



ANNO SECUNDO

# GULIELMI IV. REGIS.

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## Cap. iv.

An Act for more effectually repairing and improving the Road from *Hardingston* to *Old Stratford* in the County of *Northampton*. [20th February 1832.]

**W**HEREAS an Act was passed in the Eighth Year of the Reign of King *George* the Third, intituled *An Act for repairing and widening the Road from the Way Post in the Parish of Hardingston in the County of Northampton to Old Stratford in the said County*: And whereas another Act was passed in the Thirteenth Year of the Reign of King *George* the Third, intituled *An Act for continuing the Term and enlarging the Powers of an Act passed in the Eighth Year of His present Majesty's Reign, for repairing and widening the Road from the Way Post in the Parish of Hardingston in the County of Northampton to Old Stratford in the said County*: And whereas another Act was passed in the Fiftieth Year of the Reign of King *George* the Third, intituled *An Act for more effectually repairing the Road from Hardingston to Old Stratford in the County of Northampton*: And whereas the Trustees appointed by or in pursuance of the said recited Acts have proceeded in the Execution thereof, and have, in pursuance of the Powers and Authorities thereby vested in them, borrowed several Sums of Money upon the Credit of the Tolls thereby granted, which Sums of Money now remain due and owing, and cannot be repaid, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term and Powers

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Recited Acts  
repealed.

of the said recited Acts be enlarged: And whereas it is expedient that the said recited Acts should be repealed, and other Provisions should be granted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most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 upon the Second *Thursday* next after the passing of this Act the said recited Acts of the Eighth, Thirteenth, and Fifteenth Years of the Reign of King George the Third shall be and the same are hereby declared to be repealed.

This Act to  
take place for  
the Purposes  
herein men-  
tioned.

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 and improving the Road leading from *Hardingston* to *Old Stratford* in the County of *Northampton*.

Appointment  
of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Northampton*, together with the Right Honourable *Henry Fitzroy* commonly called the Earl of *Euston*, the Right Honourable *Charles Fitzroy* commonly called Lord *Charles Fitzroy*, the Right Honourable *James Fitzroy* commonly called Lord *James Fitzroy*, the Right Honourable *Charles William Wentworth Fitzwilliam* commonly called Viscount *Milton*, the Right Honourable *John Charles Spencer* commonly called Lord Viscount *Althorp*, the Honourable *Charles Fitzroy*, the Honourable *James Fitzroy*, the Honourable *Frederick Spencer*, the Honourable and Reverend *Thomas Lawrence Dundas* Clerk, Sir *William Wake* Baronet, Sir *Justinian Isham* Baronet, Sir *George Robinson* Baronet, Sir *Thomas Cotton Sheppard* Baronet, Sir *Robert Henry Gunning* Baronet, Sir *Henry Hawley* Baronet, Sir *John Mordaunt* Baronet, Sir *John English Dolben* Baronet, Sir *George William Denys* Baronet, the Reverend *George Butler* Doctor in Divinity, the Reverend *William Cardwell* Doctor in Divinity, *John Armytage*, *Edward Bowerie*, *Everard Bouverie*, *Stephen Blunt*, *John Bright* Clerk, *Thomas Butcher*, *William Butlin* Clerk, *William Butlin* the younger, Clerk, *William Ralph Cartwright*, *John Carvell*, *Langham Christie*, *Clarke*, *John Cooper*, *Gowen Evans* Clerk, *Peter Felix* Clerk, *Gilbert Flesher*, *Charles Gilbert Flesher*, *Henry Flesher* Clerk, *John Thomas Flesher* Clerk, *James Flesher*, *William Flesher*, *Thomas Gallard*, *Henry John Gunning* Clerk, *William Harris*, *Benjamin Hill* Clerk, *Thomas Hornsby* Clerk, *Vere Isham* Clerk, *Walter John Kerrich* Clerk, *Joseph Kitelee*, *Richard Kitelee*, *Isaac Manning*, *John Christopher Mansel*, *Robert Mansel*, *Henry Longueville Mansel* Clerk, *Charles Markham*, *John Markham*, *Thomas Mercer*, *George Oakes Miller* Clerk, *James Dyke Molesworth Mitchell* Clerk, *Robert Montgomery* Clerk, *William Montgomery*, *Joseph Nodder* Clerk, *Samuel Parkins* Clerk, *James Payne*, *Henry Portington* Clerk, *Henry Quartley* Clerk, *Benedict Roper*, *John Roper*, *Wenman Langham Watson Samwell*, *Joseph Scrivener*, *George Seabrooke*, *Richard Sheppard*, *Thomas Smith*, *John Smith*, *William Tyler Smyth*, *William Smyth*, *George Stone*, *John Harvey Thursby*, *John Harvey Thursby* the younger, *William Thursby* Clerk, *Thomas Reeve Thornton*, *Philip Thornton* Clerk, *John Vye* Clerk, *Charles Wake*,

Richard

*Richard William Wake* Clerk, *Richard William Wake* the younger, *Miles Walker* Clerk, *Thomas Warr*, *Edward Watts*, *William Watts*, *Wentworth* of *Stoke Park*, *John Worley*, and *Thomas Worley*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for amending, widening, improving, repairing, maintaining, and keeping in repair the said Road, and for otherwise putting this Act into execution.

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 elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Three 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.

Power to  
appoint ad-  
ditional  
Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet on the Second *Thursday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two of the Clock in the Afternoon, at the House called the *White Hart* Inn, in *Grafton Regis* in the said County of *Northampton*, or at some other convenient Place in or near the said Road, and shall proceed to carry this Act into execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times, and at such Place or Places on or near to the said Road, as the said Trustees shall think proper.

First Meeting  
of Trustees.

VI. And be it further enacted, That the several Toll Gates or Turnpikes and Toll Houses, and Weighing Machines, erected and now standing and being in, upon, or across the said Road or on the Sides thereof, 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, set up, and built, upon, in, or across the said Road or on the Sides thereof, or any Part 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, Weighing Machine or Weighing Machines, and also from Time to Time to order and cause to be taken down and removed, or altered or discontinued, the same present Gates, Turnpikes, Toll Houses, and Weighing Machines, or such future Gates, Turnpikes, Side Gates, Bars, Chains, and Weighing Machines, or any of them, as they the said Trustees shall think proper.

Power to  
continue the  
present  
Gates, and  
erect others.

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls following at the several and respective Turnpikes or Toll Gates or Toll Houses, or Side Bars or Side

Power to  
take Tolls.

Side Gates or Chains, which are or is or shall be standing or being, or continued or erected, by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road or any Part thereof, once on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Stage Coach, Sociable, Berlin, Landau, Chariot, Vis-à-Vis, Barouche, Chaise Marine, Calash, Curricule, Chaise, Gig, Whiskey, Van, Caravan, Hearse, Litter, or other such like Carriage, the Sum of Sixpence:

For every Carriage propelled by Steam or Machinery, without Horses or Beasts, for each Wheel on which the same shall run the Sum of Nine-pence:

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

For every Two-wheeled Carriage so fixed the Sum of Sixpence:

For every Drug 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, the Sum of Three Shillings, over and above the Duty payable for each of the Horses or Beasts drawing the same:

For every Horse, Mule, Ass, Ox, or Bullock drawing any Waggon, Wain, Drug, Cart, or other such like Carriage, the Sum of Sixpence:

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

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

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

Tolls vested in Trustees.

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be continued, erected, or placed by virtue of this Act in, upon, or across the said Road or on the Sides thereof, or any Part thereof; and which 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 in manner herein-after directed.

Tolls to be paid but once a Day.

VIII. Provided always, and be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any one of the said Toll Gates continued or erected or to be erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall, upon a Ticket denoting the Payment thereof for that Day being produced, be permitted to pass Toll-free through the same Toll Gate, and through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

IX. Pro-

IX. Provided always, 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 or in respect of the Passage of the same Horses, Beasts, Cattle, or Carriages through all the several Turnpikes or Toll Gates now erected or to be erected on the whole Line of the said Road on the same Day.

No more than Two full Tolls to be paid on the Road.

X. Provided always, and be it further enacted, That the Tolls payable for and in respect of Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage conveying Passengers or Goods for Pay, Hire, or Reward, shall be payable and paid every Time such Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage passing or repassing along the said Road: Provided nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage on account only of the Horses or Beasts drawing the same having been changed.

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

XI. Provided also, and be it further enacted, That the Tolls payable for and in respect of any Horses or Beasts let out to Hire, and employed in drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Road whenever any new Hiring thereof shall take place.

Horses drawing Post Chaises on every new Hiring.

XII. And be it further enacted, That all the Monies which have been raised and produced or received by virtue of the said Acts hereby repealed, and which shall be remaining and undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by or from the Tolls in this Act mentioned, together with the Monies which shall be borrowed on the Credit thereof, and all other Monies which shall arise or be produced by virtue thereof, shall be vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes as herein-after mentioned; (that is to say,) in the first place, and in preference to all other Payments whatsoever, in the Payment and Discharge of all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; and in the next place, in the Payment of the necessary Expences of erecting or repairing Toll Gates, Toll Houses, Weighing Machines, Mile Stones or Posts, and Fences, and for Books, Advertisements, Salaries of Officers, and in amending, widening, altering, and improving the said Road, and keeping the same in repair, and other Expences incidental to the Execution of this Act, and in repaying the Principal Monies now due or to be borrowed on the Credit of this Act, and the Interest due and to grow due thereon.

Application of Tolls and other Monies.

XIII. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or

Ditches and Drains by whom to be made and cleaned.

[*Local.*]

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Water-

Watercourses, and of such Depth and Breadth, as they shall consider expedient for the Purposes of keeping the said Road dry, and of conveying the Water from the same, as well on the Side or Sides of the said Road, as also, where necessary, into or through any Lands or Grounds adjoining or lying near the said Road (not being a Garden, Orchard, Park, Paddock, planted Walk or Avenue to a House), and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be requisite or necessary, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, any Law or Statute to the contrary thereof notwithstanding; and all Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, to be made in pursuance of this Act, when so made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Lands or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats to be made in pursuance of this Act, as cross or pass through, in, or under the said Road, shall be repaired and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England*.

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, without being specially pleaded.

Term of this Act.

XV. And be it further enacted, That this Act shall commence and take effect from the Day of the passing thereof, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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