ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. xviii.

An Act for repairing the Road leading out of the *Bedford* and *Newport Pagnell* Turnpike Road near *Bromham Grange* in the County of *Bedford* to *Olney* and other Places in the County of *Buckingham*. [24th *March* 1832.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, and keeping in* 30 G.3.c.114.
repair the Road from the East End of Bromham Bridge *in the County of* Bedford *to the Turnpike Road leading from* Wellingborough *to* Olney *in the County of* Bucks, *and also the Road from the said Turnpike Road at or near the South End of the Town of* Olney *aforesaid to the Turnpike Road leading from* Northampton *to* Newport Pagnell *in the same County :* And whereas another Act was passed in the Fifty-first 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 of His* 51 G.3.c.72.
present Majesty, for repairing the Road from Bromham Bridge *in the County of* Bedford *to* Olney *and other Places in the County of* Bucks*:* And whereas the Trustees appointed in or by virtue of the said recited Acts have proceeded in the Execution thereof, and have borrowed several considerable Sums of Money at Interest on the Credit of the Tolls authorized to be collected on the said Roads, which Money still remains due and owing, and the same cannot be repaid, nor can the said Roads be effectually amended and kept in repair, unless the Terms and Powers of the said Acts are enlarged, and the Tolls increased or altered: And whereas it is expedient that the

said recited Acts should be repealed, and that further and other Powers and Provisions should be granted and made instead thereof: And whereas an Act was passed in the Fourth Year of the Reign of His
4 G. 4. c. 67. late Majesty King *George* the Fourth, intituled *An Act for more effectually amending, repairing, and keeping in repair the Road from the Toll Gate in the Parish of* Kettering, *through* Wellingborough *in the County of* Northampton, *and through* Olney *over* Sherrington Bridge, *to* Newport Pagnell *in the County of* Buckingham; and it is expedient that some Provision should be made for restraining the Trustees acting in the Execution thereof from erecting a Turnpike or Toll Gate between certain Points herein-after mentioned, called *Dropshort Lane* and *Dagg Lane*: 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

Recited Acts of 30 G. 3 and 51 G. 3. repealed.

by the Authority of the same, That on the Twenty-ninth Day of *June* next after the passing of this Act the said recited Acts passed in the Thirtieth and Fifty-first Years of the Reign of His late Majesty King *George* the Third shall be and the same are hereby declared to be repealed.

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

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, improving, widening, diverting, and keeping in repair the present Turnpike Road leading out of the Turnpike Road between the Town of *Bedford* in the County of *Bedford* and *Newport Pagnell* in the County of *Buckingham* to the Turnpike Road between *Kettering* in the County of *Northampton* and *Newport Pagnell* aforesaid, and also the present Turnpike Road leading from the *High Street* of the Town of *Olney* in the County of *Buckingham*, at or near the South End thereof, to the Turnpike Road leading from *Northampton* to *Newport Pagnell* aforesaid, and passing through or into the several Parishes of *Bromham*, *Steventon*, and *Turvey* in the County of *Bedford*, and the several Parishes, Townships, Hamlets, or Places of *Cold Brayfield*, *Lavendon*, *Warrington*, *Olney*, *Weston Underwood*, *Ravenstone*, and *Stoke Goldington* in the County of *Buckingham*.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the respective Counties of *Bedford* and *Buckingham* for the Time being, together with the Right Honourable *Francis Russell* commonly called the Marquis of *Tavistock*, the Right Honourable *Richard Plantagenet Grenville Nugent Chandos Temple* commonly called the Marquis of *Chandos*, *Justinian Alston*, *Vere John Alston* Clerk, *William Andrews*, *John Battams*, *Thomas Alexander Boswell*, *Thomas Bourton*, *Joseph Brooks*, *Charles Chester*, *John Cheyne* Doctor of Medicine, *Benjamin Coles*, *John Samuel Cox*, *William Drake* Clerk, *Robert Elman* Clerk, *William Frederick Farrer*, *Thomas Fry* Clerk, *Stamp Garrard*, *Henry Gauntlett* Clerk, *William Gee*, *John Gibbard*, *William Godfrey* Clerk, *John James Goodall* Clerk, *Francis Green*, *Thomas Hale*, *John Webster Hawkesley* Clerk, *John Higgins*, *Thomas Charles Higgins*, *William Bartholomew Higgins*, *Charles Longuet Higgins*, *Henry Hugh Higgins*, *John Knight*, *John Lee*, *Robert Lowndes* Clerk, *John Balfour Magenis* Clerk, *John Daniel Manning*,

William Nicholls, *John Osmond*, *Joseph Pain*, *Joseph Palmer*, *Edward Thomas Pearce* Clerk, *James Perry*, *Charles Pinfold* Clerk, *James Backwell Praed*, *John Pretyman* Clerk, *George Rooke* Clerk, *John Rogers*, *William Rogers*, *John Seagrave* Clerk, *John Simpson*, *Henry Alexander Small* Clerk, the Honourable *Robert Smith*, *William Francis Lowndes Stone*, *William Swabey*, *John Hale Talbot*, *John Talbot*, *Charles Talbot*, *Robert Talbot*, *William Talbot* Clerk, *James Hale Talbot* Clerk, *Richard Tandy*, *Robert Throckmorton*, *Richard Edward Austin Townsend*, *Samuel Thomas Townsend* Clerk, the Honourable *George Rice Trevor*, *Henry Davis Ward* Clerk, *Amos Westoby* Clerk, *Henry Wrey Whinfield* Clerk, *Benjamin Whitworth*, 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 hereby appointed Trustees for repairing, improving, widening, diverting, and keeping in repair the Roads herein-before mentioned and described, and for otherwise carrying this Act into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall 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, being duly qualified to act as Trustees of Turnpike Roads in *England* (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 shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet together at the *Bull* Inn in *Olney*, or at some other convenient Place in the Neighbourhood of the said Roads, within Twenty-one Days next after the Commencement of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then and from Time to Time adjourn to and meet at such Times and at such Places upon or near to the said Roads as they shall think proper.

Power to continue and erect Toll Gates.

VI. And be it further enacted, That the several Gates, Turnpikes, Weighing Machines, and Toll Houses erected and now standing across and on the Sides of the said Roads shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected and built or set up and placed upon, in, or across the said Roads, or any Part or Parts thereof, or by the Sides thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, and also from Time to Time to order and cause to be taken down and removed or altered or discontinued the same present Gates or Turnpikes, and such future Gates, Turnpikes, Side Bars, or Chains, or any of them, as they the said Trustees shall think proper.

VII. And

Power to take Tolls.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person under their Authority, to demand and take the Tolls or Sums of Money herein-after mentioned, or any Sum or Sums of Money not exceeding the respective Tolls or Sums herein-after mentioned, (the Amount thereof respectively to be fixed and ascertained at the First Meeting of the Trustees to be held for carrying this Act into execution,) at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars or Chains, which are or shall be standing and being or continued or erected by virtue of this Act, once on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night; that is to say,

Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Van, Caravan, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Phaeton, Curricle, Gig, Hearse, Litter, or other such like Carriage, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwardsat the Bottoms or Soles thereof, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Four Inches and a Half and less than Six Inches at the Bottoms or Soles thereof, the Sum of Seven-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half at the Bottoms or Soles thereof, the Sum of Nine-pence:

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

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

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

And in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Tolls vested in Trustees, with Power of Variation.

VIII. And be it further enacted, That the said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act, and in manner herein-after mentioned; and although the same Tolls or Sums of Money may be fixed at the First Meeting of the Trustees for carrying this Act into execution at less than any of the Sums or Rates herein-before mentioned, the same or any of such Tolls or Sums of Money may at any Time or Times afterwards be increased, lessened, varied, or altered, so as that they do not at any Time exceed the Tolls by this Act granted or made payable; but before any such Variation is made after the Amount of the said Tolls is first fixed and ascertained, such Notices shall be given and such Consent by Creditors or Mortgagees shall be obtained as are required by any general Law in force relating to Turnpike Roads.

IX. And

Limiting the Number of Tolls.

IX. And be it further enacted, That no more than Three full Tolls shall be demanded or taken on the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night, for the same Horses, Cattle, Beasts, or Carriages for once passing and repassing in any One Day, to be computed as aforesaid, through all the Turnpikes or Toll Gates, Side Bars or Side Gates or Chains, erected or to be erected on or along the whole Line of the said Roads.

Tolls to be paid but once a Day.

X. Provided always, and be it further enacted, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any One of such Turnpikes or Toll Gates, Side Bars or Side Gates or Chains, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass and repass Toll-free through the same Turnpike, Toll Gate, Side Bar, Side Gate, or Chain at any Time during the same Day, to be computed as aforesaid, except as is herein-after provided with respect to Horses drawing Stage Carriages and Post Chaises.

Horses, &c. for which Toll has been paid at a Toll Gate to pass Toll-free through certain Side Gates.

XI. And be it further enacted, That if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any Turnpike or Toll Gate standing or being or continued or erected by virtue of this Act in, upon, or across the said Roads or any Part thereof, such Horse, Beast-Cattle, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through any Side Bar or Side Gate or Chain standing or being or continued or erected by virtue of this Act on the Side or Sides of the said Roads which shall be situate between such Place of Payment and the next Turnpike or Toll Gate in, upon, or across the said Roads, at any Time during the same Day, to be computed as aforesaid; and if any Person shall have paid the Tolls hereby authorized to be taken for the passing of any Horse, Beast, Cattle, or Carriage through any Side Bar or Side Gate or Chain standing and being or continued or erected by virtue of this Act on the Side or Sides of the said Roads, such Horse, Beast, Cattle, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the next Turnpike or Toll Gate standing and being or continued or erected in, upon, or across the said Roads or any Part thereof, at any Time during the same Day, to be computed as aforesaid.

Horses drawing different Waggons on the same Day to be again subject to Toll.

XII. Provided always, and be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid in respect of any Horse or Horses or other Beast or Beasts drawing any Waggon, Wain, Cart, or other such Carriage, for passing through any Turnpike, Toll Gate, Side Gate, Side Bar, or Chain on the said Roads, and any such Horse or other Beast shall afterwards be employed on the said Roads during the same Day in drawing any Waggon, Wain, Cart, or other such Carriage not being that which they were employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall be again liable to Toll in respect of

being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

Stage Coaches to pay each Time of passing;

XIII. Provided always, and be it further enacted, That the Tolls hereby authorized to be taken shall be paid in respect of all Horses, Beasts, or Cattle drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage or Cart conveying Passengers or Goods for Pay or Reward, for every Time of passing or repassing along the said Roads; provided nevertheless, that no further or additional Toll shall be payable in respect of Stage Coaches on account only of the Horses drawing the same having been changed; and the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Roads, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Post Chaises on every new Hiring.

No Gate to be erected between Dropshort Lane and Dagg Lane.

XIV. And whereas the Roads intended to be repaired by virtue of this Act are intersected by the said Turnpike Road leading from *Kettering* to *Newport Pagnell* for the Distance or Space of Half a Mile or thereabouts, extending from a Part of the Road intended to be repaired by virtue of this Act, called *Dropshort Lane*, to a Street in the Town of *Olney* called *Dagg Lane*, and there can be no Communication between such different Parts of the said Roads intended to be repaired by virtue of this Act without passing along the said *Kettering* and *Newport Pagnell* Turnpike Road; be it therefore enacted, That it shall not be lawful for the Trustees for the Time being acting in execution of the herein-before recited Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, or any other Person or Persons whomsoever, to erect any Turnpike or Toll Gate in or upon any Part of the said *Kettering* and *Newport Pagnell* Turnpike Road lying between *Dropshort Lane* and *Dagg Lane* aforesaid, or on the Sides thereof, so as to subject any Person or Persons travelling along the Roads intended to be repaired by virtue of this Act to the Payment of any Toll or Duty whatsoever for any Horse, Mule, or Ass, Cattle, Beast, or Carriage whatsoever passing or repassing along the said *Kettering* and *Newport Pagnell* Turnpike Road from *Dropshort Lane* to *Dagg Lane* aforesaid.

Application of Tolls and other Monies.

XV. And be it further enacted, That out of the Money already received or borrowed by virtue of the said Acts hereby repealed, or out of the first Money which shall or may arise or be received or borrowed by virtue of this Act, 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; and the Remainder of all such Monies shall from Time to Time be employed in erecting or repairing Toll Gates, Toll Houses, and Weighing Machines, and in amending, widening, altering, and improving the said Roads, and in keeping the same in repair, and in defraying all the Charges and Expences of carrying this Act into execution, and in paying and discharging the Interest due and to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made

and granted or shall hereafter be made and granted of the Tolls payable on the said Roads intended to be repaired by virtue of this Act, and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which shall have been borrowed in pursuance of and for the Purposes of the said Acts hereby repealed, and also the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of this Act.

Restricting the Expenditure of Money on the Branch Roads.

XVI. Provided always, and be it further enacted, That no Part of the Money to be received by virtue of this Act shall be applied in or towards the Repair of that Part of the Road leading from the *Bedford* and *Newport Pagnell* Turnpike Road to the *Kettering* and *Newport Pagnell* Turnpike Road unless some Turnpike or Toll Gate shall be erected and continued upon such Road, nor unless the Tolls shall be demanded and taken thereat pursuant to this Act: Provided also, that no Part of the Money to be received by virtue of this Act shall be applied towards the Repair of that Part of the Road leading from the Town of *Olney* to the *Northampton* and *Newport Pagnell* Turnpike Road unless some Turnpike or Toll Gate shall be erected and continued upon such Road, nor unless the Tolls shall be demanded and taken thereat pursuant to this Act; nor shall any more Money be expended by the said Trustees in or towards the Repairs of either of the said Roads than shall be collected thereon or borrowed on the Credit of the Tolls thereof respectively.

Public Act.

XVII. 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.

Term of Act.

XVIII. And be it further enacted, That this Act shall commence upon the Twenty-ninth Day of *June* next after the passing thereof, 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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