



ANNO PRIMO

GULIELMI IV. REGIS.

Cap. xiv.

An Act for repairing the *Watling Street* Road, the *Mancester* and *Wolvey Heath* Road, and other Roads communicating therewith, in the Counties of *Leicester* and *Warwick*. [11th March 1831.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King George the Third, intituled *An Act for amending, widening, and keeping in repair several Roads therein mentioned, lying in the Counties of Leicester and Warwick, and in the County of the City of Coventry*: And whereas another Act was passed in the Twenty-first Year of the Reign of His said late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act passed in the Second Year of the Reign of His present Majesty, intituled 'An Act for amending, widening, and keeping in repair several Roads therein mentioned, lying in the Counties of Leicester and Warwick, and in the County of the City of Coventry'*: And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts of His present Majesty, for repairing certain Roads lying in the Counties of Leicester and Warwick, and in the County of the City of Coventry; and for amending and keeping in repair the Road from Bourne Bridge to Blythe Bridge in the County of Warwick*: And whereas the Trustees appointed in or by virtue of

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2 G. 3. c. 69.
21 G. 3. c. 85.
50 G. 3. c. 135.

Recited Acts repealed as to the Roads herein-after mentioned, except as to Contracts respecting Tolls.

This Act to take effect for the Term after mentioned.

the said Acts have proceeded in the Execution thereof, and have from Time to Time, for that Purpose, borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Roads, which Money still remains due and owing, and the same cannot be repaid, nor can the said Roads be effectually amended and kept in repair, unless the Terms and Powers of the said Acts are enlarged, and the Tolls increased or altered: And whereas it would be of great public Utility if Powers were given to repair and maintain a certain Highway or public Carriage Road leading from a Place called *Three Pots*, along the *Watling Street* towards the Village of *Smockington*, containing in Length Two thousand seven hundred Yards or thereabouts, and also a certain other Highway or public Carriage Road being a Continuation of the Turnpike Road herein-after mentioned, leading from *Nuneaton* to *Wolvey Heath*, to the *Five Lanes End* on the said Heath, containing in Length Six hundred and sixty Yards or thereabouts: And whereas it would facilitate the Purposes aforesaid if the said recited Acts were repealed, and if further and more effectual Powers and Provisions were granted instead thereof, as well for repairing, amending, and improving the Roads comprised in the said recited Acts, as for widening, repairing, and maintaining the before-mentioned Highways or public Carriage Roads; but the several Purposes before mentioned cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Third *Thursday* next after the passing of this Act the said recited Acts respectively passed in the Second, Twenty-first, and Fiftieth Years of the Reign of His late Majesty King *George* the Third, so far as they regard the Roads herein-after particularly mentioned, shall be and the same are hereby declared to be repealed, save and except only that the Contracts already made and entered into by the Trustees acting under the Authority of the said Acts for leasing the present Tolls authorized to be taken upon the several Roads comprised therein until the Fifteenth Day of *October* One thousand eight and thirty-one shall remain and be in force, and that such Tolls shall continue to be collected under the Authority of the said recited Acts until Twelve of the Clock at Night on the said Fifteenth Day of *October* One thousand eight hundred and thirty-one.

II. And be it further enacted, That this Act shall commence and take effect and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, repairing, and otherwise improving the several Roads herein-after mentioned; (that is to say,) the present Turnpike Road leading from the *New Inn* in the Parish of *Burbach* in the County of *Leicester*, at the Cross Roads at the End of *Sketchley Heath Lane*, commonly called *Three Pots*, along the *Watling Street*, to the Turnpike Road between *Leicester* and *Coventry*, and from the Turnpike Gate at *Nuneaton Gap*, along the *Watling Street*, to *Witherley Bridge* in the County of *Leicester*, and from *Witherley Bridge* to the Town

Town of *Atherstone*, and from the Town of *Atherstone*, through *Wilnecot*, to the End of *Fazeley Bridge*, and from *Fieldon Bridge* near *Atherstone* to the Town of *Atherstone*, and from the Town of *Atherstone* to *Blythe Bridge* in the County of *Warwick*, and from *Bentley Lane End* to and over *Baddesley Common*, by the Coal Pits on the said Common, into the said *Watling Street Road* in the said County of *Warwick*; and also the said Highway or public Carriage Road leading from *Three Pots* aforesaid, along the *Watling Street*, towards the Village of *Smockington*, where the same enters the Turnpike Road between *Hinckley* and *Lutterworth*, and which last-mentioned Highway or public Carriage Road contains in Length Two thousand seven hundred Yards or thereabouts; and also the present Turnpike Road leading from the Cross Lanes near *Whitacre Furnace End* in *Over Whitacre*, through *Ansley*, to the Guide Post on *Nuneaton Common*, and from the *Arbour Houses* at *Manchester Lane End*, through *Manchester*, to the said Guide Post, and from thence to the South-east End of a Street called the *Abbey End*, in *Nuneaton* in the County of *Warwick*, and from the North-west End of the *Church Street* in *Nuneaton*, through *Attleborough* and *Bramcote Lanes*, to *Wolvey Heath* in the said County of *Warwick*; and also the said Highway or public Carriage Road, being a Continuation of the last-mentioned Turnpike Road to the *Five Lanes End* on *Wolvey Heath* aforesaid, and which last-mentioned Highway or public Carriage Road contains in Length Six hundred and sixty Yards or thereabouts.

III. And be it further enacted, That previous to the Erection of any Toll Gate on any Part of the said Roads, or on the Sides thereof, the Notice for which by the Act passed in the Third Year of the Reign of His late Majesty, for repairing Turnpike Roads, is directed to be affixed upon all the Toll Gates erected on such Road within Ten Miles of the Place where such Gate is intended to be erected, and within the Trust for erecting the same, it shall not be necessary to affix such Notice on any Toll Gates other than the Gates on that particular Road on which such Gate is intended to be erected.

Notice of any Intention to erect Toll Gates to be given in that District only within which the Gate is proposed to be erected.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Leicester* and *Warwick* respectively, together with *Henry Cadwallader Adams*, *John Baker*, *Thomas Bradgate Bamford*, *Dudley Baxter*, *Stafford Stratton Baxter*, *Richard Beesley*, *Henry Bellairs Clerk*, *John Bond*, *John Boulton*, *John Boulton the younger*, *John Bourne*, *Charles Holt Bracebridge*, *William Bradley Clerk*, *John Brown*, *James Williams Buchanan*, *William Bucknill*, *William Bull*, *Thomas Brown Cave*, *John Hood Chapman*, *John Newdigate Ludford Chetwode*, *Sir George Chetwynd Baronet*, *George Chetwynd*, *William Craddock*, *John Craddock*, *Edward Wingfield Dickenson*, *William Dilke*, *Dugdale Stratford Dugdale*, *William Stratford Dugdale*, *Jerome Dyke Clerk*, *Robert Faux*, *Thomas Cotton Fell Clerk*, *Robert Fowler*, *William Freer*, *George Greenway*, *George Hake Clerk*, *Henry Harper*, *Lattimer Harper*, *Dempster Heming*, *Samuel Bracebridge Heming Clerk*, *Thomas Hincks*, *Thomas Hood*, *John Huskisson*, *William Phillipps Inge*, *Richard Jee*, *John Lingward*, *Morris Edward Lythall*,
Samuel

Samuel Mallabey, George Mettam Clerk, George Moore, John Moore, Charles Parker Newdigate, Francis Newdigate the younger, Haughton Farmer Okeover, William Palmer Clerk, James Roberts Clerk, Henry Roberts Clerk, John Robinson, Thomas Robinson, Thomas Shaw, John Smith, Richard Smith, Isaac Swinnerton, Joseph Taverner, John Towle, Thomas Ball Troughton, Roger Ryland Vaughton Clerk, Henry Ward, Joseph Willday, and their Successors, being duly qualified according to the Provisions and Directions contained in the several Acts for maintaining Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing the said Roads, and for carrying this Act into execution.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any Meeting from Time to Time to be held for that Purpose, of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given, to elect and appoint any Number of Persons, not exceeding Five in the whole, to be Trustees for executing this Act, in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed, being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

VI. And be it further enacted, That the Trustees acting in the Execution of this Act shall meet at the *Red Lion Inn* in *Atherstone* in the said County of *Warwick*, and at the Town Hall in *Nuneaton* in the same County, or at some other convenient Place or Places upon or near to the said Roads, within Twenty-one Days next after the Commencement of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time adjourn to and meet at such Times and at such Places upon or near to the said Roads as they shall think proper.

Power to take Tolls.

VII. And be it further enacted, That from and after the said Fifteenth Day of *October* One thousand eight hundred and thirty-one it shall and may be lawful to and for the said Trustees, or for any Person under their Authority, to demand and take the following Tolls at every Turnpike, Toll Gate, Side Bar, or Chain to be continued, erected, or placed by virtue of this Act in, upon, across, or on the Sides of the said Roads; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Phaeton, Curricule, Gig, Caravan, Hearse, Litter, or other such like Carriage, the Sum of Four-pence Halfpenny:

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

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half and less than Six Inches at the Bottoms or Soles thereof, the Sum of Five-pence:

For

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half at the Bottoms or Soles thereof, the Sum of Sixpence :

And for every Cart drawn by One Horse only, over and above the aforesaid Toll hereby allowed to be demanded and taken, the Sum of Three-pence for each and every entire Hundred Weight which such Cart and the Loading or Contents thereof shall weigh over and above the Weight of One Ton Ten Hundred Weight :

For every Pair of Millstones, the Sum of Two Shillings and Sixpence :

For every Coach, Waggon, or Vehicle of whatever Description, propelled or moved by Steam, Gas, or other like Means, the Sum of Two Shillings and Sixpence :

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

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

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

And in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part :

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, or Carriage, 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.

VIII. Provided always, and be it further enacted, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any One of such Toll Gates or Turnpikes or Side Bars, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time during the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night.

Tolls to be paid but Once a Day.

IX. Provided also, and be it further enacted, That no more than Three full Tolls shall be demanded or taken for or in respect of the same Horse or Horses, or other Beasts or Cattle, or Carriages, in any One Day (to be computed in manner herein-before mentioned,) for passing or repassing through all or any of the said Toll Gates or Toll Bars erected or to be erected in, upon, or across the Road which leads from *Fazeley Bridge* to *Three Pots*, and from thence to *Smockington* ; nor shall more than Two full Tolls be demanded or

Limiting the Number of Tolls at the respective Gates.

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taken for or in respect of any Horse, Beast, Cattle, or Carriage passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected in, upon, or across the Road which leads from *Fieldon Bridge* to *Blythe Bridge*; nor shall more than One full Toll be demanded or taken for or in respect of any Horse, Beast, Cattle, or Carriage passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected in, upon, or across the Road which leads from *Bentley Lane End* to and over *Baddesley Common* into the said *Watling Street Road*; nor shall more than Three full Tolls be demanded or taken for or in respect of any Horse, Beast, Cattle, or Carriage passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected in, upon, or across the Road which leads from the *Arbour Houses* at *Manchester Lane End* to the *Five Lanes End* on *Wolvey Heath*; nor shall more than Two full Tolls be demanded or taken for or in respect of any Horse, Beast, Cattle, or Carriage passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected in, upon, or across the Road which leads from the *Cross Lanes* in *Whitacre Furnace End* to the Guide Post on *Nuneaton Common*.

Stage
Coaches, &c.
to pay each
Time of pass-
ing.

X. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll has been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Gate, the Tolls hereby made payable shall be paid for each Time of passing and repassing through such Turnpike, Toll Gate, or Side Gate, in like Manner as if no Toll had been before paid thereat: Provided nevertheless, that no further or additional Tolls shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed.

Post Chaises,
&c. on every
new Hiring.

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

Steam
Coaches to
pay every
Time.

XII. And be it further enacted, That the Tolls hereby made payable for or in respect of any Carriage propelled or moved by Steam, Gas, or any other like Means, shall be paid every Time such Carriage shall pass or repass along the said Roads.

No Toll Gate
to be erected
between the
Cross Lanes
near Whit-
acre Furnace
End and the
Turning to
Monwood
Lea.

XIII. And whereas Persons travelling between *Coventry* and *Over Whitacre* must pass over and upon a certain Piece of Road comprised in this Act, containing in Length One thousand three hundred and eighty-two Yards or thereabouts, situate at or near the Church of *Over Whitacre*, and if any Toll Gate were to be erected thereon the Public would be subject to excessive Toll for passing along the said Road; be it therefore enacted, That no Turnpike or Toll Gate shall be erected under or by virtue of the Powers of this Act upon or on the

the Side of that Part of the said Road which is situate between the Cross Lanes near *Whitacre Furnace End* and the Turning to *Monwood Lea*.

XIV. And be it further enacted, That out of the Money already received or borrowed by virtue of the said Acts hereby repealed, or out of the first Money which shall or may arise or be received from the Tolls by this Act granted, the said Trustees shall in the first place pay and discharge all the Costs and Expences incident to and attending the obtaining and passing of this Act; and the Remainder of all such Monies (after the 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,) shall be applied in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls collected or arising from or payable on account of the said Roads, and which may hereafter be borrowed on the Credit of this Act or of the Tolls to arise from or to be collected on or to be paid in respect of the said Roads, and in erecting Turnpikes or Toll Houses on the said Roads, and in amending, altering, turning, widening, improving, and keeping in repair the said Roads, and otherwise in carrying this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said Roads, and the Principal Monies which may hereafter be borrowed by virtue of this Act.

Application
of Tolls.

XV. And be it further enacted, That all and every Sums and Sum of Money now borrowed or hereafter to be borrowed on the Credit of the Tolls authorized to be taken on the said Roads shall remain and be charged and chargeable only on the several and respective Lines of Road in respect of which Line such Sums or Sum of Money have been or may hereafter be borrowed.

Monies to
remain
chargeable on
the Line to
which they
respectively
belong.

XVI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken pursuant to the Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repairs of any such Branch Road than shall be collected on such Branch Road, or borrowed on the Credit of the Tolls taken thereon.

Expence of
repairing
Branch
Roads.

XVII. And, in order to secure the due Application of the respective Tolls hereby granted to the several Purposes aforesaid, be it further enacted, That all the said Tolls shall be paid by the Collectors or the Lessees thereof into the Hands of the Treasurer or respective Treasurers for the Time being appointed by the said Trustees, who shall keep or cause to be kept separate Accounts thereof, and which shall be applied for the Purposes of the respective Road only whereon such Toll shall have been collected.

Separate
Accounts to
be kept.

XVIII. Pro-

No Money to
be expended
in repairing
Streets.

XVIII. Provided always, and be it further enacted, That no Part of the Money arising or to be received by virtue of this Act shall be laid out in repairing, improving, or maintaining any Street, Highway, or Place in any Part of the Towns of *Atherstone* or *Nuneaton*, or either of them, nor shall any Toll be collected there, any thing herein contained to the contrary notwithstanding.

Public Act.

XIX. 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.

Term of Act.

XX. And be it further enacted, That this Act shall commence and take effect from and after the Third *Thursday* next after the passing thereof, and shall continue and be in force for and during the Term of *Thirty-one Years*, and from thence to the End of the then next Session of Parliament.

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