



ANNO SEXTO

GEORGII IV. REGIS.

Cap. clxi.

An Act for maintaining and improving the Roads leading through the Town of *Shiffnall*, and the Road leading from *Oaken Gates* to *Weston*, in the Counties of *Salop* and *Stafford*.

[10th June 1825.]

WHEREAS an Act was passed in the Forty-eighth Year of the Reign of his late Majesty King *George* the Third, intituled *An Act for the more effectually repairing a certain Road called* 48 G.3. c. 65.
The Watling Street Road, and other Roads therein mentioned, in the Counties of Salop and Stafford: And whereas the said Roads were by the said Act divided into Three Districts, the Third of such Districts comprising the Road commencing at or near *Oaken Gates* in the Parish of *Shiffnall*, and extending to the Turnpike Road leading from *Newport* to *Ivetsey Bank* near *Weston* in the County of *Stafford*, and the Road commencing at the Foot of *Mumporn Hill* at the Termination of the *Wellington* District, and extending to the Town of *Shiffnall* in the County of *Salop*: And whereas it would be advantageous to the Public if the last-described Line of Road were extended through Part of the Town of *Shiffnall* to the Commencement of the *Wolverhampton* Turnpike Road: And whereas the Sum of One thousand two hundred Pounds, with Interest, Part of the Fund of Two thousand Pounds borrowed under the Powers of an Act passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act for further improving the Roads between London and* 1 & 2 G.4. Holyhead, c. 30.
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Holyhead, by Coventry, Birmingham, and Shrewsbury, on the Credit of certain additional Tolls authorized to be taken by virtue of the said Act on the said Road, still remains due and owing: And whereas Part of the said Road leading from the *Wolverhampton* Turnpike Road to *Mumporn Hill* aforesaid, which lies in the Town of *Shiffnall*, is narrow and inconvenient, and it would be advantageous to the Public if the same were diverted, widened, and otherwise improved: And whereas the Road commencing at the Road leading from the *Ivetsey Bank* and *Newport* Road at *Woodcote*, and extending through the Villages of *Heathhill* and *Sheriff Hales* in the Counties of *Salop* and *Stafford*, thence through the Town and Parish of *Shiffnall*, to the Confines of the Township or Parish of *Kemberton* in the County of *Salop*, being Part of the Roads comprised in an Act passed in the Forty-fourth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of Two Acts, made in the Third and Twenty-third Years of His present Majesty, for repairing the Road from the Town of Stafford to Sandon in the County of Stafford, and several other Roads in the Counties of Salop and Stafford, so far as the same relate to the Third District of Roads therein mentioned*, might be better maintained in repair if the same were put under the Care and Management of the Trustees of the said first-mentioned Roads: And whereas it is expedient that the said first-recited Act should be repealed, so far as respects the Third District of Roads therein mentioned, and other Provisions made for the diverting, widening, and improving 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*: And whereas another Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*: And whereas another Act was passed in the Fifth Year of the Reign of His said 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*: 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 passing of this Act, the said recited Act of the Forty-eighth Year of the Reign of His late Majesty King George the Third shall be and the same is hereby declared to be repealed, so far as respects the Third District of Roads therein mentioned; and this Act shall from thenceforth commence and take effect, and be put in execution for and during the Term herein-after mentioned, for the Purpose of amending, improving, and maintaining in repair the Roads herein-after described; (that is to say); the Road commencing at or near *Oaken Gates* in the Parish of *Shiffnall* in the County of *Salop*; and extending to the Turnpike Road leading from *Newport* to *Ivetsey Bank* near *Weston* in the County of *Stafford*; and the Road commencing at the Confines of the Town of *Shiffnall* at the Termination of the *Wolverhampton* Trust, and extending through Part of the said Town to the Foot of *Mumporn Hill* at the Commencement of the *Wellington* Trust, all in the County of *Salop*; and the Road commencing at the Road leading from the *Ivetsey Bank* and *Newport*

Recited Act
48 G. 3. c. 65.
repealed, and
this Act to
take effect.

port Road at *Woodcote*, and extending through the Villages of *Heathbill* and *Sheriff Hales* in the Counties of *Salop* and *Stafford*, thence through the Town and Parish of *Shiffnall* to the Confines of the Township or Parish of *Kemberton* in the County of *Salop*; and the said Roads shall be called the *Shiffnall* District of Turnpike Roads.

II. And be it further enacted, That all Conveyances, Bonds, Covenants, Agreements, Contracts, and Securities made or entered into by any Person or Persons, to or with the Trustees for executing the said first-recited Act, so far as respects the said Third District of Roads therein mentioned, shall remain in full Force and Effect, and be and continue available in all Courts of Law and in Equity, until the same be fully satisfied and performed on account of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices made, entered into, or given by the Trustees for executing the said first-recited Act, so far as respects the said Third District, with or to any Person or Persons, for any Purpose relating to the said Roads comprised in the said Third District, or the letting the Tolls thereon, or to the Execution of the said Act, so far as respects the said Third District of Roads therein mentioned, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said first-recited Act, so far as respects the said Third District of Roads; and all and every Person and Persons owing any Sum or Sums of Money to the Trustees for executing the said first-recited Act within the said Third District of Roads, shall be liable to the Payment thereof to the Trustees herein-after appointed or directed to be appointed for executing this Act.

Conveyances under former Act to remain in force.

III. And be it further enacted, That all Books kept for registering Mortgages and Assignments, and all Entries therein, and all Books of Proceedings of the Trustees in the Execution of the said first-recited Act, kept according to the Directions or Provisions thereof, or of any Act then in force and made Evidence thereby, shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and all such Books, and also all Books of Accounts of Receipts and Disbursements made under the said first-recited Act, and all Books for registering Mortgages or Assignments made in pursuance thereof, shall be preserved and kept by the Clerk for the Time being to the said Trustees, and shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors of the Tolls, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees, or such Creditors, or any of them, to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Certain Books kept under former Acts to be Evidence, and together with all Books of Accounts shall be open to Inspection.

IV. 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,

Transferring Powers of general Acts to this Act.

dies, Matters, and Things therein contained, (save and except such Parts thereof as are expressly varied, altered, or repealed by the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and also save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act), and also the said recited Act passed in the Fourth 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 otherwise provided for by this Act), and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and the Power or Provision therein contained, shall respectively be as good, valid, and effectual for carrying this Act and the several and respective Purposes thereof into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Appointment
of Trustees.

V. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Salop*, and all His Majesty's Justices of the Peace acting for the County of *Stafford* for the Time being, together with the Right Honourable *Granville Leveson Gower* commonly called *Earl Gower* and *Baron Strathnaver*, the Honourable *George Augustus Frederick Bridgman* commonly called *Viscount Newport*, the Right Honourable *Francis Leveson Gower* commonly called *Lord Francis Leveson Gower*, the Honourable and Reverend *George Bridgman*, the Honourable *John Simpson Bridgman*, the Honourable *Charles Bridgman*, the Honourable *Orlando Henry Bridgman*, the Honourable and Reverend *Henry Edward Bridgman*, the Honourable *George Forrester*, the Honourable *Henry Jer-ningham*, *Sir George Pigot* Baronet, *William Bayley*, *George Baylis*, *Samuel Bennett*, *John Biddle*, *George Bishton*, *Thomas Bishton*, *John Bishton*, *William Bishton*, *Thomas Botfield*, *William Botfield*, *Beriah Botfield*, *William Briscoe*, *George Brooke*, *Brooke*, *Charles Richard Cameron* Clerk, *William Cherrington*, *John Cherrington*, *Edward Cherrington*, *William Charlton*, *Saint John Charlton*, *Roger Clayton* Clerk, *John Cotes*, *Charles Grey Cotes* Clerk, *John Cuxson*, *Robert Dean* Clerk, *Thomas Duppa*, *George Durant*, *Richard Eyke*, *William Eyke*, *Robert Ferriday*, *John Fletcher*, *Townsend Forrester* Clerk, *Francis Forrester*, *John Hammond*, *William Hammond*, *Josiah Harding*, *Nathaniel Hinde* Clerk, *William Horton*, *John Horton*, *William Jellicoe*, *Samuel Jones*, *Thomas Langley*, *Bartholomew Masefield*, *George Fieldhouse Molineux* Clerk, *William Molineux* Clerk, *Richard Molineux*, *George Austin Moultrie*, *Richard Mountford*, *Edmund Plowden*, *John Pritchard*, *Joseph Pycroft*, *Joseph Reynolds*, *Thomas Rushton*, *Robert Slaney*, *Robert Aglionby Slaney*, *Richard Slaney* Clerk, *John Stanier*, *Thomas Whitmore*, *William Wolrych Whitmore*, *Henry Williams*, *Timothy Yate*, *William Yonge*, and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for amending, improving, and maintaining the said Roads, and for otherwise putting this Act in Execution.

Power to
appoint ad-
ditional
Trustees.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at any of their Meetings, to elect and appoint any Number of
Persons,

Persons, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty (not exceeding Four in the whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

VII. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *Jerningham Arms Inn* in *Shiffnall* aforesaid, or some other convenient Place on the Line of the said Roads, on the Third *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 after, adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Roads, as they shall think proper.

First Meeting
of Trustees.

VIII. Provided always, and be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and each and every Clerk, Receiver, Collector, Surveyor, and other Officer appointed under or by virtue of the said first-recited Act, so far as respects the said Third District of Roads, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers
to continue
until new
ones elected.

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 hath been or 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, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; 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, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of

Clerk not to
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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 One hundred 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.

Treasurer to give Security.

X. And be it further enacted, That the said Trustees shall and they are hereby authorized, directed, and required to take sufficient Security from the Treasurer or Treasurers acting by virtue of this Act for the due and faithful Execution of his or their Office.

Power to erect Toll Gates, Weighing Machines, &c.

XI. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue or remove all and every or any of the Toll Gates or Turnpikes and Toll Houses and Weighing Machines, now standing and being in or upon or across the said Roads, or on the Sides thereof, and also to erect and set up or build, or cause to be erected, set up, and built, in, upon, or across the said Roads, or upon the Sides thereof, or any Part thereof respectively, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and inclose on the Sides of the said Roads suitable Garden Spots for the same respectively, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove, or to alter and discontinue the same, or any of them, as they the said Trustees shall think proper and direct or appoint.

Trustees to erect Toll Gates on each of the Branches, and to take Tolls thereat.

XII. And be it further enacted, That the said Trustees shall and they are hereby required to erect and set up and continue, or cause to be erected and set up and continued, upon each of the Branches of Road herein-before particularly described, One or more Toll Gate or Toll Gates, or Turnpike or Turnpikes; and the Tolls by this Act granted shall be demanded and taken at such Toll Gate or Toll Gates, or Turnpike or Turnpikes, subject to the Provisions in this Act and the said recited Acts contained.

No Money to be laid out on Roads where there is no Turnpike.

XIII. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees, or their Surveyor, to direct or order any Repairs to be made by virtue of this Act upon any Branch of the Roads comprised in this Act, unless some Toll Gate or Turnpike shall be erected and continued upon such Branch for taking the Tolls hereby granted; nor shall it be lawful for the said Trustees to lay out or apply any of the Monies to be collected or received by virtue of this Act, in or towards such Repairs, or for paying for the same.

Power to take Tolls.

XIV. 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 of the Tolls to be taken by virtue of this Act, to demand and take the Tolls herein-after mentioned at each of the Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars, or Chains, which are or shall be standing and being, or continued or erected by virtue of this 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; (that is to say),

For every Horse or Mule drawing any Coach, Chariot, Chaise, Chair, or Tolls. such like Carriage, Three-pence :

For every Horse or Mule drawing any Waggon, Cart, or such like Carriage, with Wheels of the Breadth of Six Inches or upwards, Three-pence :

For every Horse or Mule drawing any Waggon, Cart, or such like Carriage, with Wheels of less Breadth than Six Inches, Four-pence :

For every Ass, or Ox or other Neat Cattle, drawing any Carriage, Two-pence :

For every Horse, Mule, or Ass, laden or unladen, and not drawing, One Penny :

For every Ox, Bull, Cow, or Heifer, One Halfpenny :

For every Calf, Pig, Sheep, or Lamb, One Farthing.

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid, before any Horse, Mule, Ass, or other Beast or Cattle whatsoever, shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

XV. 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 Turnpikes or Side Gates, such Horse, Beast, or Cattle shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Toll Gates, Turnpikes, and Side Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day (to be computed as aforesaid); any thing in this Act contained to the contrary thereof in anywise notwithstanding.

XVI. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing or repassing along the said Roads, or any of them.

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

XVII. Provided also, and be it further enacted, That the Tolls hereby made payable for and in respect of Horses or Beasts let out to Hire, and drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, or any of them, whenever any new Hiring thereof shall take place.

Post Chaises on every new Hiring.

XVIII. Pro-

Limiting the Number of Tolls on the whole Line of Roads.

XVIII. Provided always, and be it further enacted, That no more than the Tolls following shall be demanded or taken for or in respect of the same Horses, Beasts, or Cattle, for passing or repassing at any Time or Times in any One Day (to be computed as aforesaid), through all or any of the Toll Gates, Turnpikes, or Side Gates along the whole Line of the said Roads; that is to say, no more than One Toll between the *Oaken Gates* and *Ivetsey Bank*, nor more than One Toll between the *Wolverhampton Trust* and the *Wellington Trust*, nor more than One Toll between *Woodcote* and *Kemberton*.

Trustees enabled to borrow Exchequer Bills on the Credit of the Act, 3 G. 4. c. 86.

XIX. And be it further enacted, That it shall be lawful for the said Trustees, at any Meeting or Meetings to be held by them under the Provisions of this Act, to borrow, of and from the Commissioners for carrying into Execution an Act of Parliament made and passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend Two Acts, of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills, and the Advance of Money for carrying on Public Works and Fisheries, and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, such Sum or Sums of Money as the major Part of the said Trustees present at such Meeting or Meetings may deem expedient for the Purpose of purchasing, pulling down, taking and using the Buildings and Tenements mentioned in the Schedule to this Act annexed, or widening, diverting, or improving the said Roads, or any of them, upon Mortgage or Assignment of the Tolls authorized to be collected and received by this Act on the Road or Roads which shall be so widened, diverted, or improved, and the Toll Gates and Toll Houses erected or to be erected for collecting the same, with their Appurtenances, subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the Third Year of His present Majesty, and the Acts therein recited and referred to, and in such Form as the said Commissioners for the Issue of Exchequer Bills shall direct and appoint.

Exchequer Bill Commissioners to have Priority over Securities granted by Trustees.

XX. And be it further enacted, That any Mortgage or Assignment which shall be given by the said Trustees to the said Commissioners for the Issue of Exchequer Bills shall have Priority over and shall precede all other Mortgages or Securities granted by the Trustees for the Execution of this Act; any thing in the said recited Acts or this Act, or in any Mortgage or Security which shall hereafter be granted as aforesaid, to the contrary in anywise notwithstanding.

Application of the Tolls and Money to be borrowed.

XXI. And be it further enacted, That out of the Monies already received by virtue of the said first-recited Act, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls by this Act granted, or otherwise, the said Trustees shall in the first Place pay and discharge all the Costs and Expences relative to the obtaining and passing of this Act, with Interest for the same; and the Remainder of all such Monies, and all Monies subscribed or advanced, or to be subscribed or advanced for the Purposes of this Act, shall (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Mile Stones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act)

Act) be applied in widening and improving the said Roads, and in maintaining the same in repair, and in keeping down the Interest of the Principal Monies which shall be subscribed, advanced, or borrowed on the Credit of this Act, or for improving the said Roads, and then in repaying the Principal Monies which shall be subscribed, advanced, or borrowed on the Credit of the said first-recited Act or of this Act.

XXII. Provided always, and be it further enacted, That no Part of the Money to be borrowed, or to be received from the Tolls or otherwise, by virtue of this Act, shall be laid out in or towards paving or repairing the Streets, Pavements, or Causeways of or within the said Town of *Shiffnall*; any thing herein contained to the contrary notwithstanding.

No Money to be laid out in Repairs of Streets.

XXIII. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered to widen, alter, and divert the said Road in the Town of *Shiffnall*, in, over, or through any private Lands, Grounds, or Hereditaments, and also for that Purpose to pull down, take, and use any Houses, Buildings, Tenements, or Hereditaments mentioned in the Schedule to this Act annexed marked (A.), first making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same, or for any Damage they may sustain thereby.

Diversion of Road may be made.

XXIV. And whereas a Map or Plan describing the Line of the said Road and Improvements, and the Lands, Hereditaments, and Premises through or over which the same is to be made or carried, together with a Book of Reference, containing a List of the Names of the Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Office of the Clerk of the Peace for the County of *Salop*; be it therefore enacted, That the said Map or Plan, and the Book of Reference, shall remain in the Custody of the Clerk of the Peace for the said County, to the End that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts of the said Map or Plan and Book of Reference; and the said Trustees in making the said Improvements shall not deviate more than One hundred Yards of Three Feet each from the Line described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Deviation shall be made.

Road to be made according to the Map or Plan deposited at the Office of Clerk of the Peace.

XXV. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the said Improvements into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners of Lands or Premises over which the same is or are set out and described in the said Map or Plan as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted or mis-stated in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County, and be certified by Writing under their respective Hands, that such Error or Omission proceeded from Mistake.

Lands marked in the Plan may be used notwithstanding Errors in the Book of Reference.

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of the Owner.

XXVI. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Roads shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Curtilage, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any enclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, or other Person interested therein, first had and obtained, except such as are mentioned in the Schedule to this Act annexed marked (A).

Dwelling Houses, &c. mentioned in the Schedule to be taken within Five Years.

XXVII. Provided also, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, within the Space of Five Years from the passing of this Act, all the Powers granted by this Act or the said recited Acts for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Trustees may contract for the Purchase of Land.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, and agree with the Parties or Persons who shall be Owners of or interested in any Lands, Buildings, Tenements, Hereditaments, or Premises to be taken or made use of in the Execution of this Act, or who shall sustain any Loss or Damage by means thereof, for the Purchase of such Lands, Buildings, Tenements, Hereditaments, or Premises, and for the Value, Consideration, Compensation, or Satisfaction to be made for the same, or for such Loss or Damage as aforesaid; and it shall be lawful for all Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees in Trust, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on the behalf of the Person or Persons entitled in Reversion, Remainder, or Expectancy after them, and for and on behalf of their Cestuique Trusts, whether Femes Covert, Wards, Infants, or Issue unborn, Lunatics, Idiots, Persons of unsound Memory and Understanding, or other Person or Persons whomsoever, and to and for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to Dower, and to and for all and every Person and Persons whomsoever who are or shall be seised or possessed of or interested in any such Lands, Buildings, Tenements, Hereditaments, or Premises, to give their Consent in Writing to the said Trustees for the taking and using any such Lands, Tenements, Hereditaments, and Premises, and the pulling down of any Dwelling House, or any other Building, and to treat, contract, and agree with the Trustees for executing this Act for the Value, Consideration, Compensation, or Satisfaction to be made for such Property or Interest, or for any Loss or Damages as aforesaid, and by Conveyance, Lease and Release, or Bargain and Sale, to sell and convey unto the said Trustees any such Lands, Buildings, Tenements, Hereditaments, or Premises, or any Part thereof, for any of the Purposes of this Act; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be good, valid, and effectual to all Intents and Purposes,

without Fine or Recovery, and shall be a complete Bar to all Estates Tail, and other Estates, Rights, Titles, Trusts, and Interests whatsoever, any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding; and all such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, and Administrators, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Feoffees, Committees, Executors, or Administrators, or any other Person or Persons as aforesaid, upon Notice to him, her, or them given, or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of such Bodies Politic, Corporate or Collegiate, Ecclesiastical or Civil, or at the House of the Tenant in possession of the Premises, shall, for the Space of Thirty Days next after such Notice given or left, neglect or refuse to treat, or shall not agree, or by reason of Absence shall be prevented from treating, then and in every or any such Case the said Trustees shall cause such Value, Consideration, Compensation, Satisfaction, or Damages, to be inquired into and ascertained by a Jury in the Manner prescribed by the said recited Act passed in the Third Year of the Reign of His present Majesty, in Cases where any Damages, Value, or Recompence for Premises thereby authorized to be taken and used for widening, diverting, altering, and improving any Turnpike Road, are directed to be inquired into and ascertained, subject to all the Regulations and Provisions of the said Act relative to the summoning and impannelling the Jury, the summoning of Witnesses, the fining of the Sheriff, his Deputy, Bailiff, or Agent, and fining the Witnesses, and to the Payment of the Expences of summoning and maintaining the Jury and Witnesses.

XXIX. And be it further enacted, That if any Money shall be paid, or agreed or awarded to be paid, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased, taken, or used for the Purposes of the said Roads, which shall belong to any Body Politic, Corporate or Collegiate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Tenant for Life or in Tail, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Idiot, Lunatic, Feme Covert, or other Cestuique Trust, or to any Person or Persons whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, 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 Court of Exchequer, to be placed to his Account there, *ex parte* the Trustees for executing this Act, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*; and the General Orders of the said

Application
of Compen-
sation
Money if
amounting
to 200*l*.

1 G. 4. c. 35.

said Court, and without Fee or Reward, and shall when so paid in there remain, until the same shall, by Order of the said Court made upon a Petition to be preferred to the said Court 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, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Payment or Discharge of any Debt or Debts, or other Incumbrances, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith; or to the same or the like Uses, Trusts, Intents, or Purposes, as the said Court of Exchequer shall authorize to be purchased, redeemed, paid, or discharged, or such Part thereof as shall be necessary, or until the same shall, upon the like Application, be laid out in a summary Way, by Order of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited; or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking Effect; and in the meantime, and until such Order can be made, the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest, and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, 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 such Lands, Tenements, or Hereditaments so to be purchased, conveyed, and settled.

Where less than 200l. and amounting to 20l.

XXX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of the said Roads, and belonging to any Corporation or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, or any Three or more of them, 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 Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option and with the like Approbation, to Two Trustees, to be nominated by the Person or Persons who for the Time being would be entitled to the Rents and Profits of the

the Lands, Tenements, and Hereditaments so to be purchased and settled, such Nomination to be approved of by Three or more of the Trustees for executing this Act, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by them applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank in the Name of the Accountant General of the Court of Exchequer, but without obtaining or being required to obtain any Order of the said Court touching the Application thereof.

XXXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next herein-before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be paid to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, for his, her, or their own Use and Benefit; or in Cases of Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, to and for the Use and Benefit of such Person or Persons respectively entitled thereto.

Where
under 20l.

XXXII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased, taken, or used under or by virtue of the Powers of 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 the Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account there, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying therein 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 of *England* as aforesaid.

In case of
not making
out a good
Title, &c.
the Purchase
Money to be
paid into the
Bank.

[*Local.*]

51 D

XXXIII. Pro-

In case of
disputed
Titles.

XXXIII. 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 Privy of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, Title, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act for the Purposes aforesaid, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities or Government or Real Securities, 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 shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, 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 reason-
able Exp-
ences to be
paid by
Trustees.

XXXIV. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, or 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 Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as to the said Court shall seem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Ditches,
Drains,
Bridges, &c.
by whom to
be made and
cleansed.

XXXV. And be it further enacted, That it shall be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered to make such Ditches, Drains, or Watercourses of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House), at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be necessary, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Water-

courses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads shall be scoured, cleansed, and kept open, repaired and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

XXXVI. 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.

XXXVII. And be it further enacted, That this Act shall commence upon the passing thereof, and shall continue and be in force for Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commencement and Continuance of this Act.

SCHEDULE (A.) to which the Act refers.

Description of Premises.	Owners.	Occupiers.
House - - -	Earl of Pembroke -	Walter Brooke.
House - - -	Ditto -	{ William Cullwick, Benjamin Cullwick, Mary Cullwick.
House - - -	John Powell -	
Public House, King's Head -	Ditto -	Edward Williams.
Stable and Barn - - -	{ Peter Harding or his Devises - }	James Sandford.
Open Yard - - -	Ditto -	John Hassall.
Court Yard - - -	Ditto -	Ditto.
Garden - - -	Ditto -	Ditto.

