



ANNO SECUNDO

VICTORIÆ REGINÆ.

Cap. xxiii.

An Act for repairing and maintaining the Road from the Town of *Rugby* to the Borough of *Warwick*, all in the County of *Warwick*.

[4th June 1839.]

WHEREAS an Act was passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from the Town of Rugby in the County of Warwick to the Borough of Warwick in the same County*: And whereas the Trustees appointed in or by virtue of the said Act have proceeded in the Execution thereof, and have borrowed considerable Sums of Money on the Credit of the Tolls thereby authorized to be taken, which Money still remains due and owing; and it is expedient that the said recited Act should be repealed, and other Powers granted to the said Trustees in lieu thereof, for the better Repair and Maintenance of such Part of the said Road as is herein-after mentioned; and that the Tolls granted by the said Act should be increased or altered: 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

[Local.] 5 T Recited Act repealed.

the said recited Act passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby repealed.

This Act to be put in force for the Purposes herein mentioned.

II. And be it further enacted, That thereupon this Act shall commence and take effect, and be put in execution for and during the Term hereinafter mentioned, for the Purpose of amending, maintaining, and keeping in repair the present Turnpike Road leading from the Place at the South-west End of the Town of *Rugby* in the County of *Warwick* where a Toll Gate formerly stood, through the Parishes of *Rugby* and *Bilton* and the Hamlets of *Cawston* and *Thurlaston* in the Parish of *Dunchurch*, to the Turnpike Road leading from *Dunchurch* to the City of *Coventry*; and from the said Turnpike Road at or near a certain Dwelling House heretofore known by the Name of the *Blue Boar*, formerly the Residence of *John Bagshaw* Gentleman, through the Parishes of *Bourton-upon-Dunsmore*, *Frankton*, and *Princethorpe*, in the said County of *Warwick*, to the Turnpike Road leading from *Southam* to the said City of *Coventry*; and from the said Turnpike Road at or near the Town or Village of *Princethorpe* aforesaid, through the Parishes of *Princethorpe*, *Wappenbury*, *Weston*, *Cubbington*, and *Lillington*, to the Place where the said Road leading from the Village of *Lillington* to the said Borough of *Warwick* now enters upon or shall at any Time hereafter enter upon the public Carriage Road now leading from the Town of *Leamington Priors* to the Village of *Kenilworth*.

Appoint-ment of Trustees.

III. And be it further enacted, That all Her Majesty's Justices of the Peace acting for the County of *Warwick* for the Time being, together with *Thomas Arnold* Doctor in Divinity, *John Arnold*, *John Allibone*, *John Biddle*, *Sir Theophilus Biddulph* Baronet, *Theophilus Biddulph*, *Henry Biddulph* Clerk, *Richard Rouse Bloxam* Doctor in Divinity, *William Birch* Clerk, *William Williams Broomfield*, *Thomas Belgrave* Clerk, *Charles Bucknill*, *Samuel Bucknall*, *Thomas Truelock Bookey*, *Charles Butlin*, *James Butlin*, *Thomas Chamberlain*, *Hughes Chamberlain* Clerk, *Robert Otway Cave*, *John Caldecott*, *Thomas Caldecott*, *George Leigh Cooke* Clerk, *William Stratford Dugdale*, *Robert Edmonds* Clerk, *Edward Greaves*, *Henry Grimes*, *Henry Grimes* the younger, *Sir Henry Halford* Baronet, *William Handley*, *Richard Hiorns*, *William Holbeche*, *William Wheler Hume* Clerk, *Abraham Hume*, *George Harris*, *John Jeffcoat*, *Henry Jephson* Doctor of Medicine, *John Lindsey* Clerk, *Sir Francis Lawley* Baronet, *John Ward Boughton Leigh*, *John Meredith*, *John Moultrie* Clerk, *James Hoare Christopher Moor* Clerk, *William Norman*, *Thomas Norman*, *William Pearson* Doctor of Laws, *John Thomas Parker* Clerk, *Giles Powell* Clerk, *Henry Townsend Powell* Clerk, *Robert Beresford Podmore* Clerk, *Percy William Powlett* Clerk, *Richard Robbins*, *William Sale*, *Edward Sale*, *Richard Sanders*, the Honourable *John Bridgman Simpson*, *Sir Gray Skipwith* Baronet, *John Sleath* Doctor in Divinity, *Harvey Sitwell* Clerk, *Thomas Smith* Clerk, *William Sutton* Clerk, *Thomas George Skipwith*, *William Sutton*, *William Lucas Sutton*, *William Townsend*, *Thomas Townsend*, *John Hands Townsend*, *Henry Townsend*, *William Terry*, *John Harvey Thursby*, *John Twamley*, *Thomas Voile*, *John Venour* Clerk,

Clerk, Sir John Eardley Eardley Wilmot Baronet, Sir Trevor Wheler Baronet, Charles Williams Clerk, Thomas Walker, William Walker, Harry Christopher Wise, Henry Wise Clerk, John Wise Clerk, William Wise, Thomas Wall, Walter Watson, Edwin Wordhurr, and John Worth, and their Successors, being duly qualified according to the Provisions and Directions of the Acts for the Time being in force for regulating Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for maintaining and keeping in repair the said Turnpike Road, and for carrying this Act and the said General Turnpike Acts into execution.

IV. And be it further enacted, That it shall be lawful for the Trustees appointed by this Act at a Meeting to be held for that Purpose, (of which Meeting and of the Purpose thereof Fourteen Days Notice shall be given, as is directed by the Acts in force relating to Turnpike Roads in *England* respecting the Appointment of new Trustees on Vacancies,) to elect, nominate, and appoint any Number of fit Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed; and such 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 nominated and appointed.

Power to
appoint
additional
Trustees.

V. And be it further enacted, That the Trustees acting in the Execution of this Act shall meet at the *Spread Eagle* Inn in the Town of *Rugby* aforesaid, or in some other convenient Place in the said Town, or Neighbourhood of the said Road, on the Second *Tuesday* next after the Commencement of this Act, or as soon after as conveniently may be, and shall then and there proceed to put this Act in execution, and may adjourn their Meetings from Time to Time and from Place to Place as they shall think proper and appoint.

First Meet-
ing of
Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or such Person or Persons as they shall from Time to Time appoint for that Purpose, to demand and take, at the several Toll Gates, Turnpikes, and Toll Bars already erected or which may be erected or continued upon, across, or on the Sides of the said Road by virtue of this Act, before any Horse, Beast, or other Cattle, Calves, Swine, Sheep, or Lambs, Coach, Waggon, Chaise, Cart, or other Carriage, shall be permitted to pass through the same, any Sum not exceeding the several Tolls or Sums of Money following; (that is to say,)

Power to
take Tolls.

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

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

For every Horse or other Beast drawing any Waggon, Wain, Cart, Dray, Sledge, or such other Carriage, having the Fellies of the
Wheels

Wheels thereof of the Breadth of Four and a Half Inches 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, Sledge, Dray, or such other Carriage, having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottoms or Soles thereof, the Sum of Nine-pence :

For every Horse or Mule, laden or unladen, and not drawing, the Sum of Two-pence; and for every Ass Half the Toll :

For every Drove of Oxen, Cows, or Neat Cattle, the Sum of One Shilling and Sixpence *per* Score, and so in proportion for any greater or less Number :

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Nine-pence *per* Score, and so in proportion for any greater or less Number :

For every Carriage, of whatever Description, propelled or drawn wholly or in part by Steam, Gas, or Machinery, or otherwise than by Animal Power, the Sum of Two Shillings :

Which said several and respective Tolls hereby granted shall be and the same are hereby vested in the Trustees for carrying this Act into execution, and the same and every of them shall be levied, collected, paid, applied, and disposed of for the Purposes of this Act in the Manner herein-after directed.

Tolls to be paid only once a Day.

VII. Provided always, and be it further enacted, That in case the Toll shall have been paid for or in respect of any Horse, Beast, Cattle, or other Stock or Carriage before mentioned, passing through any of the Turnpikes, Toll Gates, or Side Bars now erected or hereafter to be erected or continued by virtue of this Act, no Toll shall be demanded or taken for or in respect of the same Horse, Beast, Cattle, or Carriage, for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Bar, or any other Turnpike, Toll Gate, or Side Bar, or any other Turnpike, Toll Gate, or Side Bar hereafter to be erected or continued on the said Road, on the same Day, such Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock on the next succeeding Night; but that every Person, on producing a Note or Ticket denoting the Payment of such Toll, shall (except in the Cases herein-after mentioned) be permitted to pass through such Turnpike, Toll Gate, or Side Bar, with such Horse, Beast, or Cattle, or other Stock as aforesaid, on the same Day, Toll-free.

Only Two full Tolls to be taken on the whole Line in One Day.

VIII. And be it further enacted, That nothing herein contained shall extend or be construed to extend to empower the said Trustees to cause more than Two full Tolls to be demanded or taken for the Passage of the same Horse, Beast, Cattle, Carriage, or Thing through all the Toll Gates erected or to be erected on the said Road on the same Day, except in the Cases herein specially provided for.

Horses drawing different Carriages to pay each Time of passing.

IX. Provided also, and be it further enacted, That no Horse or Horses, or other Beast or Beasts of Draught, for which Toll shall have been paid at any of the said Toll Gates, Turnpikes, or Side Bars, returning the same Day through the same Turnpike, Toll Gate, or Side

Side Bar, drawing another or different Waggon, Wain, Cart, or other such Carriage, shall be permitted to repass through the same Turnpikes, Toll Gates, or Side Bars on the same Day, to be computed as aforesaid, without Toll being again paid; any thing herein contained to the contrary thereof notwithstanding.

X. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or Beast drawing any Stage Coach, Van, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Hire or Reward, and for every Carriage propelled or drawn wholly or in part by Steam, Gas, or Machinery, for each Time of passing or repassing through the Turnpikes, Toll Gates, or Toll Bars on the said Road.

Stage Coaches and other Carriages travelling for Hire to pay each Time of passing.

XI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for every Horse or Beast let out to Hire, and drawing any Post Chaise or other Carriage, for each Time of passing or repassing along the said Road, as often as any fresh Hiring thereof shall take place.

Post Chaises to pay each Time of passing on a fresh Hiring.

XII. And be it further enacted, That all Monies which shall have been raised and produced by virtue of the said recited Act hereby repealed, or by any former Act, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all Monies which shall arise and be produced by and from the Tolls granted and made payable by this Act or the said herein-before recited Act, together with the Monies which shall be borrowed on 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 applied to and for the several Uses, Intents, and Purposes, and in order and manner following; (that is to say,) in the first place, in the Payment of all Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto; secondly, in paying and discharging the Interest now due or hereafter to accrue or become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls and Duties heretofore payable on the said Road, and of any Mortgages or Securities which shall hereafter be made or granted and made payable by this Act; thirdly, in defraying the Expences of diverting, altering, widening, improving, repairing, and keeping in repair the said Road, and of erecting, providing, altering, and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses upon, across, and by the Sides of the said Road, and otherwise executing the Purposes of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said former Acts, and all the Principal Sums of Money which may hereafter be borrowed and secured by virtue of this Act.

Application of Tolls and Money borrowed.

XIII. And be it further enacted, That none of the Tolls hereby imposed, nor any Money to be raised by virtue of this Act, shall be expended in repairing or improving any of the Streets, Lanes, High-

No Tolls to be laid out on the Streets of

[Local.]

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ways,

Rugby, nor
Toll Gate
erected
therein.

ways, or Places within the Town of *Rugby*, or of any Town repaired under a Local Act of Parliament, nor shall any Toll Gate be erected or Tolls taken by virtue of this Act in any Part of such Town.

Public Act.

XIV. 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.

Commence-
ment and
Continuance
of this Act.

XV. And be it further enacted, That this Act shall commence upon the First *Tuesday* next after the passing hereof, and shall from thenceforth continue 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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