ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. xxxix.

An Act for more effectually repairing the Road from *Burton-upon-Trent* in the County of *Stafford* to *Abbott's Bromley* otherwise *Bagot's Bromley* in the said County. [30th *March* 1831.]

WHEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and maintaining the Road* 49G.3.c.145. *from* Burton-upon-Trent *in the County of* Stafford *to* Abbott's Bromley, *and from* Bagot's Bromley *to the present Turnpike Road at or near* Shirley Wich *in the said County*: And whereas the Trustees appointed in or by virtue of the said Act for putting the same into execution, so far as the same related to the said Road from *Burton-upon-Trent* to *Abbott's Bromley* otherwise *Bagot's Bromley* aforesaid, being the First District of Roads in the said Act mentioned, have proceeded in the Execution thereof, and have borrowed at Interest several considerable Sums of Money on the Credit of the Tolls authorized to be collected on the said last-mentioned Road, and which Money still remains due and owing, and the said Road cannot be effectually amended and repaired, nor can the Money so borrowed be repaid, unless, so far as regards the said last-mentioned Road, the said Act be repealed, further Powers granted, and the Tolls increased: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent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 so much of the said recited Act passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third as relates to the said Road from *Burton-upon-Trent* to *Abbott's Bromley* otherwise *Bagot's Bromley* aforesaid shall, on the Third *Tuesday* after the passing of this Act, be and the same is hereby repealed.

Recited Act repealed.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 repairing, widening, altering, improving, and keeping in repair the present Turnpike Road from *Burton-upon-Trent* aforesaid to *Abbott's Bromley* otherwise *Bagot's Bromley* aforesaid, and which said Road passes from, through, or into the several Parishes of *Burton-upon-Trent*, *Tatenhill*, *Tutbury*, *Hanbury*, and *Abbott's Bromley* otherwise *Bagot's Bromley*, all in the said County of *Stafford*.

This Act to be put in execution for the Purpose herein mentioned.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the County of *Stafford* for the Time being, together with the Honourable and Reverend *Frederick Anson*, *Charles Arkwright*, *Samuel Allsopp*, *Charles Allsopp*, *Henry Allsopp*, the Honourable *Charles Bagot*, the Reverend *Hugh Bailye*, the Reverend *Hugh Bennett*, *James Blair*, *John Bott*, *Robert Blurton*, *John Browne*, *William Birch*, *Michael Thomas Bass*, *William Bass*, *Abraham Bass*, *Roger Bass*, *John Yates Bedford*, *George Alsop Bainbridge*, *Thomas Bladon*, the Reverend *Edward Cooper*, the Reverend *Cooper*, the Reverend *Joseph Clay*, *Robert Cooper*, *Henry Clay*, *Thomas Clarke*, *Thomas Cooper*, *John Spurrier Calvert*, *Francis Cope*, *William Cooper*, *Edward Cromwell Disbrowe*, *William Daniel*, *James Drewry*, *Thomas Dicken*, Sir *Henry Every* Baronet, *John Evans*, *Henry Edwards*, Sir *John Dickenson Fowler* Knight, the Reverend *Peter French*, *Richard Butler Fowler*, Sir *Roger Gresley* Baronet, the Reverend *Thomas Gisborne*, the Reverend *James Gisborne*, *Gisborne*, *Benjamin Granger*, *Thomas Kirkpatrick Hall*, *John Hall*, *Robert John Harper*, *Robert John Harper* the younger, the Reverend *John Hinckley*, *Arthur Hinckley*, *Abraham Hoskins*, *Thomas Hart*, *Thomas Ley Higgott*, *Enoch Hunt*, *Charles Hill*, *Charles James Hodson*, *Charles Hodson*, *Henry Hodson*, *John Nicholas Hanson*, *Charles Higgins*, *William Harris*, the Reverend *Hugh Jones*, *Charles Phillips Johnstone*, *William Jaggard*, *William Kynnersley*, *Theophilus Levett*, *John Newton Lane*, *Chandos Leigh*, *John Levett*, *John Leach*, *William Allport Leedam*, *John Leedam*, *Thomas Littlewood*, *Richard Littlewood*, Sir *Oswald Mosley* Bart., *Oswald Mosley*, the Reverend *John Peploe Mosley*, the Reverend *Peploe Paget Mosley*, *William Moore*, *Hugo Charles Meynell*, *Henry Meynell*, *Edward Meynell*, *Charles Bust Meek*, *John Edward Mosley*, *Samuel Coates Morris*, *John Mason*, *Lewis Meakin*, *Isaac Mousley*, *William Osborne*, *Thomas Orme*, *Thomas Owen*, *William Orme*, *Sacheverel Chandos Pole*, the Reverend *Reginald Pole*, *Joseph Pycroft*, *Robert John Peel*, *Edward Phillips*, *Charles Perks*, *William Sherratt Perks*, *Michael Poyser*, *Thomas Porter*, the Reverend *Edward Ryley*,

Trustees.

the Reverend *John Ryland*, the Reverend *Robinson, John Rigby, Charles Ryley, James Robinson, John Ratcliff, Samuel Ratcliff, John Browne Raven, William Richards, Robert Stone, John Spencer Stone, John Spender, Joseph Peters Smith, Thomas Fosbrooke Salt, William Salt, John Matthew Slater, Lorenzo Kirkpatrick O'Toole, Thomas Thornewill, John Thornewill* the elder, *Robert Thornewill, John Thornewill* the younger, *Michael Turnor, Thomas Turnor, Henry Turnor, Benjamin Tabberer, John Toobey, John Webb, Robert Harvey Wyatt, Harvey Wyatt, William Worthington, Henry Whateley, John Whateley, William Wilders, Thomas Wayte, James White Willetts*, and their Successors, being duly qualified according to the Laws in force for regulating Turnpike Roads in *England*, shall be and are hereby appointed Trustees for amending, widening, altering, straightening, improving, and keeping in repair the Road hereinbefore described, and for otherwise putting into execution this Act, and such of the Powers and Provisions of the several Acts in force for regulating Turnpike Roads as are not expressly varied, altered, or otherwise provided for by this Act.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings to be holden in pursuance of this Act, to elect and appoint any Number of Persons, qualified in manner prescribed in the several Acts now in force for regulating Turnpike Roads, (not exceeding Three 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 shall be and are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed by this Act.

Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet together at the *Mosley Arms* Inn in the late Forest of *Needwood* in the said County, or some other convenient Place upon or near to the said Turnpike Road, on the Third *Tuesday* after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then proceed to carry the several Acts now in force for regulating Turnpike Roads, and this Act, into execution.

Power to take Tolls.

VI. And be it further enacted, That it shall and may be lawful 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 herein-after mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, already erected or placed, or which hereafter shall be erected or placed by virtue of this Act or of the said other Acts now in force for regulating Turnpike Roads, in, upon, across, or on the Side or Sides of the said Road, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

For

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Berlin, Landau, Barouche, Chariot, Chaise, Chaise Marine, Chair, Curricle, Phaeton, Calash, Sociable, Car, Gig, Caravan, Van, Hearse, or Litter, not exceeding the Sum of One Shilling:

For every Horse, Ox, or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, not exceeding the Sum of One Shilling:

For every Horse, Ox, or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and less than Six Inches, at the Bottom or Soles thereof, not exceeding the Sum of Nine-pence:

For every Horse, Ox, or other Beast drawing any Waggon, Wain, Cart, Dray, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, not exceeding the Sum of Sixpence:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, not exceeding the Sum of Three-pence:

For every Ox, Cow, or Neat Cattle, not exceeding the Sum of One Penny:

For every Calf, Swine, Sheep, or Lamb, not exceeding the Sum of One Halfpenny:

Tolls to be paid before Cattle pass the Gate.

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, Ox, or other Beast or Cattle, Coach, Berlin, Landau, Barouche, Chariot, Chaise, Chaise Marine, Chair, Curricle, Phaeton, Calash, Sociable, Car, Gig, Caravan, Van, Hearse, Litter, Waggon, Wain, Cart, Dray, or other Carriage whatsoever, shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar or Chain; and such several and respective Tolls and Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Toll on Lime and Salt.

VII. And be it further enacted, That One Half of the Toll payable on the said Road shall be paid for and in respect of any Horse or Beast drawing any Waggon, Wain, Cart, or other Carriage carrying or conveying, or going empty to carry or convey, or returning empty after having carried or conveyed, any Lime or Salt to be used for Manure or agricultural Purposes, and not for Sale.

Tolls to be paid but once a Day.

VIII. Provided always, and be it further enacted, That if the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of such Toll Gates, Turnpikes, or Side Gates, shall have been paid, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting such Payment being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Gate, or Chain, and also through such other Gate or Gates, if any, 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.

IX. Pro-

No more than Two full Tolls to be paid on the whole Line of Road.

IX. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees, or any Collector or Collectors, to demand or take, for or in respect of the same Horse, Beast, Carriage, or Cattle, for passing or repassing at any Time or Times in any One Day (to be computed as aforesaid) through all or any of the Toll Gates, Turnpikes, or Side Gates along the whole Line of the said Road, more than Two full Tolls, the Distance between each respective Place of Payment being at least Five Miles (except as herein-after mentioned).

Stage Coaches to pay every Time of passing;

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

Post Chaises on every new Hiring.

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

Application of Tolls and Money borrowed.

XII. And be it further enacted, That the Monies already received by virtue of the said recited Acts, and the Monies which shall be raised or received by virtue of this Act, shall be applied and disposed of by the said Trustees in manner following; (that is to say,) in the first place, in paying and discharging all the Costs and Expences relative to the procuring and passing of this Act; in the next place, in paying and discharging the Interest accruing and becoming due upon the several Mortgages and Securities which have been already made and granted, and which shall be made and granted upon the said Tolls in pursuance of this Act; in the next place, in defraying the Expences of providing, erecting, and repairing Toll Houses and Turnpikes and other Gates upon the said Road, and repairing and improving the said Road, and in putting this Act into execution in all other respects; and lastly, in reducing, paying off, and discharging the Principal Sum for the Time being due or to become due on Security of the Tolls by this Act or the said recited Act granted.

For removing Nuisances.

XIII. And whereas Heaps of Dung, Soil, Compost, Ashes, and other Things may be deposited on the Sides of the said Road, and may not be removed therefrom without Detriment to the said Road, by having a Part of the Soil under the said Heaps removed therewith, whereby the Sides of the said Road become in Time steep and uneven; for Prevention of such Mischief, it is hereby further enacted, That if any Person shall deposit or place any such Heaps of Dung, Soil, Compost, Ashes, or other Things on the said Road, or on the Sides thereof,

thereof, within Twenty-five Feet from the Centre of such Road, unless for the Repair of the said Road, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Public Act.

XIV. 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 other Persons whomsoever, without being specially pleaded.

Term of Act.

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

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