



ANNO QUADRAGESIMO SECUNDO

GEORGI II. REGIS.

Cap. 81.

An Act to continue the Term, and alter and enlarge the Powers of Two Acts, One passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, and the other in the Eighteenth Year of the Reign of His present Majesty, for repairing and widening the Road from the Bars at *Boughton*, within the Liberties of the City of *Chester*, to *Whitchurch*, and from thence to *Newport*, in the County of *Salop*, to *Ivetsey Bank*, in the County of *Stafford*, and from thence to *Castle Bromwich* and *Stone Bridge* in the Parish of *Hampton-in-Arden*, in the County of *Warwick*, and from *Castle Bromwich* to *Birmingham*, in the same County, so far as the said Acts relate to the Roads leading from a Place called *The Welsh Harp* in the Township of *Stonnall*, in the said County of *Stafford*, to *Stone Bridge*, and from *Castle Bromwich* to *Birmingham*, being the Fourth District of Roads in the said Acts mentioned. [3d June 1802.]

[Loc. & Per.]

16 B

WHEREAS

33 Geo. 2.

28 Geo. 3.

Acts further
continued.

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King George the Second, intituled, *An Act for repairing and widening the Road from the Bars at Boughton, within the Liberties of the City of Chester, to Whitchurch, and from thence to Newport, in the County of Salop, to Ivetsey Bank, in the County of Stafford, and from thence to Castle Bromwich and Stone Bridge in the Parish of Hampton-on-Arden, in the County of Warwick, and from Castle Bromwich to Birmingham, in the same County, whereby the said Roads were divided into Four separate Districts, One of which being the Road leading from a Village or Place called *The Welsh Harp* in the Township of *Stonnall* to *Stone Bridge* aforesaid, and from *Castle Bromwich* aforesaid to *Birmingham* aforesaid, was called the Fourth District, and separate Trustees were appointed for each District: And whereas an Act was passed in the Eighteenth Year of the Reign of His present Majesty to enlarge the Term and Powers of the said recited Act: And whereas the Trustees appointed in or by virtue of the said Acts for the said Fourth District have proceeded to put the same in Execution, and have for that Purpose borrowed several considerable Sums of Money on the Credit thereof, with respect to the said Fourth District, which is still due and owing, and cannot be paid off, nor can the said District of Road be effectually amended, improved, and kept in Repair, unless the Term and Powers of the said Acts, so far as the same relate to the said Fourth District, are continued and enlarged, and the Tolls arising on the said District increased: 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 the said recited Acts, and all and every the Powers, Authorities, Provisions, Regulations, Penalties, Forfeitures, Clauses, Matters, and Things therein contained (except such as relate to Exemptions from Stamp Duties), so far as the same relate to the said Fourth District of Road, shall be and continue in full Force, and be executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Amendments and Alterations herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term, and the Tolls hereby granted, shall be subject and liable to the Payment of all the Money now due on the Credit or on Account of the said former Acts, or either of them, with respect to the said Fourth District of Road, or which shall be borrowed on the Credit of the said Acts and this Act, for the Use of the said Fourth District of Road, and the Interest due and to grow due thereon, in the Proportion and Manner by the said First mentioned Act declared concerning the Tolls collected and levied within the said Fourth District, or the Monies borrowed or to be borrowed upon the Credit thereof.*

Additional
Trustees.

II. And be it further enacted, That *Rolph Adderley, Charles Adderley, William Astbury, William Astbury the younger, Thomas Astbury, Thomas Atkins, Edward Allport, Joseph Arnold, John Adcock, George Birch the younger, Richard Benton, Richard Benton the younger, John Benton, William Barratt, Edward Bennett, Thomas Birch, John Darlaston Blakesley, James Barton, James Barton the younger, Edward Bosworth, John Barker,*

Robert

Robert Brown, Robert Brown the younger, John Cooper, John Cope the younger, William Cope the younger, William Court, Thomas Chattock of Park Hall, Thomas Chattock the younger, Dugdale Straitsford Dugdale, Charles Dilke, John Dilke Clerk, William Dilke, David Davis, David Davies, George Derrington, John Dafforn, Robert Dafforn, John Dicken, Richard Dicken, Robert Dicken, Charles Dicken, Joseph Dowler, John Dowler, Richard Dowler, William Dutton, Thomas Ebrall, Thomas Ebrall the younger, John Eagle, Edward Jones the younger, John Deykin, Thomas Edwards, William Fletcher, Thomas Fetherstone, John Gimblet, Richard Gibson, Richard Gibson the younger, John Gibson, William Gibson, Richard Greensall, Richard Greensall the younger, Thomas Hanson, Henry Haden, John Harrison, Sir Edmund Cradock Hartopp Baronet, John Hargrave, Thomas Hargrave, Thomas Hutton, Isaac Hands, John Jenkins of Sattley Hall, John Jenkins the younger, Christopher Jenkins, Jeremiah Jordan, Edward Jones the younger, Heneage Legge, Joseph Line, Charles Allen Line, Beilly Lawley, Robert Lees, William Marshall, John Oughton, Robert Powell, Thomas Ferrens, Thomas Perrens the younger, John Pritchett, Rice Pritchett, John Rose, John Rotton, Joseph Sheldon, Robert Sadler Clerk, Scott Smith, Richard Smith Clerk, Richard Smith the younger, James Smith, Thomas Smallwood, Thomas Smallwood the younger, Thomas Standley, William Thomas, Henry Townsend, Abraham Thornton, Zachariah Twamley, Joseph Underbill, Joseph Underbill the younger, John Underbill, James Woolley, William Walker of Birmingham, John Walker of Lea Hall, John Walker the younger, William Walker, Henry Ward the younger, Robert Ward, John Wedge, John Wedge the younger, John Wakefield, and William Wakefield, shall be and they are hereby added to and joined with the Trustees appointed in or by virtue of the said recited Acts with respect to the said Fourth District of Road; and that the said Trustees hereby appointed, and their Successors, being qualified according to the Directions of the said first recited Act, are hereby empowered to act in the Execution of the said recited Acts and this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said recited Acts, or either of them, with respect to the said Fourth District of Road.

III. And whereas the Tolls authorized to be taken on the said Fourth District of Road have been found insufficient; be it therefore enacted, That the said Tolls shall, from and after the passing of this Act, cease, determine, and be no longer paid or payable; and that instead thereof the respective Tolls following shall be demanded and taken at the several and respective Gates or Turnpikes which have been or shall be erected in, upon, or on the Side of the said Road comprizing the said Fourth District; (that is to say),

For repealing former Tolls, and granting new Ones.

For every Horse, Mare, Gelding, Mule, or other Beast, drawing any Carriage whatever, the Sum of Sixpence:

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

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

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

Which said several Tolls by this Act authorized to be taken shall be, and the same are hereby vested in the said Trustees of the said Fourth District, and

Tolls vested in Trustees, and may be

levied, varied,
and disposed
in like Man-
ner as Tolls
by the former
Acts granted.

and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, lessened, varied, and disposed of, in such and the same Manner, and by such and the same Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions as are contained in the said former Acts, or either of them, respecting the Tolls thereby authorized to be taken on the said District.

Tolls to be
paid but Once
a Day.

IV. Provided always, and be it further enacted, That no Person or Persons passing through any Turnpike Gate or Turnpike Gates within the said Fourth District of Road, with any Horses, Cattle, Beasts, or Carriages, and paying thereat the full Toll hereby directed, or which shall at any Time or Times hereafter by the said Trustees, or any Three or more of them, be directed to be taken at any other Turnpike Gate or Turnpike Gates erected or to be erected within the said Fourth District, and taking a Note or Ticket, Notes or Tickets, denoting such Payment, shall on the same Day be liable to pay Toll at any other Turnpike Gate or Turnpike Gates erected or to be erected within the said Fourth District, for the same Horses, Cattle, Beasts, or Carriages, but every such Person or Persons, on producing such Note or Ticket, Notes or Tickets, shall be exempt from Payment thereof.

For altering
the Quorum
of Trustees.

V. And whereas the Quorum of Five Trustees, appointed by the said last recited Act, is found to be too large with respect to the said Fourth District, it frequently happening that so great a Number cannot be assembled, be it therefore further enacted, That all Acts, Powers, Matters, and Things, which by the said recited Acts and this Act are authorized, directed, and required to be done, executed, performed, and determined by Five or more Trustees, shall and may, with respect to the said Fourth District, from Time to Time be done, executed, performed, and determined, by the said Trustees of the said District, or any Three or more of them; the said recited Acts, or any Thing therein contained to the contrary thereof in anywise notwithstanding.

Application
of Compensation
Money
when amount-
ing to 100 l.

VI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any other Disability or Incapacity as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to or exceed 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 there *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 or 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 or Hereditaments, or affecting other Lands or Hereditaments
standing

standing settled therewith, to the same or the like Uses, 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 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 Lands and 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 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 or 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 awarded to be paid for any Lands 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 Lands or 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 any Three 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 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 where the Money does not amount to 200*l.* and shall exceed 20*l.*

VIII. 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 or 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 Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his,

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

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.

IX. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, shall be paid and discharged by the Trustees for putting the said former Acts and this Act in Execution with respect to the said Fourth District of Road, or any Three or more of them, out of any Money which hath arisen by virtue of the said former Acts, or out of the First Money which shall arise by virtue thereof and of this Act, on Account of the said District, in the Proportion and Manner directed by the said First mentioned Act, and in Preference to all other Payments whatsoever.

Publick Act.

X. And be it further enacted, That this Act 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 whomsoever, without specially pleading the same.

Commence-
ment and
Continuance
of this Act.

XI. And be it further enacted, That the Term granted and continued by the said recited Acts shall, upon the passing hereof, cease and determine, and that the said Acts and this Act shall from thenceforth continue and be in Force, and be executed for the Purpose of amending, widening, and keeping in Repair the said Road, leading from the Village or Place called *The Welsh Harp* in the Township of *Stonnall*, in the said County of *Stafford*, to *Stone Bridge* aforesaid, in the said County of *Warwick*, and from *Castle Bromwich* aforesaid to *Birmingham* aforesaid, in the same County, 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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