



ANNO DECIMO

GEORGII IV. REGIS.

Cap. lxxix.

An Act for improving and maintaining certain Roads in the Counties of *Worcester, Warwick, Stafford, and Salop*, called “*The Dudley, Birmingham, Wolverhampton, and Streetway District.*”

[22d May 1829.]

WHEREAS an Act was passed in the First Year of the Reign of His late Majesty King George the Third, intituled *An Act for amending and widening the Road from the Town of Stone to Wordsley Green Gate, and from the West End of Bilston Street in Wolverhampton to the High Street opposite the Old Bush in Dudley, and from a Place called Burnt Tree, near Dudley, to Birmingham, and from the Market Cross in Wolverhampton to Cannock, in the Counties of Stafford, Worcester, and Warwick*: And whereas another Act was passed in the Twenty-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*

1 G. 3. c. 39.

22 G. 3. c. 96.

[Local.]

enlarging

enlarging the Powers of an Act of the First Year of His present Majesty, for amending and widening the Road from the Town of Stone to Wordsley Green Gate, and from the West End of Bilston Street in Wolverhampton to the High Street opposite the Old Bush in Dudley, and from a Place called Burnt Tree, near Dudley, to Birmingham, and from the Market Cross in Wolverhampton to Cannock, in the Counties of Stafford, Worcester, and Warwick: And whereas another Act was passed in the Thirty-sixth Year of the Reign of His said late Majesty King George the Third, intituled

36 G. 3. c. 146.

An Act for enlarging the Term and Powers of certain Acts of Parliament made for repairing several Roads in the Counties of Stafford, Worcester, and Warwick, so far as relates to the Road leading from a Place called Streetway in the County of Stafford, through Wolverhampton, to Wordsley Green Gate, and other Roads therein mentioned: And whereas by the said recited Acts the Roads from Streetway to Wordsley Green, and from Wolverhampton to Cannock, and from Wolverhampton to Dudley, and from Burnt Tree, near Dudley, to Birmingham, were made a distinct District, and were therein named the Second District: And whereas considerable Sums of Money are due and owing on the Credit of the Tolls by the said recited Acts or some of them authorized to be collected on the said last-mentioned District of Roads, now called the Dudley, Birmingham, Wolverhampton, and Streetway District, which cannot be paid off, nor can the said Roads be maintained and kept in repair unless the Term and Powers of the said Acts are enlarged, some additional Powers are granted, and the Tolls are increased: And whereas an Act was passed in the Fifth

5 G. 4. c. 69.

Year of the Reign of His present Majesty, intituled An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes to act as Trustees for repairing and maintaining Turnpike Roads: And whereas the several beneficial Purposes herein-before mentioned 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 from and after the Fourth Monday next after the passing of this Act, the said recited Acts of the First, Twenty-second and Thirty-sixth Years of the Reign of His late Majesty King George the Third, so far as the same or any of them relate to the Second District of the Roads therein mentioned, shall be and the same are hereby declared to be repealed.

Recited Acts of 1, 22, and 36 G. 3., so far as they relate to the Second District, repealed.

Defining Objects and Powers of this Act.

II. And be it further enacted, That this Act shall be put in force for and during the Term herein-after mentioned, for the Purpose of amending, improving, repairing, and maintaining in repair the present Roads leading from a Place called *Streetway* in the County of *Stafford* to *Wordsley Green* in the same County, and from the Town of *Wolverhampton* to the Town of *Dudley*, and from a Place called *Burnt Tree*, near *Dudley*, to *Birmingham*, and from the Town of

Wolverhampton to Cannock, in the Counties of Stafford, Worcester, Salop, and Warwick.

III. And be it further enacted, That the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and all and every the Powers and Provisions therein contained, shall, except so far as they are repealed, varied, or altered, be as valid and effectual for carrying this Act into execution as if the same had been repeated and re-enacted in this Act.

Powers, &c.
of 5 G.4. c.69.
extended to
this Act.

IV. Provided always, and be it further enacted, That the Treasurer (if appointed consistently with the Provisions and Directions of the several Acts for regulating Turnpike Roads in *England*), and every other Officer employed in the Execution of the said former Acts hereby repealed, shall respectively continue to exercise their Offices under this Act, until they shall be removed therefrom by the Trustees for executing this Act, and shall have the like Powers and Authorities for the Purposes of this Act, and shall be liable to the like Penalties and Conditions, Rules and Regulations as if they had been appointed under this Act.

Officers ap-
pointed under
former Acts
to continue
until others
are appoint-
ed.

V. And be it further enacted, That *Charles William Alston, Edward Amphlett, Edward Addenbrooke Addenbrooke, John Aston, George Peach Aston, Thomas Badger, Henry Isaac Badger, Thomas Bate, Thomas Badger junior, George Bacchus, Septimus Badger, Dudley Bagley, Frederick Hill Bagley, Anthony Badley, Isaac Badger, Joseph Beddard, John Badley, Joseph Bennitt, William Bennitt, James Beswick, John Beet, William Bennitt (Oakham), Thomas Brettell, James Bevan Clerk, William Bedford, John Biddle, James Birch, Richard Bloxidge, Mark Bond, Matthew Robinson Boulton, Luke Booker Doctor of Civil Laws, James Bourne, Herbert Dudley Bourne, Joseph Green Bourne, Joseph Cartwright Brettell, George Briscoe, William Briscoe, Samuel Stone Briscoe, Richard Butler, Thomas Higgins Burne, William Buckle, Thomas Caddick, George Cale, John Cale, Joseph Cartwright, William Henry Cartwright Clerk, Cornelius Cartwright, Cornelius Cartwright junior, Walter William Capper, Henry Antrobus Cartwright Clerk, William Chrees, William Chinner, John Clare Clerk, Joseph Cox, Thomas Cox, John Corser, John Cope, Benjamin Corser, John Corser junior, J W Crompton, John Crowley, Henry Crane, James Cubwick, George Dalton, Edward Dales Clerk, George Dalton junior, Thomas Davies, John Davies, William Davies, Edward Davies Clerk, William Malines Denham, Edward Dixon, Joseph Dixon, Edward Dixon junior, Richard Dovey, Francis Downing, Henry Downing, John Dudley Clerk, Edward Dudley Clerk, Robert Dudley, Hartil Dudley, Benjamin Dudley, John Etwell, George England, Richard Evans, Richard Evans junior, William Fellowes, John Thomas Fenwick Clerk, William Fellowes junior, William Turton Fereday, John Turton Fereday, Dudley Fereday, John Fereday, William Fleming, Joseph Forster, William Foley, Samuel Foley, James Foster,*

Trustees
appointed.

Foster, Richard Fryer, Charles Girdlestone Clerk, Thomas William Giffard, Francis Giffard, Walter Giffard, Charles Giffard, Robert Giffard, George Gilpin, William Gilpin, Frederick Gildart, John Gibbons, Thomas Gibbons, Benjamin Gibbons junior, John Gough, Alexander Gordon, Charles Henry Edward Vernon Graham, William Grazebrook, Michael Grazebrook, Edward Guest, Joseph Guest, Joseph Haden, Edward Haden, William Haden, Charles Haden, Thomas Hawkes, Abiathar Hawkes, Abiathar Hawkes junior, John Blackburn Hawkes, Roger Wright Hawkes, Alexander Bunn Haden Clerk, Joseph Hadley, George Hadley, Joseph White Hancox, John Harris, Job Harding, John Lea Hayley, Joseph Hately, Thomas Shaw Hellier, William Herrick, Josiah Hinckes Clerk, Charles Homer, Henry Hordern, Alexander Hordern, George Holyoake, William Holland, John Humphrey Houghton, Dugdale Houghton, Matthew Houghton, Thomas Webb Hodgetts, John Howells Clerk, Richard Homer, Booth Hodgetts, Francis Holyoake, Francis Lyttleton Holyoake, Henry Hunt, Thomas Yate Hunt, Phineas Hussey, James Hunt, William Izon, Clement Ingleby, Henry Jesson, Cornelius Jesson Clerk, Henry Jesson junior, John Jesson, William Jenkins, Robert Jones, Thomas Jones, Edward Johnstone Doctor in Medicine, John Johnstone Doctor in Medicine, Edward Kempson, William King, Thomas King, John Newton Lane, Joseph Lane, Richard Lakin, Thomas Lester, Daniel Ledsam, John Lingard, Edward John Littleton, Edward John Littleton junior, Joseph Lycett, Honourable Henry Beauchamp Lygon, Honourable Edward Lygon, Thomas Adams Marsh, Joseph Moss junior, Joseph William Moss, Richard Moore, Richard Moore junior, John Edmondson Molineux, John Lewis Moillet, William Hamilton Molineux Clerk, Charles Henry Molineux, the Honourable Edward Monckton, Edward Monckton, George Monckton, John Monckton, Henry Monckton, Philip Monckton, Robert Monckton, Claud Monckton, Smith Muchall, William Palmer Clerk, Edward Palmer Clerk, Henry Parker, George Parker (Westbromwich Heath), Abraham Parker, George Parker (Hill Top), Joseph Pearson, Henry Persehouse, James Perry, Thomas Perry, Louis Hayes Petit, John Petit, Escricke Phillips, George Phillips, Richard Phillips, Thomas Phipson, Thomas Powell Clerk, Richard Powell, John Pratt, Henry Pratt, Thomas Pratt, John Freer Proud, Theodore Price, Thomas Peach Pudsey, William Bradney Persehouse, John Rann, John Reynolds, Joseph Reed Clerk, Henry Richards, Proctor Robinson Clerk, John Robinson junior, Joseph Royle, John Robinson, John Roberts, John Piddocke Roberts, Henry Rogers, Samuel Rogers, William Royle, George Robinson, Edward Dodson Salisbury, Richard Salisbury, Thomas Sidaway, Gilbert Reed Shaw, William Shenstone, Henry Smith, Ferdinando Smith, William Spurrier, William Sprigg, William Stokes, Benjamin Stokes, Benjamin Stokes junior, Thomas Stiles, John Stokes, Joseph Stinson, Sir Horace David Cholwell S^t Paul Baronet, Horace S^t Paul, Joseph Tarratt, William Tarratt, Joseph Tarratt junior, John Tarratt, Edward Terry, William Tindall Clerk, William Thacker, Henry Thursby Clerk, Robert Thacker, John Tompson, John Tompson junior, John Turner, William Hammond

mond Turner, James Turner, John Scarlett Turner, John Twamley, John Twamley junior, Joseph Underhill, John Wilks Wilks Unett, John Unett, James Villers, Thomas Wainwright, Edward Harper Wainwright Clerk, Thomas Walker Clerk, John Walhouse, William Warner, William Warner junior, William Ward, Thomas Walker junior, Clerk, Thomas Higgs Ward, William Weaver, White, George Thomas Whitgreave, William Whitehouse, William Seager Wheeley, James Whetstone, Benjamin Whitehouse, Walter Williams, John Williams, Thomas Williams, Philip Williams, Edmund Wigan, Benjamin Woolley, James Woolley, Daniel Wright, Sir John Wrottesley Baronet, John Wrottesley, Henry Wrottesley, Charles Wrottesley Clerk, William Humble Ward Clerk, Thomas York, and their Successors, being duly qualified according to the Provisions and Directions of the various Acts passed for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying into execution this Act.

VI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any of their Meetings to be held in pursuance of this Act, (of which Meeting and of the Purpose thereof at least Fourteen Days previous Notice shall be given in manner by an Act 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*, directed with respect to Meetings for the Appointment of Trustees on Vacancies,) to elect any Number of Persons, not exceeding Eight in the Whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected, as well as all Trustees to be from Time to Time elected and appointed in pursuance of and according to the Provisions of the said last-mentioned Act, in the Place of Trustees dying, resigning, or otherwise becoming incompetent or disqualified to act, and being duly qualified, shall have the same Powers and Authorities for executing this Act as if they had been herein named.

Power to appoint additional Trustees.

3 G. 4. c. 126.

VII. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at *Dudley* on the Fourth *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places, within One Mile or in the Neighbourhood of the said Roads, as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint: Provided nevertheless, that the said Trustees shall hold at least One Meeting at each of the said Towns of *Birmingham*, *Dudley*, and *Wolverhampton* in every Year, any thing in this Act contained to the contrary notwithstanding.

First Meeting of Trustees.

Toll Houses
to be con-
tinued, &c.

VIII. And be it further enacted, That it shall be lawful for the said Trustees to continue all or any of the Toll Gates or Toll Bars, Weighing Machines, and Toll Houses, and Buildings and Appurtenances thereto, now standing and being upon or across the said Roads, or upon the Sides thereof, and also to erect or build, in lieu thereof or in addition thereto, upon or across the said Roads or any Part thereof, or upon the Sides thereof, or of any Part thereof, when and where and as they shall judge necessary, any Toll Gates or Toll Bars and Weighing Machines, and Toll Houses, with Outhouses and Conveniencies thereto, and to take in, and enclose suitable Garden Spots for the same, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to alter or take down and rebuild, or discontinue and remove the same or any of them, as they the said Trustees shall think proper.

Trustees to
erect Toll
Gates on
each Branch,
and to take
Tolls thereat.

IX. And be it further enacted, That the said Trustees shall and they are hereby required to continue or to erect, upon each and every distinct Branch of Road comprised in this Act, a Toll Gate or Toll Gates, or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act and of the various Acts passed for regulating Turnpike Roads in *England*: Provided always, that no Money arising from any of the Tolls hereby authorized to be taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Toll Bar continued or erected under the Authority of this Act: Provided also, that no more of the Monies arising by virtue of this Act shall be laid out or expended upon any of the said Branch Roads than shall be actually raised or received upon or in respect of such respective Branch Roads, any thing in this Act or in any of the said Acts herein-before mentioned to the contrary thereof in anywise notwithstanding.

Tolls.

X. And be it further enacted, That the Tolls to be taken under the Authority of this Act shall not exceed the following; (that is to say,)

For every Horse, Beast, or Cattle drawing any Coach, Stage Coach, Chariot, Landau, Chaise, Curricle, Gig, Phaeton, Taxed Cart, Caravan, Van, Hearse, Litter, or other such like Carriage, the Sum of Four-pence Halfpenny:

For every Horse, Beast, or Cattle drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards on the Bottom or Soles thereof, the Sum of Sixpence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not less than Four and a Half Inches, the Sum of Eight-pence; and in case the Fellies of the Wheels thereof are of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, the Sum of Ten-pence:

For

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

For every Score of Oxen or Neat Cattle, the Sum of One Shilling and Three-pence, and so in proportion for any less Number :

For every Score of Calves, Sheep, Lambs, or Swine, the Sum of Eight-pence, and so in proportion for any less Number.

XI. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall at any Time during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night, upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or drawing Post Chaises or other such like Carriages,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates or Toll Bars, if any, as the Ticket for such Payment shall free.

No Toll to be paid for re-passing on same Day.

XII. Provided always, and be it further enacted, That no more than Five full Tolls, except as herein-after provided to the contrary, shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any one Day, for passing and repassing Once through all the several Toll Gates or Toll Bars upon the said Roads ; that is to say, One full Toll between *Streetway* and *Wolverhampton*, One full Toll between *Wolverhampton* and *Wordsley Green*, One full Toll between *Wolverhampton* and *Cannock*, One full Toll between *Wolverhampton* and *Dudley*, and One full Toll between *Burnt Tree* and *Birmingham*.

Limiting the Number of Tolls.

XIII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach or Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers for Payment, Hire, or Reward, for each Time of passing or repassing.

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

XIV. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle let out to Hire, and ridden, or drawing any Post Chaise or other Carriage, for each Time of passing along the said Roads, whenever a fresh Hiring thereof shall take place.

Post Chaises on every fresh Hiring.

XV. And for regulating the Weights to be allowed to all Carts or other Carriages which shall be drawn by One Horse, Beast, or Cattle only, be it further enacted, That the Weights to be allowed to

Weights of Single Horse Carts limited.

to Carts or other Carriages drawn by One Horse, Beast, or Cattle shall never exceed the following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive) One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive) One Ton and Five Hundred Weight for each such Carriage and the Lading thereof.

One Horse
Carts may be
weighed.

XVI. And be it further enacted, That all Carts or other such Carriages passing along the said Roads, drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Roads, and the like additional Tolls be demanded and recovered for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the Weighing of Waggon, Carts, or other Carriages drawn by Two or more Horses shall be applicable to Carts passing on the said Roads drawn by only One Horse, Beast, or Cattle, and to the Drivers and Owners thereof.

Application
of Money.

XVII. And be it further enacted, That the Monies already received or to be received by virtue of the said former Acts hereby repealed, and also all Monies which shall be received under this Act, shall be applied by the said Trustees in manner following; that is say, in the first place in paying and discharging all Costs, Charges, and Expences which shall have been incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Monies which may have been advanced by any Person for the Payment thereof, or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by the said Trustees; and after Payment of such Costs and Interest, the Monies already received, or to be received as aforesaid, on such Portions of the said Roads as lie between *Streetway* and *Wordsley Green*, and between *Wolverhampton* and *Cannock*, shall be applied in paying and discharging any Interest which may from Time to Time be owing on Mortgage of the Tolls of such last-mentioned Roads, and afterwards in defraying the Expence of amending, repairing, improving, and maintaining such Roads; and lastly in reducing and discharging any Principal Sum or Sums of Money which shall have been borrowed and which shall be then owing on Mortgage of the Tolls of such last-mentioned Roads, or any Part or Parts thereof respectively; and the Monies already received or to be received as aforesaid on such Portions of the said Roads as lie between *Wolverhampton* and *Dudley*, and between *Burnt Tree* and *Birmingham*, shall be applied in paying and discharging any Interest which may from Time to Time be owing on Mortgage of the Tolls of such last-mentioned Roads, and afterwards in defraying the Expence of amending, repairing, improving, and maintaining such last-mentioned Roads,

Roads, and discharging any Principal Sum or Sums of Money which shall have been borrowed, and which shall be then owing on Mortgage of the Tolls of such last-mentioned Roads, or any Part or Parts thereof respectively.

XVIII. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of any of the said former Acts hereby repealed, or of this Act, shall be laid out in paving, cleansing, or repairing any Street, Road, or Highway within any Town or City through which the said Roads may pass, any thing herein contained to the contrary notwithstanding.

No Part of the Money to be laid out in repairing the Streets.

XIX. And be it further enacted, That it shall be lawful for the said Trustees at any of their Meetings to be held within Three Calendar Months after the passing of this Act, or at any Adjournment thereof, to declare and order that all Demises, Leases, and Agreements for Leases of the Tolls granted by the said former Acts hereby repealed, and of the several Toll Houses and Buildings and Appurtenances thereto belonging, shall cease and be vacated from and after the *Monday* next after such Meeting; and from and after such Declaration and Order the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive and recover Payment of all Rent and Arrears of Rent and Payments due and to become due thereon; and the said Trustees shall and are hereby required to make a fair and just Compensation and Satisfaction to the respective Lessees of the said Tolls for any Loss or Damage which they shall sustain thereby, to be paid at such Times and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction may be recovered by such respective Lessees or their respective Executors, Administrators, or Assigns from the said Trustees, in case the same shall not be paid within Fourteen Days after the same shall be due and demanded of the Clerk or Treasurer to such Trustees, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case such Trustees and Lessees respectively cannot agree upon the Amount of such Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees from entering into any new or other Agreement with all or any of the present Lessees of the Tolls, for such additional Rent for the Tolls hereby granted and made payable as they shall think reasonable and proper, for the unexpired Term of their respective Leases or Agreements.

Leases may be vacated.

XX. And be it further enacted, That this Act shall commence upon the Fourth *Monday* next after the passing hereof, and shall continue and be in force for and during the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which may then next follow.

Term of Act.

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10° GEORGII IV. *Cap. lxxix.*

Public Act.

XXI. 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.

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Printers to the King's most Excellent Majesty. 1829.