



ANNO QUINQUAGESIMO

GEORGI III. REGIS.

Cap. 95.

An Act to continue the Term and alter and enlarge the Powers of several Acts for repairing the Roads from *Birmingham* to *Warmington*, and from *Birmingham* to *Edgehill*, in the County of *Warwick*, so far as the same relate to the Road from *Birmingham* to *Warmington*, and so on to the utmost Limits of the said County on *Edgehill*. [18th May 1810.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His late Majesty King George the First, intituled, *An Act for repairing the Roads leading from Birmingham through Warwick to Warmington, and from Birmingham through Stratford-upon-Avon to Edgehill, in the County of Warwick*: And whereas an Act was passed in the Eighteenth Year of the Reign of His late Majesty King George the Second, intituled, *An Act for continuing, amending and making more effectual an Act made in the Twelfth Year of the Reign of King George the First for repairing the Roads leading from Birmingham to Edgehill, in the County of Warwick*: And whereas an Act was passed in the Thirty-first Year of the Reign of His late Majesty King George the Second, intituled, *An Act to continue and render more effectual Two Acts of Parliament, made in the Twelfth Year of the Reign of His late Majesty, and in the Eighteenth Year, of the Reign of His present Majesty, for repairing the Roads leading from Birmingham to Edgehill, in the County of Warwick*: And whereas an Act was passed in the Twentieth Year of the Reign of His present Majesty, intituled, *An Act to continue, enlarge and render more effectual the Term and Powers in Three several Acts, made in the Twelfth* [Loc. & Per.]

12 G. 1. c. 6.
18 G. 2. c. 32.
31 G. 2. c. 58.
20 G. 3. c. 80.
24 N Year

Year of the Reign of King George the First, and in the Eighteenth and Thirty-first Years of the Reign of His late Majesty, for repairing the Roads from Birmingham through Warwick to Warmington, and from Birmingham through Stratford-upon-Avon to Edgehill, in the County of Warwick, so far as the same relate to the Road from Birmingham through Warwick to Warmington aforesaid, and so on to the utmost Limits of the said County on Edgehill aforesaid: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded to put the same in Execution, for which Purpose they have borrowed considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Road leading from Birmingham through Warwick to Warmington, and the utmost Limits of the said County on Edgehill aforesaid, which Money still remains due and owing and cannot be paid off, nor can the said last-mentioned Road be properly amended, improved and kept in Repair, unless the Term of the said Acts be further continued and the Powers thereof altered, amended and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Authorities, Powers, Privileges, Provisoos, Exceptions, Penalties, Forfeitures, Matters and Things therein contained (except so much thereof respectively as relate to Exemptions from Stamp Duties, and except so much thereof as are by this Act varied, altered or repealed) so far as the same relate to the said Road leading from Birmingham through Warwick to Warmington, and the utmost Limits of the said County on Edgehill aforesaid, shall be and remain in full Force and Effect, and shall be executed for and during the Term hereinafter mentioned as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act; but subject nevertheless to the Alterations and Amendments herein contained; and this Act and the additional Term hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the said Acts, or which shall hereafter be borrowed and become due on Account of the said Road leading from Birmingham through Warwick to Warmington, and to the utmost Limits of the said County on Edgehill aforesaid, and all Interest due and to grow due for the same respectively.

Act further continued.

Trustees for executing the former Acts to execute this.

New Trustees appointed.

II. And be it further enacted, That the Trustees named in or appointed in pursuance of the said Acts, and their Successors to be chosen and appointed in pursuance of the said Acts, shall be and they are hereby appointed Trustees together with the Persons hereinafter named for putting in Execution this Act, and shall continue to meet and adjourn from Time to Time pursuant to the Directions of the said Acts, and that *Thomas Attwood, William Allday, William Alder, William Anderton, the Right Honourable Henry Richard Greville, commonly called Lord Brooke, Theophilus Biddulph, Joseph Boulton the younger, Walter Henry Bracebridge, Joseph Biddle, George Banister, Joseph Birch, Henry Thomas Bayley, Joseph Brookhouse, Thomas Bushell, John Bedford of Bordesley, John Clavering Clerk, John Cotterell, William Cope, the Honourable Evelin Dormer, the Honourable Wintringham Stanhope Dormer, Court Dewes, William Dunn, John Dolphin, William Dester, Richard Dester, Charles Elliott Clerk, William Eborall, Joseph Fell Clerk, Edmund Fairbrother, Thomas Fritter,* the

the Right Honourable *Henry Finch*, commonly called *Lord Guernsey*, the Right Honourable *Charles Greville*, *Richard Gresley*, *William Holbech* the younger, *Henry Holbech*, *Charles Holbech* Clerk, *Charles Handley*, *Thomas Handley*, *Edward Hall*, *J. L. Hawkes*, *Thomas Hiron* the younger, *William James*, *John Kendall* Clerk, *John Kendall* of *Birmingham*, *Jonathan Kimbell*, *William King*, *John Knight*, *Sir James Lake* Baronet, *George Lucy*, *John Lucy* the younger, *William Leigh* Clerk, *Henry Eyres Landor*, *James Lloyd*, *Thomas Lloyd*, *Robert Lloyd*, *George Lloyd* of *Welcombe*, *George Lloyd* of *Birmingham*, *Alfred Lloyd*, *Samuel Lloyd*, *John J. Lawrence*, *Francis Longworth*, *William Ledbrooke*, *John Ledbrooke* the Younger, *Sir Charles Mordaunt* Baronet, *Charles Mills*, *Fiennes Sanderson Miller*, *Edward Miller* Clerk, *Charles Monall*, *William Monall*, *Amos Middleton*, *Thomas Mole*, *John Nisbit* M'Evoy Clerk, Proby Clerk, *William Parkes*, *George Parkes*, *John Parkes*, *Theodore Price*, *Henry Robbins*, *William Russell* of *Birmingham*, *Joseph H. Riddell*, *John Rotton*, *Sir Grey Skipwith* Baronet, *Morton Aglionby Slaney*, *Robert Aglionby Slaney*, *Richard Slaney* Clerk, *William Stanton*, *Isaac Spooner* the younger, *Benjamin Smart* the younger, *Thomas Clerke Smart*, *George Simcox*, *Thomas Salmon*, *Richard Salmon*, *William Salmon*, *Richard Smith* the younger, *Edward Swinburn*, *Mark Saunders*, the Right Honourable *Richard Grenville Nugent Chandos Temple*, commonly called *Earl Temple*, *Thomas Townsend*, *John Taylor*, *Josiah Twamley*, *John Tomes*, *Edward Trotman* Clerk, *John Taylor* the younger, *James Taylor*, *William Taylor*, *William Tibbits* of *Wroxall*, *Edward Willes* the Younger, *Edmund Wigley*, *Henry Wigley*, *Charles Gregory Wade* Clerk, *Stephen Winthrop*, Doctor of Physic, *John Eardley Wilmot*, *Henry Williams* Clerk, *Edward Welchman*, *Philemon Williams*, *William Whitehead*, *William Whateley*, *Thomas Wilcox*, the Right Honourable *Francis Charles Seymour*, commonly called *Earl of Yarmouth*, shall be and are hereby added to and joined with the Trustees appointed by or in pursuance of the said recited Acts for putting the same and this Act in Execution; and the Trustees herein nominated and their Successors, being qualified according to the Directions of the said Act, passed in the Twentieth Year of His present Majesty's Reign, are hereby empowered to act in the Execution of the said Acts, so far as the same relate to the said Road leading from *Birmingham* through *Warwick* to *Warmington*, and so on to the utmost Limits of the said County on *Edgehill* aforesaid, and of this Act, as fully and effectually to all Intents and Purposes as if they had been appointed by the said recited Acts, or any of them.

III. And be it further enacted, That on every Sunday, after the Expiration of Twenty-one Days from the passing of this Act, there shall be demanded and taken at the Toll Gates already or hereafter to be erected on the said Road leading from *Birmingham* through *Warwick* to *Warmington*, and to the utmost Limits of the said County on *Edgehill*, by the Collector or Collectors at such Gates, before any Horse, Beast, Cattle or Carriage of any Description shall be permitted to pass through the same, double the Tolls by the before recited Acts directed and allowed to be taken; which said Tolls shall be and the same are hereby vested in the said Trustees, and shall be collected and recovered in the same Manner and with such Remedies for Non-payment or Evasion thereof, as are contained in the said recited Acts for Non-payment or Evasion of Tolls thereby granted.

Double Toll
on Sunday.

IV. And

Exemptions
from Tolls.

IV. And be it further enacted, That no Toll shall be demanded or taken for any Horse or other Beast or Carriage passing through any of the Turnpike Gates or Toll Bars erected or to be erected upon or on the Side of the said Road from *Birmingham* through *Warwick* to *Warminster* aforesaid, and so on to the utmost Limits of the said County on *Edgehill* aforesaid, carrying or conveying Stone, Bricks, Lime, Timber, Wood, Gravel or other Materials to be used in or about the said Roads, or for the repairing any Highways in the Parishes, Townships, Districts or Places which are liable to perform Statute Duty upon any Part of the said Road, or returning empty when so employed; or carrying or conveying Hay, Corn in the Straw or other Produce of Lands not sold or disposed of, but going to be laid up in the Houses, Out houses, Barns or Yards belonging to the Inhabitants of and situate within the said Parishes, Townships, Districts or Places; or any Ploughs, Harrows or other Implements of Husbandry to be used in the Cultivation of Lands; or carrying or conveying any Manure to be consumed thereupon (Lime only excepted), or going or returning empty when so employed; nor shall any Toll be paid by any Rector or officiating Minister of, or other Person or Persons who shall pass through the said Turnpike Gates or Toll Bars to or from, any Church, Chapel or other Place of Religious Worship; or who shall attend the Funeral of any Person or Persons who shall die and be buried in any of the said Parishes, Townships, Districts or Places; or from any Clergyman going to or returning from visiting any sick Person, or upon any other his parochial or ministerial Duty on a *Sunday*, or on *Christmas Day*, *Good Friday*, or any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horses, Mares, Geldings, Mules, Asses, Cattle, Sheep, Lambs, Goats or Hogs, which are to be kept within the said Parishes, Townships, Districts or Places, going to or returning from Pasture, the Commons or other grazing Grounds, or Watering Places, or Blacksmiths Shops, or in bringing Peat, Turf or Heath from off the Moors, Heaths or Commons belonging to the same, for the Use of the Inhabitants of the Parish, Township, District or Place wherein such Peat, Turf or Heath shall be produced or grow; or for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching or guarding the same, or in returning back from conveying the same; or for the Horses of Soldiers on the March or on Duty, or Carriages or Horses or other Beasts employed in carrying Arms or Baggage of such Soldiers; or for any Waggon, Wain, Cart or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat, or other Public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horse, Mare or Gelding furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, provided such Persons are in the Uniform of their respective Corps and have their Arms, Furniture and Accoutrements according to the Regulations provided for such Corps respectively at the Time of claiming such Exemption; or for any Carriage, Horse or other Beast employed in the conveyance of Vagrants, travelling with legal Passes, or travelling with Vagrants sent by legal Process; or any Horse or Carriage going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Warwick* on the Day or Days

Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person shall claim and take the Benefit of any of the Exemptions in this Act contained, not being entitled thereto, every Person so offending and being thereof convicted upon the Confession of the Party accused, or on the Oath or Oaths of one or more Witnesses or Witnesses before one or more Justice or Justices of the Peace of and for the County of *Warwick* or *Worcester* (which Oath or Oaths such Justice or Justices is and are hereby empowered to administer) shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, one Moiety whereof shall be paid to the Informer or Informers upon whose Oath or Oaths the said Offender or Offenders shall be convicted, to and for his, her and their own Use and Uses, and the other Moiety shall be paid to the Treasurer to the said Trustees, and go and be applied in repairing and widening the said Roads.

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

Owners or Drivers of Waggons in the Service of His Majesty, not subject to Penalties for Overweight, &c.

VI. And be it further enacted, That in case any Dispute, Suit or Litigation shall arise touching or in anywise concerning the said Tolls or the Recovery thereof, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be deemed to be incompetent to give Evidence in any such Dispute, Suit or Litigation, by reason of his, her or their being appointed to collect such Tolls or any of them.

Bar-keepers competent Witnesses.

VII. 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 purchased, taken or used by virtue of the Powers of the said recited Acts or this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for and on behalf of any Infant, Lunatic, Idiot, 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 the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing the

Application of Compensation, if amounting to Two hundred Pounds.

[*Loc. & Per.*]

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said

said Acts and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements or Hereditaments, or affecting other Lands, Tenements or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements or Hereditaments; which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands, Tenements and Hereditaments which shall be so purchased, taken or used as aforesaid stood settled or limited; or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements and Hereditaments to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

Application
of Compen-
sation, if less
than Two
hundred
Pounds and
exceeding
Twenty
Pounds.

VIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements or Hereditaments so purchased, taken or used, or of his, her or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiocy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees to be nominated by the Person or Persons making such Option and approved of by Five of the Trustees for executing the said recited Acts and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case may be appli-

applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

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

Application of Compensation, if less than Twenty Pounds.

X. 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 by virtue of the recited Acts and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Hereditaments be not known or discovered; then and in every such case it shall and may be lawful to and 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 Privy of the Accountant General of the Court of Chancery, to be placed to his Account 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 Court of Chancery; which said Court of Chancery, 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 Publick 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 for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out Titles;

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Chancery on Motion or Petition.

XI. 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 Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements or Hereditaments, or of any Estate, Right or Interest in any Lands, Tenements or Hereditaments to be purchased in pursuance of the said recited Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in possession of the Lands, &c.

at the Time of
such Pur-
chase shall be
deemed enti-
tled thereunto
unless, &c.

dends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities, to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

The Court of
Chancery
may order
reasonable
Expences of
Purchases to
be paid by the
Trustees.

XII. 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 under the Authority of the said recited Acts and this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Lands, Tenements or Hereditaments to be settled to the like Uses in pursuance of the said recited Acts and this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of the said Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

For regulat-
ing Statute
Labour.

XIII. 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 repairing and amending the said Road from *Birmingham* through *Warwick* to *Warminster* aforesaid, and so on to the utmost Limits of the said County on *Edgehill* aforesaid, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the said County of *Warwick* or *Worcester*, and they are hereby empowered and required, upon Application made to them by the said Trustees or any Two or more of them, or by their Treasurer, Clerk, or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road by the Inhabitants of the respective Parishes or Places in which the same doth lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her or them paid to the said Trustees or to their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices or one of them from Time to Time to summon the Surveyor or Surveyors of the Highways of every such Parish or Place to bring in Lists before such 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 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

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 now in Force or Effect for the Repairs of publick Highways; and out of such Lists the said Justices shall and may appoint, allot and order such and so many of the Persons who shall appear subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable; and the same shall be done at such Days and at such Times (not being Harvest or Haytime) and in such Parts of the said Roads as the said Trustees or any Five or more of them, or their Surveyor or Surveyors shall from Time to Time order, direct and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall order or direct; and in Default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her or them, at his, her or their usual Place or Places of Abode for that Purpose, by any Surveyor of or 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 Pains, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force or Effect for the Repair of publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Road, shall be found idle or negligent by any Surveyor of or to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be so found idle or negligent as aforesaid; and in that case any such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, as if he, she or they had refused or neglected to come, or such Team or Draught, had not been sent to work on any Part of the said Road, all which Forfeitures shall be paid to the said Trustees or their Treasurer, and shall be applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly and wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XIV. And be it further enacted, That it shall and may be lawful for the Surveyor, or any other Person or Persons whom the said Trustees or any Five or more of them shall appoint, to remove or prevent all Annoyances on any Part of the said Roads or the Causeways adjoining the same, by Filth, Dung, Ashes, Straw, Rubbish or otherwise, and convert the same to his and their own Use and Uses.

To prevent Annoyances.

Penalty on
Persons in-
juring said
Road.

XV. And be it further enacted, That if any Person or Persons shall ride upon any Footway adjoining to the said Road, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Footway, or if any Person shall haul or draw or cause to be hauled or drawn upon any Part of the said Road any Tree or Piece of Timber, or any Stone, otherwise than upon wheeled Carriages, or shall suffer any Part of any Tree or Piece of Timber or Stone which shall be carried upon any wheeled Carriage to drag upon any Part of the said Road to the Injury thereof, or if any Person shall leave any Waggon, Wain, Cart or other Carriage longer than may be necessary for loading and unloading the same, in, upon or on the Side of any Part of the said Road, or with or without any Horse or Beast of Draught harnessed or yoked thereto, or if any Person or Persons driving any Hogs or Swine upon the said Road or any Part thereof, shall suffer the same to stop upon the said Road or any Part thereof, or to root up and damage the same or any Part thereof, or the Fences, Hedges, Backings or Cops on either Side thereof, or if any Person driving or riding upon any Horse, Mare or Gelding, Mule or Ass carrying Cans, Crates or Panniers, shall not keep the said Horse, Mare or Gelding, Mule or Ass on the left-hand Side of the said Road, or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him upon the said Road, or the Coach, Chaise, Waggon, Cart or other Carriage under his Care, or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to or let off or throw any Squib, Rocket or Fireworks whatsoever on any Part or Parts of the said Road, or within forty Yards from the same, or shall wheel any Wheelbarrow or Wheelbarrows upon any Footway adjoining the said Road or any Part thereof, or shall lay any Hay, Straw or other Matter or Thing upon any Part or Parts of the said Road to be made into Manure, or shall scrape off the same any Mud, Soil, Matter or Thing which shall be or lie upon any Parts of the said Road with an Iron Rake or other Instrument with sharp Points, or shall lay down any Timber, Hay, Straw, Dung or any other Matter or Thing whatsoever upon the said Road or any Part thereof, or shall otherwise obstruct or impede the Passage upon the said Road or any Part thereof, or shall turn out any Horses, Cows or other Cattle, Mules, Asses or Swine upon the said Road hereby and by the said Acts directed to be repaired or any Part thereof, or into the Lanes or Ditches adjoining the same, every Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied and applied in such Manner as other Penalties, Forfeitures and Fines are by the said recited Acts or this Act directed to be recovered, levied, and applied.

Expences of
this Act.

XVI. And be it further enacted, That all the Charges and Expences incident to or attending the obtaining and passing of this Act shall be paid by the said Trustees, or any Five or more of them, out of any Money already collected and received by virtue of the said Acts, or out of the first Monies which shall be collected and received by virtue of this Act, in preference to any other Payment whatsoever.

Publick Act.

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

XVIII. And

XVIII. And be it further enacted, That the Term granted and continued by the said recited Acts, so far as the same relate to the Road from *Birmingham* through *Warwick* to *Warmington*, and so on to the utmost Limits of the said County on *Edgehill* aforesaid, shall upon the passing of this Act cease and determine, and that the said Acts (subject to the Alterations, Additions and Amendments in this Act contained) and this Act shall, so far as the same relate to the said last-mentioned Road, from thenceforth continue and be in Force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Continuance
of this Act.

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