



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. xciv.

An Act for repairing the Road from *Birmingham*, through *Warwick* and *Warmington*, in the County of *Warwick*, to the utmost Limits of the said County on *Edgehill*. [29th May 1830.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His late Majesty King George the First, intituled *An Act for repairing the Roads leading from Birmingham through Warwick to Warmington, and from Birmingham through Stratford-upon-Avon to Edgehill, in the County of Warwick*: 12 G. 1. c. 6.
 And whereas another Act was passed in the Eighteenth Year of the Reign of His late Majesty King George the Second, intituled *An Act for continuing, amending, and making more effectual an Act made in the Twelfth Year of the Reign of King George the First, for repairing the Roads leading from Birmingham to Edgehill in the County of Warwick*: 18 G. 2. c. 32.
 And whereas another Act was passed in the Thirty-first Year of the Reign of His said late Majesty King George the Second, intituled *An Act to continue and render more effectual Two Acts of Parliament, made in the Twelfth Year of the Reign of His late Majesty and in the Eighteenth Year of the Reign of His present Majesty, for repairing the Roads leading from Birmingham to Edgehill in the County of Warwick*: 31 G. 2. c. 58.
 And whereas another Act was passed in the Twentieth Year of the Reign of His late Majesty King George the Third, intituled *An Act to continue, enlarge, and render more effectual the Term and Powers in Three several Acts, [Local.]* 20 G. 3. c. 80.
made

50 G. 3. c. 95.

made in the Twelfth Year of the Reign of King George the First, and in the Eighteenth and Thirty-first Years of the Reign of His late Majesty, for repairing the Roads from Birmingham through Warwick to Warmington, and from Birmingham through Stratford-upon-Avon to Edgehill, in the County of Warwick, so far as the same relate to the Road from Birmingham through Warwick to Warmington aforesaid, and so on to the utmost Limits of the said County on Edgehill aforesaid: And whereas another Act was passed in the Fiftieth Year of the Reign of His said late Majesty King George the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of several Acts, for repairing the Roads from Birmingham to Warmington, and from Birmingham to Edgehill, in the County of Warwick, so far as the same relate to the Road from Birmingham to Warmington, and so on to the utmost Limits of the said County on Edgehill*: And whereas the Trustees appointed under or by virtue of the said Acts have proceeded in the Execution thereof, and have from Time to Time for that Purpose borrowed considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Road from Birmingham to Warmington and Edgehill, which Money still remains due and owing, and the same cannot be repaid, nor can the said Road be effectually amended, widened, improved, and kept in repair, unless the Terms of the said Acts be further extended, and the Tolls increased or altered: And whereas Parts of the said Road are narrow, circuitous, and inconvenient, and it is expedient, that certain Variations should be made therein: And whereas it would facilitate the Execution of the Purposes aforesaid if the said several recited Acts were repealed, and if the Powers thereby given, and such further Powers as may be necessary, for repairing and maintaining the said Road, and for carrying this Act into execution, were granted, and comprised in One Act: 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 Third Wednesday next after the passing of this Act the said several recited Acts, passed in the Twelfth Year of the Reign of His late Majesty King George the First, the Eighteenth and Thirty-first Years of the Reign of His late Majesty King George the Second, and the Twentieth and Fiftieth Years of the Reign of His late Majesty King George the Third, so far as the same relate to the Road from Birmingham to Warmington and Edgehill, shall be and the same are hereby declared to be repealed.

So much of recited Acts as relate to the Road from Birmingham to Warmington repealed.

This Act to take effect for repairing the said Road.

Appointment of Trustees.

II. And be it further enacted, That this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of more effectually amending, widening, improving, and keeping in repair the present Turnpike Road leading from Birmingham through Warwick to Warmington aforesaid, and so on to the utmost Limits of the said County on Edgehill aforesaid.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of Warwick and

and Worcester respectively, together with *William Alder, William Allday, Alston, Isaac Anderton, William Anderton, Joseph Anderton, Gregory Anderton, Richard Archer, John Arnold, Thomas Attwood, William Avery, Robert Barnard, William Beal, John Yeend Bedford, Richard Bird, Thomas Blythe Clerk, Walter Henry Bracebridge, Joseph Brookhouse, William Brookes, Henry Bromfield Clerk, Daniel Winter Burbury, Donald Cameron Clerk, Thomas Cattell Clerk, Thomas Cattell, Thomas Chattock, George Childe Clerk, John Clavering, Archer Clive Clerk, Thomas Collins, William Collins, William Collins the younger, John Crompton, Thomas Cooper, William Cope, Josiah Corrie, Henry Couchman, Samuel Crane Clerk, Edward Dodd, John Drinkwater, John Edwards, Joseph Edwards, Henry Elliott, John Farr Clerk, Samuel Galton, Samuel Tertius Galton, Roger Williams Gem, John Granville, Lionel Dewes Granville, Edward Greaves, George Cattell Greenway, Francis Gregory, Edmund Measey Wigley Greswold, the Right Honourable Sir Charles John Greville, John Griffin Clerk, William Thomas Haddow Clerk, Thomas Handley, William Handley, Thomas Harborne, Thomas Harborne the younger, Richard Harborne, Walter Harding, R Hawkes, Thomas Hiron, Godfrey Hirst, Charles Holbech Clerk, Richard Hughes, Edward Hughes, Thomas Hunt, John Jackson, William Jackson Clerk, Humphrey Jeston Clerk, Robert Green Jeston Clerk, George Ingall, John Ingleby, George Innes Clerk, Edward Johnson Doctor of Medicine, Joseph Jukes, John Kendall Clerk, George Kennedy, Jonathan Kimbell, Edward Bolton King, William King, John Knight, Robert Knight, Charles Lamb, Henry Eyres Landor, Walter Landor, John Towers Lawrence, Thomas Lea, John Ledbrooke, John Ledbrooke the younger, William Ledbrooke, Abraham Spooner Lillingstone, William Little, Alfred Lloyd, George Lloyd of Birmingham, George Lloyd of Wellcombe, James Lloyd, Robert Lloyd, Samuel Lloyd, Francis Longworth, Peter Francis Luard Doctor of Medicine, George Lucy, Thomas Lutwyche, Maister, Henry Mallory. John Margetts, Isaac Marshall, Amos Middleton, Edward Miller Clerk, Francis Mills Clerk, Thomas Mole, Sir John Mordaunt Baronet, Clement Newsam Clerk, Joseph Parkes, the Honourable Charles Bertie Greatheed Percy, John Powell, John Richards, Joseph Riddell, Henry Robbins, James Robinson, John Rotton, William Russell, William Congreve Russell, John Russell, Joseph Russell, John Ryland, William Sabin, Richard Salmon, Thomas Scudamore, Edward Seagrave Clerk, John Short Clerk, Richard Short, John Simcox, John Slater, John Staunton Doctor of Medicine, William Staunton Clerk, Henry Steward Clerk, Samuel Edward Steward, James Taylor, John Taylor, Joseph Taylor, William Taylor, Robert Tibbits, William Tibbits, John Tomes, Edward Tomes, Richard Tomes, Josiah Twamley, Arthur Savage Wade Doctor in Divinity, Charles Wake Doctor of Medicine, William Walker, Joseph Ward, Robert Webb, William Whateley, William Whitehead, Edward Willes, Joseph Willington, John Wilmshurst, Henry Wise Clerk, John Wise Clerk, Henry Christopher Wise, Matthew Wise, Charles Wise, Henry Thickness Woodington Clerk, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for maintaining Turnpike Roads in *England*, shall be and they are*

are hereby appointed Trustees for amending, widening, improving, and keeping in repair the said Road, and for otherwise carrying this Act into execution.

Meetings of Trustees.

IV. And be it further enacted, That the said Trustees shall meet on the Fourth *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten in the Forenoon and Two in the Afternoon, at the *Warwick Arms* in the Town of *Warwick* aforesaid, or at some other convenient House or Place on the Line of the said Road, and shall then proceed to carry this Act into execution; and the said Trustees shall then and from Time to Time afterwards adjourn to and meet at the same Place, or at such other Place on the said Road, and at such Times, as the said Trustees, or the major Part of them present at any Meeting, shall think proper and appoint.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to elect and appoint any Number of Persons, not exceeding Five in the whole, in addition to the Number of Trustees herein named and appointed, to be Trustees for the Purposes of this Act; and such Persons, so elected and appointed, being duly qualified, shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing the same as if they had been herein named.

Power to take Tolls.

VI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Person or Persons to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes and Toll Gates or Toll Houses, or Side Bars or Side Gates or Chains, which are or is or shall be erected or continued, by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road or any Part thereof, once on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock of the next succeeding Night; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Chariot, Sociable, Landau, Berlin, Vis-à-vis, Barouche, Britska, Phaeton, Calash, Chaise, Caravan, Hearse, Litter, or other Four-wheeled Carriage, Four-pence Halfpenny:

For every Horse, Mule, or other Beast drawing any Curricule, Chaise, Chair, Gig, or Whiskey, Four-pence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, or other Carriage of Four Wheels with Six-inch Wheels or upwards, when Six or more Horses, Three-pence each; Five Horses, Three-pence Three Farthings each; Four Horses or under, Five-pence each Horse:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, or other Carriage with Wheels of the Width of Four and a Half Inches, Five-pence Three Farthings:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, or other Carriage with Wheels of less Breadth than Four and a Half Inches, Seven-pence:

For

For every Horse, Mule, or other Beast drawing any Cart or other Carriage with Wheels of Six Inches, Three-pence :

For every Horse, Mule, or other Beast drawing any Cart or other Two-wheeled Carriage with Wheels of the Width of Four and a Half Inches, Three-pence Three Farthings :

For every Horse, Mule, or other Beast drawing any Cart or other Two-wheeled Carriage with Wheels of less Width than Four and a Half Inches, Four-pence Halfpenny :

For every Horse, Mule, or other Beast not drawing, One Penny :

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

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

And between the First Day of *January* and the Sixth Day of *April*, and the Eleventh Day of *October* and the Thirty-first Day of *December*, in each Year, each Day inclusive, for every Horse, Mule, or other Beast drawing any Waggon, Wain, or other Carriage laden with Timber, Double the Tolls herein-before authorized to be taken for such Horses, Mules, or other Beasts drawing any kind of Carriage :

Which said respective Sums of Money shall be demanded and taken in the Name of and as a Toll ; and the Money so to be raised and collected shall be and the same is hereby vested in the said Trustees, and the same and every Part thereof shall be paid, applied, and disposed of in manner herein-after directed.

VII. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any One of the said Toll Gates, Toll Bars, Side Gates, Side Bars, or Chains, to be erected or continued by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, on a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Toll Bar, Side Gate, Side Bar, or Chain, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid ; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Tolls to be paid but once a Day.

VIII. And be it further enacted, That no more than Four full Tolls shall be taken upon the said Road for the same Horses, Cattle, and Beasts passing and repassing through all or any of the Toll Gates, Turnpikes, or Side Bars, Chain or Chains, erected or to be erected across or on the Sides of the said Road, in any one Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night.

Limiting the Number of Tolls to be taken on the Whole Line of Road.

IX. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon or other Stage Carriage conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Road ; provided nevertheless, that no further or additional Toll shall

Stage Coaches, &c. to pay every Time of passing.

shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed.

Post Chaises,
&c. on every
new Hiring.

X. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Post Chaise, Car, or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road whenever a new Hiring of such Post Chaise, Car, or other Carriage shall have taken place.

Application
of Tolls and
other Monies.

XI. And be it further enacted, That out of the Tolls and other Monies which shall be raised or received by virtue of this Act the said Trustees shall in the first place pay and discharge all the Expences and Costs relative to the procuring and passing of this Act, and the Remainder of such Monies shall from Time to Time be applied in erecting Toll Houses, Toll Bars, Side Gates, Side Bars, Chains, and Weighing Machines, and in making, amending, widening, altering, and improving the said Road, and keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into execution, and in repaying the Principal Monies by this Act charged or to be borrowed, and the Interest due or to grow due thereon.

No Part of
the Tolls to
be applied
in repairing
Streets.

XII. Provided always, and be it further enacted, That no Part of the Money arising or to be received by virtue of this Act shall be laid out in repairing, improving, or maintaining any Street, Highway, or Place in any Part of the Town of *Warwick*; any thing herein contained to the contrary notwithstanding.

Power to
make new
Cuts.

XIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to make and carry the several proposed Variations of the present Turnpike Road in, upon, over, or through any private Lands or Grounds described in the Maps or Plans and Books of Reference herein-after mentioned, and to make the same Road of such Width as they shall think proper, not exceeding Forty Feet, together with such Footpaths, Causeways, Bridges, Culverts, Fences, Ditches, and Drains as they shall think necessary or expedient.

Plans and
Books of
Reference
deposited
with the
Clerks of the
Peace to be
open to
Inspection.

XIV. And whereas Maps or Plans, describing the several Variations, and the Lands, Hereditaments, and Premises through or over which the same are to be made or carried, together with Books of Reference, containing Lists of the Names of the Owners and Occupiers or reputed Owners and Occupiers of such Lands, Hereditaments, and Premises, have been deposited at the Offices of the Clerks of the Peace for the said Counties of *Warwick* and *Worcester*; be it therefore enacted, That the said Maps or Plans and Books of Reference shall remain in the Custody of the said Clerks of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts thereof, at their Will and Pleasure, paying to the Clerks of the Peace 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 Trustees in making the said Variations or

Alterations shall not deviate more than One hundred Yards from the Line described in such Maps or Plans, without the Consent and Approbation in Writing first had and obtained of the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, through whose Lands or Premises such Variation shall be made.

Not to deviate more than 100 Yards from Plan.

XV. And be it further enacted, That it shall be lawful for the said Trustees to make the said Variations and Alterations into, through, across, or over the several Lands, Hereditaments, or Premises of any Person or Persons who is or are or may be Owner or Owners or reputed Owner or Owners of Land or Premises over which the same is or are set out and described in the said Maps or Plans as aforesaid, although such Lands, Hereditaments, or Premises, or the Name or Names of such Person or Persons, may happen to be erroneously described or omitted or mis-stated in the said Maps or Plans or Books of Reference, in case it shall appear to any Two or more Justices of the Peace for the said Counties or either of them, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Lands described in the Plans may be taken, although erroneously described in the Book of Reference.

XVI. Provided always, and be it further enacted, That the Powers and Authorities given by this Act shall not extend or be construed to extend to empower or authorize the said Trustees to take or pull down, injure or damage, any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground planted or set apart as a Nursery for Trees, or any Part thereof respectively, other than and except such as are specified in the Schedule hereunto annexed, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained.

Dwelling Houses, &c. not to be taken without Consent, unless specified in the Schedule.

XVII. Provided always, and be it further enacted, That if the said Trustees shall not within the Space of Five Years after the passing of this Act agree for or cause to be purchased and paid for the Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed, then and from thenceforth the Powers by this Act granted to them for such Purpose shall cease, determine, and be utterly void and of no Effect, save and except with the Consent of the Owners and Occupiers of such Lands, Tenements, and Hereditaments; any thing herein contained to the contrary in anywise notwithstanding.

Limiting the Period for purchasing Property.

XVIII. 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.

Public Act.

XIX. And be it further enacted, That this Act shall commence on the Third *Wednesday* next after the passing thereof, and from thence shall continue and be in force for the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

Term of Act.

The

The SCHEDULE to which this Act refers.

Owners.	Occupiers.	Description.	Parish or Place.	County.
John Bates - -	John Bates - -	Garden -	Yardley -	Worcester.
Jane Heath - -	John Yeomans - -	Field -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Joseph Lea - -	Joseph Lea - -	Ditto -	Bicknell -	Warwick.
Samuel Addison Esq. - -	Eleanor Allday - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Bicknell and Solihull }	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Solihull -	Ditto.
John Pittaway - -	John Pittaway - -	Ditto -	Ditto -	Ditto.
Executors of the late Henry Greswold Lewis Esq. }	Mary Boston - -	Close -	Knowle -	Ditto.
Abraham Lancaster - -	Abraham Lancaster - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Garden -	Ditto -	Ditto.
Eleanor Cotterill - -	Eleanor Cotterill - -	Field -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Thomas Satchwell - -	Thomas Satchwell - -	Ditto -	Ditto -	Ditto.
Henry Couchman Esq. }	William Wheeler - -	Ditto -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.
Richard Dester - -	Ditto - -	Ditto -	Ditto -	Ditto.
Sir Edmund Antro- bus, Bart. }	Abraham Gardner - -	Close -	Hazeley -	Ditto.
Ditto - -	Ditto - -	Garden -	Ditto -	Ditto.
Ditto - -	William Bellamy - -	Field -	Hatton -	Ditto.
Ditto - -	William Baylis - -	Close -	Ditto -	Ditto.
Guardians of Wroxall Poor }	William Morris - -	Field -	Ditto -	Ditto.
Ditto - -	Ditto - -	Ditto -	Ditto -	Ditto.

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