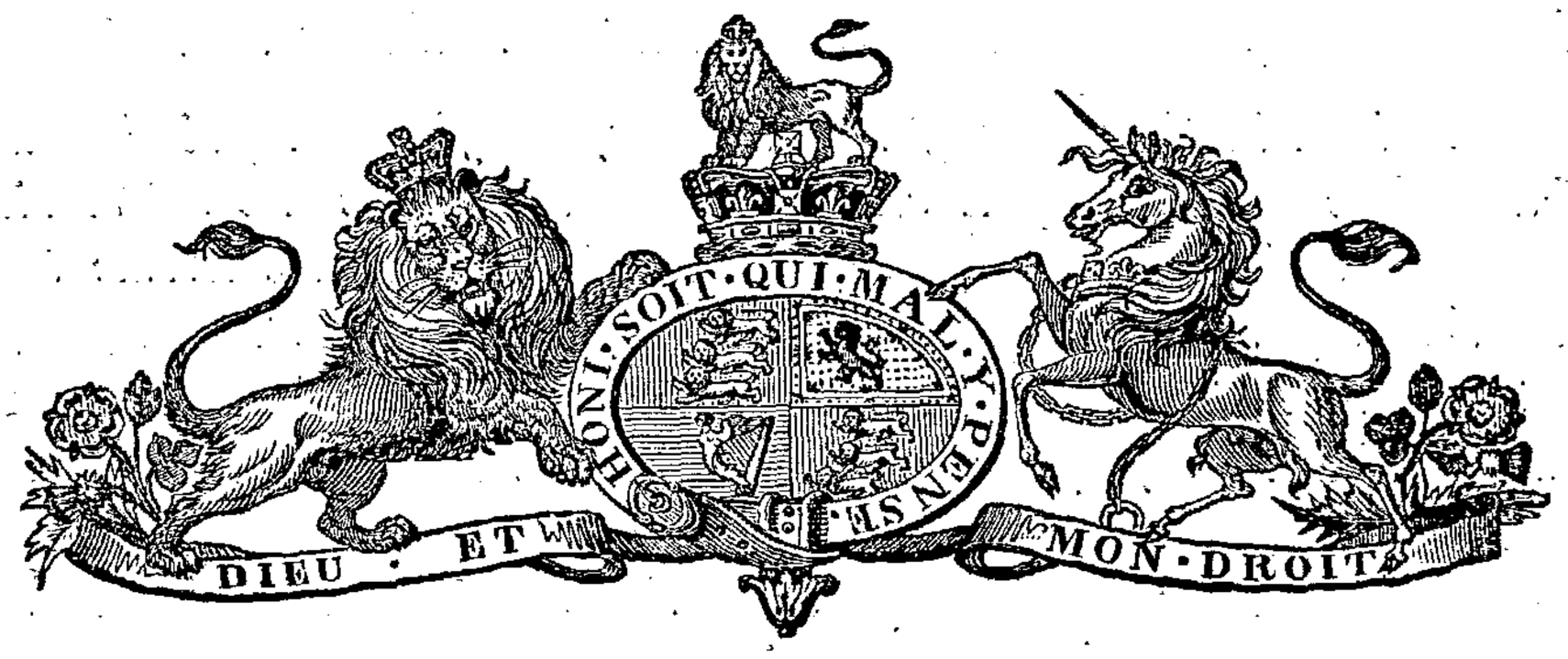


ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

***

Stone Bridge in the Town of Shrewsbury, *and for appropriating Part of the Tolls collected upon certain Roads leading to the said Bridge towards finishing the same, and for granting additional Terms to the several Acts for repairing the said Roads*, whereby the Term granted by the Two first-recited Acts were enlarged for the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas another Act was passed in the Fifty-seventh Year of the Reign of His late Majesty King *George* the
57 G. 3. c. 6. Third, intituled *An Act for enlarging the Term and Powers of several Acts of His late and present Majesty, for repairing the Road from the Town of* Shrewsbury *to* Bridgnorth, *and several other Roads near or adjoining thereto, in the Counties of* Salop *and* Stafford: And whereas the Term granted by the last-mentioned Act has expired: And whereas considerable Sums of Money are still due and owing on the Credit of the Tolls authorized to be taken by virtue of the said recited Acts, and such Sums cannot be paid off, or the Interest of the same discharged, nor can the several Roads herein-after mentioned be properly and effectually amended and repaired, and certain necessary Improvements made therein, unless further Powers are granted, and the Term of the said Acts continued, and the Tolls thereby granted increased: And whereas it is expedient that the Provisions of the recited Acts should be consolidated into One Act, and that certain of such Provisions should be amended; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

Repeal of recited Acts.

I. That from and after the Commencement of this Act the Acts firstly, secondly, and fourthly herein-before recited, and also so much of the Act thirdly herein-before recited as relates to the Roads by this Act authorized to be repaired, or any of such Roads, or to the Trustees of such Roads, shall be and are accordingly hereby repealed, and this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Roads to which this Act is applicable.

II. That this Act shall be put into execution for the Purpose of repairing, widening, and improving the several Roads herein-after mentioned; (that is to say,)

The Road commencing at the Corner of a certain Road or Street called *Watling Street*, near Lord *Hill*'s Column, in or near to the Town of *Shrewsbury*, and passing thence through *Cressage*, *Harley*, *Much Wenlock*, *Muckley Cross*, and *Morville*, to *Bridgnorth*:

The

The Road commencing near the present Toll House on the last-mentioned Road leading from *Shrewsbury* to *Bridgnorth* at a certain Place called *Weeping Cross*, and terminating by a Junction with the *Watling Street* Road in or near to the Village of *Pitchford*:

The Road leading from the End of the Low Town of *Bridgnorth*, through *Roughton*, *Hilton*, and *Shipley*, to the *Blackbrook* and *Wolverhampton* Turnpike Road at *Blackbrook*, the Road leading from the North Gate in *Bridgnorth*, by *Dunval* and *Nordley*, to the *Broseley* and *Smithy Brook* Turnpike Road at a certain Brook called *Linley Brook* or *Smithy Brook*:

The Road from the Town of *Much Wenlock*, by and along *Wenlock Edge*, and through *Easthope Cross*, *Longville*, *Wall-under-Haywood*, and *Hope Bowdler*, to the Turnpike Road from *Shrewsbury* to *Ludlow* at *Church Stretton*, and the Road leading from *Wall-under-Haywood*, through *Rushbury*, to the Limekilns at *Blackwood*.

Appointment of Trustees.

III. That all Her Majesty's Justices of the Peace acting in and for the County of *Salop* for the Time being, together with *Robert Lingen Burton* Clerk, *George Onions Burd* Clerk, *William Cooper*, *Edward Egremont* Clerk, *Thomas Littlewood Gleadowe* Clerk, the Honourable *Thomas Henry Noel Hill* Clerk, *George Haughton*, *Thomas Howell*, Sir *George Harnage* Baronet, *Henry George Harnage*, *Thomas Lockley Meire*, *Thomas Norris*, *George Jonathan Scott*, *Peter Richard Carrington Smythe*, *Jonathan Scarth*, *Henry Thursby* Clerk, *Walter Thursby*, *Arthur Charles Williams*, *William Henry Waine* Clerk, *Thomas Butler* Clerk, *William Henry Cooper*, *Rowland Hunt*, *William Butler Lloyd*, the Mayor of *Shrewsbury* for the Time being, *George Legh Wasey* Clerk, Sir *John D'Albergh Farrer Acton* Baronet, *James Brasier*, *John Baker*, *George Pritchard*, *Samuel Ridley*, *Thomas Smythe*, *William Sing*, *John Smith*, *Thomas Smith*, *John Stephens*, *John Jacob Smith*, *George Mackenzie Kettle*, *Joseph Parkes*, *Thomas Cornelius Farnworth Broadbent* Clerk, the Mayor of *Bridgnorth* for the Time being, *Robert Armitage* Clerk, *Ralph Augustus Benson*, *Richard Butcher*, *Robert Henry Gayer More* Clerk, *Charles Childe Pemberton*, *Robert Buddicom* Clerk, *Samuel Minton* Clerk, *William Penny Brookes*, *William Canlin*, *George Adney*, *Roger Charles Blakeway*, *Thomas Crump Powell* Clerk, *Hugh Owen Wilson* Clerk, *John Wakefield* Clerk, the Mayor of *Wenlock* for the Time being, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.

Power to appoint additional Trustees.

IV. That it shall be lawful for the Trustees, at any Meeting of such Trustees to be held in pursuance of this Act, to elect any Number

Number of Persons duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees when so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

First Meetings of Trustees.

V. That the Trustees for executing this Act shall hold their First Meeting at the Town Hall in the Town of *Wenlock*, or at some other convenient Place in the Neighbourhood of the said Roads, within Two Months after the passing of this Act; and it shall be lawful for the Trustees from Time to Time thereafter to adjourn to and meet at such Times and Places in the Neighbourhood of the said Roads as the said Trustees, or any Three of them present at such Meeting, shall think proper and expedient.

Power to appoint Committees.

VI. That the Trustees may appoint Committees out of their own Number to execute any of the Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the Trustees at any Meeting; and the said Committees may proceed and act according to such Appointment, but shall always be accountable according to such Instructions and Regulations, and shall render to the Trustees, at their First General Meeting in every Year, full and true Accounts of all Monies received or expended by them.

Trustee or Clerk to be competent Witnesses in Actions.

VII. That no Trustee, Clerk, or other Officer acting under the Authority of this Act shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence, in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee, Clerk, or other Officer, by reason of his being Plaintiff or Defendant in such Action, Suit, or Proceeding.

Former Books to be Evidence.

VIII. That all and every the Book and Books of Proceedings which have been kept by the Trustees acting in the Execution of the Acts hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others.

All Arrears of Tolls and Monies due under recited Acts vested in Trustees under this Act.

IX. That all Property and all Choses in Action vested in and all Monies due to the Trustees under the recited Acts relating to the said Roads, or vested in or due to any Person on their Behalf, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act; and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof, as effectually as if the same had been invested in them under the recited Acts.

X. That

New Term and Tolls liable to Debts due under recited Acts.

X. That this Act, and the Term and Tolls hereby granted, shall be and the same are hereby made subject and liable to the Payment of all Monies now due and owing or secured upon or made payable out of the Tolls authorized to be taken by virtue of the recited Acts, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed on the Credit of the Tolls by this Act authorized to be taken; and the said Monies shall not remain and be separate Charges upon the Tolls arising upon the several Roads upon which the same where severally and separately chargeable and charged before the passing of this Act, but shall, from and after the Commencement of this Act, become a Charge upon the Tolls arising on the whole of the Roads by this Act authorized to be repaired.

Toll Gates to be continued until removed by Order of the Trustees.

XI. That the several Toll Gates, Toll Bars, and Toll Houses now standing or being on the Roads hereby authorized to be repaired, or on the Sides thereof, shall be continued until removed by any Order of the Trustees; and it shall be lawful for the Trustees, subject to the Provision herein-after contained, to order and cause to be erected and set up, in, upon, or across the Roads by this Act authorized to be repaired, or on the Sides thereof, any Turnpike, Toll Gate, or Bar, and to remove the present or any future Turnpikes, Toll Gates, or Bars, or any of them, as they shall think proper: Provided always, that it shall not be lawful for the said Trustees to erect any Turnpike, Toll Gate, or Bar, or to levy any Toll, upon any Part of the said Road leading from *Weeping Cross* to *Pitchford*.

Tolls.

XII. That it shall be lawful for the Trustees to demand and take, or cause to be demanded and taken, at any Toll Gate continued or hereafter to be erected on any of the Roads hereby authorized to be repaired, any Tolls not exceeding the following; (that is to say,)

For every Horse, Mule, or other Beast (except Asses or Dogs) drawing any Coach, Waggon, Van, Caravan, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Break, Chaise, Curricle, Gig, or any other Carriage, by whatsoever Name the same be called, and having metallic or other Springs, the Sum of Sixpence:

For every Horse, Mule, or other Beast (except Asses or Dogs) drawing any Waggon, Wain, Cart, Van, Caravan, or other Carriage, by whatever Name the same shall be called, and which shall not have metallic or other Springs, the Sum of Sixpence:

For every Ass drawing any Vehicle, Sledge, or Carriage, by whatsoever Name the same may be called, the Sum of Threepence:

For every Horse, Mule, or other Beast (except Asses and Dogs) drawing any Sledge or Ground Car, the Sum of Fourpence:

For every Dog drawing any Truck, Cart, or other Carriage, the Sum of One Penny:

For every Horse, Mule, or other Beast of Burden (except Asses), laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Ass, laden or unladen, and not drawing, One Penny:

For every Bull or Cow or Neat Cattle (Calves excepted), the Sum of One Halfpenny:

For every Calf, Swine, Sheep, or Lamb, One Farthing:

For every Carriage moved or propelled by Steam or Machinery, or by any Power or Agency other than Animal or Human Power, the Sum of One Shilling *per* Wheel for each Wheel thereof:

Which said respective Tolls or Sums of Money shall be demanded and paid before any Horse, Mule, Ass, Dog, or other Beast or Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through any Toll Gate which shall be by virtue of this Act upon or across the said Roads or on the Sides thereof.

Exemption as to Lime for Manure.

XIII. That between the First Day of *March* and the First Day of *November* (both Days inclusive) in every Year no Toll shall be demanded on any of the Roads authorized by this Act to be repaired for or in respect of any Horse, Mule, Ass, Cattle, or other Beast, or Carriage, employed in carrying or conveying, or having been employed solely in carrying or conveying, on the same Day, any Lime to be used upon Land as Manure (unless carrying also some other Thing not by this Act or by any General Act relating to Turnpike Roads in *England* exempted from Toll).

Exemption as to certain other Manures, &c.

XIV. That no Toll shall be demanded on any of the Roads authorized by this Act to be repaired for or in respect of any Horse, Mule, Ass, Cattle, or other Beast, or Carriage, employed in carrying or conveying, or having been employed solely in carrying or conveying, on the same Day, any Salt, Dung, Soil, Compost, Manure, or other Matter, Material, or Substance, by whatsoever Name the same may be called, (except Lime,) to be used upon any Land as Manure, unless laden with some other Thing not by this Act or by any General Act relating to Turnpike Roads in *England* exempted from Toll.

Tolls to be paid but once a Day.

XV. That, except as by this Act is otherwise directed, if the Toll by this Act authorized to be taken for the passing of any Horse or other Animal, or Carriage, through any Toll Gate on any of the Roads by this Act authorized to be repaired, shall have been paid, such Horse or other Animal, or Carriage, shall, upon a Ticket denoting the Payment of such Toll for that Day being produced, be permitted to pass Toll-free through the same Toll Gate, and also through such other Toll Gate as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as herein-after mentioned.

XVI. That

Post Horses to pay on every fresh Hiring.

XVI. That the Tolls hereby made payable shall be paid for all Horses or Cattle travelling for Hire, and whether drawing or not drawing, unless drawing any Stage Coach, Stage Waggon, or other Stage Carriage as after mentioned, as often as a new Hiring shall take place, in the same Manner as if no previous Payment of Toll in respect of such Horses or Cattle had been made on the same Day.

Regulations as to Stage Coaches, &c.

XVII. That all Horses and Cattle drawing any Stage Coach, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and any Carriage propelled or drawn by Steam or any Power other than Animal Power, in respect whereof the Toll hereby authorized to be taken shall have been paid at any Toll Gate, shall, upon a Ticket denoting such Payment being produced, be permitted to pass once Toll-free on the same Day through any other Toll Gate which such Ticket would free in the Case of Horses or Cattle drawing any other Carriage; and no further or additional Toll shall be payable in respect of any Stage Coach or other such Carriage as aforesaid at any Toll Gate the Payment at which shall be freed by such Ticket as aforesaid on account only of their conveying other Passengers, or of the Horses or Cattle drawing the same having been changed.

As to Tolls on Horses employed in conveying Limestone not intended to be used for certain Purposes.

XVIII. That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Waggon, Cart, or other Carriage laden with Limestone (not intended to be used for the Repair of any Turnpike Road or public Highway, or for repairing or building any present or future Bridge on any such Road or public Highway, or to be converted into Lime for agricultural Purposes), for every first, third, and other subsequent alternate Time of passing on any of the Roads by this Act authorized to be repaired.

Limting the Number of full Tolls to be paid.

XIX. That no more than the Number of full Tolls following shall be taken or demanded for or in respect of the same Horse or other Animal or Carriage passing and repassing in the course of the same Day (to be computed from Twelve of the Clock on One Night to Twelve of the Clock on the next succeeding Night) through all or any of the Toll Gates on the Roads herein-after described; (that is to say,)

On the Road leading from *Shrewsbury* to *Bridgnorth*, Three full Tolls;

On the said Road from the Low Town of *Bridgnorth* to *Black Brook*, One full Toll;

On the said Road from the North Gate in *Bridgnorth* to *Linley Brook* or *Smithy Brook*, One full Toll;

On the said Road from the Town of *Much Wenlock* to *Church Stretton*, One full Toll and Half a full Toll; and

On the said Road from *Wall-under-Haywood* to *Blackwood*, One full Toll.

XX. That

Application of Tolls.

XX. That all Tolls and other Monies raised by virtue of the recited Acts hereby repealed, and remaining at the Time of the passing of this Act in the Hands of the Trustees appointed or acting under or in pursuance of such Acts, and also all Tolls and other Monies which shall be raised by virtue of this Act, shall be applied by the Trustees as follows; (that is to say,)

Firstly, in paying and discharging the Costs, Charges, and Expenses of obtaining this Act or incidental thereto:

Secondly, in paying and discharging Interest after the Rate of Three Pounds Ten Shillings for the Hundred Pounds by the Year, and at no higher Rate, upon or in respect of the Principal Sums (other than and except such as may be hereafter borrowed) which may for the Time being be owing or secured on the Credit of the Tolls authorized to be taken by the said recited Acts hereby repealed, or by this Act, upon the said Roads:

Thirdly, in paying and discharging the Interest upon or in respect of any Principal Sums which may (with such Consent as herein-after mentioned) be hereafter borrowed on the said Tolls:

Fourthly, in paying the Expenses of improving, maintaining, and keeping in repair the said Roads, and putting this Act into execution with reference thereto:

Fifthly, in or towards paying off and discharging, in accordance with the Provisions herein-after contained, the Principal Sums for the Time being due or secured on the Credit of the said Tolls, by the annual Composition or Proportions herein-after directed.

Money not to be borrowed on Credit of Tolls without Consent of Secretary of State.

XXI. That it shall not be lawful for the Trustees to borrow any Sum or Sums of Money on the Credit of the Tolls collected and received by virtue of this Act, or on any other Security, or to make any Mortgage or give any Security for Arrears of Interest, Purchase Money of Land, or other Monies owing, without the Consent in Writing of One of Her Majesty's Principal Secretaries of State first obtained; provided nevertheless, that a Recital or Statement of such Consent, which shall be inserted in any Mortgage for securing any Money so borrowed, shall, so far as respects any Person claiming under such Mortgage or any Transfer thereof, be sufficient Evidence of such Consent; and in case any such Trustees shall make any such Mortgage with such Recital or Statement therein, without having first obtained such Consent, the Trustees executing such Mortgage shall be jointly and severally liable to indemnify the Tolls or other Monies out of which the Monies secured by such Mortgage shall be paid; and it shall be lawful for the Treasurer for the Time being of the Trustees to sue for and recover such Money so paid

by

by Action of Debt in any of Her Majesty's Courts of Record, with full Costs of Suit, to be taxed as between Attorney and Client.

Mortgagees to deliver up Possession of Gates.

XXII. That on or before the First Day of *October* in the Year One thousand eight hundred and fifty-one any Mortgagee who may be in possession of any of the Toll Gates, Toll Houses, or Buildings upon the said Roads or on the Sides thereof shall deliver up the same to the said Trustees; and the said Trustees, their Collectors and Servants, shall enter into possession of the said Toll Gates, Toll Houses, and Buildings, and shall thenceforth receive the Tolls which can be collected thereat; and if any Collector, Receiver, or other Person shall refuse or neglect to deliver up Possession as aforesaid of any of the said Toll Gates, Toll Houses, or Buildings, then such Receiver, Collector, or other Person may be removed therefrom in manner provided by any Law or Statute then in force relating to Turnpike Roads in *England*.

So long as Interest is punctually paid Mortgagees are not to enter into possession.

XXIII. That no Holder of any Mortgage, whether the same shall have been made under the Powers of the recited Acts or of this Act, shall be entitled to enter into possession of all or any of the Toll Gates, Toll Houses, or Buildings now standing on or hereafter to be placed or erected upon any of the Roads by this Act authorized to be repaired, or to collect Tolls upon any of such Roads, or to receive any Rent arising from the letting of such Tolls, in case and so long as Interest upon the Debt secured by such Mortgage up to the last half-yearly or other periodical Day on which such Interest is payable be paid, after the Rate prescribed by this Act (if such Mortgage shall have been made under the Powers of the recited Acts or any of them), or after the Rate specified in such Mortgage (if such Mortgage shall have been made under the Powers of this Act), within One Month after such Day as aforesaid, and a Demand in Writing for Payment of the same shall have been given to the Clerk of the Trustees, or left for him at his Place of Abode or Business; and where any Mortgagee in possession as aforesaid has been fully paid all Interest up to the last half-yearly or other such periodical Day as aforesaid, together with any Costs he may be entitled to retain out of the said Tolls, he shall, within Twenty-one Days after such Payment, render to the Trustees an Account of his Receipts as such Mortgagee in possession, and of the Application thereof, and shall pay the Balance (if any) in his Hands to the Treasurer of the said Trustees, and shall forthwith deliver up Possession of all Toll Gates, Toll Houses, or Buildings of which he may have been in possession to the Trustees, or to some Person appointed by them.

As to Mode of discharging Debt.

XXIV. That when and so often as the Sum applicable to the Discharge of the Principal Monies for the Time being owing on the Credit

Credit of the said Tolls shall amount to the Sum of Two hundred Pounds the Trustees shall, at any General, Annual, or other Meeting, apply such Sum in the Payment of a proportionate Part of the said Principal Monies to the Persons entitled thereto, and shall, Twenty-eight Days at least before such General, Annual, or other Meeting, cause Notice to be given of such Meeting, and of the Purposes thereof, so far as the same relate to the Application of such Sum, in some Newspaper published in the County of *Salop*; and at such Meeting the Trustees shall apply such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of Monies owing on the Security of the said Tolls to the Creditor who shall by Proposal in Writing transmitted to the Clerk of the Trustees before such Meeting have offered to accept the lowest Composition in respect of such Monies, and after Payment to such Creditor as aforesaid shall apply the Surplus (if any) of such Sum, or a Portion thereof, (as the Case may require,) in or towards the Discharge of other Monies owing on the Security of the said Tolls to the Creditor who by Proposal as aforesaid shall have offered to accept the next lowest Composition in respect of the Principal Monies due to him, and so in like Manner until the Sum applicable to such Payments shall be exhausted; and if and whenever Two or more Creditors by such Proposals as aforesaid shall have offered to accept an equal Rate of Composition, it shall be lawful for the Trustees to determine by Lot the Preference between or amongst such Creditors, or to pay such Composition rateably between or amongst such Creditors as the Trustees think fit; and if there be no such Proposal as aforesaid, or if there be any Surplus of the Sum applicable to such Payments after applying the same, so far as may be necessary, in or towards the Discharge of the Monies to which any such Proposals relate, the Trustees may apply the Sum applicable to such Payments, or the Surplus thereof, (as the Case may be,) rateably amongst the Creditors on the said Tolls, or may pay the same to such of them as may be determined by Lot, as the Trustees think fit.

No Tolls to be taken or Money laid out in certain Towns.

XXV. That no Money shall be laid out on any Road comprised in this Act within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any be collected therein, or in any of the Towns following, that is to say, *Shrewsbury*, *Bridgnorth*, or *Wenlock*.

Short Title.

XXVI. That in citing or referring to this Act in other Acts of Parliament, or in Pleadings, legal Instruments, or other Proceedings, it shall be sufficient to use the Expression "The *Shrewsbury*, *Wenlock*, *and Bridgnorth* Turnpike Roads Act, 1851."

XXVII. That

Style of the Trust.

XXVII. That the several Roads by this Act authorized to be repaired shall be distinguished and known by the Name of "The *Shrewsbury*, *Wenlock*, and *Bridgnorth* Turnpike Roads;" and the Trustees for executing this Act shall be styled "The Trustees of the *Shrewsbury*, *Wenlock*, *and Bridgnorth* Turnpike Roads."

Commencement and Term of Act.

XXVIII. That this Act shall commence on the First Day of *October* in the Year One thousand eight hundred and fifty-one, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Road not to be exempt from Provisions of future General Acts.

XXIX. That nothing herein contained shall be deemed to exempt the Roads comprised in this Act from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament, or from the Provisions of any such Act now in force, except so far as any such last-mentioned Provisions may be expressly varied by this Act.

Interpretation of Terms.

XXX. That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Person" shall be understood to include Corporation:

The Expression "the Trustees," or "the said Trustees," shall mean the Trustees for the Time being acting in execution of this Act:

The Expression "Toll Gate" shall be understood to include Toll Bar, Side Bars, Side Gates, and Chains, now or hereafter to be erected, set up, or continued on the Roads by this Act authorized to be repaired.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1851.