



ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. xiii.

An Act for repairing the Road from *Cotton End* near the Town of *Northampton* to *Newport Pagnel* in the County of *Buckingham*. [14th May 1839.]

WHEREAS an Act was passed in the Thirty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for more effectually repairing the Roads between the House commonly called the Horseshoe House, in the Parish of Stoke Goldington in the County of Buckingham, and the Town of Northampton, and from the North Bridge of Newport Pagnel in the said County of Buckingham to the said Horseshoe House: And* 37G.3.c.177. And whereas another Act was passed in the Fifty-eighth Year of the Reign of His said Majesty, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads between the Horseshoe House in Stoke Goldington in the County of Buckingham and the Town of Northampton, and from the North Bridge of Newport Pagnel in the said County of Buckingham to the said Horseshoe House: And* 58G.3.c.40. whereas the Trustees acting under and by virtue of the said recited Acts have proceeded to carry the Powers and Provisions thereof into execution, for which Purpose they have borrowed several considerable Sums of Money upon the Credit of the

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Tolls thereby authorized to be taken or collected upon the said Roads, which Money still remains due and owing: And whereas it is expedient that the Tolls payable by virtue of the said Acts should be altered or increased, and that Power should be granted to the said Trustees to levy and collect Tolls on the whole Line of the said Roads: And whereas it would be more convenient to the said Trustees, and beneficial to the Public and to the said Roads, if the said Acts were repealed, and further, better, and more effectual Powers granted instead thereof; but the Purposes aforesaid cannot be effected without the Aid and Authority of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 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, That upon the Day of the Commencement of this Act the said recited Acts shall be and the same are hereby declared to be repealed.

Recited
Acts re-
pealed.

This Act to
be put into
execution for
maintaining
the same
Road.

II. And be it further enacted, That from henceforth this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of amending, widening, diverting, altering, repairing, improving, and keeping in repair the Road leading from *Cotton End* near the Town of *Northampton* in the County of *Northampton* to the North Bridge of *Newport Pagnel* in the County of *Buckingham*.

Appointment
of Trustees.

III. And be it further enacted, That all Her Majesty's Justices of the Peace for the Time being acting for the respective Counties of *Northampton* and *Buckingham*, together with *John Armytage*, *Edward Bouverie*, *Everard William Bouverie*, *Robert Lloyd Breton*, *George Baker*, *George Butler D. D.*, *Robert Baxter Clerk*, *Henry Bull Clerk*, *William Butlin Clerk*, *William Bullin the younger*, Clerk, *Robert Collison*, *George Cave*, *Langham Christie*, the Earl *Compton*, *William Drake Clerk*, *William Drake the younger*, Clerk, *John Downes Clerk*, *Robert Carey Elwes*, the Earl of *Euston*, *Gilbert Flesher*, *Lanoy Henry Forbes*, *William Flesher*, *John Thomas Flesher Clerk*, *Sir Robert Henry Gunning Baronet*, *Henry Gunning Clerk*, *Orlando Gunning*, *Spencer Gunning Clerk*, *William Godfrey Clerk*, *William Gates*, *Thomas Howes*, *John Slater Hall*, *William Harris*, *Clarke Hillyard*, *Temple Hillyard Clerk*, *Ambrose Isted*, *William Jackson Clerk*, *John Manners Kerr*, *William Charles Kerr M. D.*, *John Prideaux Lightfoot Clerk*, *George Lucas*, *Henry Lucas*, *Thomas Mercer*, *Charles Markham*, *Christopher Markham*, the Mayor of *Northampton* (for the Time being), *John Christopher Mansell*, *George Osborn*, *Samuel Parkins Clerk*, *John Percival*, *John Percival the younger*, *William Percival*, *Samuel Percival*, *Samuel Peach*, *George Peach*, *James Payne*, *Archibald Robertson M. D.*, *John Reddall*, *John Rogers*, *William Smyth Clerk*, *William Smyth*, *Christopher Smyth Clerk*, *John Smith*, the Honourable *Frederick Spencer*, *John Harvey Thursby*, *Fiennes Samuel Trotman Clerk*, *Sir William Wake Baronet*, *Charles Wake*, *Richard William Wake Clerk*, *Richard Williams Clerk*, *S. Briggs Ward Clerk*, *Charles Wodsworth Clerk*, *T. C. Whalley Clerk*, *Henry Wrey Whinfield Clerk*, *William Wales Clerk*, *Matthias Wilks*, and *John Weston*, and their Successors, being duly qualified according to the Provisions and Directions of the several Acts for

regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for carrying this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time, at any of their Meetings, to elect and appoint any Number of Trustees, (not exceeding Three in the whole, and being duly qualified to act as Trustees of Turnpike Roads in *England*;) in addition to the Number herein named, to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees, and shall have and they are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein and hereby named and appointed.

Power to appoint additional Trustees.

V. And be it further enacted, That the Trustees shall hold their First Meeting at *Horton Inn* in the County of *Northampton*, or at some other convenient Place near to or in the Neighbourhood of the said Road, upon the Day of the Commencement of this Act, or as soon after as conveniently may be, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times, and Places upon or near to or in the Neighbourhood of the said Road, as they shall think proper and appoint.

First Meeting of the Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees to demand and take, or cause to be demanded and taken, at the several and respective Toll Gates, Turnpikes, Side Bars, or Chains continued or erected across or on the Side of the said Road, such Tolls or Sums of Money as the said Trustees at any of their Meetings shall order and direct, before any Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same, not exceeding the several Tolls following; that is to say,

Power to take Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Coach, Landau, Berlin, Barouche, Sociable, Chariot, Vis-à-vis, Phaeton, Chaise, Calash, Car, Curricule, Chair, Taxed Cart, Gig, Hearse, Litter, Break, or other such like Carriage, the Sum of Sixpence :
 For every Horse, Mule, Ass, or other Beast drawing any Waggon Wain, Dray, Cart, Van, Caravan, or other such like Carriage having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth or Gauge of Six Inches or upwards, the Sum of Fourpence; and in case the Fellies of the Wheels thereof are of less Breadth than Six Inches, and not less than Four Inches and a Half, the Sum of Fivepence; and in case the Fellies of the Wheels thereof are of less Breadth than Four Inches and a Half, the Sum of Sixpence :
 For every Four-wheeled Carriage fixed in any Manner to any Waggon, Wain, Dray, Cart, or other Carriage, the Sum of Ninepence :
 For every Two-wheeled Carriage so fixed, the Sum of Sixpence :
 For every Dray so constructed as that the Distance between the Axletrees thereof shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber or Stone, and drawn with more than Three Horses, the Sum of One Shilling and Sixpence, over and above the Toll payable for each of the Horses, Mules, Asses, or other Beasts drawing the same :

Tolls.

For

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 One Shilling, 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 :

For every Carriage propelled or moved by Steam or Machinery, the Sum of Two Shillings :

For every Dog or Goat drawing any Cart, Carriage, or other Vehicle, the Sum of Two-pence :

And the Driver or Person having the Care and Management of any Cart, Waggon, or other such Carriage laden with Coals, Lime, Corn, or Merchandize shall and he is hereby required to produce at every Turnpike Gate whereat Tolls shall be collected on the said Road a Wharf Ticket showing the Weight so carried or conveyed in every such Cart, Waggon, or other such Carriage.

As to fractional Parts of a Halfpenny in Tolls.

VII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls by this Act authorized to be collected, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

One full Toll only to be taken at the same Gate in One Day.

VIII. Provided always, and be it further enacted, That in all Cases where the Tolls hereby granted shall have been paid for or in respect of any Horse, Beast, Cattle, or Carriage passing through any Toll Gate, Turnpike, Side Bar, or Chain continued or erected across or on the Side of the said Road, the Horse, Beast, Cattle, or Carriage in respect whereof such Toll shall have been paid shall, except in the Cases herein-after mentioned, be permitted, on the same Day, to pass and repass Toll-free through the said Toll Gate, Turnpike, Side Bar, or Chain, upon Production of a Ticket denoting the Payment of such Toll, and also through such other Toll Gates, Turnpikes, Side Bars, and Chains (if any) as the Ticket for such Payment shall free.

Two full Tolls only to be taken on the same Day for passing all the Gates.

IX. Provided also, and be it further enacted, That no more than Two full Tolls (except in the Cases herein-after mentioned) shall be taken for or in respect of the same Horses, Beasts, Cattle, or Carriages, in any One Day, for passing and repassing through all the several Toll Gates, Turnpikes, Side Bars, and Chains continued or erected across or on the Side of the said Road.

Horses, &c. drawing different Carriages to be again subject to Toll.

X. Provided always, and be it further enacted, That in case the Toll hereby granted shall have been paid in respect of any Horse, Beast, or Cattle drawing any Waggon, Wain, Dray, Cart, or other such Carriage, and such Horse, Beast, or Cattle shall be afterwards employed during the same Day in drawing a different Waggon, Wain, Dray, Cart, or other such Carriage, every such Horse, Beast, or Cattle so drawing shall be again liable to Toll in respect of drawing such different Waggon, Wain, Dray, Cart, or other such Carriage.

XI. Pro-

XI. Provided also, and be it further enacted, That the Tolls hereby granted shall be payable for and in respect of all Horses or Beasts drawing any Stage Coach, Van, Caravan, or other Carriage whatever conveying Passengers or Goods for Hire or Reward, for each Time of passing and each Time of repassing along the said Road: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Horses or Beasts drawing any Stage Coach, Van, Caravan, or other such Carriage, on account only of the Horses or Beasts drawing the same having been changed, between any Gates freeing each other by Tickets.

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

XII. Provided also, and be it further enacted, That the Tolls hereby granted shall be payable for and in respect of Horses or other Beasts let out to Hire, whether for riding, or for drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road whenever a new or fresh Hiring thereof shall take place.

Post Chaises to be subject again to Toll on every new Hiring.

XIII. And be it further enacted, That the Tolls hereby made payable for and in respect of any Carriage propelled or moved by Machinery, without the aid of Horses or other Beasts, shall be paid every Time of the passing and also every Time of the repassing of such Carriage along the said Road.

Carriages propelled by Machinery to pay every Time of passing.

XIV. And for regulating the Weights to be allowed to Carts or other such Carriages which shall be drawn upon the said Road by One Horse, Beast, or Cattle only, be it further enacted, That the Weights to be allowed to Carts or other such Carriages drawn by One Horse, Beast, or Cattle shall never exceed the Weights following; (that is to say,) from the First Day of *May* to the Thirty-first Day of *October* (both Days inclusive) One Ton and Ten Hundred Weight for each such Carriage and the Lading thereof, and from the First Day of *November* to the Thirtieth Day of *April* (both Days inclusive) One Ton and Eight Hundred Weight for each such Carriage and the Lading thereof.

Weights of One-horse Carts limited.

XV. And be it further enacted, That all Carts or other such Carriages passing along the said Road, drawn by only One Horse, Mule, Beast, or Cattle, shall and may be weighed at any Weighing Machine on the said Road, and the like additional Tolls demanded and received for the Overweight thereof as are by Law payable in respect of the Overweight of Carts or other Carriages drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts or other Carriages drawn by Two or more Horses shall be applicable to Carts or other such Carriages passing on the said Road drawn by only One Horse, Mule, Beast, or Cattle, and to the Drivers and Owners thereof.

One-horse Carts to be weighed.

XVI. And be it further enacted, That all the Monies which on the Day of the Commencement of this Act shall be in the Hands of the said Trustees, and remaining undisposed of, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall be

Application of Tolls and other Monies borrowed.

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borrowed

borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, and not otherwise appropriated or directed to be applied, shall be vested in the said Trustees, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in payment of all the Costs, Charges, and Expences which shall have been incurred incident to and attending the applying for, obtaining, and passing of this Act; secondly, in paying the Interest due and to become due upon the several Principal Sums of Money due and owing on the Credit of the Tolls granted and made payable by the said recited Acts, or which shall from Time to Time be borrowed on the Credit of the Tolls by this Act granted; thirdly, in amending, widening, diverting, altering, repairing, improving, and keeping in repair the said Road, and in erecting and repairing Toll Gates, Turnpikes, Side Bars, and Chains, and Toll Houses, and in otherwise carrying this Act into execution; and lastly, in discharging the several Principal Sums of Money due and owing on the Credit of the Tolls granted and made payable by the said recited Acts, or which shall from Time to Time be borrowed on the Credit of the Tolls by this Act granted.

Trustees of
the Harding-
stone and
Old Stratford
Road and
Trustees
under this
Act may
enter into an
Agreement
for Repair of
Road used in
common.

XVII. And whereas Persons passing with Horses, Cattle, and Carriages along a Road authorized to be repaired and improved under and by virtue of an Act passed in the Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for more effectually repairing and improving the Road from Hardingstone to Old Stratford in the County of Northampton*, and proceeding to or travelling from the Town of *Northampton*, pass over Part of the Road comprised in this Act; and it is expedient that the Trustees of the *Hardingstone* and *Old Stratford* Turnpike Road and the Trustees for executing this Act should be enabled mutually to enter into an Agreement in respect of the Expence of repairing and maintaining such Part of the Road so used in common by Persons travelling on either of the said Roads, and for the exempting from Toll Horses, Cattle, and Carriages passing upon the said *Hardingstone* and *Old Stratford* Road, for travelling upon the said Road so used in common as aforesaid; be it therefore enacted, That it shall be lawful for the Trustees of the said *Hardingstone* and *Old Stratford* Turnpike Road, at any of their Meetings, and also for the Trustees for executing this Act, at any of their Meetings, to enter into an Agreement for the Payment by the Trustees of the said *Hardingstone* and *Old Stratford* Road of any annual or other Sum of Money, or for the Performance of any other Matter or Thing whatsoever, in respect of the Expence of repairing and maintaining such Part of the Road so used in common as aforesaid, and for the exempting from Toll Horses, Cattle, and Carriages passing upon the said *Hardingstone* and *Old Stratford* Road, for travelling upon the same Road so used in common as aforesaid, upon such Terms and Conditions, and in such Manner and Form, in all respects, as they respectively shall consider most expedient and proper: Provided always, that One Calendar Month's Notice shall be given of any Meeting to be held for the Purpose of entering into the said Agreement, by the said Trustees acting under and by virtue of the said Act of the Third Year of the Reign of

His said late Majesty, by Advertisement inserted in One of the County Newspapers, and by Notice affixed upon the Toll Gates erected or to be erected upon the said *Hardingstone* and *Old Stratford* Road, stating the Time and Place of holding such Meeting, and that the said Agreement is proposed to be made thereat.

XVIII. And be it further enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

XIX. And be it further enacted, That this Act shall commence Term and and take effect on the Third *Tuesday* next after the passing thereof, Continuance 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 of this Act. Parliament.

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