



ANNO PRIMO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## Cap. xxxviii.

An Act for more effectually repairing and improving the Road from the *Leicester* and *Welford* Road, near *Foston Lane*, to the Road leading from *Hinckley* to *Ashby-de-la-Zouch*; and for repairing *Hunt's Lane* and *Wood Lane*, in the Parishes of *Desford* and *Newbold* in the County of *Leicester*.  
[30th March 1831.]

**W**HEREAS an Act was passed in the Twenty-eighth Year of the Reign of His Majesty King George the Third, intituled *An Act for repairing and widening the Road from the Leicester and Welford Turnpike Road, in the Counties of Leicester and Northampton, near Foston Lane, to the Turnpike Road leading from Hinckley to Ashby-de-la-Zouch in the County of Leicester*: And whereas another Act was passed in the Thirtieth Year of the Reign of His said Majesty King George the Third, intituled *An Act to enlarge the Term and Powers of an Act of the Twenty-eighth Year of the Reign of His present Majesty, for repairing and widening the Road from the Leicester and Welford Turnpike Road, in the Counties of Leicester and Northampton, near Foston Lane, to the Turnpike Road leading from Hinckley to Ashby-de-la-Zouch in the said County of Leicester; and for repairing and widening Two Pieces of Road called Hunt's Lane and Wood Lane, in the Parishes of Desford and Newbold Verdon*: And whereas the Trustees acting under or by virtue of the said recited Acts have proceeded to put the same in  
[Local.] 5 O execution,

28 G.3.c.100.

30 G.3.c.92.



Recited Acts  
repealed.

Proviso as to  
Roads stop-  
ped up by the  
said Acts.

This Act to  
be put in  
execution  
for the Pur-  
pose herein  
mentioned.

Trustees.

execution, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted, which Money still remains due and owing, with a large Arrear of Interest, and the same cannot be repaid, nor can the said Road be effectually amended, improved, and kept in repair, unless the Term and Powers of the said Acts be enlarged: And whereas it is expedient that the said recited Acts should be repealed, and that further and more effectual Provisions should be granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it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 Day of *May* next after the passing of this Act, the said recited Acts passed in the Twenty-eighth and Thirtieth Years of the Reign of His said Majesty King *George* the Third shall be and the same are hereby declared to be repealed: Provided always, that nothing herein contained shall extend or be construed to extend to open or cause to be opened any public Road or Way stopped up by or under the Authority of the said recited Acts, but the same are hereby declared to be stopped up and discontinued as such Roads or Ways in such and the same Manner as if the said recited Acts had not been repealed.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect, and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, improving, and keeping in repair the Road branching out of the *Leicester and Welford Turnpike Road at Poston Lane to the Turnpike Road leading from Hincley to Ashby-de-la-Zouch at Osbaston Toll Gate in the County of Leicester.*

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Leicester*, together with Sir *Willoughby Wolstan Dixie* Baronet, Sir *Edmund Cradock Hartopp* Baronet, Sir *Charles Abney Hastings* Baronet, Sir *Henry Halford* Baronet, Sir *George Palmer* Baronet, Sir *George Howland Willoughby Beaumont* Baronet, *William Withering* Arnold Doctor of Medicine, *Halford Adcock*, *James Allen*, *Thomas Babington*, *John Babington* Clerk, *Matthew Babington*, *Henry Brown* Clerk, *James Bankart*, *Samuel Bankart*, *Samuel Bankart* the younger, *Thomas Barratt*, *Richard Hunter Bird*, *John Bosworth*, *Thomas Burbidge*, *Beaumont Burnaby*, *John Fox Bell*, *Edward Blunt*, *John Baker*, *Daniel Baker*, *Jesse Berridge*, *Gilbert Bridges*, *George Bellairs*, *James Brooks*, *John Bilson*, *William Bassett*, *Christopher Bassett*, *Joseph Spencer Cardale*, *Thomas Cope*, *John Mawbey Cooper* Clerk, *Joseph Cradock*, *Sheldon Cradock*, *Henry Davie Coleman*, *John Clarke*, *Henry Chamberlain*, *Robert Green Creswell*, *Thomas Chamberlain*, *John Cramp*, *John Crowder*, *Robert Crockett* Clerk, *Thomas Clark*, *John Hood Chapman*, *Beaumont Dixie*, *Thomas William Dabbs*, *William Dewes*, *William Everard*, *William Firmadge*, *Thomas Freer*, *Charles Thomas Freer*, *John Booth Freer* Doctor of Medicine, *John Fisher* Clerk, *Edward Fisher*, *William Freer*, *George Freer*, *John Fry* Clerk, *William Flude*,



*Flude, Valentine Green, Edward Green, John Gregory of Leicester, William Gregory, Mansfield Gregory, John Liptrott Greaves, Robert Green, Edward Gregory, Thomas Gilbert, William Needham Gimson, Edmund Cradock Hartopp, William Edmund Cradock Hartopp, Robert Haymes, John Stockdale Hardy, William Hackett, John Hill Doctor of Medicine, Isaac Hodgson, Richard Hole, Richard Hole the younger, George Brushfield Hodges, John Hall, Edmund Hood, Thomas Howcutt, Edward Dudley Hudson, George Hunt, Edward Hooke, William Hall, Charles Jervis, William Davis Jervis, Benjamin Jackson, William Jackson, Thomas Wightman Jee, Thomas Jee, John David Jackson, Henry Kebble Clerk, John Kettle, Isaac Lovell, Thomas Leach, Thomas Lockwood, George Lockwood, John Lynes, Augustus Hubbard Lafargue, William French Major Clerk, Edmund Major, Robert Martin Clerk, William Martin, John Miles Clerk, Samuel Miles, Roger Miles, Thomas Miles, John Henry Miles, Lomas Miles, Thomas Miller, Thomas Miller the younger, Thomas Marston, George Marston, Robert Marston, Nathaniel Morgan Clerk, Charles Meredith, John Moore of Leicester, John Mammatt, John Mammatt the younger, John Moore the younger, William Moore, Thomas Moore, John Pengree Newby Clerk, Thomas Stanley Nedham, John Nedham, John Nichols, Thomas Oliver, John Bass Oliver, John Oldacres, Thomas Oldacres, Ralph Oldacres, James Pickering Ord, Thomas Charles Ord Clerk, Thomas Westley Oldham, John Pares, John Tylston Pares, Thomas Paget of Humberston, Thomas Paget of Leicester, William Parsons, John Parsons, John Price, Thomas Prior, Thomas Perkins, John Roby Clerk, Thomas Ascough Rickards Clerk, John Ragg, Loraine Loraine Smith Clerk, William Simpkin, Richard Stephens Clerk, John Simpkin, John Sills, William Sherwin, George Thornton, Thomas Trussell, Frederick William Wollaston, William Kenworthy Walker, Clement Winstanley, James Winstanley, George Winstanley Clerk, Henry Wood, Richard Warner Wood, Richard Warner Kendall Wood, Thomas Wood the younger, Thomas Wright, Charles Wright Clerk, Lawrence Wright, Joseph Willday, Charles Weaver, Samuel Weston, Thomas White, George Webster, John Webster, Thomas Webster, James Wall, William Wayte, John George White Young, 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 putting this Act in 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, (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 and appointed.

Power to  
appoint addi-  
tional Trus-  
tees.

V. And be it further enacted, That the said Trustees shall meet at the *Three Crowns Hotel in Leicester* in the County of *Leicester*, or at some

First Meeting  
of the Trus-  
tees.



some other convenient Place in *Leicester* aforesaid on or near to the said Road, on the Second *Monday* in *May* next after the passing of this Act, between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon, or as soon after that Time as conveniently may be, for the Purpose of carrying this Act into execution, notwithstanding any Adjournment may then have been made by the said Trustees under or by virtue of the said recited Acts hereby repealed, and shall and may adjourn themselves from Time to Time, and meet at the above Hotel, or at such other Place on or near the said Road, as they may think proper; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and Two Trustees shall be sufficient for the Purpose of Adjournment only; and in case the said Trustees or any of them shall not attend or shall omit to adjourn, then the Clerk or Clerks to the said Trustees shall adjourn the said Meeting, and appoint the said Trustees to meet at the Place where such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on the several Turnpike Gates on the said Road at least Ten Days before such Meeting.

Power to  
take Tolls.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors, Lessee or Lessees of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money herein-after mentioned at each and every Toll Gate or Turnpike or Toll House, or Side Gate or Side Bar or Chain, which now is or hereafter shall be standing and being or continued or erected in, upon, or across or on the Side or Sides of the said Road, 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); (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Stage Coach, Diligence, Landau, Berlin, Barouche, Phaeton, Sociable, Chariot, Calash, Hearse, Break, Chaise, Curricule, Caravan, Van, Gig, Chair, or Taxed Cart, or other Carriage of the like Description by whatsoever Name called or known, not exceeding the Sum of Fourpence Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like kind, having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, not exceeding the Sum of Fourpence :

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like kind, having the Fellies of the Wheels thereof of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, not exceeding the Sum of Three-pence Halfpenny :

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like kind, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, not exceeding the Sum of Three-pence :

For



For every Cart, or other such like Two-wheeled Carriage, drawn by One Horse only, not exceeding the Sum of Four-pence :

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

For every Two-wheeled Carriage, and being empty, so fixed, the Sum of Sixpence :

For every Drug so constructed as that the Distance between the Axletrees thereof, measured at their Ends, shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber, Stone, or Iron, the Sum of One Shilling and Sixpence over and above the Toll or Duty for the Horses drawing the same :

For every Horse, Mule, Ass, or other Beast, laden or unladen, and not drawing, not exceeding the Sum of One Penny Half-penny :

For every Drove of Oxen and all kinds of Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for any less Number :

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

And for every Carriage, Machine, or Caravan of whatever Description, not drawn by any Horse or other Beast of Draught, but propelled or moved by Steam, Gas, or Machinery, the Sum of One Shilling :

Which said respective Tolls or Sums of Money shall or may be demanded and taken as aforesaid before any Horse, Mule, Ass, or other Beast, or any Cattle, Carriage, or Thing whatsoever upon which any Toll is by this Act imposed, 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 vested in the Trustees.

VII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or any Person authorized by the said Trustees to be Collector of the said Tolls, to demand or take more than Two full Tolls in any One Day (such Day to be computed as aforesaid) for or in respect of the same Horses, Beasts, Cattle, Carriage, or other Thing passing or repassing through all or any of the Turnpikes, Toll Gates, Side Gates, Side Bars, or Chains along the whole Line of the said Road. Limiting the Number of Tolls to be taken.

VIII. Provided always, and be it further enacted, That if any Person or Persons shall have paid the Tolls hereby respectively authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through any of the Toll Gates or Turnpikes, Side Gates or Side Bars or Chains, erected or to be erected on the said Road, such Horse, Cattle, Beast, or Carriage (except Horses or other Beasts of Draught drawing any Stage Coach, Caravan, or any Post Chaise or other such Carriage travelling for Hire as herein-after mentioned,) Tolls to be payable but once a Day.  
[Local.] 5 P shall,



shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free during the same Day (to be computed as aforesaid) through the same Toll Gate or Turnpike, Side Gate or Side Bar or Chain, and also through such other Toll Gates, Turnpikes, or Side Bars or Chains as the Ticket for such Payment shall denote to be free.

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

IX. And be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of any Horse, Mule, Ass, or other Beast drawing any Stage Coach, Waggon, Caravan, Cart, Van, or other Carriage conveying Passengers or Goods for Hire or Reward, every Time of passing through any of the said Toll Gates, Bars, or Chains; but no further or additional Tolls shall be payable or paid in respect of any Horse or other Beast drawing any Stage Coaches, on account only of any Horse or Beast drawing the same having been changed.

Horses draw-  
ing different  
Carriages to  
pay each Time  
of passing.

X. Provided always, and be it further enacted, That in case the Tolls authorized by this Act to be taken shall have been paid for the passing of any Horse or Horses or other Beast or Beasts drawing any Waggon, Wain, Cart, or other such Carriage, for passing through any Turnpike, Toll Gate, or Side Gate or Chain on the said Road, and any such Horse or other Beast shall afterwards be employed on the same Road during the same Day in drawing a different Waggon, Wain, Cart, or other such Carriage from that which such Horse or other Beast was employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall be again liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

One-horse  
Carts may be  
weighed.

XI. And whereas it frequently happens that Carts drawn by One Horse passing along the said Road carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore further enacted, That all Carts passing along the said Road drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected 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 drawn by Two or more Horses or Beasts; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts drawn by more than One Horse or Beast shall be applicable to Carts passing on the said Road drawn by One Horse or Beast only, and to the Drivers, Masters, and Owners thereof.

Carriages  
which cannot  
be weighed to  
pay Double  
Toll.

XII. And whereas it frequently happens that Timber and other Carriages are drawn upon the said Road laden with excessive Weights, which, by reason of their Construction, cannot be weighed at the Weighing Machines commonly used on Turnpike Roads, and the said Road receives considerable Damage thereby, for which the Tolls herein-before authorized are not a sufficient Compensation; be it therefore further enacted, That in all Cases where Carriages are used upon the said Road constructed so that by the ordinary Weighing Machines erected thereon they cannot be accurately weighed, there shall



shall be paid in respect of every Horse or other Beast drawing such Carriage Double the Amount of the Tolls herein-before authorized to be taken:

XIII. Provided always, and be it further enacted, That no Toll shall be demanded or taken upon the said Road of or from any Person or Persons for any Horse or other Beast or Cattle drawing any Waggon, Cart, or other Carriage employed in carrying or conveying or going to fetch any Lime to be used or employed in Husbandry only, for manuring or improving Land, or returning empty after having been so used or employed. Exemption  
for Lime.

XIV. And be it further enacted, That all Monies which shall have been raised and produced by virtue of the said recited Acts hereby repealed which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be collected under or by virtue of this Act, shall be applied and disposed of by the said Trustees in manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences incurred in, about, and relating to the applying for, obtaining, and passing of this Act; and after Payment of the necessary Expences from Time to Time for Books, Advertisements, Salaries of Officers, and of making, erecting, and keeping in repair the Toll Houses, Toll Gates, Weighing Machines, and other Buildings, and other necessary Expences incidental to the Execution of this Act, the Surplus shall be divided into Two equal Half Parts, and one of such Moieties or Half Parts shall be applicable towards discharging the Interest to accrue and become due from the Commencement of this Act upon the several Mortgages and Securities which have been already made and granted or which shall be at any Time hereafter made and granted upon the said Tolls in pursuance of this Act, or in reducing, paying off, and discharging the Principal Sum or Sums of Money due on the said several Mortgage Securities; and the other Moiety or Half Part of such Monies shall be paid and applied in or towards the Expences of repairing and improving the said Road. Application  
of the Money.

XV. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply, expend, or appropriate any of the Tolls authorized by this Act to be taken upon the said Road, nor any of the Monies raised by virtue of the said recited Acts, 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. Money not  
to be applied  
in repairing  
Streets, &c.

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. Public Act.

XVII. And be it further enacted, That this Act shall commence and take effect from and after the Second Day of *May* next after the Term of Act.

the passing thereof, and shall from thenceforth continue and be in full Force and Effect 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 STRAHAN,  
Printers to the King's most Excellent Majesty. 1831.