



ANNO QUADRAGESIMO SECUNDO

GEORGI II. REGIS.

BY APPOINTMENT TO HIS MAJESTY'S MOST EXCELLENT COUNCIL, PRINTED BY RICHARD CLAY AND COMPANY, BUNGAY, SUFFOLK.

Cap. 100.

An Act to continue the Term, and alter and enlarge the Powers of several Acts heretofore passed for repairing the Road from *Dunchurch* to *Stonebridge*, in the County of *Warwick*. [22d June 1802.]

WHEREAS an Act was made in the Tenth Year of the Reign of His late Majesty King *George* the First, for repairing the Road from *Dunchurch*, in the County of *Warwick*, to the Bottom of *Meriden Hill*, in the same County, which was to take place and have Continuance from the Twenty-fifth Day of *July* One thousand seven hundred and twenty-four, for the Term of Twenty-one Years: And whereas the Term and Powers by the said Act granted, were by another Act, passed in the Thirteenth Year of the Reign of His late Majesty King *George* the Second, continued for the further Term of Twenty-one Years: And whereas another Act was made and passed, in the Twenty-sixth Year of the Reign of His said late Majesty King *George* the Second, whereby the respective Terms and Powers of the said recited Acts were (together with sundry new Provisions and Amendments then granted and established) not only continued for the further Term of Twenty-one Years, on the Conditions therein mentioned; but also extended, from and after the First Day of *June* One thousand seven hundred and fifty-

10 Geo. 1.

13 Geo. 2.

26 Geo. 2.

[Loc. & Per.]

10 Geo. 3.

Former Acts
continued.

three, to the surveying, ordering, repairing, amending, and keeping in Repair an additional Piece of Road, from the Bottom of *Meriden Hill* aforesaid, to *Stonebridge* in the Parish of *Great Packington*, in the County of *Warwick*: And whereas by another Act, passed in the Tenth Year of the Reign of His present Majesty, the Terms and Powers of the said recited Acts were continued, for the further Term of Twenty-one Years, on the Conditions therein mentioned: And whereas the Trustees appointed by the said recited Acts, or some of them, in pursuance of the Powers to them thereby given, have borrowed and taken up at Interest, on the Credit of the Tolls by the said recited Acts, or some or One of them, granted and made payable, the Sum of Four thousand Pounds; which still remains due and owing on the Credit of the said Tolls, and the same, together with the Interest thereof, cannot be repaid, and the said Road kept in good Repair, unless the Terms of the said recited Acts be further continued, and the Powers therein contained be varied, altered, enlarged, and rendered more effectual, and some of the Tolls thereby granted increased: For which Purposes, may it please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Acts, and all and every the Clauses, Powers, Penalties, Forfeitures, Provisions, Matters, and Things whatsoever therein contained (except such as relate to Exemptions from Stamp Duties) shall, with respect to the whole Extent of the said Road from *Dunchurch* to *Stonebridge* aforesaid, be and the same are hereby further continued, for and during the further Term herein-after mentioned, as fully and effectually as if the same were repeated and re-enacted in the Body of this Act, and shall, and the same are hereby declared and enacted to extend unto, and in all Respects operate and be executed, for and concerning the repairing and amending the said Road, from the Bottom of *Meriden Hill* aforesaid to *Stonebridge* aforesaid, as fully and effectually, to all Intents and Purposes, as if the same Road had been originally Part of the Turnpike Road comprized in all the said Acts, and directed to be repaired by the Tolls and Duties thereby granted and made payable, subject nevertheless to the Provisions, Amendments, Alterations, and Additions herein-after contained, and which said further Term, and the Tolls hereby granted, shall be subject and liable to the Payment of all Money now due and owing on the Credit, or on Account of the said former Acts, or any or either of them, and that may become due and owing on the Credit of this Act, together with the Interest on such of the said Debts as carry Interest respectively.

Former Tolls
to cease.

II. And be it further enacted, That, from and after the Commencement of this Act, the several Tolls now payable by virtue of the said recited Acts, shall cease, determine, and be no longer payable; and that instead thereof the following Tolls shall be demanded and taken at each and every of the Toll Gates or Turnpikes which shall be continued or erected by virtue of this Act, subject to the Restrictions herein-after mentioned; (that is to say),

New Tolls.

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, Chair, Hearse, Caravan, or Litter, drawn by Six Horses, Mares, Geldings, or Mules, the Sum of Two Shillings; and drawn by Four or more Horses,
Mares,

Mares, Geldings, or Mules, the Sum of One Shilling and Sixpence; and drawn by Two or Three Horses, Mares, Geldings, or Mules, the Sum of One Shilling:

For every Calash, Chaise, or Chair, drawn by One Horse, Mare, Gelding, or Mule, the Sum of Sixpence:

For every Waggon, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Sixteen Inches, the Sum of One Shilling, and of the Breadth of Nine Inches, the Sum of Two Shillings:

For every Waggon, Wain, Cart, or other Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Nine Inches, drawn by Six or more Horses, Mares, Geldings, Mules, or Oxen, the Sum of Two Shillings; and drawn by Four or more Horses, Mares, Geldings, Mules, or Oxen, the Sum of One Shilling and Eight-pence; and drawn by Three Horses, Mares, Geldings, Mules, or Oxen, the Sum of One Shilling and Four-pence; and drawn by Two Horses, Mares, Geldings, Mules, or Oxen, the Sum of Ten-pence; and drawn by One Horse, Mare, Gelding, Mule, or Ox, the Sum of Sixpence:

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

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

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

Which said respective Tolls herein-before mentioned, shall be and are hereby declared to be vested in the said Trustees; and they, or any Seven or more of them, shall have such and the same Powers, Authorities, and Remedies for mortgaging, transferring, leasing, reducing, advancing, and compounding for the Tolls hereby granted or made payable, and the same shall and may be collected, levied, recovered, paid, and applied, in the same Manner and Form as in and by the said recited Acts, or any of them, are expressed with respect to the Tolls thereby granted or made payable.

III. Provided always, That no more than One Toll shall be demanded or taken from any Person or Persons for passing and repassing the same Day, with the same Horses, Cattle, Beasts, and Carriages through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, in the whole Length of that Part of the said Road which lies between *Dunchurch* aforesaid and the City of *Coventry*, and that no more than One Toll shall be demanded or taken from any Person or Persons for passing and repassing the same Day, with the same Horses, Cattle, Beasts, and Carriages, through all the Toll Gates or Turnpikes to be continued or erected by virtue of this Act, in the whole Length of that Part of the said Road which lies between the said City of *Coventry* and *Stonebridge* aforesaid, but that all and every Person and Persons having paid the said Toll, and producing a Ticket denoting the Payment thereof (which Tickets the Collectors of the Tolls are hereby required to give *gratis* on the Receipt of such Tolls), shall pass and repass with the same Horses, Cattle, Beasts, and Carriages Toll free, during such Day, through

Number of
Tolls limited.

through all other the Toll Gates or Turnpikes to be continued or erected on the same several Parts or Divisions of the said Roads.

For preserv-
ing Footpaths.

IV. And whereas the said Trustees have at a considerable Expence, for the Safety and Convenience of Foot Passengers passing between *Dun- church* and *Stonebridge* aforesaid, caused Footways to be raised along the Sides of the said Road, which are frequently damaged and broke down; by Persons wilfully driving Waggon, Carts, and other Carriages along the same, or riding thereupon; be it therefore enacted, That every Person who shall wilfully drive any Waggon, Cart, or other Carriage upon any Part of the said Footways, or shall ride thereupon, being duly convicted thereof within Three Calendar Months after he or they shall have been guilty of the said Offence, before One Justice of the Peace for the County in which any such Offence shall be committed, upon his, her, or their own Confession, or upon the Oath of One credible Witness (which Oath such Justice is hereby empowered to administer), shall forfeit and pay for the First Offence the Sum of Ten Shillings, and for the Second and every other Offence the Sum of Twenty Shillings, to be paid to the Person or Persons by whose Information any Person or Persons shall be convicted of any of the Offences aforesaid.

Lands, etc.
liable to repair
the Road, to
continue so.

V. And be it further enacted, That all Lands, Tenements, and Hereditaments, and all Rents, Profits, and Money issuing out of any Lands, Tenements, and Hereditaments, and all other Money which are or shall be chargeable or applicable to the amending or maintaining any Part of the said Road, shall still remain liable and chargeable thereto, and the Possessors and Occupiers of such Lands, Tenements, or Hereditaments shall and are hereby required to account for and pay such Rents, Profits, and Money to the Treasurer to the said Trustees, and in Default of such Payment, such Rents, Profits, and Money shall and may be sued for and recovered by the said Trustees, by Action at Law, to be brought in any of His Majesty's Courts of Record at *Westminster*, in the Name of the Clerk or Treasurer to the said Trustees, against any Body Politick or Corporate, or Person or Persons liable to the Payment thereof.

Application
of Compen-
sation when
amounting to
200*l*.

VI. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*. in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be paid, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled to the same or the like Uses, Intents, or Purposes;

Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Product of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

VII. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the Trustees for executing this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application when the Compensation is less than 200*l.* and exceeds 20*l.*

VIII. Provided also, and be it further enacted, That when such Money so agreed or assessed to be paid as herein-before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees, or any Three or more of them, shall think fit; or in case of Infancy

Application when the Money is less than 20*l.*

fancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Expence of
the Act.

IX. And be it further enacted, That the Charges and Expences incurred in and about the applying for, preparing, obtaining, and passing this Act, shall be paid out of any Money already raised by virtue of the said recited Acts, or out of the First Monies which shall be raised or borrowed upon the Credit of this Act.

Commence-
ment and Con-
tinuance of
the Act.

Publick Act.

X. And be it further enacted, That this Act shall commence and take place upon the Day of its receiving the Royal Assent, and shall continue in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament; and shall be deemed, adjudged, and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons without the same being specially pleaded.

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