



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xcix.

An Act for improving the *Shrewsbury* District and the *Wellington* District of the *Watling Street Road* in the County of *Salop*. [18th June 1833.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for improving and maintaining the Shrewsbury District of the Watling Street Road in the County of Salop*: And whereas another Act was passed in the Eleventh Year of the Reign of His said late Majesty, intituled *An Act for more effectually improving and maintaining the Wellington District of the Watling Street Road in the County of Salop*: And whereas it is expedient that the Term and Powers of the said respective Acts should be extended and enlarged, and that the Tolls granted by the said Acts should be increased or altered: And whereas it would be of public Advantage if Power were granted to make certain Diversions or new Branches of Road leading from the Town of *Shrewsbury* towards *London*, as herein-after mentioned: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the Acts herein-before recited were repealed, and if other Powers and Provisions were granted and made instead thereof, and were embodied in One Act: And whereas the beneficial Objects

[Local.] 23 L herein-

10 G. 4. c. 74.
11 G. 4. c. 1.

Recited Acts
repealed.

herein-before mentioned cannot be effected without the 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 Parliament assembled, That from and after the Fourth *Monday* next after the passing of this Act the said recited Acts passed in the Tenth and in the Eleventh Years of the Reign of His late Majesty King *George* the Fourth shall be and the same are hereby declared to be repealed, except as herein-after mentioned with respect to the Act first recited in this Act.

Object and
Powers of
this Act
defined.
Shrewsbury
District.

II. And be it further enacted, That this Act shall be put in execution for and during the Term herein-after mentioned for the Purpose of improving, repairing, and maintaining in repair the several Roads herein-after mentioned; (that is to say,) the Road leading from the Town of *Shrewsbury* towards *London*, commencing at or about the Distance of Two hundred and two Yards from the Centre of the *English* Bridge over the River *Severn*, and ending near to a certain Cottage at or near *Uckington* belonging to the Right Honourable *William Noel* Lord *Berwick*, now in the Occupation of *Thomas Wood*, and the Road leading from the West End of *Atcham* Bridge over the River *Severn* to the Cross Houses in the Parish of *Berrington* upon the Turnpike Road from *Shrewsbury* to *Much Wenlock*, and from the Finger Post near the old Gravel Pits at the North End of a certain Piece of Land belonging to *John Cressett Pelham* Esquire, called the *Rag Ground*, now in the Occupation of *Thomas Lockley Meire*, situate in the Township of *Lower Cound*, towards and unto *Longnor Green* at the Confines of the Township of *Frodesley* next adjoining the Confines of the Township of *Longnor*, all in the said County of *Salop*, which said several Roads are called "The *Shrewsbury* District;" and also for the Purpose of making and maintaining the Two Diversions or new Branches of Road from and out of the said *Shrewsbury* District of Roads herein-after described; that is to say, a certain Diversion or new Branch of Road, to commence at or near to a certain Piece of Land called the *Lower Long Leasow*, in the Occupation of Mrs. *Eleanor Bayley* in the Township of *Norton* in the Parish of *Wroxeter* in the said County, and to terminate at or near to the *Horse Shoe* Public House in the Township of *Uckington* in the Parish of *Atcham* in the said County, and a certain other Diversion or new Branch of Road, to commence at or near to a certain Piece of Land, in the Occupation of Mr. *John Ravenshaw*, called *Wall Hill*, situate in the said Township of *Uckington*, and to terminate in a certain other Piece of Land, also in the Occupation of the said *John Ravenshaw*, called *Swindall*, in the said Township of *Uckington*; and also for the Purpose of improving, repairing, and maintaining in repair the several other Roads herein-after mentioned; that is to say, the Road leading towards *London*, commencing at the Confines of the said *Shrewsbury* District at or near to the Cottage herein-before mentioned in the Occupation of *Thomas Wood*, and ending at the Bottom of *Mumporn Hill* near

Wellington
District.

the *Shropshire* Canal, and the Road leading from *Oaken Gates*, through *Wombridge*, *Hadley*, *Leegomery*, *Shaw Birch*, *Bratton*, *Longwaste*, and *Cotwall*, to the Road leading from *Shrewsbury* to *Newport* at *Cotwall* aforesaid, and also the Road leading from the House called or known by the Sign of the *Cock Inn*, at *Watling Street*, through *Shaw Birch*, *Long Lane*, *Sleap*, and *Crudgington*, to the said Road leading from *Shrewsbury* to *Newport* at *Crudgington* aforesaid, which said several last-mentioned Roads are called "The *Wellington District*;" and also for the Purpose of making and maintaining the Diversion or new Branch of Road from and out of the said *Wellington District* of Road herein-after described; that is to say, to commence in the said Piece of Land in the Occupation of Mr. *John Stanier*, called the *Little Meadow*, situate near to the Seventh Mile Stone in the Township of *Uppington* in the Parish of *Uppington* in the said County, and to terminate at *Burcot Bridge* in the Parish of *Wrockwardine* in the said County.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Salop*, together with the Right Honourable *Henry Vane* commonly called Earl of *Darlington*, the Honourable *Edward Herbert* commonly called Viscount *Clive*, the Honourable *Robert Henry Clive*, the Honourable *Charles Bennett* commonly called Lord *Ossulston*, the Honourable *Thomas Kenyon*, the Honourable *Richard Noel Hill* Clerk, Sir *Edward Joseph Smythe* Baronet, Sir *Rowland Hill* Baronet, Sir *John Hanmer* Baronet, Sir *Andrew Corbet* Baronet, Sir *Thomas John Tyrwhit Jones* Baronet, Sir *Baldwin Leighton* Baronet, Sir *Robert Chambre Hill* Knight, Sir *Francis Bryan Hill* Knight, *Samuel Butler* Doctor in Divinity and Archdeacon of *Derby*, *Lawrence Gardner* Doctor in Divinity, *Robert Waring Darwin* Doctor of Physic, *Thomas Du Gard* Doctor of Physic, *Simon Barber*, *John Bather*, *Thomas Bayley*, *Samuel Yate Benyon*, *Ralph Benson*, *Moses George Benson*, *John Brown*, *Thomas Whitmore Wylde Browne*, *Robert Burton*, *Robert Burton* the younger, *William Brayne*, *Walter Burley*, *Edward Bather* Clerk, Archdeacon of *Salop*, *Edward Burton* Clerk, Doctor in Divinity, *Henry Burton* Clerk, *Robert Lingen Burton* Clerk, *William Charlton*, *Philip Charlton*, *Philip Charlton* the younger, *Saint John Chiverton Charlton*, *William Lacon Childe*, *Robert Clarke*, *Edward Cludde*, *William Cooper*, *Panton Corbett*, *Andrew Vincent Corbett*, *Andrew William Corbett*, *Richard Corbett*, *Uvedale Corbett*, *Joseph Corbett* Clerk, Archdeacon of *Salop*, *Joseph Corbett* the younger, Clerk, *Waties Corbett* Clerk, *Richard Corfield* Clerk, *James Edward Compson* Clerk, *Henry Calveley Cotton* Clerk, *John Cotes*, *Richard Drinkwater*, *John Dodson*, *Thomas Farmer Dukes*, *John Eaton* the younger, *Benjamin Edwardes*, *John Thomas Smytheman Edwardes*, *John Edwards*, *Edward Egremont* Clerk, *Charles Emery*, *Thomas Eyton*, *Thomas Reader Gleadow*, *George Goodwin*, *William Harley*, *Samuel Harley*, *Thomas Harries*, *Francis Blithe Harries*, *Francis Harries*, *John Thomas Hope*, *Thomas Henry Hope*, *Rowland Hunt*, *William Hopkins* Clerk, *George Hunt* Clerk, *Thomas Hunt* Clerk, *William Egerton Jeffreys*, *William Egerton Jeffreys* the younger, *William Jellicoe*, *Richard Jenkins*, *Robert Jenkins*, *John Roger Kynaston*, *Thomas Kynnersley*, *Francis Knyvet Leighton*,

Trustees of
the Shrews-
bury Dis-
trict.

Leighton, John Linton, John Arthur Lloyd, Thomas Loxdale, Joseph Loxdale, Charles Leicester Clerk, George Austin Moultrie, George Ashby Maddock Clerk, Edward William Smythe Owen, Edward Pryce Owen Clerk, James Parry, John Cressett Pelham, Robert Norgrave Pemberton Clerk, John Ravenshaw, Thomas Salt, Jonathan Scarth, George Jonathan Scott, Joseph Sheppard, Robert Aglionby Slaney, William Sparling, Thomas Sutton, Richard Scott Clerk, Charles Stanier, Samuel Tudor, Francis Walford, Henry Diggory Warter, Thomas Whitmore, William Wolryche Whitmore, John Williams, Henry Williams, Edward Hosier Williams, John Wingfield, Rice Wynne, Spencer Dod Wilde Clerk, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in England, shall be and they are hereby declared to be Trustees for carrying into execution this Act within the said Shrewsbury District.

Trustees of
the Wellington
District.

IV. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of Salop, together with the Right Honourable *Henry Vane* commonly called Earl of *Darlington*, the Right Honourable *Francis Leveson Gower* commonly called Lord *Francis Leveson Gower*, the Honourable *George Augustus Frederick Bridgman* commonly called Viscount *Newport*, the Honourable and Reverend *George Bridgman*, the Honourable *George Simpson Bridgman*, the Honourable *Charles Bridgman*, the Honourable *Orlando Henry Bridgman*, the Honourable and Reverend *Henry Edward Bridgman*, the Honourable *George Cecil Weld Forester*, the Honourable *Charles Forester*, the Honourable *Henry Forester*, the Honourable and Reverend *Richard Noel Hill*, Sir *Rowland Hill* Baronet, Sir *Robert Chambre Hill*, Sir *Francis Bryan Hill*, *Simon Barber*, *George Brooke*, *Robert Burton of Longner*, *Robert Burton* the younger, *Henry Burton Clerk*, *Thomas Botfield*, *William Botfield*, *George Brookes Clerk*, *George Bishton*, *Thomas Bishton*, *John Bishton*, *Edward Cludde*, *William Lacon Childe*, *William Charlton*, *Philip Charlton*, *Saint John Chiverton Charlton*, *Saint John Charlton*, *Philip Charlton* the younger, *Roger Clayton Clerk*, *Charles Richard Cameron Clerk*, *James Clayton*, *Thomas Jukes Collier*, *John Cotes*, *John Dodson*, *Barnard Dickinson*, *Francis Darby*, *Richard Darby*, *Abraham Darby*, *Edward Egremont Clerk*, *Thomas Eyton*, *Thomas Campbell Eyton*, *Charles James Eyton*, *Charles Emery*, *William Evans*, *George Townshend Forester*, *Townshend Forester* Doctor in Divinity, *Francis Forester*, *Lawrence Gardner* Doctor in Divinity, *George Goodwin*, *Thomas Harries*, *Francis Blithe Harries*, *Francis Harries*, *John Horton*, *William Hombersley*, *Robert Jenkins*, *Thomas Jones*, *Thomas Kynnersley*, *Francis Knyvet Leighton*, *James Loch*, *Thomas Leeke*, *William Lawley*, *William Shakeshaft Lawley*, *Richard Mountford*, *George Austin Moultrie*, *Edward Pryce Owen Clerk*, *James Oliver*, *Edmund Plowden*, *John Cressett Pelham*, *John Dryden Pigot Clerk*, *John Pritchard*, *George Pritchard*, *John Pritchard* the younger, *George Phillips*, *Henry Poyner*, *Joseph Reynolds Merchant*, *Joseph Reynolds* of *Ketley Bank*, *Robert Slaney*, *Robert Aglionby Slaney*, *Richard Slaney Clerk*, *John Stanier*, *Charles Stanier*, *Thomas Scarth*, *Jonathan Scarth*, *George Augustus Thursby Clerk*, *William Turner*,
Thomas

Thomas Whitmore, William Wolryche Whitmore, Thomas Charlton Whitmore, Edward Hosier Williams, Henry Williams, Wright Williams Clerk, Francis Walford, Matthew Webb, George Lavington Yates Clerk, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for regulating Turnpike Roads in England, shall be and they are hereby declared to be Trustees for carrying into execution this Act within the said Wellington District.

V. And be it further enacted, That it shall be lawful for the Trustees of the said *Shrewsbury* District, and also for the Trustees of the said *Wellington* District, at the First Meeting of such respective Trustees to be held for the Execution of this Act, to elect any Number of Persons not exceeding Three in the whole in each District to be Trustees for the Purposes of this Act within such District, in addition to the Trustees herein named for such respective Districts; and such additional Trustees so elected, and being duly qualified, shall have the same Powers and Authorities for executing this Act within their respective Districts as if they had been herein named.

Power to elect additional Trustees.

VI. And be it further enacted, That the Trustees for executing this Act within the said *Shrewsbury* District shall hold their First Meeting at the Shire Hall in the Town of *Shrewsbury*, or at some other convenient Place in the said Town of *Shrewsbury*, and the Trustees for executing this Act within the said *Wellington* District shall hold their First Meeting at the *Falcon Inn* at *Hay Gate* in the Parish of *Wrockwardine*, or at some other convenient Place near to or in the Neighbourhood of the said Roads, on the Fourth *Monday* next after the passing of this Act, or as soon afterwards as conveniently may be, between the Hours of Ten and Twelve, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places in the Neighbourhood of the said respective Districts of Road as the said Trustees of each respective District, or any Three of them present at such respective Meetings, shall think proper and appoint.

First Meetings of the Trustees.

VII. And be it further enacted, That it shall be lawful for the Trustees of the said respective Districts of Road to make and maintain the Diversions or new Branches of Road herein-before mentioned within their respective Districts, according to the Plan herein-after mentioned, of such Width as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences on the Line of the said Diversions or new Branches of Road as they shall think expedient, and for the Purposes aforesaid, subject nevertheless to the several Provisions and Restrictions in this Act and in the various Acts for regulating Turnpike Roads in *England* contained, to take or use any Lands, making or tendering Satisfaction to the Owners thereof and Persons interested therein for the same or for the Damage they may sustain by the Execution of the Powers of this Act; and it shall also be lawful for the Trustees of such respective Districts of Road, and for their

Diversions and new Branches of Road may be made.

[Local.]

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Surveyors

Surveyors and Workmen, from Time to Time to enter upon any Lands upon, in, over, or through which such Diversions or new Branches of Road, Footpaths, Causeways, Embankments, Bridges, Arches, Culverts, Ditches, Drains, and Fences, or any of them, are intended to be made or pass within their respective Districts, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such Manner as the said Trustees of such respective Districts shall think expedient, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon such Lands for any of the Purposes of this Act; and if any Person shall remove, destroy, or injure any of the Stakes or other Marks used for the Purposes aforesaid, every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Authentic-
ated Plan
and Book of
Reference to
be deposited
with the
Clerk of the
Peace, and to
be open to
Inspection.

VIII. And whereas a Plan describing the Line of an intended Diversion or new Branch of Road, and the Lands upon, in, over, or through which the same was intended to be carried, together with a Book of Reference containing the Names of the Owners and Occupiers of such Lands, has been deposited in the Office of the Clerk of the Peace for the County of *Salop*: And whereas since the depositing of the said Plan and Book of Reference as herein-before mentioned certain Alterations of the Line of the said Diversion or new Branch of Road, as laid down upon such Plan, have been agreed upon and determined, with the Concurrence of the Owners and Occupiers of the Lands through which such Alterations are proposed to be made; be it therefore enacted, That a Plan describing the Lines of the said Diversions or new Branches of Road as the same have been agreed to be altered, authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, together with a Book of Reference to such Plan containing the Names of the Owners and Occupiers of the Lands upon, in, over, or through which such Lines of Road have been agreed to be carried, shall within Three Calendar Months next after the passing of this Act be deposited with the Clerk of the Peace for the County of *Salop*, to the end that all Persons may at all seasonable Times have Liberty to inspect such Plan and Book of Reference, and to take Copies thereof and Extracts therefrom, paying for every Inspection the Sum of One Shilling, and for Copies of or Extracts from the said Book of Reference after the Rate of Sixpence for every One hundred Words; and the said Plan and Book of Reference, or any Copy thereof, or of such Parts respectively as shall relate to any Matter in question, certified by the Clerk of the Peace or his Deputy to be a true Copy, shall be and is hereby declared to be good Evidence in all Courts of Law and elsewhere.

Trustees
empowered
to deviate
from the
Plan, &c. to
an Extent
not exceed-
ing 100
Yards.

IX. And be it further enacted, That the said Trustees, in making such Diversions or new Branches of Road by this Act authorized within their respective Districts, shall have full Power and Authority to deviate from the Line delineated on the Plan so to be deposited with the Clerk of the Peace as herein-before mentioned: Provided always, that no such Deviation shall extend to a greater Distance than One hundred Yards from the Line so delineated upon the
said

said Plan without the Consent in Writing of the Party or Parties upon, in, over, or through whose Lands such Deviation beyond the said Distance of One hundred Yards shall be proposed to be made.

X. Provided always, and be it further enacted, That the Powers and Authorities by this Act granted for making the said Diversions or new Branches of Road shall not authorize the said Trustees to pull down, or to take, use, or injure, any Dwelling House or other Building, or to take, use, or injure any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, Plantation, 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 Consent in Writing of the Owners and Occupiers thereof first obtained.

Dwelling Houses, &c. not to be taken without Consent, except those mentioned in the Schedule.

XI. Provided nevertheless, and be it further enacted, That it shall be lawful for the Trustees of the said respective Districts of Road to make the said Diversions or new Branches of Road in the Line or Course, and upon, in, over, or through the Lands delineated on the said Plan, to be deposited with the Clerk of the Peace as herein-before mentioned, although such Line or Course, or such Lands, or any of them, or the Situation of such Lands respectively, or the Names of the Owners or Occupiers thereof respectively, may happen to be omitted, mis-stated, or erroneously described in this Act or in the Schedule thereto, or in the said Plan or Book of Reference, provided it shall be made appear to any Two or more Justices of the Peace for the County, Division, or Place within which the Cause of Dispute shall arise, and be certified by Writing under their Hands, that such Omission, Mis-statement, or erroneous Description apparently proceeded from Mistake; and the Certificate of the said Justices shall be deposited with and shall remain in the Custody of the Clerk of the Peace for the said County, Division, or Place for the Time being.

Unintentional Errors in Act or Plan or Book of Reference not to prevent Execution of Act.

XII. And be it further enacted, That if the Trustees of the said respective Districts of Road shall not within the Space of Three Years next after the passing of this Act agree for or cause to be valued and pay for the Lands which they are by this Act authorized to take, then and from thenceforth the Powers by this Act granted or by any other Act granted in relation to the taking of Lands for the Purposes of Turnpike Roads shall, so far as relates 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, any thing in this Act or in any such Act as aforesaid contained to the contrary thereof notwithstanding.

Limiting the Period for purchasing Property.

XIII. And be it enacted, That when and so soon as the said Diversions or new Branches of Road shall have been made and completed fit for the Passage of Horses, Cattle, and Carriages, so much and such Parts of the present Line of Road as shall have been substituted by such Diversions or new Branches shall cease

Part of old Road may be discontinued after Diversions are made.

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3G.4. c.126.

to be Turnpike Road, and to be maintained as such by the said Trustees; and such Parts of the said Line of Road so ceasing to be Turnpike Road as in the Judgment of the said Trustees shall be useless and unnecessary to the Public shall be discontinued as public Highways, and shall and may be stopped up by the said Trustees within their respective Districts, subject to the Provisions and Directions of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*; and so much of the Land constituting any former Road so stopped up as aforesaid, for which Rent is now paid or payable to the Owner thereof, shall be restored and given up to such Owner; and so much of such Land as shall have been purchased by the Trustees acting in the Execution of the said former Acts hereby repealed, or either of them, shall and may be sold by the Trustees for executing this Act, for the Benefit of their respective Trusts, in the Manner and subject to the Provisions and Directions in that Behalf contained in the said Act of the Third Year of the Reign of His late Majesty King *George* the Fourth; and so much of such Land as shall neither have been purchased by the Trustees for executing the said former Acts hereby repealed or either of them, nor for which Rent is now paid or payable as herein-before mentioned, shall vest in the respective Owners of the adjoining Lands in manner following; (that is to say,) One Moiety thereof in the Owner of the Land on the one Side, and the Remainder in the Owner of the Land on the other Side thereof.

Enlarging
the Time
granted by
10G. 4. c.74.
for making a
certain
Diversion
of Road.

XIV. And whereas by the said recited Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth Power was given to the Trustees of the said *Shrewsbury* District to make and maintain a Diversion of the said District, commencing at or near to certain Dwelling Houses situate in the *Abbey Foregate* in *Shrewsbury*, in the several Occupations of *Henry Hills* and *John Hilton*, to and again entering such District at or near to certain Dwelling Houses within the *Abbey Foregate* aforesaid, in the several Occupations of *Edward Morgan*, *William Jones*, *Richard Murphy*, *Elizabeth Jennings*, *Thomas Edwards*, *John Freeman*, and *Edward Rogers*, or some of them, which Diversion hath not yet been made: And whereas the Time limited for purchasing the Lands required for the Purposes of such Diversion is about to expire: And whereas it is expedient that the Power for making and maintaining such Diversion of Road aforesaid should be extended and enlarged; be it therefore enacted, That the Time for purchasing Lands, and for making and completing the Diversion of the said Road herein-before mentioned, shall be extended and enlarged for the further Space of a Term of Three Years, and the Trustees of the said *Shrewsbury* District of Roads shall have the same Power and Authority to make and maintain such Diversion of Road as last herein-before mentioned as are by this Act given in relation to the making and maintaining of that Portion of the other Diversions or new Branches of Road in this Act mentioned within the said *Shrewsbury* District.

XV. And

XV. And be it further enacted, That it shall be lawful for the Trustees of the said respective Districts of Road, and their Surveyors, or for any other Persons by them appointed, and they are hereby empowered, to make such Ditches, Drains, or Watercourses of such Depth and Breadth as they shall consider necessary for keeping the Roads within such respective Districts dry, and for conveying the Water from the same, on the Sides of the said Roads or any of them, and also where necessary into or through any Fields, Lands, or Grounds adjoining to or lying near the said Roads or any of them, (not being a Yard, Garden, Orchard, Park, planted Walk, or Avenue to a House,) at the Expence of the Trustees of the District in which the same shall lie, out of the Monies to be received by virtue of this Act within any such District, and also such Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as they shall deem necessary, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when so made and completed, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Lands; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads or any of them shall be scoured, cleansed, and kept open, repaired and maintained, by the Trustees of the District in which the same shall be situate, subject to the Provisions of any Law or Statute relating to Turnpike Roads.

Power to Trustees to make Ditches, Drains, &c.

XVI. And be it further enacted, That in all Cases in which any Entrance shall be made from any of the Roads within the said respective Districts to any Land, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made, by or at the Expence of the Owner or Occupier of such Land, so that such Roads may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Owner or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order, for the Space of Ten Days after Notice in Writing given to such Owner or Occupier, or left at his usual or last known Place of Residence, by the Surveyor to the Trustees of the District within which such Entrance shall be, or by any other Person appointed by the said Trustees, requiring such Owner or Occupier so to make or repair the same, then it shall be lawful for the said Trustees or their Surveyor, or any other Person acting by or under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively (as the Case may be); and the Expences thereof shall be paid to the said Trustees by such Owner or Occupier (as the Case may be); and in case of Nonpayment of such Expences within Seven Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Owner or Occupier, by Warrant under the Hand and Seal of some Justice of the Peace of the said County of *Salop*,

Entrances to Fields, &c. to be made with hard Materials.

[*Local.*]

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and which Warrant of Distress such Justice is hereby empowered and required to grant on Proof made before him on Oath, or in the Case of a Quaker on solemn Affirmation, of such Expence having been incurred and of such Notice having been given as aforesaid; and the Overplus (if any) shall be returned, on Demand, to the Person whose Goods and Chattels shall have been so distrained and sold.

Power to
continue
Toll Gates,
&c.

XVII. And be it further enacted, That it shall be lawful for the Trustees of the said respective Districts to continue all or any of the Toll Gates, Toll Bars, Toll Houses, and Weighing Machines now erected upon the said respective Districts of Roads or upon the Sides thereof, and also to erect or build others in lieu thereof or in addition thereto upon the said respective Districts of Roads, or upon any Part or Parts thereof respectively, or upon the said Diversions or new Branches of Road, or upon the Sides thereof respectively, when and where and as they shall judge necessary, and also from Time to Time to alter or to take down, and to re-erect or re-construct, or to discontinue and remove, such Toll Gates, Toll Bars, Toll Houses, and Weighing Machines, or any of them, as they the Trustees of such respective Districts shall think proper.

Toll Gate to
be erected on
each Branch
of Road.

XVIII. And be it further enacted, That the Trustees of the said respective Districts shall and they are hereby required to continue or to erect upon each and every Branch of Road comprised in this Act One or more Toll Gate or Toll Gates, or Toll Bar or Toll Bars, and to demand and take thereat the Tolls by this Act granted, subject to the Provisions of this Act and of the various Acts for regulating Turnpike Roads in *England*; and no Money arising from any of the Tolls by this Act authorized to be taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be some Gate or Toll Bar at the Time standing, and no more of the Monies arising by virtue of this Act shall be laid out or expended upon any of the said Branch Roads than shall be actually raised or received upon or in respect of such Branch Road; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls.

XIX. And be it further enacted, That the Tolls to be taken by virtue of this Act within the said respective Districts shall not exceed the following; (that is to say,)

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Coach, Stage Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Litter, Break, Chaise, Curricule, Gig, or other such like Carriage, the Sum of Sixpence:

For every Horse, Ass, Mule, or other Beast or Cattle drawing any Waggon, Wain, Cart, Van, Caravan, or other such like Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Sole thereof, the Sum of Sixpence; and in case the Fellies of the Wheels thereof shall be of less Breadth than Six Inches and not of less Breadth than Four Inches and a Half, the Sum of Seven-pence Halfpenny; and in case the Fellies of the Wheels thereof shall be of less Breadth than Four Inches and a Half, the Sum of Nine-pence:

For every Horse, Ass, Mule, or other Beast or Cattle, laden or unladen, and not drawing, the Sum of Two-pence:

For every Score of Oxen, Cows, or Neat Cattle (Calves excepted), the Sum of One Shilling and Three-pence, and so in proportion for any less Number than a Score:

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Ten-pence, and so in proportion for any less Number than a Score:

For every Carriage moved or propelled or set or kept in motion by Steam or Machinery, or by any other Power or Agency than animal Power, the Sum of Sixpence *per* Wheel for each Wheel thereof:

And for every Waggon, Wain, Cart, or other such like Carriage having the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire, or not having the Name of the Owner or Owners of any such Waggon, Wain, Cart, or other such like Carriage affixed in legible Characters on the Right or Off Side thereof, the Sum of Ten Shillings:

Such last-mentioned Toll to be in lieu of any Penalty to which, by virtue of an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, the Owner or Driver of any such Waggon, Wain, Cart, or other Carriage would be subject or liable by reason or on account of the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch above such Tire.

4 G. 4. c. 96.

XX. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Amount of any of the Tolls by this Act authorized to be taken, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Fractional Part of a Halfpenny in Toll.

XXI. Provided always, and be it further enacted, That no more than Two full Tolls shall be taken for or in respect of the same Horse, Beast, Cattle, or Carriage for passing and repassing any Number of Times in the Course of the same Day through all or any of the Toll Gates or Toll Bars upon the Roads within each of the Districts, except as herein-after otherwise provided for.

Limiting the Number of Tolls for passing and repassing all the Gates on the Road.

XXII. Provided nevertheless, and be it further enacted, That if any Horse, Beast, or Cattle for which Toll shall have been paid for passing through any of the said Toll Gates or Toll Bars shall return drawing another or a different Waggon, Wain, Cart, or other such Carriage, such Horse, Beast, or Cattle shall not be permitted to repass through such Toll Gate or Toll Bar on the same Day without Toll being again paid for such Horse, Beast, or Cattle, if in so repassing such Horse, Beast, or Cattle shall travel upon any of the said Roads for the Distance of Two Miles or more.

Tolls to be paid on repassing in certain Cases.

XXIII. Provided also, and be it further enacted, That the Tolls by this Act granted shall be paid for or in respect of Horses, Beasts, or Cattle drawing Stage Carriages, of whatever Description, conveying Passengers or Goods for Hire or Reward, for every Time of passing

Horses drawing Stage Carriages, &c. to be subject to Toll for each Time of passing.

passing and for every Time of repassing upon the Roads within each of the said Districts: Provided always, that no further or additional Toll shall be payable in respect of Horses, Beasts, or Cattle drawing such Stage Carriages on account only of the Horses, Beasts, or Cattle drawing the same having been changed.

Horses let out to Hire to be subject to Toll on every new Hiring.

XXIV. Provided also, and be it further enacted, That the Tolls by this Act granted shall be paid for or in respect of Horses, Beasts, or Cattle let out to Hire, whether for riding or for drawing Post Chaises or other Carriages; and passing upon the Roads within each of the said Districts, upon each Occasion of a new and distinct Hiring of such Horses, Beasts, or Cattle.

Weight of One-horse Carts limited.

XXV. And be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by only One Horse, Beast, or Cattle upon the said Roads shall not exceed the following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October*, both Days inclusive, One Ton and Fifteen Hundred Weight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive), One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof.

One-horse Carts to be weighed.

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

Exemption from Toll of Carriages carrying Lime.

XXVII. And be it further enacted, That between the Fifth Day of *April* and the Twenty-ninth Day of *September* (both Days inclusive) in every Year no Toll shall be demanded or taken under the Authority of this Act for or in respect of any Horse, Beast, or Cattle, or of any Carriage of whatever Description, employed in conveying or going to convey, or returning from conveying, having been employed solely in conveying Lime or Limestone to be used as Manure or for the improving of Lands.

Penalty on Lessees compounding for Overweight.

XXVIII. And whereas great Injury may be done to the said Roads by the Lessees or Renters of the Tolls accepting an inadequate Composition for the Tolls of Carriages by Law liable to be charged in respect of Overweight; be it therefore enacted, That if any Lessee or Renter of the Tolls by this Act granted, or any Deputy or Agent of such Lessee or Renter, shall make Composition by the Year or otherwise with any Person whomsoever for or in lieu of the Tolls of any Carriage, of whatever Description, by Law liable to be weighed and charged for or in respect of the Overweight thereof, every such
Lessee

Lessee or Renter, Deputy or Agent, shall, on Conviction thereof by Confession or upon the Oath of any Witness before any of His Majesty's Justices of the Peace, forfeit and pay, besides the Costs and Charges attending the Conviction, a Sum of Money not exceeding Five Pounds, and shall also forfeit his Contract, Lease, or Agreement for renting the Tolls, if the said Trustees shall think proper to order that the same shall be made void; and every such Composition shall be null and void; and one Moiety of every such Penalty shall be paid to the Informer, and the Remainder thereof to the said Trustees, to be applied in the Repair of the said Roads.

XXIX. And be it further enacted, That it shall be lawful for the Trustees of the said respective Districts or either of them, at any of their Meetings to be held within Three Calendar Months next after the passing of this Act, or at any Adjournment thereof, to declare and order that all Demises, Leases, and Agreements for Leases of the Tolls granted by the said former Acts hereby repealed, and of the several Toll Houses, Buildings, and Appurtenances thereto belonging, shall cease and be void from and after the Twenty-first Day next after the Day on which such Meeting shall be held, and from and after the Time mentioned in the said Declaration and Order all such Demises, Leases, and Agreements shall cease and be void to all Intents and Purposes, except as to the Right of the said Trustees of such District (which in all Cases is hereby reserved) to receive and to recover Payment of all Rent and Arrears of Rent, and of all other Sums due and to become due thereon; and the said Trustees shall and they are hereby required to make a fair and just Compensation and Satisfaction to the respective Lessees of the said Tolls for any Loss or Damage which they shall sustain by the Determination of such Demises, Leases, and Agreements before the Expiration of the Time for which they were originally granted or made, such Compensation and Satisfaction to be paid at such Times and in such Proportions as shall be agreed upon between the said Trustees and such Lessees respectively: Provided always, that in case such Compensation or Satisfaction shall not be paid within Six Calendar Months next after the same shall have become due to any such Lessee, and have been demanded of the Clerk or Treasurer to such Trustees, or in case the said Trustees and any such Lessee shall not agree upon the Amount of such Compensation or Satisfaction, the same may be recovered by such Lessee by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided also, that nothing herein contained shall prevent the Trustees of the said respective Districts, or either of them, from entering into any new or other Agreement with all or any of the present Lessees of the Tolls for such additional Rent in respect of the Tolls by this Act granted as they shall think reasonable and proper for the unexpired Term of the existing Demises, Leases, or Agreements.

Power to Trustees to vacate existing Leases of Tolls.

XXX. And whereas by the said Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England*, it is enacted that the Trustees and Commissioners of Turnpike Roads may sue and be sued in the Name or Names of any of such Trustees or Commissioners,

Trustees, &c. declared competent Witnesses in Actions, &c.

sioners, or of their Clerk or Clerks, for the Time being: And whereas Doubts have arisen whether such Trustees, Commissioners, or Clerks are competent to give Evidence in any Action or Suit in which they may be Plaintiffs or Defendants, and it is expedient that such Doubts should be removed; be it therefore enacted, That no Trustee or Clerk acting under the Authority of the said recited Acts or of this Act shall be deemed incompetent to give Evidence or shall be disqualified from giving Evidence in any such Action or Suit by reason of such Trustee, Commissioner, or Clerk being Plaintiff or Defendant in such Action or Suit.

Trustees
empowered
to borrow
Money of the
Exchequer
Loan Com-
missioners
on the Credit
of the Act
3 G. 4. c. 126.

XXXI. And be it further enacted, That it shall be lawful for the Trustees of the said respective Districts, or either of them, to borrow of and from the Commissioners for carrying into execution an Act of Parliament passed in the Third Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act to amend Two Acts of the Fifty-seventh Year of His late Majesty and the First Year of His present Majesty, for authorizing the Issue of Exchequer Bills and the Advance of Money for carrying on Public Works and Fisheries and Employment of the Poor, and to authorize a further Issue of Exchequer Bills for the Purposes of the said Acts*, such Sums of Money as the said Trustees may deem expedient for the Purposes of this Act, upon Mortgage or Assignment of the Tolls by this Act granted, and of the Toll Gates and Toll Houses which shall be erected for collecting the same, with their Appurtenances, subject nevertheless to such of the Provisoes and Conditions particularly mentioned and expressed in the said Act of the Third Year of His late Majesty, and the Acts therein recited and referred to, as the said Commissioners for the Issue of Exchequer Bills shall direct.

Exchequer
Loan Com-
missioners
to have Pri-
ority over
other Securi-
ties granted
by the Trus-
tees.

XXXII. And be it further enacted, That every Mortgage or Assignment which shall be given by the said Trustees to the said Commissioners for the Issue of Exchequer Bills shall have Priority of all other Mortgages or Securities granted by the said Trustees in the Execution of this Act, any thing in the said former Acts relating to the said respective Districts of Road, or this Act, or in any Mortgage or Security granted by the said Trustees as aforesaid, to the contrary in anywise notwithstanding.

No Priority
of Mort-
gages.

XXXIII. And be it further enacted, That (except as herein-before provided with respect to Loans granted by the Commissioners for the Issue of Exchequer Bills) no Preference shall be given to any Person or to the Assignee of any Person who hath heretofore advanced any Money on the Credit of the Tolls granted by the said recited Acts, or any of them, or who shall hereafter advance any Money on the Credit of the Tolls granted by this Act, in respect to the Priority of the Mortgage or Assignment or other Security for the same, or for advancing such Money, but that as well all Persons to whom any such Mortgage or Assignment shall hereafter be made or given, and their respective Assignees, as also all Persons to whom any such Mortgage or Assignment hath heretofore been made or given, shall (in proportion to the Sums therein mentioned) be Creditors under this Act, and in equal Degree one with another, without any Preference or Priority.

XXXIV. And

XXXIV. And be it further enacted, That the Monies already received or which shall be received by virtue or in respect of the said former Acts hereby repealed or of any of them, and also the Monies which shall be received under or by virtue of this Act, shall be applied by the Trustees of the said respective Districts in manner following; (that is to say,) in the first place, and in preference to all other Disbursements whatever, in paying and discharging all Costs, Charges, and Expences incurred in preparing, applying for, and obtaining this Act, or otherwise incident thereto, with lawful Interest for any Money which may have been or which shall be advanced for the Payment thereof or of any Part thereof, from the Time that the same or any Part thereof shall have been advanced to the Time of the same being repaid by such respective Trustees; in the next place, in paying and discharging any Interest which now is or may from Time to Time become due on the Credit of the said former Acts hereby repealed, relating to the District of Roads under the Controul of such respective Trustees and of this Act, so far as relates to such District of Roads; in the next place, in defraying the Expences of maintaining in repair the Roads within such District by the said former Acts authorized to be made, and of making and maintaining the Diversions or new Branches of Road by this Act authorized to be made, and of otherwise executing the several Purposes of this Act; and lastly, in repaying any Principal Monies which have been or may hereafter be borrowed and secured under or on the Credit of the Acts hereby repealed or of this Act.

Application of the Tolls and of other Monies vested in the Trustees.

XXXV. And be it further enacted, That no Part of the Money received by virtue of the said former Acts hereby repealed or of this Act shall be laid out in paving, repairing, or cleansing any Street, Road, or Highway within any Town or Place through which the said Roads may pass.

No Money to be laid out in repairing Streets in any Town.

XXXVI. And be it further enacted, That wherever in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, such Word shall be construed to include several Matters as well as One Matter, several Persons as well as One Person, and Females as well as Males; and where the Word "Corporation" shall be used, the same shall be construed to mean any Body Politic, Corporate, or Collegiate, Civil or Ecclesiastical, Aggregate or Sole; and where the Word "Lands" shall be used, the same shall be construed to include Tenements and Hereditaments, unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Rule for Construction of certain Expressions in the Act.

XXXVII. And be it further enacted, That this Act shall commence on the Fourth *Monday* 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.

Term of Act.

XXXVIII. And be it further enacted, That this Act shall be deemed a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.

The

The SCHEDULE to which the foregoing Act refers.

Number.	Description of Property.	Owners.	Occupiers.
<p>IN THE SHREWSBURY DISTRICT. PARISH OF ATCHAM. <i>Township, Liberty, Hamlet, or Place of Uckington.</i></p>			
5	Plantation, also a Cow-house and Stable - - }	The Right Honourable Lord Berwick - - }	John Ravenshaw, and underlet by him to John Hughes. John Ravenshaw.
7	Plantation - - - }	Ditto - - - }	
<p>IN THE WELLINGTON DISTRICT. PARISH OF WROCKWARDINE. <i>Township, Liberty, Hamlet, or Place of Charlton.</i></p>			
16	Garden - - - - }	His Grace the Duke of Cleveland - - - }	Robert Hawkins, and underlet to Margaret Hawkins.
17	Garden - - - - }	Ditto - - - - }	Ditto.
29	Garden, Rick Yard, and Buildings - - - }	Ditto - - - - }	John Hughes.
33	Garden - - - - }	Ditto - - - - }	James Stokes, and underlet to Samuel Morris.

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