



ANNO QUADRAGESIMO SECUNDO

# GEORGI II. REGIS.

\*\*\*\*\*

## *Cap. 2.*

An Act for continuing the Term, and altering and enlarging the Powers of Two Acts, passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Second, and the Twenty-second Year of the Reign of His present Majesty, for amending, widening, and keeping in Repair several Roads in and near to the Town of *Tenbury*, in the Counties of *Salop*, *Worcester*, and *Hereford*, and also the Roads leading from the *Knowle Gate* to the Turnpike Road on the *Clee Hill*, leading from *Ludlow* to *Cleobury Mortimer*, and from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Tenbury*, in the said Counties.

[11th December 1801.]

[*Loc. & Per.*]

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WHEREAS

30 Geo. 2.  
and  
20 Geo. 3.

WHEREAS an Act was made in the Thirtieth Year of the Reign of his late Majesty King George the Second, intituled, *An Act for amending, widening, and keeping in Repair, several Roads in and near to the Town of Tenbury, in the Counties of Salop, Worcester, and Hereford*, whereby certain Tolls, Powers, and Authorities were given and granted for amending, widening, and keeping in Repair, the Roads leading from a Gate called *The Knowle Gate*, adjoining to the *Clee Hill*, in the Parish of *Burford*, in the County of *Salop*, down a Lane called *The Park Lane*, by the *Rose and Crown*, to the Turnpike Road leading from the Town of *Ludlow* towards the Town of *Tenbury*, in the County of *Worcester*, and from *Team Bridge* through the said Town of *Tenbury*, and a Lane called *Prest Acre Lane*, and from thence through *Sutton* to a Mill called *Kyre Mill*, in the said County of *Worcester*; and also the Road leading from the said Town of *Tenbury*, through the *Old Wood Lane*, and over the *Old Wood Common*, to the *Raddle Bank Hill*, and from thence to *Stockton Cross*, in the County of *Hereford*, leading into and adjoining a certain other Turnpike Road from *Ludlow* aforesaid to *Hereford*, over *Ford's Bridge* in the said County of *Hereford*; and which Act was to have Continuance for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas another Act was made in the Twenty-second Year of the Reign of His present Majesty, for reviving and continuing the Term, and enlarging the Powers of the said recited Act, and for amending and keeping in Repair several other Roads leading from the *Knowle Gate* to the Turnpike Road on the *Clee Hill*, leading from *Ludlow* to *Cleobury Mortimer*, and from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Tenbury*: And whereas the Trustees for the Care and Management of the said Roads have made great Progress in the Repairs thereof; and for that Purpose have borrowed a considerable Sum of Money on the Credit of the Tolls authorized to be collected thereon, which Money still remains due, and the same cannot be repaid, and the said Roads kept in Repair, unless the Term of the said Acts (which is near expiring) be further continued, the Tolls increased, and some of the Provisions thereof altered and enlarged: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the Commencement of this Act, the Term granted by the said recited Acts shall be repealed, and that the said recited Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except such Parts thereof as are hereby varied, altered, or repealed, and also such as relate to Exemption from Stamp Duties), shall be and remain in full Force and Effect, and together with this present Act, shall be put in Execution for the several Purposes thereby and hereby intended, for and during the Term herein-after granted, as fully and effectually, in all Respects, and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be, and is hereby declared to be subject and liable to the Payment of all Monies now due on the said Roads, on the Credit of the said recited Acts, or which shall or may be hereafter borrowed or  
become

Additional  
Term granted.



become due on the Credit of the said recited Acts and of this Act, and all Interest due and to become due for the same respectively.

II. And whereas it is necessary that the surviving Trustees under and by virtue of the said recited Acts, and other Trustees to be now nominated and added thereto, should be severally named and included in this Act, and that some Alteration should be made in the Qualification of such Trustees; be it therefore further enacted, That *William Adams*, *William Adams junior*, *Miles Adams*, *James Adams*, the Right Honourable *John Lord Viscount Bateman*, *Sir Walter Blount* Baronet, *George Bowles*, *John Barneby*, the Reverend *Saint George Bowles*, the Reverend *Thomas Baines*, *Henry Bromley*, the Reverend *John Baldwin*, the Reverend *Edward Baugh*, the Reverend *Annianus Brettell*, *Thomas Botfield*, *Beriah Botfield*, *John Britten*, *William Child*, *William Lacon Child*, *Francis Canning*, *Nicholas Lechmere Charlton*, *Edmund Lechmere Charlton*, the Reverend *William Calcott*, *Thomas Compson*, *James Compson*, *Thomas Compson junior*, *George Compson*, *John Gheese*, *Benjamin Cheese*, *Thomas Crump*, *William Crundall*, the Reverend *John Dale* Doctor of Laws, *Somerset Davis*, *Dansy Dansey*, *Richard Dansey*, *Thomas Downes*, *Samuel Downes*, *John Downes*, *William Duppa*, the Reverend *William Devey*, *John Dalley*, *George Forrester*, *Edward Farmer*, *John Giles*, *Jonathan Green*, the Reverend *Edward Green*, *George Green*, *Thomas Green*, *Thomas Mac Gbie*, *William Godson*, the Right Honourable *Thomas Harley*, the Honourable *William Hill*, *Curteis Hale*, *Charles Heathcote*, *Richard Harper*, *Richard Harper junior*, the Reverend *George Holland*, the Reverend *John Holland*, *William Hull*, the Reverend *Henry Ingles*, the Reverend *James Ingram*, *Thomas Jobnes*, *Thomas Knight*, *Richard Payne Knight*, *Thomas Andrew Knight*, *James Kinnerley*, the Reverend *Francis Kinchant*, *Thomas Hill*, *Peregrine Fury Lowe*, *William Lowe*, the Reverend *Peter Miller*, *Thomas Elton Miller*, *Thomas Morris*, the Reverend *George Moultree*, *James Wakeman Newport*, *Joseph Oldham*, *Jonathan Pytts*, *James Pool*, *George Pardoe*, the Reverend *Thomas Roche*, the Reverend *Thomas Roche junior*, the Honourable and Reverend *George Rushout*, *James Robinson*, *Richard Smith*, the Reverend *Francis Severne*, *Theophilus Richard Salwey*, *Richard Salwey*, *William Smith*, *William Smith junior*, *Samuel Yate Sprott*, *Thomas Sayer*, *Benjamin Wingfield Smith*, the Reverend *George Packington Tomkins* Doctor of Laws, *James Turner*, *John Taylor*, *Sir Edward Winnington* Baronet, *Thomas Winnington*, the Reverend *Christopher Whitehead*, *William Bailey Whitehead*, *Edward Whitehead*, *Thomas Wall of Neen*, *Edward Wheeler*, *Edward Wheeler junior*, *Vincent Wood Wheeler*, the Reverend *Vincent Wood*, *Edmund Wigley*, *Samuel Waring*, *Allan Wheeler*, *Thomas Wheeler*, *Thomas Wheeler junior*, and *Thomas Wall of Tenbury*, being qualified according to the Directions of this Act, shall be, and they and their Successors to be hereafter elected and chosen under the Directions of the said recited Acts and this Act, are hereby appointed Trustees for putting the said Acts and this Act in Execution, as fully and effectually, to all Intents and Purposes, as the Trustees appointed by the said recited Acts, or either of them, are authorized and empowered to do; any Thing in the said recited Acts contained to the contrary thereof in anywise notwithstanding.

III. Provided nevertheless, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of the said recited Acts



Acts and this Act, (except in swearing of the First Trustee, who shall take the Oath herein-after mentioned), unless he shall be, in his own Right or in Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Sixty Pounds above Reprizes, or possessed of a personal Estate alone, or of Real and Personal Estate together, of the Value of Twelve hundred Pounds more than sufficient to pay his Debts, or unless he shall be Heir Apparent of or to a Person actually seised in Possession of Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and twenty Pounds, or shall be seised of an Estate of Inheritance, in Reversion or Remainder immediately expectant on the Determination of One or more Estate or Estates for Life only, of or in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and twenty Pounds; and every Person who shall act as a Trustee, not being qualified by some One or more of the Ways and Means aforesaid, shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparance shall be allowed; and every Person so sued or prosecuted shall prove that he was, at such respective Time and Times of his acting, qualified as aforesaid, or otherwise shall pay the said Penalty upon Proof given of his having acted as a Trustee in the Execution of this Act; One Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety shall be paid to the Treasurer or Clerk to the said Trustees, to be applied to the Purposes of the said recited Acts and this Act, in such Manner as the said Trustees, or any Five or more of them, shall direct; any Thing in the said recited Acts contained to the contrary thereof in anywise notwithstanding.

Penalty for acting not qualified.

Oath of Qualification.

IV. And be it further enacted, That every Trustee, before he acts as such (except in administering the Oath herein-after mentioned to the First Trustee who shall take the same) shall take and subscribe the Oath, or being One of the People called *Quakers*, make and subscribe the Affirmation, before any One or more of the Trustees appointed or to be elected by or in pursuance of this Act (and who is and are hereby authorized and empowered to administer the same) in the Words or to the Effect following, according to the Nature of the Qualification by which he intends to act; that is to say,

I do swear, or, being of the People called *Quakers*, do solemnly affirm, that I am, in my own Right, or in the Right of my Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Sixty Pounds above Reprizes, or possessed of a personal Estate alone, or of real and personal Estate together, of the Value of Twelve hundred Pounds more than sufficient to pay my Debts, or am Heir Apparent of or to a Person actually seised in Possession of Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and twenty Pounds, or am seised of an Estate of Inheritance in Reversion, or Remainder immediately expectant on the Determination of One or more Estate



Estate or Estates for Life only, of or in Lands, Tenements, or Hereditaments, of the clear yearly Value of One hundred and twenty Pounds.

‘ So help me GOD.’

V. And be it further enacted, That from and after the Commencement of this Act, the several Tolls and Duties payable by virtue of the said recited Acts, or either of them, shall cease, determine, and be no longer paid or payable; and that in lieu thereof the following Tolls shall thenceforth be demanded and taken by virtue of the said recited Acts and this Act, before any Horse, Cattle, Beast, or Carriage shall be permitted to pass through any Turnpike, Toll Gate, or Bar, erected or to be erected on any of the Roads comprized in the said recited Acts and this Act, or either of them; (*videlicet*),

Present Tolls discontinued and new ones granted.

For every Coach, Chariot, Landau, Berlin, Chaise, Hearse, Calash, or other Carriage (except a Waggon, Wain, or Cart) drawn by Six or more Horses, or other Cattle or Beasts of Draught (at the First Gate through which the same passes) the Sum of Two Shillings, and at each of the Second and Third Gates (through which the same passes) the Sum of Sixpence :

For every Coach, Chariot, Landau, Berlin, Chaise, Hearse, Calash, or other Carriage (except a Waggon, Wain, or Cart) drawn by Four Horses, or other Cattle or Beasts of Draught (at the First Gate through which the same passes) the Sum of One Shilling and Sixpence, and at each of the Second and Third Gates (through which the same passes) the Sum of Three-pence :

For every Coach, Chariot, Landau, Berlin, Chaise, Hearse, Calash, or other Carriage (except a Waggon, Wain, or Cart), drawn by Two Horses or other Cattle or Beasts of Draught (at the First Gate through which the same passes) the Sum of Nine-pence, and at each of the Second and Third Gates (through which the same passes) the Sum of One Penny Halfpenny :

For every Chaise, Calash, or Chair, or other Carriage (except a Waggon, Wain, or Cart) drawn by One Horse or other Beast of Draught (at the First Gate through which the same passes) the Sum of Sixpence, and at each of the Second and Third Gates (through which the same passes) the Sum of One Penny :

For every Waggon or other Four-Wheel Carriage (except a Coach, Chariot, Landau, Berlin, Chaise, Hearse, Calash, or other Carriage above mentioned) at the First Gate (through which the same passes) the Sum of Two Shillings, and at each of the Second and Third Gates (through which the same passes) the Sum of Sixpence :

For every Cart or other Two-Wheel Carriage (except as last above excepted) at the First Gate (through which the same passes) the Sum of One Shilling, and at each of the Second and Third Gates (through which the same passes) the Sum of Three-pence :

For every Horse, Mare, Gelding, Mule, Ass, or other Beast of Burthen, laden or unladen, and not drawing, (at the First Gate through which the same passes) the Sum of One Penny Halfpenny, and at each of the Second and Third Gates (through which the same passes) the Sum of One Halfpenny :

For every Drove of Oxen, Cows, or Neat Cattle (at the First Gate through which the same pass) the Sum of One Shilling and Eight-pence *per* Score, and so in Proportion for any less Number :

[*Loc. & Per.*]

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For

For every Drove of Calves, Swine, Sheep, Lambs, or Goats (at the First Gate through which the same pass) the Sum of Ten-pence *per* Score, and so in Proportion for any less Number.

Double Tolls on *Sundays*, and also on Carriages carrying Timber between certain Periods.

And that Double the said respective Tolls shall and may be demanded and taken for all Horses, Cattle, Beasts, and Carriages, upon every *Sunday* in the Year, to be reckoned from Twelve of the Clock in every *Saturday* Night to Twelve of the Clock in the next succeeding *Sunday* Night); and that between the First Day of *October* and the last Day of *March* in every Year, there shall be demanded and taken for every Carriage laden with Timber, and for the Horses or other Cattle or Beasts drawing the same, on any Part of the said Roads, an additional Toll equal to Double the Toll herein-before made payable for the same, at the respective Gates aforesaid.

Tolls vested in Trustees.

All which said respective Sums of Money shall be demanded and taken in the Name of, and as Toll; and the same, and every Part thereof, shall be and are hereby vested in the Trustees for putting the said recited Acts and this Act in Execution, and the same and every Part thereof shall and may be demanded, collected, and recovered, demised, leased, mortgaged; and assigned, in such Manner as are directed by the said recited Acts, with respect to the Tolls thereby directed to be taken; but subject nevertheless to this Act, and the Powers, Provisions, and Directions herein contained; and the same Tolls, and every Part thereof, and all and every Sum and Sums of Money remaining in the Hands of the Treasurer or Treasurers of the Trustees, under or by virtue of the said recited Acts, or either of them, shall be (subject nevertheless to the Repayment of all and every Sum and Sums of Money now due and owing on the Credit of the said recited Acts, and the Interest thereof) applied in erecting, removing, or altering Turnpike Gates and Toll Houses, and in amending, widening, and repairing the said Roads, and in defraying all necessary Costs, Charges, and Expences attending the same, and the Execution of the said former Acts and this Act, in such Manner, and under such Regulations as the said Trustees, or any Five or more of them, shall direct.

Applications of the Tolls.

Exemptions from Toll.

VI. Provided always, and be it further enacted, That any Person having paid Toll at the respective Gates aforesaid, shall not be liable or compellable to pay any further Toll the same Day, at the same Gate or Gates, to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the succeeding Night, for or with the same Cattle and Carriage; and that every Person passing through more than One of the said Gates with any Cattle, Beast, or Carriage, shall produce at the next and succeeding Gate or Gates erected or to be erected in pursuance of the said recited Acts and this Act, a Note or Ticket denoting the Payment at the First Gate, in order to and before such Person can be entitled to go or pass through such Second, Third, or other Gate or Gates, in Manner by this Act authorized, which Note or Ticket the Collectors receiving such Tolls are hereby respectively required to give *gratis* on Receipt of the Toll: Provided also, That no Toll shall be demanded or taken at any Turnpike Gate erected or to be erected by the said Trustees on the *Clee Hill* aforesaid, of or from any Person or Persons passing through the same with any Cattle, Beast, or Carriage, to or towards the *Clee Hill*, which shall have previously the same Day passed through



through and paid at any Two of the other Turnpike Gates erected or to be erected on the said Roads; nor shall any Toll be demanded or taken at the Gate called *Harp Bank Gate* of, or from any Person or Persons passing through the same with any Cattle, Beast, or Carriage, to or towards the Town of *Tenbury*, which shall have previously the same Day passed through and paid at any Two of the other Turnpike Gates erected or to be erected on the said Roads, provided such Ticket as aforesaid shall be produced at such respective Gates, the Intent being, that Toll shall be demanded at only Two of the Turnpike Gates between *Tenbury* and the *Clee Hill*; and that in case any Turnpike Gate shall hereafter be erected by the said Trustees on the *Clee Hill*, and the Gate called *The Nash Gate* shall at any Time hereafter be removed to any Part of the said Roads, whereby the Cattle, Beasts, and Carriages passing and repassing to or from the *Clee Hill*, from *Court-of-Hill*, or from and out of the Road or Lane leading by the same from *Tilsop* and *Watmore*, will be obliged to pass through both such Gates when erected and removed, that then and in such Case all and every Person and Persons so passing or repassing to, from, or towards the *Clee Hill*, through both such Gates, from or to *Court-of-Hill*, or from, to, or out of the said Road leading thereby to *Tilsop* and *Watmore* as aforesaid, shall not be charged with or liable to pay Toll for any such Cattle, Beast, or Carriage, more than at the First of such Gates through which the same shall so pass, and on producing such Ticket as aforesaid from such First Gate, shall go and pass through such other Gate, without paying any Toll thereat, the Intent being, that Toll shall be demanded at only One of the Turnpike Gates between *Court-of-Hill* and the said Road leading thereby to *Tilsop* and *Watmore* to or from the *Clee Hill*.

VII. And be it further enacted, That the said Trustees, or any Seven or more of them, may and they are hereby authorized and empowered, from Time to Time (when and as they shall think it requisite or expedient) to lessen or reduce all or any of the Tolls hereby granted, and again to advance and raise the same, or any Part thereof, to such respective Sums, and for such Time as they shall think proper, and so, from Time to Time, to reduce or advance the same at their Discretion, so as not to exceed the respective Tolls by this Act granted: Provided nevertheless, That no such Reduction shall at any Time be made, unless the Person or Persons who shall be then entitled to Two Thirds at least of the Money which shall then be due on the Credit of the said Tolls shall consent thereto; and that no Alteration shall be made in any of the said Tolls, unless Notice of the Intention to make such Alteration, and of the Meeting for that Purpose, be affixed in Writing upon each Turnpike Gate or Bar then erected on the said Roads, and in the *Worcester* Newspapers, at least Twenty Days before such Meeting.

Power for Trustees to lessen and again to advance Tolls.

VIII. And be it further enacted, That the said Trustees, or any Seven or more of them, shall, and they are hereby empowered, from Time to Time, when and as often as they shall think proper, to order and direct at which Gate or respective Gates the Tolls herein-before granted, or any of them, shall be paid or payable; and also on Removal or Alteration of any or either of the Turnpike Gates now erected or to be erected, or on putting up any new or additional Gate or Gates,

Power for Trustees to order at which Gates Toll to be paid.

to



to order and direct how, and in what Proportion, and at which Gate or Gates such Tolls as aforesaid shall be demanded or taken, and so, from Time to Time, to alter and vary the same as to them shall seem proper so that such Tolls shall not exceed the Tolls hereby granted.

Certain Exemptions as to erecting Gates, etc. repealed;

IX. And whereas such Part and Parts of the Clauses contained in the said first-recited Act as restrains the Trustees from building or erecting any Gate or Gates, Turnpike or Turnpikes, Toll House or Toll Houses, in, upon, across, or on the Side of any Part or Parts of the Road between the House called *Court-of-Hill* and the *Knowle Gate* in such Act mentioned, and between the House called *Kyre House* and a Field called *Bradley Common Field*, are found inconvenient; be it therefore enacted, That so much and such Part and Parts of the said first-recited Act as restrains the said Trustees from building or erecting any such Gate or Gates, Turnpike or Turnpikes, Toll House or Toll Houses last aforesaid, shall be and the same are hereby repealed.

And a fresh Exemption as to the same made.

X. Provided nevertheless, and be it further enacted, That no such Gate or Gates, Turnpike or Turnpikes, Toll House or Toll Houses, shall be built or erected in, upon, across, or on the Side of any Part of the said Road or Roads, or any Lane or Way leading out of the same between the said House called *Kyre House* and the Park called *Kyre Park*.

Exemptions from Toll extended.

XI. And whereas the Exemptions contained in the said first-recited Act from Payment of Tolls and Duties, are not sufficiently extensive; be it therefore enacted, That such Exemptions shall henceforth extend to any Carts, Wains, Waggon, and other Carriages, and also to any Horses, Beasts, and other Cattle, carrying any Fruit or Hops in their green State, to be used, converted, or laid up in the Houses, Outhouses, Barns, or Buildings, of or belonging to the respective Inhabitants of the several Parishes, Townships, or Places in which the said Roads do lie, and arising from Lands in their own Occupation, within such Parishes, Townships, or Places; and also, that such Exemptions shall extend to every Rector, Vicar, or Curate, at any Time going to or returning from his Parish Church or other Place of Divine Worship, or visiting his sick Parishioners, and to every other Person and Persons residing in the said Parishes, or any of them, in which the said Roads do lie, who shall pass through the said Turnpike Gates, or any or either of them, to and from his, her, or their proper Parish or Parochial Church, Chapel, or other Place of Divine Worship, as well on *Christmas Day* and *Good Friday* as on *Sundays*; and if any Person shall claim and take the Benefit of any of the Exemptions in the said first-recited Act or this Act contained, not being entitled to the same, every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds nor less than Forty Shillings, as the said Trustees, or any Five of them, shall order, and the same shall be recovered and applied in the same Manner as other Penalties and Forfeitures under the said recited Acts are authorized to be recovered and applied.

XII. Provided



XII. Provided always, and be it further enacted, That no Person or Persons whatsoever, shall be liable to pay any of the Tolls aforesaid, for or in respect of any Horse, Cattle, Beast, or Carriage, passing through any Side Gate, erected or to be erected, unless the same pass One hundred Yards at least on some Part of the said Roads.

No Toll at Side Gates, unless pass 100 Yards on the Road.

XIII. And be it further enacted, That the Money now due and owing upon the Credit of the said recited Acts, and all Interest due and to grow due for the same, shall be paid off, in Preference to and before any Money which shall or may hereafter be borrowed on the Credit of such respective Parts or Proportions of the said Tolls as are now incumbered (and the Interest thereof); any Thing contained in the said recited Acts to the contrary thereof notwithstanding.

Directing how the Money owing shall be paid.

XIV. And whereas it is proper that a Form should be prescribed for the Mortgages to be made of the said Tolls, for Security of any Money to be borrowed on the Credit thereof, and for the Transfers of such Mortgages as well as of the Mortgages already made for securing the Money due as aforesaid; be it therefore further enacted, That the Mortgages to be made for securing any Money to be borrowed on the Credit of the said Tolls shall be in Writing, under the Hands and Seals of the said Trustees, or any Seven or more of them, to the Effect following; (*videlicet*),

Forms of Mortgage and Transfer prescribed.

‘ BY virtue of certain Acts of Parliament made in the Thirtieth Year  
 ‘ of the Reign of King *George* the Second, and Twenty-second and  
 ‘ Forty-second Years of the Reign of King *George* the Third, for amend-  
 ‘ ing, widening, and keeping in Repair several Roads in and near to the  
 ‘ Town of *Tenbury*, in the Counties of *Salop*, *Worcester*, and *Hereford*,  
 ‘ and also the Roads leading from the *Knowle Gate* to the Turnpike  
 ‘ Road on the *Clee Hill* leading from *Ludlow* to *Cleobury Mortimer*, and  
 ‘ from *Kyre Mill* to the Turnpike Road leading from *Bromyard* to *Ten-*  
 ‘ *bury*, in the said Counties, We, whose Names are hereunto subscribed,  
 ‘ being Seven of the Trustees for putting the said Acts into Execution,  
 ‘ in Consideration of the Sum of \_\_\_\_\_ to our Treasurer  
 ‘ in Hand now advanced and paid by \_\_\_\_\_ of  
 ‘ \_\_\_\_\_ do hereby assign unto the said  
 ‘ \_\_\_\_\_ his [*or, her*] Executors, Administrators, or Assigns, all  
 ‘ or such Part or Parts of the Tolls arising by virtue of the said Acts [*as*  
 ‘ *the Case may be*] to hold unto the said  
 ‘ his or her Executors, Administrators, and Assigns, henceforth for and  
 ‘ during the Continuance of the said Acts, redeemable nevertheless by  
 ‘ the said Trustees on Payment of the said Sum of,  
 ‘ with Interest after the Rate of \_\_\_\_\_ for One hundred  
 ‘ Pounds by the Year. In witness whereof, we have hereunto set our  
 ‘ Hands and Seals this \_\_\_\_\_ Day of \_\_\_\_\_ in the  
 ‘ Year of our Lord

And all such Mortgages and Assignments shall be valid and effectual in the Law, and Copies thereof shall be entered in a Book to be kept for that Purpose by the Clerk of the said Trustees: And all and every Person and Persons who are or shall be entitled to any of the Money already borrowed and due, or which shall hereafter be borrowed as aforesaid, may, from Time to Time, transfer the Mortgage made, or to be made,

[*Loc. & Per.*]

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securing the same, and his, her, and their Right, Title, and Interest to the Principal and Interest thereby secured, to any Person or Persons, either by a separate Instrument or by Indorsement on such Mortgage, to the Effect following; (*videlicet*),

‘ I do hereby transfer the within Mortgage [*if by In-*  
‘ *dorsement, or if by a separate Instrument*, a certain Mortgage bearing  
‘ Date the Day of *and describing the same, as*  
‘ *the Case may be*] and all my Right and Title to the Principal Money  
‘ and Interest thereby secured unto his [*or her*] Ex-  
‘ ecutors, Administrators, and Assigns. Dated this Day  
‘ of in the Year of our Lord  
‘ Witness

And every such Transfer shall be valid and effectual in the Law, and shall be produced and notified to the said Clerk, who shall cause an Entry to be made thereof, containing the Date, Names of the Parties, and Sums of Money, in the Book to be kept for entering the original Mortgages; and after such Entry made, every such Transfer shall entitle the Person or Persons to whom the same shall be made, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof and Payment thereon; and it shall not be in the Power of any Person making such Transfer to make void, release, or discharge the same or any Money thereby due.

Power of Ad-  
journalment in  
case a suffi-  
cient Num-  
ber of Truf-  
tees do not  
attend.

XV. And be it further enacted, That if it shall happen that at any Meeting appointed by the said Trustees, pursuant to the said recited Acts and this Act, there shall not be a sufficient Number of Trustees to act and to adjourn to another Day, agreeable to the said recited Acts, or either of them, or in case the Trustees, at any Time assembled, shall omit or neglect to adjourn themselves, then and in every such Case the Treasurer or Clerk shall, and he is hereby authorized to adjourn such Meeting to the same Place at some future Day, at the Distance of not less than Seven nor more than Twenty-one Days.

Application  
of Compen-  
sation Money  
where ex-  
ceeding 200<sup>l</sup>.

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

to



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

XVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other 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 Lands, Grounds, or other 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 hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner hereinbefore directed, so far as the Case be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

Application where the Compensation does not exceed 200<sup>l</sup>. and is above 20<sup>l</sup>.

XVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any

Application where the Money is less than 20<sup>l</sup>.

Five



Five or more of them, shall think fit; or in case of Infancy 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.

For paying  
the Expences  
of the Act.

XIX. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring and obtaining of this Act, together with lawful Interest for the same, from the Time of advancing the same till the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby directed and required, to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the First Monies that shall be collected, borrowed, or received by virtue of the said Acts and this Act, in Preference to all other Payments and Disbursements whatsoever.

Publick Act.

XX. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Commence-  
ment and  
Continuance  
of the Act.

XXI. And be it further enacted, That this Act shall commence and take place upon the First Day of *May* One thousand eight hundred and two, 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.

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