ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. x.

An Act for repairing the Road from *Burton Bridge* in the County of *Stafford* to *Market Bosworth* in the County of *Leicester*. [11th *March* 1831.]

WHEREAS an Act was passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for amending, widening, and keeping in* 33 G. 2. c. 47. *repair several Roads therein mentioned, lying in the Counties of* Derby, Liecester, *and* Warwick: And whereas another Act was passed in the Twenty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and* 21 G. 3. c. 92. *enlarging the Powers of an Act made in the Thirty-third Year of His late Majesty, for amending, widening, and keeping in repair several Roads therein mentioned, lying in the Counties of* Derby, Leicester, *and* Warwick; *and for amending and keeping in repair the Road branching from Part of the said Roads between* Measham *in the said County of* Derby *and* Burton-upon-Trent *in the County of* Stafford *to the Turnpike Road at or near the* Bull's Head *Alehouse in* Twycross *in the said County of* Leicester: And whereas another Act was passed in the Forty-ninth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two* 49 G. 3. c. 7. *Acts of His late and present Majesty, for repairing several Roads in the Counties of* Derby, Leicester, *and* Warwick: And whereas the said Roads have been divided into separate Districts or Divisions, one of

which comprises the Road leading from *Burton Bridge*, at or near *Burton-upon-Trent* in the County of *Stafford*, to *Market Bosworth* in the County of *Leicester*: And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof, and have from Time to Time for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken on the said Road from *Burton Bridge* to *Market Bosworth*, which Money still remains due and owing, and the same cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Terms and Powers of the said Acts are extended and enlarged, and the Tolls increased or altered: And whereas it would facilitate the Purposes aforesaid if the said recited Acts so far as they respectively relate to the said Road from *Burton Bridge* to *Market Bosworth* were repealed, and if further and other Powers and Provisions were granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by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 Second *Monday* next after the passing of this Act the said recited Acts respectively passed in the Thirty-third Year of the Reign of His late Majesty King *George* the Second, and in the Twenty-first and Forty-ninth Years of the Reign of His late Majesty King *George* the Third, shall be and the same are hereby declared to be repealed so far as the same relate to the said Road from *Burton Bridge* to *Market Bosworth*, save and except only that the Contracts already made and entered into by the Trustees acting under the Authority of the said Acts for leasing the present Tolls authorized to be taken on the said Road until the Twentieth Day of *April* One thousand eight hundred and thirty-one shall remain and be in force, and that such Tolls shall continue to be collected under the Authority of the said recited Acts until Twelve of the Clock at Noon on the said Twentieth Day of *April* One thousand eight hundred and thirty-one.

Recited Acts repealed as to Road from Burton Bridge to Market Bosworth, except as to the Contracts for leasing Tolls.

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

II. And be it further enacted, That this Act shall commence and be put in 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 *Burton Bridge*, at or near *Burton-upon-Trent* in the County of *Stafford*, to *Market Bosworth* in the County of *Leicester*, and which Road passes from, through, or into the several Parishes, Hamlets, or Townships of *Burton-upon-Trent* in the County of *Stafford*, *Stapenhill*, *Stanton*, and *Castle Gresley* in the County of *Derby*, *Overseal* in the County of *Leicester*, *Measham* in the said County of *Derby*, *Newton*, *Odstone*, *Barton in the Beans*, and *Market Bosworth* in the said County of *Leicester*.

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 *Leicester*, *Stafford*, and *Derby* respectively, together with *William Wooten Abney*, *Samuel Allsop*, *Michael Bass*, *William Bass*, Sir *George Beaumont* Baronet, *Thomas Cantrell*, *Joseph Cantrell*, Sir *William Browne Cave* Baronet,

Baronet, *John Robert Cave*, *Browne Cave*, *Richard Cheslyn*, *Richard Cheslyn* the younger, *John Clarkson*, *Henry Clay*, Sir *George Crewe* Baronet, *Robert Crockett* Clerk, *John Eames*, *John Emanuel Echilaz* Clerk, Sir *John Dickenson Fowler* Knight, *William Fernyhough*, *Richard Gough*, *Valentine Green*, Sir *Roger Gresley* Baronet, *William Nigel Gresley* Clerk, *William Harris*, *William Harris* the younger, *Thomas Hassall*, Sir *Charles Abney Hastings* Baronet, *Charles Hill*, *Abraham Hoskins*, *William Phillips Inge*, *William Inge*, *George Inge* Clerk, *John Kettle*, *John Kettle* the younger, *George Kettle*, *George Wood Loyd* Doctor in Divinity, *Edward Mammatt*, *John Mammatt*, *John Moore*, *George Moore*, *Thomas Mowbray*, *John Oliver* Clerk, *John Piddocke* Clerk, *Leonard Piddocke* the younger, *Henry Pilkington*, *William Princep*, *Joseph Pycroft*, *Robert Beehoe Radcliffe* Clerk, *Charles Edward Repington*, *John Roby* Clerk, *Thomas Dudley Roby*, *William Roby*, *Joseph Simmonds*, *Richard Spencer*, *John Spender* Doctor of Medicine, *Edward Stevenson*, *Robert Thornley*, *Thomas Thorp*, *Francis Tunnicliffe* Clerk, *Stanley Pipe Wolferstan*, *William Worthington*, *Henry Worthington*, *Thomas Worthington*, *Charles Wright* Clerk, and their Successors, being duly qualified according to the Provisions and Directions contained in the several Acts for maintaining Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing the said Road, and for 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, at any Meeting from Time to Time to be held for that Purpose, of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given, to elect and appoint any Number of Persons, not exceeding Seven in the whole, to be Trustees for executing this Act, in addition to the Trustees herein named and appointed; and such additional Trustees so elected and appointed, being duly qualified as aforesaid, shall be and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting of the Trustees.

V. And be it further enacted, That the Trustees acting in the Execution of this Act shall meet together at the *Union* Inn in *Measham* in the County of *Derby*, or at some other convenient Place upon or near to the said Road, on the Second *Monday* next after the passing of this Act, or as soon after as conveniently may be, 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 Road as they shall think proper.

Power to take Tolls.

VI. And be it further enacted, That upon and from and after the Twentieth Day of *April* One thousand eight hundred and thirty-one, it shall and may be lawful to and for the said Trustees, or for any Person under their Authority, to demand and take the following Tolls at every Turnpike, Toll Gate, Side Bar, or Chain to be continued, erected, or placed by virtue of this Act in, upon, across, or on the Sides of the said Road; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast of Draught drawing a Chaise Marine, Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse,

Hearse, Break, Chaise, Curricle, Gig, Chair, or other such Carriage for the Conveyance of Passengers, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or other Beast of Draught drawing a Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Four-pence:

For every Horse, Mule, or other Beast of Draught drawing a Waggon, Wain, Cart, 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, the Sum of Five-pence:

For every Horse, Mule, or other Beast of Draught drawing a Waggon, Wain, Cart, or other such Carriage, having the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, the Sum of Sixpence:

For every Ox, Cow, or other Head of Neat Cattle (not drawing), the Sum of Three Farthings:

For every Calf, Hog, Sheep, or Lamb, the Sum of One Halfpenny:

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

Which said respective Tolls or Sums of Money shall be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast or Cattle 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 or 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.

Tolls to be paid but Once a Day.

VII. 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 Toll Gates or Turnpikes or Side Bars, 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 Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time during the same Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night.

Limiting the Number of Tolls.

VIII. Provided also, and be it further enacted, That no more than Three full Tolls shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses or other Beasts or Cattle, or Carriages, in any One Day (to be computed in manner herein-before mentioned), for passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected on the Road from *Market Bosworth* to *Burton-upon-Trent*; nor shall more than Two full Tolls be demanded or taken for or in respect of the same Horse or Horses or other Beasts or Cattle, or Carriages, in any One Day, for passing or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected on the Road from *Measham* to *Market Bosworth*; nor shall more than Two full Tolls be demanded or taken for or in respect of the same Horse or Horses or other Beasts or Cattle, or Carriages, in any One Day, for passing

or

or repassing through all or any of the Toll Gates or Toll Bars erected or to be erected on the Road from *Measham* to *Burton-upon-Trent.*

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

IX. Provided always, and be it further enacted, That for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach, or any Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll has been paid, and which shall return on the same Day through the same Turnpike, Toll Gate, or Side Bar, the Tolls hereby made payable shall be paid for each Time of passing and repassing through such Turnpike, Toll Gate, or Side Gate, in like Manner as if no Toll had been before paid thereat: 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.

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 or in respect of all Horses or Beasts of Draught let out to Hire and drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing along the said Road, whenever any new Hiring thereof shall have taken place.

Application of Tolls and other Monies.

XI. And be it further enacted, That out of the Money already received or borrowed by virtue of the said former Acts hereby repealed, or out of the first Money which shall or may arise or be received from the Tolls by this Act granted, 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 (after Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Mile Stones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and other such Expences incidental to the Execution of this Act,) shall be applied in keeping down the Interest of the Principal Monies advanced or borrowed on the Credit of the Tolls collected or arising from or payable on account of the said Road, and which may hereafter be borrowed on the Credit of this Act or of the Tolls to arise from or to be collected on or to be paid in respect of the said Road, and in erecting Turnpikes or Toll Houses on the said Road, and in amending, altering, turning, widening, improving, and keeping in repair the said Road, and otherwise in carrying this Act into execution, and in repaying the Principal Monies already borrowed on the Credit of the Tolls collected on or arising from or payable in respect of the said Road, and the Principal Monies which may hereafter be borrowed by virtue of this Act.

No Money to be laid out in repairing Streets.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any of the Money received, raised, or borrowed by virtue of the herein-before recited Acts or any of them, or to be received, raised, or borrowed by virtue of this Act, in lighting, paving, or repairing any Highway or Street within the

the Towns of *Burton-upon-Trent* or *Market Bosworth* or either of them.

Public Act.

XIII. 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.

Commencement and Term of Act.

XIV. And be it further enacted, That this Act shall commence and take effect upon the Second *Monday* 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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