



ANNO UNDECIMO

# GEORGIIV. REGIS.

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## Cap. cvi.

An Act for improving and maintaining the Road leading from *Walsall* to *Muckley Corner* near *Lichfield*, and other Roads, in the County of *Stafford*. [29th May 1830.]

**W**HEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from Muckley Corner to Walsall and Wednesbury, and to Leigh Brook and Ocker Hill, and several other Roads, in the County of Stafford*, whereby the several Roads therein described were divided into Three Districts: And whereas another Act was passed in the Twenty-seventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of an Act passed in the Sixth Year of the Reign of His present Majesty, for repairing and widening the Road from Muckley Corner to Walsall and Wednesbury, and to Leigh Brook and Ocker Hill, and several other Roads, in the County of Stafford, so far as the same relates to the Two first Districts of Road therein comprised*: And whereas another Act was passed in the Forty-seventh Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Terms and Powers of Two Acts of the Sixth and Twenty-seventh Years of His present Majesty, for repairing and widening the Road from Muckley Corner to Walsall and Wednesbury, and to Leigh Brook and Ocker Hill, and several other Roads, in the County of Stafford, so far as the same relate to the Two first Districts of Road therein comprised*: And

6 G.3. c. 99.

27 G.3. c. 90.

47 G.3. sess. 1. c. 9.

[Local.]

30 L

whereas

whereas considerable Sums of Money have been borrowed, and still remain due and owing, upon the Credit of the Tolls by the said Acts or some of them authorized to be collected on the Roads comprised in the said First and Second Districts, and are still due and cannot be repaid, nor can such Roads be effectually maintained in repair, unless the Term and Powers of the said Acts are enlarged, some additional Powers granted, and the Tolls arising on the said Roads increased: And whereas it is expedient that a small Part of that Portion of the Roads in the said first-recited Act called the Third District, leading from *Leigh Brook* to *Ocker Hill*, but which has never been completed, should be added to and form Part of the said First District of Road: And whereas certain Parts of the Roads comprised in the said First and Second Districts, and in that Part of the said Road in the said first-recited Act called the Third District, which leads from *Leigh Brook* to *Ocker Hill* aforesaid, are narrow and inconvenient, and it would tend to the public Safety and Accommodation if effectual Powers were granted for widening such narrow and inconvenient Parts of the said Roads: And whereas it would improve the Line of the said First District of Road, and the Entrance into the Town of *Walsall* aforesaid, if a new Branch of Road were made from the South-west Side of *Walsall Bridge*, through Lands belonging to the Right Honourable *George Augustus Frederick Henry* Earl of *Bradford*, to the East Corner of a Garden belonging to and occupied by *Frederick Thurstan*, there to join the present Road leading from *Walsall* to *Wednesbury*; and also if another new Branch of Road were made from the East Corner of a House in *Bridge Street* in *Walsall* aforesaid, belonging to and occupied by *Charles Henry Darwall*, through Lands belonging to *John Walhouse* Esquire, and to join the present Road at the Top of the Hill above the *Butts* Turnpike Gate, towards *Lichfield*; and also a Diversion of the present Road from the North End of *Lower Rushall Street* in *Walsall* aforesaid, to communicate in a proper and convenient Direction with the said last-mentioned new Branch of Road: And whereas it is expedient that the Part of the said First District of Road leading from the common Pound for the Parish of *Wednesbury* to or near to the *High Bullen* in *Wednesbury* aforesaid, and also that Part of the said Second District of Road, which leads from *Barne Hales* on *Essington Wood* to *Bloxwich Chapel*, should be discontinued: And whereas it would facilitate the Execution of the Objects herein-before mentioned if the Acts herein-before recited were repealed, and other Powers and Provisions were granted and made instead thereof, and were embodied in One Act: And whereas an Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Soles, to act as Trustees for repairing and maintaining Turnpike Roads*: And whereas the several beneficial Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual, and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Third *Monday* next after the passing of this Act the said recited Acts of the Sixth, Twenty-seventh, and Forty-seventh

5 G. 4. c. 69.

Recited Acts  
of 6, 27, and  
47 G. 3.  
repealed.

Years of the Reign of His said late Majesty King *George* the Third shall be and the same are hereby declared to be repealed.

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 and maintaining in repair the Roads leading from *Walsall* through *Rushall* to *Muckley Corner* near *Lichfield*, and from *Walsall* along *New Mills Lane*, and also from the Turnpike Road leading from *Walsall* to *Wolverhampton*, along *Pleck Lane* or *Park Lane*, to *Wednesbury*, and from the common Pound therein to *Leigh Brook* and *Ocker Hill*, forming a Junction there with the Turnpike Road leading from *Bilston* to *Great Bridge*, in the said County of *Stafford*, which said Roads shall be called the First District of Road; and also the Roads leading from *Walsall* through *Bloxwich* to *Church Bridge* near *Cannock*, and from the End, towards *Wednesbury*, of the said *Pleck Lane* or *Park Lane* to *James Bridge*, and from thence through *Darlaston* to *Moxley Sand Beds*, in the said County of *Stafford*, which said Roads shall be called the Second District of Roads; and also for the Purpose of maintaining the said new Branch of Road from the said *Walsall Bridge*, through Lands belonging to the said *George Augustus Frederick Henry* Earl of *Bradford*, to the East Corner of the said Garden belonging to the said *Frederick Thurstan*; and also the said other new Branch of Road from the said House in *Walsall* aforesaid, belonging to the said *Charles Henry Darwall*, through Lands belonging to the said *John Walhouse*, and to join the present Road at the Top of the Hill above the said *Butts Turnpike Gate*, towards *Lichfield*; and also the said Diversion of the present Road from the North End of *Lower Rushall Street* in *Walsall* aforesaid, to communicate with the said last-mentioned new Branch of Road.

Defining the  
Objects and  
Powers of  
this Act.

III. And be it further enacted, That the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and all and every the Powers and Provisions therein contained, shall, except so far as they are repealed or altered, be as valid and effectual for carrying this Act into execution as if they had been repeated and re-enacted in the Body of this Act.

Application  
of the Powers  
of 5G. 4. c. 69.  
to this Act.

IV. And be it further enacted, That *Edward Anson*, *James Adams*, *Thomas Adams* (*Aldridge Lodge*), *Charles Adams*, *John Adams*, *Thomas Adams*, *Charles Haden Adams*, *John Bradnock Adams*, *Edward Adams*, *Charles Adams* (*Darlaston*), *Dodo Adams*, *Samuel Addison*, *John Addison*, *Edward Sarjeant Ash*, *John Baron Clerk*, *John Vaughan Barber*, *Richard Barber*, *Samuel Barber*, *Joseph Bagnall*, *David Badger*, *George Bayley*, *John Brawn*, *William Nevill Brookes*, *William Henry Brookes*, *Richard Bills*, the Honourable *Frederick Gough Calthorpe*, *Francis Calvert*, *John Calvert*, *William Cowley Clerk*, *Isaac Clarkson Clerk*, *William Blow Callis Clerk*, *William Chavasse*, *Hill Cox*, *Joseph Cotterill*, *Joseph Curtis*, *Joseph Curtis the younger*, *Joseph Cowley*, *Charles Forster Cotterill*, *John Crowther*, *Charles Henry Darwall*, *Isaiah Danks*, *Samuel Danks*, *Thomas Dickenson*, *Edward Dixon*, *Edward Elwell*, *William Elwell*, *Samuel Elwell*, *Charles Eyland*, *Charles Smith Forster*, *John Forster*, *Charles Forster*, *Francis Finch*, *Samuel Fletcher*,

Trustees.

*Fletcher, Richard Westley Fletcher, Joseph Fletcher, Richard Moore Fletcher, Richard Fryer, John Gough, Edward Grove, Henry Charles Edward Vernon Graham, William Gilpin, George B Gilpin, Charles Greatrex, Phineas Hussey, Phineas Fowke Hussey, John Howell Clerk, Robert Hanbury, Joseph Hately, William Holland, John Heeley, Joseph Horder, John Hobbins, John Hammersley Hobbins, John Hodson, Joseph Harrison, William Harrison, Charles Hunt, John James, Richard James (Park Street), Richard James (Birmingham Street), Richard Jesson, John Jesson, Richard Jesson the younger, Whitmore Jones, William Jones, William Edward Jones, Edward John Littleton, Edward Richard Littleton, Samuel Lowe Clerk, William Lees, George Lees, Samuel Lloyd, Edward Mellish Clerk, William Marshall, William Marshall the younger, Joseph Marlow, Henry Marlow, Charles Marklew, William Masfen, Richard Meanley, Charles Messenger, William Mold, Thomas Overton, Sir Horace David Cholwell Saint Paul Baronet, Thomas Pitt, Peter Potter, James Payton, Samuel Perks, Thomas Pratt, John Pratt, Henry Pratt, John Rooth, Richard Rutter, James Russell, John Russell, Sir Edward Scott Baronet, Sir Francis Edward Scott Baronet, John Scott, Edward Sant, William Spurrier (Solicitor,) George Bradnock Stubbs, Edward Stubbs, George John Stubbs, John Strongitharm, George Strongitharm, Samuel Sharratt, Robert Smith, Joseph Smith, Samuel Smith, George Smith, Joseph Bealey Stanley, John Bealey Stanley, Edward Swift, John Stokes, John Walhouse, John Clements Whateley, Stubbs Wightwick, John Whalley Clerk, William Walton, Charles Windle, Henry Christopher Windle, Philip Williams, Walter Williams, John Williams, John Wood, Samuel Wood, Francis Yates, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts passed for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying into execution this Act.*

Power to  
appoint ad-  
ditional  
Trustees.

3 G. 4. c. 126.

V. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, at any of their Meetings to be held in pursuance of this Act, (of which Meeting and of the Purposes thereof at least Ten Days previous Notice shall be given in manner by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England, directed with respect to Meetings for the Appointment of Trustees on Vacancies,*) to elect and appoint any Number of Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named; and such additional Trustees so elected as herein-before mentioned, and being duly qualified, shall have the like Powers for executing this Act as if they had been named herein.

First Meeting  
of Trustees.

VI. And be it further enacted, That the Trustees for executing this Act shall hold their First Meeting at the *George Hotel* in *Walsall* aforesaid, or at some other convenient Place in the Neighbourhood of the said Roads, on the Third *Wednesday* next after the passing of this Act, or as soon afterwards as conveniently may be, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times and Places within the Town of *Walsall* aforesaid,

or

or in the Neighbourhood of the said Roads, as the said Trustees, or the major Part of them, present at such respective Meetings, shall think proper and appoint.

VII. And be it further enacted, That it shall be lawful for the said Trustees to make the Widenings of Road herein-before mentioned, and for the Purposes aforesaid to pull down or take and use any Buildings, Lands, Tenements, or Hereditaments, 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 said Trustees, and for their Surveyors and Workmen, from Time to Time to enter upon any Lands, Tenements, or Hereditaments upon, in, over, or through which such Widenings, or any of them, are intended to be made or pass, and also upon, in, over, or through any adjoining Lands, and to stake out the same in such Manner as the said Trustees shall think expedient, without being deemed Trespassers, and without being subject to any Penalty or Punishment for entering or continuing upon such Lands, Tenements, or Hereditaments for any of the Purposes of this Act; and if any Person shall pull up, remove, or destroy any of the Stakes or other Marks used for the Purposes aforesaid, such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Widenings,  
&c. may be  
made.

VIII. And be it further enacted, That it shall be lawful for the said *George Augustus Frederick Henry Earl of Bradford*, his Heirs or Assigns, to make the said new Branch of Road from the South-west Side of *Walsall Bridge*, through Lands belonging to him the said *George Augustus Frederick Henry Earl of Bradford*, to or near the East Corner of the said Garden belonging to the said *Frederick Thurstan*, there to join the present Road leading from *Walsall* to *Wednesbury*: Provided always, that such Branch shall be made wholly through or upon the Lands of the said *George Augustus Frederick Henry Earl of Bradford*, his Heirs or Assigns; and he and they shall not, in the Exercise of the Power given by this Act, deviate from such Lands into the Lands of any other Person or Persons, without the Consent in Writing of the Person or Persons over or through whose Lands any such Deviation shall be proposed to be made.

A Branch  
may be made  
by the Earl  
of Bradford.

IX. And be it further enacted, That it shall be lawful for the said *John Walhouse*, his Heirs or Assigns, to make the said other new Branch of Road from the East Corner of the said House in *Walsall* aforesaid, belonging to and occupied by the said *Charles Henry Darwall*, through Lands belonging to him the said *John Walhouse*, and to join the present Road at the Top of the Hill above the said *Butts Turnpike Gate*, towards *Lichfield*, and also the said Diversion of the present Road from the North End of *Lower Rushall Street* in *Walsall* aforesaid, to communicate in a convenient and proper Direction with the said last-mentioned new Branch of Road: Provided always, that when the said last-mentioned new Branch Road shall have been made and completed, the said Trustees shall stop up that Part of the present Road which lies between the said

Another  
Branch may  
be made  
by John  
Walhouse.

North End of *Lower Rushall Street* in *Walsall* aforesaid and the Point of Junction of such Road with the said last-mentioned new Branch of Road above the said *Butts Turnpike Gate*, and shall convey and give the said Portion of the present Road, when stopped up, to the said *John Walhouse*, his Heirs or Assigns, without receiving or requiring any Satisfaction or Compensation for the same; provided also, that such last-mentioned Branch Road and Diversion shall be made wholly through or upon the Lands of the said *John Walhouse*, his Heirs or Assigns, and he and they shall not, in the Exercise of the Power by this Act given, deviate from such Lands into the Lands of any other Person or Persons, without the Consent in Writing of the Person or Persons upon, in, over, or through whose Lands any such Deviation shall be proposed to be made.

Branches to be made within Three Years.

X. And be it further enacted, That the said new Branches of Road shall be respectively made as aforesaid within the Period of Three Years next after the passing of this Act; and that when and so soon as the same shall have been so respectively made and completed to the Satisfaction of Two of His Majesty's Justices of the Peace acting for the Division of *Offlow South*, in the County of *Stafford*, to be signified by Writing under their respective Hands, then and from thenceforth such new Branches of Road shall form Part of the said First District of Road, and shall become and be under the Controul and Management of the said Trustees, and be maintained and repaired by them.

Plan deposited with the Clerk of the Peace to remain there, and be open to Inspection.

XI. And whereas a Map or Plan describing the said intended Widenings of Road, and the Lands, Tenements, and Hereditaments upon, in, over, or through which the same are intended to be carried, together with a Book of Reference thereto, containing the Names of the Owners and Occupiers of such Lands, Tenements, and Hereditaments, have been deposited at the Office of the Clerk of the Peace for the County of *Stafford*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect the same, and to take Copies thereof and Extracts therefrom, paying to such Clerk the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Map or Plan and Book of Reference, or either of them, or any Copy thereof respectively, or of any Part thereof respectively, certified by the Clerk of the Peace for the Time being to be a true Copy thereof, shall be good Evidence in all Courts of Law; and the said Trustees, in making such Widenings, shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, without the Consent in Writing of the Person or Persons or Party or Parties upon, in, over, or through whose Lands, Tenements, or Hereditaments any such Deviation shall be made.

Trustees not to deviate more than 100 Yards from Plan.

Dwelling Houses, &c. not to be taken, except

XII. Provided always, and be it further enacted, That the Powers and Authorities by this Act given for making the said Widenings of Road shall not authorize the said Trustees to pull down or take or use any Dwelling House or other Building, or to take or use any

Curtilage,

·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, without the Consent in Writing of the Owners or Proprietors thereof, or other Persons interested therein, first had and obtained, except such as are mentioned in the Schedule to this Act annexed.

such as are mentioned in the Schedule.

XIII. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to make the said Widenings of Road upon, in, over, or through any Lands, Tenements, or Hereditaments upon, in, over, or through which such Widenings are delineated on the said Map or Plan, although such Lands, Tenements, or Hereditaments, or any of them, or the Situation thereof 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 Book of Reference, if it shall appear to any Two or more Justices of the Peace for the County, Town, or Place within which such Lands, Tenements, or Hereditaments shall be situate (in case of Dispute about the same), 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 remain in the Custody of the Clerk of the Peace for the said County.

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

XIV. Provided also, and be it further enacted, That if the said Trustees shall not within the Space of Five Years next after the passing of this Act agree for or cause to be valued and purchased the Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers by this Act, or by any other Act or Acts granted in relation to the taking of Lands, Tenements, or Hereditaments for the Purposes of Turnpike Roads, shall, so far as relates to the Widenings of Road by this Act authorized, cease and be utterly void; any thing in this Act or in any such Act or Acts as aforesaid contained to the contrary thereof notwithstanding.

Limiting Period of purchasing Property.

XV. And be it further enacted, That it shall be lawful for the said Trustees to continue all or any of the Toll Gates or Toll Bars and Toll Houses and Weighing Machines now erected upon the said Roads, or upon the Sides thereof respectively, and also to erect or build in lieu thereof or in addition thereto, upon the said Road or any Part thereof respectively, or upon the Sides thereof or any Part thereof respectively, and also upon the said new Branch Roads and Diversion of Road by this Act authorized to be made, when and where and as they shall judge necessary, any Toll Gates or Toll Bars and Weighing Machines and Toll Houses, with Out-houses and Conveniences thereto, and to take in and inclose suitable Garden Spots for the same, not exceeding One Eighth Part of a Statute Acre each, as they shall think necessary, and from Time to Time to alter or take down and rebuild or to discontinue and remove the same or any of them, as they the said Trustees shall think proper.

Toll Houses to be continued, &c.

XVI. And

Tolls.

XVI. And be it further enacted, That the Tolls to be taken by virtue of this Act 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 Four-pence Halfpenny :

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 Four-pence Halfpenny; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches and not less than Four Inches and a Half, the Sum of Sixpence; and in case the Fellies of the Wheels thereof are of less Breadth than Four Inches and a Half, the Sum of Eight-pence :

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

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

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

And for every Waggon, Wain, Cart, or other such like Carriage, having the Nails of the Tire of the Wheels projecting more than One Quarter of an Inch above such Tire, the Sum of Ten Shillings :

4 G. 4. c. 95.

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 present Majesty, 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 to 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.

Fraction of a Halfpenny in Tolls.

XVII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls mentioned in this Act, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

No Exemption allowed in respect of Carriages having the Nails of the Tire projecting more than One Quarter of an Inch.

XVIII. Provided always, and be it further enacted, That no Exemption from any of the Tolls by this Act granted shall be allowed for or in respect of any Horse, Beast, or Cattle drawing any Waggon, Cart, or other Carriage laden with any Materials for making or for repairing any Highway, or for building, rebuilding, or repairing any Bridge, or with any Dung, Soil, Compost, or Manure for improving Lands, or with Ploughs, Harrows, or Implements of Husbandry, or Hay, Straw, Fodder for Cattle, or Corn in the Straw, Potatoes, or other



other Agricultural Produce, such Waggon, Cart, or other Carriage having the Nails of the Tire of the Wheels thereof projecting more than One Quarter of an Inch from the Surface of such Tire.

XIX. Provided always, and be it further enacted, That One Half of the Tolls herein-before mentioned shall and may be demanded and taken for any Horse or Horses or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage, employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed in carrying or conveying, any Lime for the Improvement of Land.

Waggons, &c. carrying Lime liable to Half Tolls.

XX. Provided always, and be it further enacted, That in case the Toll hereby authorized to be taken shall have been paid for the passing of any Horse, Beast, or Cattle through any One of such Toll Gates or Toll Bars, such Horse, Beast, or Cattle shall, at any Time during the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, upon Production of a Ticket denoting the Payment of such Toll on that Day, be permitted to repass Toll-free (except as herein-after mentioned with respect to Horses, Beasts, or Cattle drawing Stage Coaches or other such like Carriages, or drawing Post Chaises or other such like Carriages,) through the same Toll Gate or Toll Bar, and also through such other Toll Gates and Toll Bars (if any) as the Ticket for such Payment shall free: Provided nevertheless, that no Horse, Beast, or Cattle for which Toll shall have been paid at any of the said Toll Gates or Toll Bars, drawing another or different Waggon, Wain, Cart, or other such Carriage, or drawing for Hire or Reward a fresh or different Lading of the Weight of Five hundred Pounds or more, in the same Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Toll Gate or Toll Bar on the same Day without again paying Toll, if in so repassing such Horse, Beast, or Cattle shall go or travel upon the said Roads for the Distance of Two Miles or more.

No Toll to be paid on repassing on same Day.

Proviso as to Horses drawing different Carriages.

XXI. Provided always, and be it further enacted, That no more than Two full Tolls, (except as herein provided to the contrary,) shall be taken for or in respect of the same Horses, Beasts, or Cattle, or Carriages, in any One Day, for passing and repassing once through all the several Toll Gates or Toll Bars upon the said Roads.

Limiting the Number of Tolls.

XXII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Hire or Reward, for every Time of passing and for every Time of repassing along the said Roads: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

Stage Coaches, &c. to be subject to Toll each Time of passing.

Post Chaises  
to pay on  
every new  
Hiring.

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

Trustees to  
erect Toll  
Gates on  
each Branch,  
and to take  
Tolls thereat.

XXIV. And be it further enacted, That the said Trustees shall and they are hereby required to continue or to erect upon each and every Branch of Road comprised in this Act a 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 passed for regulating Turnpike Roads in *England*: Provided also, that no Money arising from any of the Tolls hereby authorized to be taken shall be applied in or towards the Repair of any Branch Road upon which there shall not be a Toll Gate or Toll Bar continued or erected under the Authority of this Act: Provided also, that 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 respective Branch Roads; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Weight of  
Single-horse  
Carts limited.

XXV. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Roads by One Horse, Beast, or Cattle only; be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse, Beast, or Cattle, shall never exceed the Weights following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive), One Ton and Ten 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 Five Hundred Weight for each such Carriage and the Lading thereof.

One-horse  
Carts may  
be weighed.

XXVI. And be it further enacted, That all Carts or other such Carriages passing along the said Roads, drawn by only One Horse, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Road, and the like additional Tolls demanded and recovered for the Overweight thereof as are by Law 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 or other such Carriages passing on the said Roads drawn by only One Horse, Beast, or Cattle, and to the Owners and Drivers thereof.

Application  
of Money in  
Hand, and of  
Tolls and  
Money to be  
borrowed.

XXVII. And be it further enacted, That out of the Money already received or borrowed by virtue of the said former Acts hereby repealed, or any of them, and out of the Money to be borrowed on the Credit of this Act, or out of the first Money which shall or may arise or be received from the Tolls by this Act granted, the said Trustees shall in the first place pay and discharge all the Costs and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest for any Money to be borrowed

or advanced for Payment of such Costs and Expences from the Time of advancing the same to the Time of the Repayment thereof; and all the Remainder of such Monies (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Milestones, or Posts and Fences, and for Books, Advertisements, Salaries of Officers, and other Expences incidental to the Execution of this Act,) shall be applied in keeping down the Interest of the Principal Monies now or heretofore advanced or borrowed on the Credit of the Tolls collected or arising from or payable on account of the said Roads, and which may hereafter be borrowed on the Credit of this Act, or of the Tolls to arise from or to be collected on or to be paid in respect of the said Roads or Branch, and in amending, widening, improving, and maintaining in repair the said Roads, and otherwise in putting this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said Roads, and the Principal Monies which may hereafter be borrowed by virtue of this Act.

XXVIII. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of the said former Act hereby repealed, or of this Act, shall be laid out in paving, repairing, or cleansing any Street, Road, or Highway within any City or Town through which the said Roads may pass, and which Streets, Roads, and Highways now have or hereafter shall have Houses or other Buildings abutting upon or ranging along both Sides thereof, nor shall it be lawful for the said Trustees to collect any Toll or Tolls therein; any thing herein contained to the contrary notwithstanding.

No Money to be laid out in repairing Streets, &c.

XXIX. And be it further enacted, That all Railways already made or to be hereafter made by any Person or Persons across any of the said Roads shall be made level with the Surface of the said Roads, and with Groove or Box Rails, not more than Two Inches and a Half wide in the Groove, and the same shall be so made or done at the Expence of the Proprietors thereof, under the Superintendence and Direction of the Surveyor of the said Roads; and the Horse Path of all such Railways shall on such Parts thereof as cross the said Roads, be paved with Pebbles or other hard small Stones, and kept in a good State of Repair, also at the Expence of such Proprietors; and under the Superintendence and Direction of the Surveyor of the said Roads; and in case any Person or Persons shall make or proceed to make any Railway across the said Roads contrary to the Provisions of this Act, or shall place thereon any other than such Groove or Box Rails as aforesaid, or shall not pave and keep in repair such Railway pursuant to the Provisions of this Act, or shall not alter any such Works already made, so as to render the same in all respects conformable to the Provisions of this Act, within Three Days after Service of Notice on the Proprietor or Proprietors of any such Railway, or either of them, either personally or by leaving such Notice at their last or usual Place of Residence, by the Surveyor of the said Roads, or other Officer of the said Trustees, requiring the Person or Persons making such

Railways to be made level with the Surface of the Road.

such Railway, or the Proprietor or Proprietors of such Railway, to make the same, or place such Groove or Box Rails, or to pave or alter and keep in repair the same as aforesaid, every such Person or Proprietor shall forfeit and pay the Sum of Forty Shillings for every Day after the Expiration of such Three Days which any such Railways shall continue or remain unaltered or in an imperfect State of Repair, and which said Penalties shall be levied, recovered, and applied as any Penalty or Forfeiture for any other Offence on any Turnpike Road may by any Law or Statute relating to Turnpike Roads be levied, recovered, and applied.

Steam  
Engines, &c.  
not to be  
erected with-  
in a certain  
Distance of  
Roads.

XXX. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person to erect or cause to be erected any Steam Engine, Gin, or other Machine for the purpose of digging, making, or opening any Pit or Shaft for the working, getting, raising, draining, or converting any Mines or Minerals, within the Distance of Twenty-five Yards from any Part of the said Roads; nor shall it be lawful for any Person to make or cause to be made any Fire for calcining or burning of Iron, Stone, Limestone, Bricks, or Clay, or the making of Cokes, within the like Distance from any Part of the said Roads; and in case any Person shall offend in any of the Cases aforesaid, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for each and every Day such Engine, Gin, Machine, or Fire shall be permitted to continue contrary to the Provisions of this Act, which said Penalties shall be levied, recovered, and applied in such and the same Manner as any Penalty or Forfeiture for any other Offence on any Turnpike Road may by any Law or Statute relating to Turnpike Roads be levied, recovered, and applied.

Power to  
enter Mines  
where Pits  
or Shafts  
have been  
Sunk within  
300 Yards of  
the Road.

XXXI. And be it further enacted, That where any Pit or Shaft has been sunk or made, or shall be sunk or made, for the Purpose of working any Mines, Quarries, or other Works, within the Distance of Three hundred Yards of any Part of the said Roads, it shall be lawful for the said Trustees, and to and for such other Person or Persons as they shall appoint, and they are hereby respectively authorized and empowered, when and as often as they shall think necessary, to enter upon the Land or Ground where such Pits or Shafts shall be so sunk or made as aforesaid, and to descend and go down into the Mines, Quarries, and Works within or under the same, and for that Purpose to have the full and free Use of all and every or any of the Shafts, Windlasses, Ropes, Engines, Gins, Machinery, and other Things then in use within, about, or belonging to the said Mines, Quarries, and Works, both in descending and going down into the said Mines, Quarries, and Works respectively, and in ascending and coming up from the same or any of them, for the Purpose of viewing, examining, inspecting, and latching the said Mines, Quarries, and Works, and the Surface of the Land or Ground above the same, as such Trustees or other Persons as aforesaid shall think necessary.

Penalty for  
Obstructions.

XXXII. And be it further enacted, That in case any Person shall resist or make forcible Opposition against any such Trustees or other  
Persons

Persons who may be employed in the Inspection or latching of any Mines, Quarries, or Works as aforesaid, or, on the Surface of the Land or Ground above the Excavations or Workings of such Mines and Minerals, shall refuse to such Trustees or Persons the full and free Use of all and every or any of the Shafts, Windlasses, Ropes, Engines, Gins, Machinery, and other Things then in use within, about, or belonging to the said Mines, Quarries, and Works, both in descending and going down into the said Mines, Quarries, and Works respectively, and in ascending and coming up from the same or any of them as aforesaid, or shall in any Manner prevent such Trustees or Persons from having the full and free Use thereof, every such Person offending therein shall for every such Offence forfeit any Sum not exceeding Five Pounds, at the Discretion of the Justice or Justices of the Peace before whom he, she, or they shall be convicted, and which said Penalties shall be levied, recovered, and applied as any Penalty or Forfeiture for any other Offence on any Turnpike Road may by any Law or Statute relating to Turnpike Roads be levied, recovered, and applied.

XXXIII. And be it further enacted, That it shall be lawful for the said Trustees, 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 and Buildings and Appurtenances thereto belonging, shall cease and be vacated from and after the *Monday* next after such Meeting; and from and after such Declaration and Order the same shall cease and be void to all Intents and Purposes, except as to the Right and Power of the said Trustees to receive and recover Payment of all Rent and Arrears of Rent, and Payments, due and to become due thereon; and the said Trustees shall and 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 thereby, to be paid at such Times and in such Proportions as they the said Trustees shall deem reasonable and proper; and such Compensation and Satisfaction may be recovered by such respective Lessees, or their respective Executors, Administrators, or Assigns, from the said Trustees, in case the same shall not be paid within Twenty-one Days after the same shall be due, and demanded of the Clerk or Treasurer to such Trustees, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*: Provided always, that in case such Trustees and Lessees respectively cannot agree upon the Amount of such Compensation and Satisfaction, the same shall and may be recovered by Action at Law as aforesaid: Provided also, that nothing herein contained shall prevent the said Trustees from entering into any new or other Agreement with all or any of the present Lessees of the Tolls for such additional Rent for the Tolls hereby granted and made payable, as they shall think reasonable and proper, for the unexpired Term of their respective Leases or Agreements.

XXXIV. And be it further enacted, That this Act shall commence on the Third *Monday* after the passing thereof, and shall  
 [Local.] 30 O continue

Leases may  
be vacated.

Term of Act.

continue in force for the Term of Thirty-one Years, and from thence to the End of the Session of Parliament which may then next follow.

Public Act.

XXXV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

SCHEDULE referred to in the foregoing Act.

Number on Plan.	Owners.	Occupiers.	Description of Property.
<i>Township of the Foreign of Walsall in the Parish of Walsall.</i>			
1	{ Governors of Walsall } { Free Grammar School }	Stephen Fletcher -	Parts of Gardens.
<i>Liberty of Great Wyrley in the Parish of Cannock.</i>			
2	{ Charles Messenger - Rebecca Hick -	Charles Messenger - Thomas Hall -	{ Shed and Yard. Stable, Mill, House, and Part of Garden.
	{ Rebecca Hick - William Hick -	Samuel Mould - William Hick -	
3	George Gilpin -	George Gilpin -	House and Part of Garden. House and Part of Garden. Building.
<i>Parish of Wednesbury.</i>			
4	John Ebb -	John Ebb -	Part of Garden.
	John Ebb -	John Peters -	Shop and Garden.
5	Henry Wiggin Barnes	Samuel Bayley -	{ Part of the Horse and Jockey Public House, Yard and Garden.
6	{ Elizabeth and Mary } Constable -	{ Elizabeth and Mary Con- } stable -	{ Part of Garden. Houses, Gardens, Shop, and Yards.
	{ Samuel Bayley -	{ John Howard - Joseph Horton - James Haddock - John Haddock - William Seaver -	
	{ Thomas Espley -	{ Joseph Nicholls - Edward Smith - John Woodall -	
	Samuel Stone -	Void -	
7	{ John Granger -	{ Joshua Bloomer - Joseph Wood - Benjamin May - John Peppelow -	{ Houses. Houses. House.
	George Court -	John Hollyhead -	
	John Waldron - Thomas Worsey -	Samuel Edge - Thomas Worsey.	
<i>Parish of Tipton.</i>			
8	David Morris -	Void -	Cottage.
9	Wyrley Birch, Esq <sup>re</sup> . -	Thomas Titley -	Cottage and Garden.

No. on Plan.	Owners.	Occupiers.	Description of Property.
<i>Parish of Darlaston.</i>			
10	{ Richard Dorset and Wife - - - }	{ John Smith, and Brown - - - }	Smith's Shop and Yard.
11	Thomas Bayley - - -	{ Thomas Hughes - - - Richard Page, Elizabeth Simpkin, Nancy Fors- ter - - - }	Part of Yard. Houses and Part of Garden.
12	Charles Green - - -	James Underwood - - -	Butcher's Shop.
13	Joseph Butler - - -	Richard Emery - - -	House and Garden.

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