ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. xxxiv.

An Act for more effectually repairing the Road from the Sessions House in the Town of *Buckingham* to *Hanwell* in the County of *Oxford*.

[3d *April* 1832.]

WHEREAS an Act was passed in the Fifty-first Year of the Reign of His Majesty King *George* the Third, intituled *An Act for more effectually repairing the Road from the* 51 G.3. c. 2.
Sessions House in the Town of Buckingham *to* Hanwell *in the County of* Oxford: And whereas the Trustees acting under or by virtue of the said recited Act have proceeded to put the same in execution, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, a great Part of which Money on the Upper Division of the said Road still remains due and owing, and cannot be paid off, nor can the Road be effectually amended, maintained, and kept in good Repair, unless the Term and Powers of the said Act be further enlarged: And whereas it hath been deemed expedient that the Upper and Lower Divisions of the said Road, as directed by the said recited Act, shall be more equalized, in point of Length, by such New Division of the said Road as herein-after expressed: And whereas it would be more convenient if the said recited Act was repealed, and further, better, and more effectual Powers and Provisions granted instead thereof for repairing, amending, widening, diverting, and otherwise improving the said Road; but the 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 First *Wednesday* next after the passing of this Act the said recited Act shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

Recited Act repealed.

This Act to take effect for the Purposes herein mentioned.

II. And be it further enacted, That this Act shall commence and take effect and be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, amending, widening, altering, and from Time to Time repairing and otherwise improving the Road which lies between the North Corner of the Sessions House in the Town of *Buckingham* and the Commencement of the Parish of *Aynho* in the County of *Northampton*, which is hereby declared to be and shall hereafter form the Upper Division of the said Road, and that Part of the Road between the Commencement of the said Parish of *Aynho*, on the Line of the said Road from *Buckingham*, and the North Extent of the Parish of *Hanwell* in the County of *Oxford*, which is hereby declared to be and shall hereafter form the Lower Division of the said Road.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the Counties of *Buckingham*, *Northampton*, and *Oxford* respectively, together with the Honourable *Philip Sydney Pierrepont*, Sir *Thomas Cotton Shepherd* Baronet, Sir *Henry Peyton* Baronet, *William Turner*, *James Francis Ramsay*, *William Ralph Cartwright*, *Thomas Carter*, *Richard Dayrell*, *William Holbech*, *Charles Oldfield Bowles*, *John Harrison*, *Samuel Amy Severne*, *George Purefoy Jervoise*, *William Selby Lowndes*, *Fiennes Sanderson Miller*, *Thomas Slater*, *George Morgan*, *John Poulett*, *Benjamin Price*, *William Hitchcock*, *William Willes*, *William Hurst Chamberlin*, *Woolley Leigh Bennett* Clerk, *Henry Crowe* Clerk, *John Langham Dayrell* Clerk, *Harry Davis* Clerk, *William Ellis* Clerk, *Thomas Fawcett* Clerk, *Thomas Golightly* Clerk, *Robert Edward Hughes* Clerk, *Pearse* Clerk, *John Risley* Clerk, *William Cotton Risley* Clerk, *William Jocelyn Palmer* Clerk, *Stephen Ralph Cartwright* Clerk, *John Coker* Clerk, *John Russell* Clerk, *Justly Hill* Clerk, *Thomas Scott* Clerk, *Henry Leigh Bennett* Clerk, *William Thomas Eyre* Clerk, *Richard Weston Leonard* Clerk, *Charles Wyatt* Clerk, *Francis Clarke* Clerk, *Francis Litchfield* Clerk, *Robert Brayne*, *Henry Brayne*, *Thomas Brayne*, *Timothy Cobb*, *Thomas Cobb*, *Timothy Rhodes Cobb*, *John Davis*, *Richard Griffin*, *Thomas Gardner*, *James Wake Golby*, *Robert Gray*, *William Spurritt*, *Richard Heydon*, *George Nelson*, *John Pain*, *Joseph Pain*, *George Parrott*, *William Walford*, *Thomas Wyatt*, *Edmund Southam*, *Philip Bartlett*, *Isaac Shortland Bartlett*, *John King*, *Edward Bartlett*, *George French*, *William Law*, *William French*, *Augustus Kime*, *James Greaves*, *Burrows Matthias Kirby*, and *Charles Brickwell*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed the Trustees for carrying this Act into execution.

IV. And

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First or Second Meeting to be holden in pursuance of this Act, to elect and appoint any Number of Persons, not exceeding Six, being duly qualified, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such additional Trustees, when so elected, nominated, and appointed, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been named and appointed Trustees in and by this Act.

First Meeting of the Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Cartwright Arms* Inn in *Aynho* in the County of *Northampton*, on the Second *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and there proceed to put this Act into execution, and shall then and from Time to Time afterwards adjourn to and meet at such Times and Places at or near the the said Roads and the respective Divisions thereof as the said Trustees or the major Part of them present at such respective Meetings shall think proper and appoint.

Power to take Tolls.

VI. And be it further enacted, That it shall be lawful to and for the said Trustees, or for their Collectors or Lessee of Tolls, to demand and take at each Toll Gate, Turnpike, or Side Gate, Bar or Chain, which now is or hereafter shall be standing upon, across, or at the Sides of the said Roads, on every Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next succeeding Night, the Tolls following; (that is to say,)

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Carriage, any Sum not exceeding Sixpence:

For every Horse, Mule, Ass, or other Beast, laden or unladen, any Sum not exceeding Two-pence:

For every Drove of Cows, Oxen, or other Neat Cattle, any Sum not exceeding One Shilling and Three-pence for every Score, and so in proportion for any less Number:

For every Drove of Calves, Pigs, Sheep, or Lambs, any Sum not exceeding Ten-pence *per* Score, and so in proportion for any less Number:

For every Four-wheeled Carriage in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawn, the Sum of One Shilling:

And for every Two-wheeled Carriage having any Person therein, or being laden, in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawn, the Sum of One Shilling; and unladen or empty, the Sum of Sixpence:

Which said ressective Tolls or Sums of Money may be demanded and taken as Toll before any Mule, Ass, or other Beast, Coach, Waggon, Cart, or Carriage, shall be permitted to pass through any of the Toll Gates, Turnpikes, Side Gates, Bars, or Chains to be erected across or by the Side or Sides of the said Road; and which said

respective

respective Tolls are hereby vested in the said Trustees, and shall be applied in the Manner herein-after directed.

Money collected to be applied to the Repairs of the Division in which it is received.

VII. And be it further enacted, That the Money to arise and be collected by virtue of this Act at any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gates, Bars, or Chains erected or to be erected upon or by the Side of that Part of the said Road forming the Upper Division of the said Road, shall be applicable to the repairing, widening, altering, improving, and keeping in repair that Part of the said Road only; and that the Money to arise and be collected by virtue of this Act at any Toll Gate or Toll Gates, Turnpike or Turnpikes, Side Gates, Bars, or Chains erected or to be erected on or by the Side of that Part of the said Road forming the Lower Division of the said Road, shall be applicable to the repairing, widening, altering, improving, and keeping in repair that Part of the said Road only.

The Trustees to hold separate Meetings for the separate Divisions.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, after the First Meeting herein-before mentioned, to hold separate Meetings for the separate Divisions of the said Road; and that the Trustees assembled at any such Division Meeting shall have and be invested with the same Powers and Authorities; and all Orders, and Appointments of Officers, Contracts, and other Matters and Things whatsoever, which shall be made or done at any such Meeting, shall be as good, valid, and effectual to all Intents and Purposes, with regard to the Division for which such Meeting shall be held, as if the said Trustees had been assembled, and such Orders, Appointments, or other Matters or Things had been made or done at a General Meeting for the whole of the said Road; and every Officer appointed at any such Division Meeting shall have the like Powers, and be subject to the like Pains, Penalties, Powers of Removal, Rules, and Regulations, as if he had been appointed at a General Meeting.

No Gate to be erected or Toll taken unless by Order of a General Meeting of Trustees.

IX. Provided always, and be it further enacted, That no new Gate or Turnpike, Side Bar or Chain, shall at any Time be erected on the said Road, nor shall the Tolls or any of them be raised, lowered, or altered at any Gate or Turnpike, Side Bar or Chain erected or to be erected thereon, unless the Order for erecting such Gate or Turnpike, Side Bar or Chain, or for raising, lowering, or altering such Tolls, shall be made at a General Meeting of the said Trustees to be holden at *Aynho* aforesaid.

Tolls to be paid but once a Day.

X. Provided always, and be it further enacted, That in case the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse or Beast drawing or not drawing, or of any Cattle, through any One such Toll Gate or Turnpike or Side Gate or Side Bar or Chain, such Horse or other Beast drawing or not drawing, and such Cattle, shall, upon a Ticket denoting the Payment of such Toll on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, Side Gate, Side Bar, or Chain, and also through such other Toll Gates, Turnpikes, Side Gates, Side Bars, and Chains on the said Road, or on the Sides thereof, as the Ticket

Ticket for such Payment shall free, at any Time during the same Day, except such Horses or Beasts as shall be employed in drawing a different Carriage from that which they were employed in drawing when the Payment was made, in which Case such Horse or Horses or other Beasts so drawing shall be again liable to Toll.

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

XI. 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, or Lessee or Lessees, to demand or take for or in respect of the same Horses, Beasts, or Cattle passing or repassing at any Time or Times in any One Day, to be computed as aforesaid, through all the Turnpikes, Toll Gates, or Side Gates, Side Bars, or Chains, on either of the Divisions of the said Road, more than Two full Tolls.

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

XII. And be it further enacted, That the Tolls payable for and in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable each Time of passing or repassing through any of the said Gates, Bars, or Chains: Provided nevertheless, that no further or additional Tolls shall be payable in respect of any Stage Coach, Van, Caravan, Waggon, or other Stage Carriage or Cart, on account only of the Horses or Beasts drawing the same having been changed.

Post Chaises, &c. to pay on fresh Hiring.

XIII. 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, and drawing any Post Chaise or other Carriage, for every Time of passing along the said Roads, whenever a new Hiring thereof shall take place.

Application of Tolls.

XIV. And be it further enacted, That all Monies now in the Hands of the said Trustees, or which shall or may be collected or received under the Powers or Authorities of this Act, and all the Monies which shall be borrowed upon the Credit of this Act, shall be applied, in the first place, in Payment of all the Expences which shall have been incurred in applying for, obtaining, and passing this Act (in equal Shares from the Funds of the said respective Divisions); and in the next place, in defraying the Expences of making, erecting, and keeping in repair the Toll Gates, Weighing Engines, Toll Houses, and other Buildings, and of widening, repairing, preserving, and otherwise improving the said Road, and of the necessary Works upon the same, and all other incidental Expences whatsoever; and the Residue thereof shall and is hereby directed to be applied in discharge of the Arrear of Interest now due on the several Principal Sums of Money owing on the Security of the said Tolls by virtue of the said recited Act hereby repealed; and the Residue of the said Monies shall be applied in paying all Principal Monies due and owing on the Credit of the recited Act and this Act, and in defraying all other necessary Costs, Charges, and Expences attending the same, in such Manner as the said Trustees shall from Time to Time appoint.

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

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply, extend, or appropriate any of the Tolls authorized by this Act to be taken upon the said Roads, nor any of the Monies raised by virtue of the said recited Act, or to be raised by virtue of this Act, in or towards the repairing or improving of any Street, Highway, or Place within any of the Towns through which the said Road shall pass.

Public Act.

XVI. 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 this Act.

XVII. And be it further enacted, That this Act shall commence and take effect on the First *Wednesday* 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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1832.