



ANNO TERTIO

GULIELMI IV. REGIS.

Cap. xii.

An Act for more effectually repairing and improving the Roads from *Wendover* to the End of *Oak Lane*, and from the River *Colne* for Half a Mile towards *Beaconsfield*, in the County of *Bucks*.

[29th March 1833.]

WHEREAS an Act was passed in the Fifty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act for more effectually repairing the Roads from Wendover to the End of Oak Lane, and from the River Colne for Half a Mile towards Beaconsfield, in the County of Bucks*: And whereas several Sums of Money have been borrowed on the Credit of the Tolls authorized to be taken on the said Roads, the greater Part of which Money still remains due and owing, and cannot be repaid, nor can the said Roads be maintained in sufficient Repair, unless the Term and Powers of the said Act are enlarged, and the Tolls increased or altered: 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 Twenty-fourth Day of *June* next after the passing of this Act the said recited Act passed in the Fifty-second Year of the Reign of His Majesty King *George* the Third shall be and the same is hereby declared to be repealed.

Recited Act repealed.

[*Local.*]

U u

II. And

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

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, amending, widening, and improving the Road leading from the West End of the Town of *Wendover* to the End of a Lane called *Oak Lane*, next the great Road called the *Oxford Road*, and Half a Mile of the said *Oxford Road* from the River *Colne* towards *Beaconsfield*, in the County of *Bucks*, and passing through or into the several Parishes of *Wendover*, *Great Missenden*, *Little Missenden*, *Amersham*, *Chalfont Saint Giles*, *Chalfont Saint Peter*, *Iver*, and *Denham*, all in the said County of *Bucks*.

Former Debts, &c. vested in new Trustees.

III. And be it further enacted, That all Arrears of Tolls or Rents and other Monies due to, and all Property, Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the Trustees under the said recited Act hereby repealed, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and they are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions or Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under or by virtue of this Act.

Appointment of Trustees.

IV. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Bucks*, together with *George Carrington*, *Sir Codrington Edmund Carrington Knight*, *John Erskine Douglas*, *Henry Deering*, *Thomas Tyrwhitt Drake*, *William Tyrwhitt Drake*, *James Dupre*, the Reverend *John Tyrwhitt Drake*, *Harry Edgell*, *Benjamin Fuller*, the Right Honourable *Thomas Grenville*, *John Grubb*, *George Hepburn*, *Robert Hibbert*, the Reverend *William Jones*, *Sir John Dashwood King Baronet*, *William Lowndes*, *Henry William Mason*, the Reverend *Jacob Henry Brooke Mountain*, *Terence O'Lochlin*, the Reverend *Thomas Pennant*, *Sir Robert Greenhill Russell Baronet*, the Reverend *Charles Turnor*, the Reverend *William Way*, the Reverend *George Gleed*, *John Hibbert*, *John Drummond*, *Benjamin Way*, and *Thomas Newland Allen*, and their Successors, being duly qualified to act as Trustees for repairing Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for repairing, amending, widening, and improving the Roads herein-before described, and for otherwise putting this Act into execution.

Power to appoint additional Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings to be holden by virtue of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees herein named and appointed; and such Trustees when so elected and appointed, and being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for the Purposes of this Act, and shall be and they are hereby invested with the same Powers for executing this Act as if they had been expressly named and appointed in and by this Act.

VI. And be it further enacted, That the said Trustees shall hold their First Meeting at the *Griffin* Inn in *Amersham* aforesaid, or at some other convenient House or Place on or near the said Roads, on the Twenty-fourth Day of *June* 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, and then and there proceed to put this Act into execution; and shall then and there afterwards adjourn to and meet at such Time or Times and such Place or Places on or near to the said Roads as the said Trustees shall think proper and appoint.

First Meeting
of Trustees.

VII. And be it further enacted, That upon and from and after the Twenty-fifth Day of *June* next after the passing of this Act it shall be lawful for the said Trustees, or any Person or Persons being a Lessee or Farmer, Lessees or Farmers, or who shall be continued or appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take, or cause to be demanded and taken, at each and every Turnpike Gate, Toll Gate, Side Gate, Side Bar, or Chain which by virtue of this Act shall be continued or erected upon, across, or on the Sides of the said Roads or any Part thereof, on each and every Day, before any Horse, Beast, Cattle, or Carriage upon which any Toll is by this Act imposed shall be permitted to pass through the same, the several Tolls following; (that is to say,)

Power to
take Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Coach, Chariot, Landau, Barouche, Berlin, Phaeton, Sociable, Chaise, Chaise Marine, Calash, Curricule, Car, Cabriolet, Chair, Gig, Whisky, Hearse, Break, Litter, Stage Coach, Diligence, Van, Caravan, or any such like Carriage on Springs, the Sum of Four-pence Halfpenny:

Tolls.

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of less Breadth than Four Inches and a Half at the Bottoms or Soles thereof, the Sum of Sixpence Three Farthings:

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Four and a Half Inches at the Bottoms or Soles thereof, and less than Six Inches, the Sum of Five-pence Farthing:

For every Horse, Mule, Ass, or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards at the Bottoms or Soles thereof, the Sum of Four-pence Halfpenny:

For every Coach, Chaise, Cart, Waggon, or other Carriage with Four Wheels fastened or hung to and drawn behind any Waggon, Wain, Cart, or other Carriage, the Sum of Nine-pence:

For every Chaise, Chair, or other such Carriage with Two Wheels which shall be fastened or hung as aforesaid, the Sum of Four-pence Halfpenny:

For every Four-wheeled Carriage not drawn by any Horse or Beast of Draught, but impelled or set or kept in motion by or by means of Steam, Gas, or Machinery, the Sum of Two Shillings and Three-pence:

For

For every Carriage with less than Four Wheels, not drawn by any Horse or Beast of Draught, but impelled or set or kept in motion as aforesaid, the Sum of One Shilling and Sixpence :

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

For every Drove of Oxen, Cows, or other Neat Cattle, a Sum not exceeding Ten-pence *per* Score, and so in proportion for any greater or less Number :

And for every Drove of Calves, Hogs, Pigs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number :

Which said respective Tolls or Sums of Money shall be and are hereby vested in the Trustees for putting this Act into execution, and shall be applied in manner herein-after directed.

Tolls to be paid but once for passing and repassing.

VIII. And be it further enacted, That if the Tolls hereby authorized to be taken shall have been paid for the passing of any Horse, Cattle, Beast, or Carriage through any One of the Turnpikes, Toll Gates, or Side Gates to be continued or erected by virtue of this Act, no Toll shall be demanded or taken for or in respect of such Horse, Cattle, Beast, or Carriage for returning, passing, or repassing through the same Turnpike, Toll Gate, or Side Gate on the same Day before Twelve of the Clock at Night, but that such Horse, Cattle, Beast, or Carriage shall, upon a Ticket being produced denoting the Payment of such Toll for that Day (which Ticket the Collector or Collectors of such Toll is and are hereby required to deliver *gratis* to the Person paying the same), be permitted to pass Toll-free through such Turnpike, Toll Gate, or Side Gate, and also through such other Turnpike, Toll Gate, or Side Gate as the Ticket for such Payment shall free.

Number of Tolls limited.

IX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or any Person to be continued or appointed Collector of the Tolls under this Act, to demand or take more than Two full Tolls for the Passage of the same Horse, Beast, Cattle, or Carriage in any One Day through all the Toll Gates erected or to be erected on the said Roads, except as next herein-after provided.

No more Money to be applied in the Repair of the Half Mile of Road than shall be collected thereon.

X. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of the said Half a Mile of Road next the River *Colne* unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Half a Mile of Road, or on the Side thereof, nor unless the said Tolls shall be demanded and taken thereat, pursuant to the Directions and Provisions of this Act : Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of the said Half a Mile of Road than shall be collected thereat or borrowed on the Credit of the Tolls collected thereon ; and that no Money arising from the Tolls to be collected on the said Half Mile of Road shall be expended or applied in or towards the Maintenance or Repair of the Road from *Wendover* to the End of *Oak Lane* aforesaid, or any Part thereof.

XI. Pro-

XI. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Beasts of Draught drawing any Stage Coach or Stage Waggon, Van, Caravan, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing or repassing along the said Roads : Provided nevertheless, that no further or additional Toll shall be payable for or in respect of any such Stage Coach, Stage Waggon, Van, Caravan, Cart, or other Stage Carriage, on account only of the Horses drawing the same having been changed.

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

XII. And be it further enacted, That the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts of Draught travelling for Hire, drawing any Post Chaise or other Carriage, for every Time of passing and repassing along the said Roads, whenever a new Hiring thereof shall have taken place.

Post Chaises on every fresh Hiring.

XIII. 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 herein mentioned, or of any reduced Toll, or in any of them, the Sum of One Halfpenny may be demanded and taken in lieu of such fractional Part.

Respecting Fractions in Tolls.

XIV. And be it further enacted, That as well all the Monies which before the Day of the Commencement of this Act shall have been raised or produced by virtue of the said recited Act hereby repealed, and which shall remain undisposed of, as also all other Monies which shall arise or be produced by virtue of this Act, together with the Monies which shall hereafter be borrowed upon the Credit thereof, and all other Monies which shall arise by virtue thereof, shall 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 in applying for, preparing, obtaining, and passing this Act, or otherwise incident thereto ; in the next place, in paying off and discharging all Arrears of Interest now due and owing and which shall hereafter become due on the Credit of the said Act hereby repealed ; thirdly, in paying off and discharging the Interest on any Sums of Money which shall hereafter be borrowed or taken up at Interest on Security of the Tolls hereby granted ; in the fourth place, in defraying the Expences of continuing, providing, erecting, and keeping in repair the Turnpikes, Toll Houses, and other Buildings, Side Gates, Bars, and Chains already or hereafter to be erected and built by Authority of this Act, and of repairing, amending, widening, altering, and improving the said Roads by this Act directed to be kept in repair as aforesaid, and of erecting and making necessary and convenient Bridges, Arches, and other Works upon and near the same, as the said Trustees shall from Time to Time order and direct ; and lastly, in paying off the Money which shall have been or may be borrowed on the Credit of the Tolls granted by the said recited Act or this Act.

Application of Monies.

XV. And be it further enacted, That no Preference shall be given to any Person or Persons who hath or have heretofore advanced any

No Priority of Mortgages.

[*Local.*]

X x

Sum

Sum or Sums of Money on the Credit of the Tolls granted by the said recited Act hereby repealed, or who shall hereafter advance any Sum or Sums of Money on the Credit of the Tolls granted by this Act, or to his, her, or their Assignee or Assigns, in respect to the Priority of the Mortgage or Assignment or Mortgages or Assignments, or other Security or Securities for the same, or of advancing such Sum or Sums of Money, but that as well all Persons to whom any such Mortgage or Assignment shall hereafter be made or given, his, her, or their Assignee or Assigns, as also all and every Person or Persons to whom any such Mortgage or Assignment hath or have heretofore been made or given, shall, in proportion to the Sum or Sums therein mentioned, be Creditors under this Act in equal Degree one with another, without any Preference or Priority.

No Money to be expended in repairing Streets, or Tolls to be collected therein.

XVI. 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 hereby granted, or any Monies raised by virtue of the said recited Act hereby repealed, or to be raised by virtue of this Act, in repairing or improving any Street, Highway, or Place in any Town into or through which the said Roads pass, or to collect any Tolls therein.

Public Act.

XVII. 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.

Term of Act.

XVIII. And be it further enacted, That this Act shall commence upon the Twenty-fourth Day of *June* 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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1833.