains due; and it is expedient that the said recited Acts be repealed, and further and better Provision made for the Repair of the said Roads: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England:* 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 from and immediately after the Commencement of this Act, the said Three first recited Acts, and all and every the Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters and Things therein respectively contained, shall be and are hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever; and that instead thereof this Act shall then commence and take place, and be put into Execution for and during the Term herein-after mentioned, for more effectually amending, improving, and keeping in repair the Roads leading from a Gate called *The Knowle Gate* adjoining to the *Clee Hill*, in the Parish of *Burford* in the County of *Salop*, down a Lane called *The Park Lane*, by *The Rose and Crown*, to the Turnpike Road leading from the Town of *Ludlow* towards the Town of *Tenbury*, in the County of *Worcester*, and from *Team Bridge* through the said Town of *Tenbury* and a Lane called *Prest Acre Lane*, and from thence through *Sutton* to a Mill called *Kyre Mill*, in the said County of *Worcester*; and also the Road leading from the said Town of *Tenbury*, through the *Old Wood Lane* and over the *Old Wood Common*, to the *Raddle Bank Hill*, and from thence to *Stockton Cross*, in the County of *Hereford*, leading into and adjoining a certain other Turnpike Road from *Ludlow* aforesaid to *Hereford*, over *Ford's Bridge*, in the said County of *Hereford*, and also the Roads leading from a Gate, called *The Knowle Gate*, adjoining to the *Clee Hill*, through the Parishes of *Burford* and *Gainham*, to the Turnpike Road on the said *Clee Hill*, leading from the Town of *Ludlow* to *Cleobury Mortimer* in the County of *Salop*, and from a Mill, called *Kyre Mill*, in the County of *Worcester*, to the Turnpike Road leading from the Town of *Bromyard*, in the County of *Hereford*, to the said Town of *Tenbury*; and that the additional Term and the Tolls hereby granted shall be subject and liable to the Payment of all Monies now due on the Credit or on account of the said Three first recited Acts or any of them, or which shall hereafter be borrowed on the Credit of this Act, and the Interest due and to grow due

Acts repealed, and this Act to be put in force.

3 G. 4. c. 126.

due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed and become due and owing on the Credit or on account of the Tolls granted by this Act; and all Bonds, Covenants, Agreements and Securities made or entered into by any Person or Persons to or with the Trustees for executing the said Three first recited Acts, or any of them, according to the Provisions and Directions thereof, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are or shall be fully satisfied and performed; and all Conveyances, Contracts, Agreements, Demises, Mortgages, and Securities, duly made and entered into by the Trustees for executing the said Three first recited Acts, or any of them, to or with any Person or Persons, or by any Body or Bodies Politic, Corporate, or Collegiate, or any Person or Persons whomsoever, to or with such Trustees, shall remain in full Force and Effect, and shall be binding on the Trustees under this Act, and be observed and kept by them according to the Terms, Stipulations, Conditions, and Tenor thereof respectively.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are expressly varied, altered, or repealed by this Act, shall be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Powers of  
3 G.4. c. 126.  
extended to  
this Act.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the respective Counties of *Salop*, *Worcester*, and *Hereford*, together with *William Adams*, the Honourable and Reverend *George Rushout Bowles*, *George Rushout Bowles junior*, *Sir Edward Blount* Baronet, *Henry Bromley*, *Thomas Botfield*, *John Barneby*, *William Barneby*, *Edmund Barneby*, *Joseph Beddard*, *John Bishop*, *William Childe*, *William Lacon Childe*, *William Childe junior*, *Jonathan Childe*, *Edmund Lechmere Charlton*, the Reverend *Wateis Corbett*, *James Compson*, *John Cheese*, *Thomas Dunne*, *Dansey Richard Dansey*, *Dansey Richard Dansey junior*, the Reverend *John Wood Duppa*, *John Fox Downes*, *John Dallewy*, *Thomas Edwards* (of *Sutton*), *George Edmunds*, *John Giles*, *John Giles junior*, the Reverend *Edward Green*, *Thomas Green*, *Thomas Green junior*, *Thomas M'Ghie*, *Charles Hanbury*, the Reverend *Henry William Hill*, the Reverend *Thomas Edwards Mytton Holland*, *Thomas Andrew Knight*, the Reverend *Samuel Johns Knight*, the Reverend *Charles Scott Luxmore*, the Reverend *Thomas Hill Perugrine Fury Lowe*, the Reverend *Peter Miller*, the Reverend *Thomas Elton Miller*, the Reverend *John Miller*, the Reverend *Joseph Kirkman Miller*, *John Joseph Miller*, the Reverend *James Mainwaring*, the Reverend *James Meakin*, *George Meredith*, *William Meredith*, *William George Meredith*, *Edward Mytton*, *James Wakeman Newport*, the Reverend *Thomas Newport*, the Reverend *George Pardoe*, *George Pardoe junior*, *Edward Poole*, *Edmund Burnham Patteshall*, the Reverend *Thomas Rocke*, *Richard Rocke*, the Honourable *Thomas Harley Rodney*, *Richard Salwey*, *Sir Christopher Sidney Smith* Baronet, the Reverend *Francis Severn junior*, *Sir Thomas Edward Winnington* Baronet, *Thomas Winnington*, *Edmund Meysey Wigley*, the Reverend *William Bayley Whitehead*, the Reverend *Edward Whitehead*,

Trustees.

*head, Edward Wheeler, Vincent Wood Wheeler, Charles Walker (of Ashford), the Reverend John Walcott, the Reverend Charles Walcott, and Thomas Yarranton, shall be and they are hereby appointed the Trustees for repairing, widening, altering, diverting, turning, and from Time to Time improving and keeping in Repair the Roads herein-before mentioned and described, and for otherwise putting this Act into Execution.*

Power to  
appoint ad-  
ditional  
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at a Meeting to be held for that Purpose, (of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given, as is directed by the said last recited Act respecting the Appointment of Trustees on Vacancies), to elect, nominate, and appoint any Number of fit Persons, not exceeding Three, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such Trustees so elected and appointed shall be and they are hereby invested with the same Powers and Authorities for executing the said last recited Act and this Act, as if they had been named and appointed by this Act.

Trustees to  
be sworn.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act into Execution, unless he shall be qualified in such Manner as in and by the said recited Act, passed in the Third Year of the Reign of His present Majesty, is directed and prescribed; and unless (being so qualified) he shall, before he shall act as a Trustee (except in administering the Oath mentioned in the said last mentioned Act, and the Oath herein-after mentioned), take and subscribe before One or more of the said Trustees (who is and are hereby empowered to administer the same), the Oath following; (that is to say),

Oath.

‘ I do swear, That I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee by virtue of an Act passed in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled *An Act [here set forth the Title of this Act]*, and also an Act passed in the Third Year of the Reign of His said Majesty, intituled *[here set forth the Title of the said recited Act, passed in the Third Year of the Reign of His present Majesty.]*

‘ So help me GOD.’

And if any Person shall act as a Trustee in the Execution of this Act (except as aforesaid) before he shall have taken and subscribed the said Oath, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said Act of the Third Year of the Reign of His present Majesty or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath by this Act prescribed, shall be thereby impeached or rendered nugatory; but all such Proceedings shall be as valid and effectual

effectual as if such Person had taken such Oath previously to his having acted as such Trustee as aforesaid.

VI. And be it further enacted, That the Trustees for executing this and the said last recited Act, or any Three or more of them, shall meet together at the *Swan Hotel* in the Parish of *Burford*, in the said County of *Salop*, on the *Thursday Week* next after the passing of this Act, or so soon after as conveniently may be, and proceed to the Execution of this and the said last recited Act, and shall then and from Time to Time after adjourn to and meet again at such Time and at such Place or Places, within the Parishes of *Burford* and *Tenbury* aforesaid, or one of them, and not elsewhere, as they at their respective Meetings shall think proper.

First Meeting of Trustees.

VII. And be it further enacted, That the said Trustees, or any Three or more of them, at any of their Meetings, shall and may from Time to Time appoint a Clerk, and also a Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Roads, and such other Officers as they the said Trustees shall think necessary, and from Time to Time remove any such Officer or Officers; and on the Death, Resignation, or Removal of any such Officer or Officers, may appoint another or others in his or their Stead, and Fourteen Days Notice shall be published on all the Turnpike Gates standing or being across the said Roads, of every Meeting where any such Appointment shall be intended to be made after the First Meeting of the said Trustees, specifying the Intention of appointing any such Officer or Officers; and the said Trustees shall and may, and are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries and make such Allowances to such Officers and other Persons employed, or who shall assist in the Execution of this Act, for their Services in and about the carrying this and the said last recited Act into Execution; and also all such Costs and reasonable Sums as they the said Trustees, or any of them, or the Surveyor or Surveyors, or other Officer or Officers by them appointed, or any Justice or Justices of the Peace shall have been at, or put unto, or shall have expended in the due Execution of this and the said last recited Act, and of the Powers and Authorities given or granted thereby, or in defending or prosecuting any Action or Suit, Indictment or Indictments, Information, or other Proceeding whatsoever, for or on account thereof, or for or concerning any Matter or Thing whatsoever, which he or they shall have done or ordered to be done in the due Execution thereof, or in or about the Prosecution of any Person or Persons whomsoever, for any Matter or Thing whatsoever, which such Person or Persons shall have done in contravention of or contrary to this or the said last recited Act, as they the said Trustees shall think reasonable, and to order and direct their Treasurer or Treasurers to pay and defray the same respectively out of any Money in his or their Hands arising from the Tolls hereby granted: Provided always, that the Clerk, Receivers, Collectors, and Surveyors who have been appointed under and by virtue of the said Three first recited Acts hereby repealed, and also the Treasurer or Treasurers (if he or they shall have been appointed under the Provisions of the said recited Act, passed in the Third Year of the Reign of His present Majesty, but not otherwise), shall respectively continue to hold and exercise such their several and respective Offices and Employ-

Trustees to appoint Officers, &c.

ments until they shall respectively be removed therefrom by the said Trustees for executing this and the said last recited Act, or resign the same.

Clerk not to act as Treasurer, and vice versa.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint or Information, wherein no Essoign, Protection or Wager of Law, nor more than One Imparlance, shall be allowed.

Books used under former Acts to be Evidence.

IX. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Restraining the Trustees from paving the Streets in Tenbury.

X. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees, or their Successors, or any of them, to pave or light any of the Streets within the said Town of *Tenbury*.

Power to continue and erect Toll Gates, Toll Houses, &c.

XI. And be it further enacted, That the said Trustees may and they are hereby authorized to continue or remove all or any of the Toll Gates and Toll Houses which have been erected in, upon, or across any Part of the said Roads, by virtue of the said Acts hereby repealed; and shall and may erect, or cause to be erected, such and so many other Toll Gates and Toll Houses, Weighing Machine or Weighing Machines, in, upon, or across any Part of the said Roads, and also in, upon, and across such Parts and in such Places of the said Roads by this Act directed to be widened, improved, and kept in Repair, and also such and so many Toll Gate or Toll Gates on the Sides of the said Roads, as they the said Trustees shall think proper and expedient; and also shall or may erect or provide a Toll House, with suitable Buildings, a Garden, and other Conveniences, not exceeding One-fourth Part of a Statute Acre of Land, at or near each of the said Toll Gates.

XII. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Acts hereby repealed on the said Roads to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, when they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices as they the said Trustees can obtain for the same; and in case of Sale to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees, or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last recited Act directed to be given where any Piece or Pieces of Ground, or old Road not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of.

Power to sell  
the present  
Toll Houses.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons appointed or continued or to be appointed Collector or Collectors, by virtue of this or the said last recited Act, to demand and take the Tolls herein-after mentioned, at each of the Turnpike Gates, or Toll Gates or Toll Houses, or Side Bars or Side Gates which are or shall be standing or being or continued or erected by virtue of this or the said last recited Act, in, upon, across, or on the Side or Sides of the said Roads or any Part or Parts thereof; and on every Day (such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) before any Horse, Ox, Mule, Ass, or other Cattle whatsoever, shall pass or be permitted to pass through the same Gates or Turnpikes, or either of them; (that is to say),

Collectors  
empowered  
to take Tolls.

For every Horse or other Beast drawing any Coach, Chariot, Landau, Berlin, Chaise, Hearse, Calash, or other such like Carriage (except a Waggon, Wain, or Cart), drawn by Six or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Four-pence; and at each of the Second and Third Gates (through which the same passes) the Sum of One Penny; and if drawn by more than One and less than Six Horses or other Beasts (at the First Gate through which the same passes) the Sum of Four-pence Halfpenny; and at each of the Second and Third Gates (through which the same passes) the Sum of Two-pence:

Tolls.

For every Horse or other Beast, where only One, drawing any Chaise, Calash or Chair, or other such like Carriage (except a Waggon, Wain or Cart), (at the First Gate through which the same passes) the Sum of Sixpence;

Sixpence ; and at each of the Second and Third Gates through which the same passes, the Sum of One Penny :

For every Horse or other Beast drawing any Waggon, or other such like Carriage (except a Coach, Chariot, Landau, Berlin, Chaise, Hearse, Calash, or other Carriage above mentioned), having more than Two Wheels, and of the Breadth of Six Inches or more, and drawn by Six or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Four-pence ; and at each of the Second and Third Gates through which the same passes, the Sum of One Penny :

And for every Horse or other Beast drawing any Waggon or such like Carriage, having more than Two Wheels, and of the Breadth of Six Inches or more, where the same shall be drawn by less than Six Horses or other Beasts, at the First Gate through which the same passes, the Sum of Sixpence ; and at the Second and Third Gates through which the same passes, the Sum of One Penny Halfpenny :

And for every Horse or other Beast drawing any Waggon or such like Carriage, where the same shall have more than Two Wheels, and of the Breadth of Four Inches and a Half, and less than Six Inches, and be drawn by Six or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Five-pence ; and at the Second and Third Gates through which the same passes, the Sum of One Penny :

And for every Horse or other Beast drawing any Waggon or such like Carriage, having more than Two Wheels, and of the Breadth of Four Inches and an Half, and less than Six Inches, where the same shall be drawn by less than Six Horses or other Beasts, at the First Gate through which the same passes, the Sum of Seven-pence Halfpenny ; and at the Second and Third Gates through which the same passes, the Sum of Two-pence :

And for every Horse or other Beast drawing any Waggon or such like Carriage, where the same shall have more than Two Wheels, and of a less Breadth than Four Inches and a Half, and be drawn by Six or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Sixpence ; and at the Second and Third Gates through which the same passes, the Sum of One Penny Halfpenny :

And for every Horse or other Beast drawing any Waggon or such like Carriage, having more than Two Wheels, and of a less Breadth than Four Inches and a Half, where the same shall be drawn by less than Six Horses or other Beasts, at the First Gate through which the same passes, the Sum of Nine-pence ; and at the Second and Third Gates through which the same passes, the Sum of Two-pence Halfpenny :

For every Horse or other Beast drawing any Cart or other Two wheeled Carriage (except a Chaise, Calash, Chair or other such like Carriage) having Wheels of the Breadth of Six Inches or more, and drawn by Two or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Sixpence ; and at each of the Second and Third Gates (through which the same passes), the Sum of One Penny Halfpenny.

And for every Horse or other Beast drawing any Cart or other Two-wheeled Carriage (except a Chaise, Calash, Chair, or other such like Carriage) having Wheels of the Breadth of Six Inches or more, where the same shall be drawn only by One Horse or other Beast, at the First Gate through which the same passes, the Sum of One Shilling ; and at each



each of the Second and Third Gates through which the same passes, the Sum of Three-pence :

And for every Horse or other Beast drawing any Cart or other Two-wheeled Carriage (except a Chaise, Calash, or Chair or other such like Carriage), where the same shall have Wheels of the Breadth of Four Inches and a Half, and less than Six Inches, and be drawn by Two or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Seven-pence Halfpenny ; and at each of the Second and Third Gates through which the same passes, the Sum of One Penny Halfpenny :

And for every Horse or other Beast drawing any Cart or other Two-wheeled Carriage (except a Chaise, Calash, or Chair, or other such like Carriage) having Wheels of the Breadth of Four Inches and a Half, and less than Six Inches, where the same shall be drawn only by One Horse or other Beast, at the First Gate through which the same passes, the Sum of One Shilling and Three-pence ; and at the Second and Third Gates through which the same passes, the Sum of Four-pence :

And for every Horse or other Beast drawing any Cart or other Two-wheeled Carriage (except a Chaise, Calash, or Chair, or other such like Carriage), where the same shall have Wheels of a less Breadth than Four Inches and a Half, and be drawn by Two or more Horses or other Beasts, at the First Gate through which the same passes, the Sum of Nine-pence ; and at each of the Second and Third Gates through which the same passes, the Sum of Two-pence :

And for every Horse or other Beast drawing any Cart or other Two-wheeled Carriage (except a Chaise, Calash, or Chair, or other such like Carriage) having Wheels of a less Breadth than Four Inches and an Half), where the same shall be drawn only by One Horse or other Beast, at the First Gate through which the same passes, the Sum of One Shilling and Sixpence ; and at each of the Second and Third Gates through which the same passes, the Sum of Four-pence Halfpenny :

For every Horse, Mule, Ass or other Beast of Burthen, laden or unladen, and not drawing, at the First Gate through which the same passes, the Sum of One Penny Halfpenny ; and at each of the Second and Third Gates through which the same passes, the Sum of One Halfpenny :

For every Drove of Oxen, Cows or Neat Cattle, at the First Gate only through which the same pass, the Sum of One Shilling and Eight-pence *per* Score, and so in proportion for any less Number :

For every Drove of Calves, Swine, Sheep, Lambs or Goats, at the First Gate only through which the same pass, the Sum of Ten-pence *per* Score, and so in Proportion for any less Number ; and that between the First Day of *October* and the last Day of *March* in every Year, there shall be demanded and taken, for every Horse or other Beast drawing any Carriage laden with Timber on any Part of the said Roads, an additional Toll, equal to Double Toll hereinbefore made payable for the same, at the respective Gates aforesaid.

Double Toll  
on Timber  
between First  
October  
and the last  
Day of  
March.

XIV. Provided always, and be it further enacted, That no more than Three full Tolls shall be demanded and taken on the same Day, (such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night), for any Horses, Beasts, Cattle,

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Directing  
what Number  
of Tolls shall  
be taken on  
the same  
Day.

or Carriages passing or repassing through all or any of the Gates erected or to be erected on the said Roads.

Tolls to be paid only once a Day.

XV. Provided always, and be it further enacted, That no Person shall be liable to pay Toll more than once in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night), for passing or repassing with the same Horses, Cattle, Beasts, or Carriages, through all or any of the Turnpikes or Toll Gates erected or to be erected and set up and provided by virtue of the said last recited Act and this Act, or either of them; but that all and every Person and Persons, after having paid Toll once as aforesaid, and producing a Note or Ticket, or Notes or Tickets, denoting the Payment of such Tolls, shall afterwards pass with the same Horses, Cattle, Beasts, and Carriages Toll-free, during such Day, to be computed as aforesaid, through all and every the Gate and Gates, Turnpike and Turnpikes, by virtue of this Act erected or to be erected on the said Roads, or across any Road or Way leading out of the same; and that all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis*, on Receipt of the Toll in manner aforesaid.

Exemptions from Toll in certain Cases.

XVI. Provided also, and be it further enacted, That no Toll shall be demanded or taken, at any Turnpike Gate erected or to be erected by the said Trustees, on the *Clee Hill* aforesaid, of or from any Person or Persons passing through the same, with any Horse, Beast, or other Cattle, to or towards the *Clee Hill*, which shall have previously the same Day passed through and paid at any Two of the other Turnpike Gates erected or to be erected on the said Roads; nor shall any Toll be demanded or taken at the Gate called *Harp Bank Gate*, of or from any Person or Persons passing through the same, with any Horse, Beast, or other Cattle, to or towards the Town of *Tenbury*, which shall have previously the same Day passed through and paid at any Two of the other Turnpike Gates erected or to be erected on the said Roads; provided such Ticket as aforesaid shall be produced at such respective Gates, the Intent being that Toll shall be demanded at only Two of the Turnpike Gates between *Tenbury* and the *Clee Hill*; and that Persons passing or repassing with any Horse or other Beast or Cattle (to or from the *Clee Hill*, from or to their respective Residences at *Court of Hill*, or *Tilsop*, or *Whatmore*) through both the Gates called *The Knowle Gate*, and *Clee Hill Gate*, as now erected, shall only be charged with and liable to pay Toll for such Horse, or other Beast or Cattle, at the first of the said Two Gates through which the same shall so pass; and on producing such Ticket as aforesaid from such First Gate, shall go and pass through the other of such Two Gates, without paying any Toll thereat, the Intent being that Toll shall be demanded of such Persons at only One Turnpike Gate, between *Court of Hill*, *Tilsop*, and *Whatmore*, to or from the *Clee Hill*.

Stage Coaches, &c. to pay each Time of passing.

XVII. Provided always, and be it further enacted, That for and in respect of all Horses drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the Tolls hereby made payable shall be paid for repassing through such

such Toll Gate, in like Manner as if no Toll had been before paid thereat ; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post-chaises, and other Carriages travelling for Hire, for every Time of passing and repassing along the said Roads on the same Day with a Ticket denoting a fresh Hiring.

XVIII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty or this Act, as or by Way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees, to the Party or Parties entitled to receive the same, within Ten Days after demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid ; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on demand, to the said Trustees, or to their Treasurer for the Time being, (as the Case may be) : Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall receive in pursuance of the said last recited Act or this Act, all such Costs, Charges, and Expences as he shall be put unto by virtue of any such Order as aforesaid.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

XIX. And be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards the repairing and amending the said Roads, shall be and remain liable thereto in like Manner in every respect as they now are or have heretofore been ; and it shall be lawful for any Two or more Justices of the Peace in and for the said Counties of *Salop, Worcester, and Hereford*, and they are hereby required and empowered, upon Application made to them by the Treasurer, Clerk, or Surveyor of the said Roads, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Hamlets, and Places, in or through which the said Roads do or shall lie, lead, or pass ; and also what Proportion of the

Statute Labour.

Money

Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or 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, Hamlet, or Place, to bring in a List before the said Justices at some Place to be expressed in such Summons, within Ten Days after the serving of such Summons, of the Names of the several Persons who within such Parish, Hamlet, or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, 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 List 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 do Statute Work in every Year upon the said Roads, as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and on such Part of the said Roads as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Hamlets, and Places respectively, to pay over to the said Trustees or their Treasurer such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Fines, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for Repairs 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 any Part of the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle and negligent as aforesaid, and in that case every such Person shall be subject and liable to the respective Forfeitures and Payments as 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 Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any  
Part

Part thereof, in manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the Counties of *Salop, Worcester,* and *Hereford*, on Complaint made to such Justices by the Surveyor to the said Trustees.

XX. And be it further enacted, That from and after the passing of this Act, the Sum of One Pound *per Centum per Annum* on the Amount of all Principal Monies due and secured on the Tolls of the said Roads, and on the Amount of every further Sum of Money which shall be borrowed or taken up at Interest on the Credit or Security of the Tolls of the said Roads, shall, during the Continuance of this Act, be appropriated and paid out of the said Tolls, in order to form a Sinking Fund for the gradual Payment of all and every the said Monies; and that after the Payment of any such Principal Monies the full Interest which would have been otherwise payable for or in respect of the same to the Creditor or respective Creditors, shall from thenceforth, and during the Continuance of this Act, be appropriated and paid out of the said respective Tolls in aid of the said Sinking Fund; and that as often as such Sinking Fund shall amount to the Sum of One hundred Pounds, that Sum, and such Part of the Balance of any other Monies in the Hands of the Trustees, as they shall think proper, shall be applied in Payment of an equal Amount of the Principal Monies then remaining due or owing on the Credit or Security of the Tolls of the said Roads, rateably or by lot among the said Creditors, as the said Trustees shall think proper.

Money to be applied towards a Sinking Fund.

XXI. And be it further enacted, That the respective Sums of Money which shall be demanded and taken in the Name of or as a Toll, and the Money so thereby to be raised and collected, shall be and the same is hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied and disposed of to and for the several Ends, Intents, and Purposes, and in such manner as is herein mentioned.

Tolls vested in the Trustees.

XXII. And be it further enacted, That out of the Tolls and other Monies to be collected and levied under or by virtue of the said last recited Act and this Act, or out of the Monies to be borrowed on the Credit thereof, the said Trustees shall, after Payment of the Charges and Expences incurred in, about, and relating to the obtaining and passing of this Act, defray the Expence and Charge of erecting and providing the Turnpikes, Toll Gates and Toll Houses, and of repairing, widening, altering, turning, keeping in repair and improving the said Roads, and of executing the other Purposes of the said last recited Act and this Act, and to no other Use or Purpose whatsoever.

Application of Tolls and Monies.

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

Public Act.

[Local.]

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XXIV. And

Commence-  
ment and  
Continuance  
of this Act.

XXIV. And be it further enacted, That this Act shall commence and take place upon the *Thursday Week* next after the passing thereof, and shall continue in force 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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