



ANNO QUARTO & QUINTO

VICTORIÆ REGINÆ.

Cap. ciii.

An Act for repairing and improving the Roads commonly called the *Sedgley* Roads, in the County of *Stafford*, and for making a new Line of Road connected therewith in the said County.

[21st June 1841.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending, widening, and keeping in repair the Roads leading from Womborne to Prince's End, and from Gospel End to the Village of Over Penn, and from thence to the Turnpike Road leading from Wolverhampton to Stourbridge, and from Chitt's Grave to or near Prince's End, and from Can Lane to the Town of Bilston, in the County of Stafford*: And whereas an Act was passed in the Fifty-fifth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads from Womborne to Prince's End, and from Gospel End to the Village of Over Penn, and thence to the Turnpike Road leading from Wolverhampton to Stourbridge, and other Roads therein mentioned, in the County of Stafford*: And whereas considerable Sums of Money have been borrowed for the Purposes of the said Acts on the Credit of the Tolls thereby granted, a great Part of which Money still remains

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due and unpaid, and the same cannot be paid off, nor can the Roads mentioned and described in the said Acts, nor the new Line or Branch of Road herein-after mentioned, be effectually amended, widened, improved, and kept in repair, unless the Term and Powers granted by the said recited Acts be further continued and extended: And whereas it will be of great public Utility and Convenience if a new Line or Branch of Road, commencing at the *Dudley Road* in or near to the Village and Parish of *Sedgley*, passing through the Village of *Woodsetton* and a Place called *Littleworth* in the same Parish, and thence through the Parish of *Tipton* otherwise *Tibbington* and a Place called *Dudley Port* in such last-mentioned Parish, to or near to a Place called *Tividale* in the Parish of *Rowley Regis*, all in the said County of *Stafford*, were made, whereby several inconvenient Hills and circuitous Roads will be avoided, and the Distance greatly diminished, and such new Road is intended to be made Part and Parcel of the Roads now included in the said recited Acts: And whereas it is expedient that the said recited Acts should be repealed, and further and more effectual Powers and Provisions granted in lieu thereof, as well for repairing, amending, and improving the said present Roads, as also for making and maintaining the new Road herein mentioned; but the same 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 Queen'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 upon the Second *Friday* next after the passing of this Act the said recited Acts shall be and the same are hereby repealed, and this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Recited Acts repealed, and this Act to take Effect.

Arrears of Tolls, Rents, and other Monies and Property vested in Trustees

II. And be it further enacted, That all Monies due to and all Property and all Choses in Action vested in the Trustees under the said recited Acts hereby repealed shall, immediately on the Commencement of this Act, be vested in the Trustees for executing this Act, and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof as effectually as if the same had been vested in them under the said recited Acts, and they shall be liable to all the Debts and Engagements to which the Trustees under the said recited Acts were liable at the Repeal thereof.

Trustees under this Act.

III. And be it enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, together with *John Aston, Edward Aston, the Reverend James Bevan, Joseph Bennitt, William Bennitt, Joseph Green Bourne, Herbert Dudley Bourne, Thomas Higgins Burne, Richard Bradley, Isaac Badger, Septimus Badger, Thomas Badger the younger, William Barrows, Job Bissell, Norris Best, Edward Best, Francis Hill Bagley, William Birchall, the Reverend Henry Antrobus Cartwright, Joseph Cartwright, Edward Parkes Cartwright, Edward Cresswell, Edward Lowe Cresswell, Josiah Cresswell, William Chinner, Thomas Cox, James Culwick, Isaac Caddick, Edward Dixon, Edward Dixon the younger,*
George

George Dalton, Henry Dalton, Francis Downing, the Reverend William Dalton, John Davis, John Etwell, John Etwell the younger, John Ellis, Dudley Fereday, John Turton Fereday, William Turton Fereday, Richard Fryer, Abel Fletcher, William Fellowes, Alexander Gordon, Joseph Guest, Edward Guest, Thomas Hawkes, Thomas Shaw Hellier, Richard Homer, Charles Homer, Henry Haden, the Reverend John Hughes, John Hill, William Thomas Hill, Isaac Hill, Richard Haines, Charles Fleetwood Hewitt, Daniel Hipkins, George Jenkins, Henry Jesson, George Jones, John Jones, Thomas Kettle, Thomas King, William King, the Reverend William Lewis, Edward Moore, Thomas Morris, Richard Nicklin, William Bradney Pershouse, Henry Pershouse Parkes, Thomas Peach Astôn Pudsey, the Reverend Thomas Powell, Edwin Pemberton, William Perry, James Perry, John Round, Samuel Round, Simeon Round, Henry Round, Edward Round, William Round, Samuel Rowley, Richard Smith, John Walker Turton, William Thacker, John Thompson, Theophilus Tinsley, Thomas Tinsley, John Twist, Timothy Tilley, Anthony Tamlin, John Underhill, the Reverend Edward Harper Wainwright, John White, Henry Bickerton Whitehouse, Walter Williams, Philip Williams, John Williams, Henry Williams, William Williams, John Whitehouse, Stephen Wilkes, and Samuel Wright, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and are hereby appointed the Trustees for putting this Act into execution.

IV. And be it enacted, That it shall be lawful for the said Trustees at any Meeting under this Act to elect any Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*; not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to
appoint
additional
Trustees.

V. And be it enacted, That the said Trustees shall hold their First Meeting at the Court House at *Sedgley* aforesaid on the Second *Friday* next after the passing of this Act, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, or at some other convenient Place in the Neighbourhood of the said Roads, and shall then and from Time to Time thereafter adjourn to and meet at such Times and at such Places in the Neighbourhood of the said Roads as they shall think proper.

First Meeting
of Trustees.

VI. And be it enacted, That the said Trustees may appoint Committees out of their own Number to take the Care and Management of any particular Part of the said Roads, or to execute any of the other Purposes of this Act, excepting as to the Election of Officers, according to such Instructions and Regulations as shall be laid down by the said Trustees at any General Meeting; and the said Committees and their Surveyors may proceed and act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made.

Power to
appoint
Committees.

VII. And

Roads to which this Act is applicable.

New Road.

Map or Plan deposited with the Clerk of the Peace to remain there and be open to Inspection.

Power to make new Road, &c. according to Plan.

VII. And be it enacted, That this Act shall be put in execution for the Purpose of more effectually improving, maintaining, and keeping in repair the present Turnpike Roads; (that is to say,) the Roads leading from *Womborne* to *Prince's End*, and from *Gospel End* to the Village of *Over Penn*, and from thence to the Turnpike Road leading from *Wolverhampton* to *Stourbridge*, and from *Chitt's Grave* to or near *Prince's End*, and from *Can Lane* to the Town of *Bilston*, in the County of *Stafford*; and also for the Purpose of making and maintaining a new Line or Branch of Road in connexion therewith, to commence at the *Dudley Road* in or near to the Village and Parish of *Sedgley*, passing through the Village of *Woodsetton* and a Place called *Littleworth* in the same Parish, and thence through the Parish of *Tipton* otherwise *Tibbington* and a Place called *Dudley Port* in such last-mentioned Parish, to or near a Place called *Tividale* in the Parish of *Rowley Regis*, all in the County of *Stafford*.

VIII. And whereas a Map or Plan describing the Line of the new Road intended to be made, and of the Buildings, Lands, Grounds, Hereditaments, and Premises intended to be taken, or through or over which the same is intended to be made or carried, and a Section of the new Line of Road hereby authorized to be made, together with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of such Buildings, Lands, Grounds, and Premises, have been deposited at the Office of the Clerk of the Peace for the said County of *Stafford*; be it therefore enacted, That the said Map or Plan, Section, and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at seasonable Times inspect and peruse the same, and have Copies thereof or Extracts therefrom, paying to the Clerk of the Peace for the said County of *Stafford* for the Time being 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; and the said Map or Plan and Book of Reference, or any Copy thereof respectively, or of any Part thereof respectively, certified by the said Clerk of the Peace or his Deputy for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law or elsewhere.

IX. And be it enacted, That it shall be lawful for the said Trustees to set out, make, and complete the said new Line of Road herein described in the Line and through the Lands delineated in the Map or Plan and described in the Book of Reference herein mentioned, of such Width as they may think proper, not exceeding Sixty Feet, together with such Footpaths, Bridges, Embankments, Ditches, Drains, Fences, and other necessary Works upon or near thereto as they may think requisite, and for the Purposes aforesaid to take possession of the Lands and Premises described in the said Map or Plan and Book of Reference, making satisfaction for the same to the Owners thereof and other Persons interested therein for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon the

the said several Lands, and to stake out the same for the Purposes of this Act, at such Times and in such Manner as the said Trustees or Surveyors shall think necessary or expedient.

X. And be it enacted, That it shall be lawful for the said Trustees, in making the said new Line or Branch of Road, to deviate from the Line delineated upon the said Map or Plan: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the said Line, or into the Lands of any Person not described in the said Map or Plan or in the said Book of Reference, without the Consent in Writing of the Party in or through whose Lands any such Deviation shall be proposed to be made; and that the said Trustees, in making the said new Line of Road through the Lands of the Trustees of *John William Earl of Dudley* deceased, at the *Fox Yards* in the Parish of *Sedgley*, shall deviate from the Line so delineated upon the said Map or Plan by carrying such new Line of Road Fifteen Yards to the Westward, so as to avoid the Two Pit Shafts now sunk upon the said Lands of the said last-mentioned Trustees which are nearest to the *Tipton* Boundary Line.

Trustees empowered to deviate from Plan to an Extent not exceeding 100 Yards.

XI. And be it enacted, That it shall be lawful for the said Trustees to make the new Line or Branch of Road in or through the Lands delineated upon the said Map or Plan, although such Lands, or the Situation thereof, or the Names of the Owners or Occupiers thereof, may happen to be inaccurately described, omitted, or mis-stated in this Act, or in the Schedule thereto, or in the said Map or Plan, or in the said Book of Reference, in case it shall appear to any Two or more Justices of the Peace for the said County of *Stafford* in Petty Sessions assembled, and be certified by Writing under their Hands, that such Omission or Mis-statement proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and remain in the Custody of the said Clerk of the Peace for the Time being.

Lands marked on the Plan may be used notwithstanding Omissions and Mis-nomers,

XII. And be it enacted, That in case any Lands shall hereafter be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance in the Lands so purchased in case the same shall be of Freehold Tenure, and in case the same shall be of any other Tenure the Estate and Interest therein, shall not (notwithstanding any Provisions in any of the Acts in force for regulating Turnpike Roads in *England*) by means of any such Purchase, or any Conveyance or Assurance made in pursuance thereof, be vested in the said Trustees, but such Freehold and Inheritance, or the Estate and Interest in such Lands, and in the Mines thereof, shall, notwithstanding such Purchase and Conveyance or Assurance, remain and be vested in the Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance or Assurance, be entitled to a perpetual Right of Way in, over, or upon the Lands so purchased by them: Provided nevertheless, that the Persons entitled to the Mines and Minerals under and adjoining the Lands so to be purchased shall have full Power to work and get such Mines and Minerals without being liable for any Damage to be thereby

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

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occasioned

occasioned to any Road to be made in pursuance of this Act, by working and getting such Mines and Minerals in the usual and ordinary Mode of Mining in the *Staffordshire* District; and the Persons so entitled shall have Power to take and maintain at their own Expence Canals, Cuts, Drains, Railways, and Mining Devices across, over, and under any Road so to be made: Provided further; that it shall be lawful for the Persons for the Time being entitled under the Will of the said *John William* Earl of *Dudley* deceased to get their Mines and Minerals under and adjoining the Lands belonging to them in the said Parish of *Sedgley*, over which the said new Line of Road is intended to be carried, by open Cast-workings, on their allowing the Road which may be thereby injured or impeded to be diverted and carried over their adjoining Lands, and paying a Moiety of the Expence of such Diversion.

Right of Way to cease when Lands are not wanted.

XIII. Provided also, and be it enacted, That if at any Time any Land purchased by the said Trustees under the Authority of this Act shall not be wanted for the Purposes thereof, and the Road for which the same was purchased shall cease to be a Highway, then the Right of Way in or over the said Lands shall cease and be extinguished; and the Freehold and Inheritance of the said Land in case the same shall be of Freehold Tenure, and the Estate and Interest in such Lands in case the same shall be of any other Tenure, shall be and remain in the Persons then entitled to the same, freed and discharged from such Right of Way.

Powers of Trustees as to cutting and digging.

XIV. Provided also, and be it enacted, That the said Trustees shall have the same Power and Authority of cutting, digging, and using the Lands taken by them for the Purposes of this Act as the said Trustees would have had in case they had purchased the Fee Simple or the whole Estate and Interest in the said Lands.

Trustees restrained from pulling down Houses or other Buildings not in Schedule.

XV. Provided always, and be it enacted, That the Powers and Authorities given by this Act shall not authorize the said Trustees to take or pull down, or to use or injure, any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as a Nursery for Trees, or any Part thereof respectively, (except such as are mentioned in the Schedule to this Act annexed,) without the previous Consent in Writing of the Owner or Proprietor thereof, and all other Persons interested therein.

Limiting the Time for purchasing Property.

XVI. Provided also, and be it enacted, That in case the said Trustees shall not, within the Space of Three Years from the Commencement of this Act, pay for the Buildings, Gardens, Yards, and Lands which they are by this Act authorized to take, then and from thenceforth all the Powers by this Act or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relate to the Lands herein-before authorized to be taken for the Purposes of this Act, cease and be utterly void, unless with the Consent of the Owners and Occupiers of such Lands respectively.

XVII. And

XVII. And be it enacted, That the said Trustees shall, out of the Funds that shall come to their Hands, erect a good and substantial Bridge for carrying the said new Road over the Branch or private Basin connected with the *Birmingham Canal* at *Tipton Green*, belonging to *Edward Aston*, and to *Edward Round* and *William Round*, and cause the same to be kept in repair; and if at any Time hereafter it shall be found necessary to widen the Bridge belonging to the Company of Proprietors of the *Birmingham Canal Navigations* at *Tipton Green* aforesaid, called *Tipton Green Bridge*, over which the said new Road is intended to be carried, such last-mentioned Bridge shall be so widened at the Expence of the Trustees of the said Road, and to the Satisfaction of the Engineer for the Time being of the said Company; and that the said Trustees shall also out of such Monies erect a good and substantial Bridge, with Iron Girders, for carrying the said new Road over the Railway of or belonging to the Trustees of the said *John William Earl of Dudley* deceased, at the *Fox Yards* in the said Parish of *Sedgley*.

A Bridge to be erected over the *Birmingham Canal*, and over the Railway belonging to the *Earl of Dudley*.

XVIII. And be it enacted, That notwithstanding the Repeal of the said recited Acts the several Tolls thereby granted and made payable shall continue to be paid at the Toll Gates or Toll Bars to be continued or erected on or on the Sides of the said Roads until the Expiration of the Time or Term for which such Tolls were granted, or until any other legal Determination of such Time or Term.

Present Tolls continued until the End of the Term of the existing Letting.

XIX. And be it enacted, That upon and after the said Second *Friday* next after the passing of this Act it shall be lawful for the said Trustees to demand and take, at the several and respective Toll Gates or Toll Bars which shall by virtue of this Act be upon or on the Sides of the said Roads, the following Tolls; (that is to say,)

Power to take Tolls.

For every Horse or other Beast drawing any Coach, Omnibus, Chariot, Landau, Landalet, Marine, Berlin, Barouche, Chaise, Calash, Curricule, Hearse, Litter, Gig, Chaise, Caravan, Taxed Cart, or other such like Carriage, the Sum of Four-pence Half-penny:

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, the Sum of Four-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, or other such like Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth than Six Inches, the Sum of Sixpence:

For every empty Carriage with Four Wheels fastened to any Waggon, Wain, Cart, or other such like Carriage, the Sum of Four-pence:

And for every empty Carriage with Two Wheels so fastened the Sum of Two-pence, and if loaded, Double such respective Sums:

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

For

For every Drove of Oxen, Cows, or Neat Cattle the Sum of Ten-pence *per* Score, and so in proportion for any less Number :

For every Drove of Calves, Hogs, Pigs, Sheep, or Lambs the Sum of Five-pence *per* Score, and so in proportion for any less Number :

For every Carriage moved or propelled by Steam or Machinery, or by any other Power than Animal Power, the Sum of Three Shillings : And,

For every Dog, Goat, or other such like Animal, drawing any Cart, Carriage, Truck, Barrow, or other such like Carriage, the Sum of One Penny :

Which said Tolls shall be taken before any Horse, Mule, Ass, Beast, or other Cattle or Carriage whatsoever shall be permitted to pass through any Toll Gate or Bar which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

A Halfpenny to be taken in case of a Fraction of a Halfpenny in Tolls.

XX. And be it enacted, That in all Cases in which there shall be a fractional Part of a Halfpenny in the Amount of the Tolls by this Act authorized to be collected the Sum of One Halfpenny shall be payable in lieu of such fractional Part.

Only One Toll to be payable on Roads in the same Day.

XXI. And be it enacted, That no more than One Toll shall be taken for passing and repassing once only in the same Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night) with the same Horses, Beasts, Cattle, or other Animal or Thing liable to Toll or Duty, through all the Toll Gates erected or to be erected or continued on the said Roads.

Persons having paid Toll to return Toll-free.

XXII. And be it enacted, That all Horses and Cattle (except Horses or Cattle drawing any Stage Coach, Waggon, or other Stage Carriage as herein-after mentioned) in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate or Bar on any of the said Roads or on the Sides thereof; shall, upon a Ticket denoting such Payment being produced, be permitted, in returning through the same Toll Gate or Toll Bar, and in going and returning through such other Gate or Bar (if any) as the Ticket for such Payment shall free, to pass Toll-free the same Day.

Post-chaises to pay every Time of passing with fresh Hiring.

XXIII. Provided always, and be it enacted, That the Tolls hereby made payable shall be paid for all Horses or Cattle drawing any Post Chaise or other Carriage travelling for Hire as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

Regulations as to Stage-coaches, &c.

XXIV. And be it enacted, That all Horses and Cattle drawing any Stage Coach, Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn by Steam or any other Power than Animal Power, in respect whereof the Tolls hereby authorized to be taken shall have been paid at any Toll Gate or Bar, shall, upon a Ticket denoting such

such Payment being produced, be permitted to pass Once Toll-free on the same Day through any other Gate or Bar which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid, at any Toll Gate or Bar the Payment at which shall be freed by such Ticket as aforesaid, on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

XXV. And be it enacted, That between the First Day of *November* in every Year and the First Day of *April* in the next succeeding Year there shall be payable at each Toll Gate Double the Toll hereby payable for every Horse, Mule, Ass, or other Beast of Draught drawing any Waggon or other Carriage employed in carrying any Hop Poles, Use Poles, Timber, or Wood.

Timber, &c. to pay Double Toll between the 1st of November and 1st of April.

XXVI. And be it enacted, That it shall be lawful for the said Trustees, at any Meeting to be specially called for the Purpose, to make an Order from Time to Time that the Tolls payable by virtue of this Act for any Horse or Beast drawing any Waggon, Cart, or other Carriage laden only with Lime or Limestone for the Improvement of Land, or returning unladen or empty from having been so employed upon any Part or Portion of the said Roads, shall be reduced to such other Tolls as the said Trustees shall at any such Meeting agree or determine; and after the making of any such Order such reduced Tolls only shall in respect of the Matters last mentioned be payable.

Trustees may reduce the Tolls for Lime or Chalk for Manure.

XXVII. And be it enacted, That the several Toll Gates, Bars, and Toll Houses now standing or being upon the said present Turnpike Roads or on the Sides thereof shall be continued until removed by any Order of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be set up in or across the said present Turnpike Roads, and also upon any Road to be made or repaired by virtue of this Act, or on the Sides thereof, any Toll Gate or Bar, and to remove the present or any future Toll Gate or Bar as they shall think proper.

Respecting Toll Gates.

XXVIII. And be it enacted, That no more Money shall be expended in the Repair of any Road comprised in this Act than shall be collected on such Road, or borrowed on the Credit of the Tolls collected thereon.

No more Money to be laid out than taken on any Road.

XXIX. And be it enacted, That all Monies which shall be received by the said Trustees by virtue of this Act upon the Roads included in the said recited Acts hereby repealed shall be applied, in the first place, in paying and discharging any Interest which may from Time to Time be owing in respect of any Money which may have been borrowed on the Credit of the Tolls authorized to be taken by the said recited Acts hereby repealed; secondly, in defraying the Expences of improving, maintaining, and keeping in repair such Roads, and in putting this Act into execution with reference thereto;

Application of Tolls arising on the old Roads.

and thirdly, in reducing, paying off, and discharging the several Principal Sums which have been borrowed on the Credit of the Tolls authorized to be taken by the said recited Acts hereby repealed.

Application
of Tolls
arising on
new Roads.

XXX. And be it enacted, That all Monies which shall be received by the said Trustees on or in respect of the new Line of Road authorized by this Act to be made shall be applied, in the first place, in discharging the Expences of obtaining and passing this Act or otherwise incident thereto; secondly, in making, improving, maintaining, and keeping in repair the said new Line of Road, and putting this Act into execution with reference to such new Line of Road; thirdly, in paying and discharging any Interest which may from Time to Time become due and be owing in respect to any Money which may hereafter be borrowed on the Credit of the Tolls to be collected on the said new Line of Road; and lastly, in reducing, paying off, and discharging any Principal Sums of Money which may be due on the Credit of the Tolls to be taken on the said new Line of Road by this Act authorized to be made.

No Tolls to
be taken or
Money laid
out in Towns.

XXXI. And be it enacted, That no Money shall be laid out on any Road within the Town of *Bilston* comprised in this Act, nor within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any be collected in the Town of *Bilston* or any such other Town as aforesaid.

Trustee or
Clerk com-
petent Wit-
nesses in
Actions.

XXXII. And be it enacted, That no Trustee or Clerk acting under the Authority of this Act, if not otherwise interested, shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee or Clerk, by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

The Roads
not to be
exempted
from any
general Act.

XXXIII. And be it enacted, That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any general Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament.

Term of Act.

XXXIV. And be it enacted, That this Act shall commence on the Second *Friday* next after the passing thereof, and shall continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Construction
of certain
Terms in this
Act.

XXXV. And be it enacted, That in construing this Act Words importing the Singular Number shall be understood to include the Plural Number, and Words importing the Plural Number shall be understood to include the Singular Number; and the Word "Person" shall be understood to include Corporation; and Words importing the Masculine Gender shall be understood to include Females as well as Males; and the Word "Lands" shall be understood to include
Messuages,

Messuages, Tenements, and Hereditaments; unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

XXXVI. And be it enacted, That this Act shall be deemed to Public Act. be a Public Act, and shall be judicially taken notice of as such.

The SCHEDULE to which the foregoing Act refers.

COUNTY OF STAFFORD.

No. on Plan.	Parish.	Description of Property.	Owner.	Lessee.	Occupier.
1	Sedgley	Turnpike Road from Dudley to Wolverhampton.	Trustees of the same Road.		
1 ^a	Ditto	Meadow	Theophilus Tinsley	- - -	Theophilus Tinsley.
2	Ditto	Arable	The Right Reverend Henry Lord Bishop of Exeter, the Right Honourable Edward John Baron Hather-ton, Francis Down-ing, and John Ben-bow, Trustees of John William Earl of Dudley, deceased.	- - -	William Perry.
3	Ditto	Meadow	Thomas Parry, Trustee of John White, de-ceased.	- - -	John White.
4	Ditto	Arable	The Right Reverend Henry Lord Bishop of Exeter, the Right Honourable Edward John Baron Hather-ton, Francis Down-ing, and John Ben-bow, Trustees of John William Earl of Dudley, deceased.	- - -	William Hilton and John Hilton.
5	Ditto	Garden	Joseph Finch Naylor	- - -	Benjamin Hughes.
6	Ditto	Pasture	Lucy Tay, Edward Moore.	William Colde-cott and Sa-muel Chavasse, Executors of Joseph Stokes Chavasse, de-ceased.	Ann Chavasse.
6 ^a	Ditto	Highway from Chitt's Grave to Coseley.	Surveyors of Highways.		
7	Ditto	Shop	The Right Reverend Henry Lord Bishop of Exeter, the Right Honourable Edward John Baron Hather-ton, Francis Down-ing, and John Ben-bow, Trustees of John William Earl of Dudley, deceased.	- - -	Joseph Holmes and Hannah his Wife, late Hannah Porter.
8	Ditto	Arable	Thomas King	- - -	Thomas King.
9	Ditto	Ditto	Same	- - -	Same.

No. on Plan.	Parish.	Description of Property.	Owner.	Lessee.	Occupier.
10	Sedgley	Rick-yard	Thomas King	- - -	Thomas King.
11	Ditto	Arable	Same	- - -	Same.
12	Ditto	Garden	William King	- - -	William Mills.
13	Ditto	Arable	Same	- - -	Joseph Baker.
14	Ditto	Meadow	Same	- - -	Same.
15	Ditto	Arable	Same	- - -	Same.
16	Ditto	Highway leading from Gornal to Coseley.	John White and Joseph Baker, Surveyors of Highways.	- - -	
17	Ditto	Ditto	The Right Reverend Henry Lord Bishop of Exeter, the Right Honourable Edward John Baron Hather-ton, Francis Down-ing, and John Ben-bow, Trustees of John William Earl of Dudley, deceased.	- - -	James Turley.
18	Ditto	Arable	Same	- - -	Same.
19	Ditto	Ditto	Same	- - -	Benjamin Turley.
20	Ditto	Highway leading from Gornal to Coseley.	John White and Joseph Baker, Surveyors of Highways.	- - -	
21	Ditto	Garden	The Right Reverend Henry Lord Bishop of Exeter, the Right Honourable Edward John Baron Hather-ton, Francis Down-ing, and John Ben-bow, Trustees of John William Earl of Dudley, deceased.	- - -	Benjamin White-house, Peter Ful-wood.
22	Ditto	Arable	Same	- - -	Maria Cartwright.
23	Ditto	Ditto, and Rail-road to Lime Works.	Same	- - -	Same.
24	Ditto	Ditto	Same	- - -	Same.
25	Ditto	Arable	Same	- - -	Same.
26	Ditto	Pasture	Same	- - -	Same.
27	Tipton	Ditto	Sir Horace Saint Paul	- - -	William Whitehouse.
28	Ditto	Arable	Same	- - -	John Hodges.
29	Ditto	Pasture	Same	- - -	William Whitehouse.
30	Ditto	Ditto	Same	- - -	Same.
31	Ditto	Turnpike Road leading from Brettell Lane through Dud-ley to Prince's End and Gos-pel Oak.	Trustees of the Dudley and Brettell Lane Turnpike Road.	- - -	
32	Ditto	House and Garden	James Wolverstan	- - -	James Wolverstan.
33	Ditto	Garden	John Whitehouse	- - -	John Hughes.
34	Ditto	Ditto	Edward Aston, Joseph Aston, Samuel Row-ley.	- - -	William Jukes.
35	Ditto	Ditto	Same	- - -	John Hughes.
36	Ditto	Ditto	Same	- - -	John Hood.
37	Ditto	Ditto	Same	- - -	Sarah Fletcher.

[Local.]

26 B

No. on Plan.	Parish.	Description of Property.	Owner.	Lessee.	Occupier.
38	Tipton	Public Footpath leading from Hurst Lane to Bloomfield.	Thomas Morris and William Holland, Surveyors of Highways.		
39	Ditto	Garden	Edward Aston, Joseph Aston, Samuel Rowley.	- - -	John Hughes.
40	Ditto	Ditto	Same	- - -	John Hickman.
41	Ditto	Ditto	Same	- - -	Benjamin Harrison.
42	Ditto	Ditto	Same	- - -	Sarah Fletcher.
43	Ditto	Ditto	Same	- - -	Edward Robinson.
44	Ditto	Ditto	Same	- - -	Thomas Marsh.
45	Ditto	Arable	Same	- - -	Samuel Round, Simeon Round, Henry Round, Thomas Cox.
46	Ditto	Land and Timber Yard.	Same	- - -	Thomas Cox.
47	Ditto	Arable	Same	- - -	Joseph Woodward.
48	Ditto	Pasture	The Master of the College of the Lady Frances Sydney Sussex in the University of Cambridge, and the Fellows and Scholars of the same College.	Edward Aston	Edward Aston.
49	Ditto	Garden	The Reverend William Blow Collis and William Wills.	- - -	Jesse Jeavons.
50	Ditto	House, Shop, and Garden.	Same	- - -	Thomas Stringer.
51	Ditto	Yard	Mary Hill, William Barrows and Martha his Wife, Edward Hill, Henry Pershouse Parkes and Charlotte his Wife, William Howells and Eleanor Maria his Wife, Joseph Hill, William Round and Sarah his Wife.	George Payton	George Payton.
52	Ditto	House	The Reverend William Blow Collis and William Wills.	- - -	William Lawrence.
53	Ditto	Ditto	Same	- - -	Jesse Jeavons.
54	Ditto	Ditto	Joseph Johnson	- - -	Thomas Roberts.
55	Ditto	The Highway leading from the Dudley Turnpike Road through Tipton to Toll End and Wednesbury.	Thomas Morris and William Holland, Surveyors of Highways.		
56	Ditto	Garden and Privy	Wyrley Birch	- - -	Edward Holt.
57	Ditto	House	Same	- - -	John Pearce.
58	Ditto	Shop and Garden	Same	- - -	William Whitehouse.
59	Ditto	Land and Wharf	Edward Aston	- - -	Edward Aston.
60	Ditto	Basin	Edward Aston, Edward Round, William Round.	- - -	Edward Aston, Edward Round, William Round.

No. on Plan.	Parish.	Description of Property.	Owner.	Lessee.	Occupier.
61	Tipton	Land	Edward Round, William Round.	- - -	Edward Round, William Round.
62	Ditto	Canal	The Company of Proprietors of the Birmingham Canal Navigations.		
63	Ditto	Land	Maria Griffiths	- - -	Maria Griffiths.
63 ^a	Ditto	Fold-yard	Richard Nicklin	Edward Aston	Edward Aston.
63 ^b	Ditto	Garden	Richard Jones	- - -	Richard Jones.
63 ^c	Ditto	Ditto	John Turner	- - -	John Turner.
64	Ditto	Pasture	Sir Horace Saint Paul	- - -	Richard Bradley.
65	Ditto	Garden	Wyrley Birch	- - -	Daniel Dudley.
66	Ditto	Pasture	The Reverend John Howells, the Reverend James Bevan, William Turton, and William Yates, Trustees for Tipton Poor.	Thomas Morris	Thomas Morris.
67	Ditto	Highway leading from Tipton Green to Puppy Green.	Thomas Morris and William Holland, Surveyors of Highways.		
68	Ditto	Arable	The Right Reverend Henry Lord Bishop of Exeter, the Right Honourable Edward John Baron Hatherton, Francis Downing, and John Benbow, Trustees of John William Earl of Dudley, deceased.	- - -	John Hopkins.
69	Ditto	Ditto	Same	- - -	Same.
70	Ditto	Highway leading from Puppy Green to the Oldbury Road.	Thomas Morris and William Holland, Surveyors of Highways.		
71	Ditto	Brick-yard	Joseph Whitehouse	- - -	Joseph Whitehouse.
72	Ditto	Ditto	Edward Jay	- - -	Edward Jay.
73	Ditto	Brick Kiln	Same	- - -	Same.
74	Ditto	Arable	Richard Fryer	- - -	Benjamin Blewett.
75	Ditto	Garden	Same	- - -	Same.
75 ^a	Ditto	Turnpike Road leading from Dudley through West Bromwich to Birmingham.	Trustees of the same Road.		
76	Ditto	Arable	Benjamin Bickley	John Turton Fereday.	Edward Ward.
77	Ditto	Rick-yard	Same	Same	Same.
78	Ditto	Arable	Same	Same	Same.
79	Ditto	Meadow	Same	Same	Same.
80	Rowley Regis	Pasture	Thomas Jesson	- - -	Benjamin Clift.
81	Ditto	Garden	Same	- - -	John Parkinson.
82	Ditto	Occupation Road	Same	- - -	Benjamin Clift.
83	Ditto	Garden	Same	- - -	John Parkinson.
84	Ditto	Arable	Same	- - -	Benjamin Clift.
85	Ditto	Ditto	Edwin Pemberton	- - -	William Gilbert.

No. on Plan.	Parish.	Description of Property.	Owner.	Lessee.	Occupier.
86	Rowley Regis	Arable - -	Richard Spooner, Isaac Spooner, Thomas Attwood, George Attwood.	- - -	William Mallin.
87	Ditto	- Ditto - -	- Same - -	- - -	Same.
88	Ditto	- Brick-yard - -	- Same - -	- - -	Benjamin Beddow.
89	Ditto	- Arable - -	Edward Dixon	- - -	John Downing.
90	Ditto	- Ditto - -	- Ditto - -	- - -	Same.
91	Ditto	- Ditto - -	- Ditto - -	- - -	Same.
92	Ditto	- Pasture - -	- Ditto - -	- - -	Same.
93	Ditto	- Garden Land - -	Thomas Tilley, Timothy Tilley.	- - -	Thomas Tilley.
94	Ditto	- Turnpike Road from Dudley through Oldbury to Birmingham.	Trustees of the same Road.	- - -	

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