ANNO PRIMO

GEORGII IV. REGIS.

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C A P. XCV.

An Act for obtaining Returns from Turnpike Road Trusts of the Amount of their Revenues, and Expence of maintaining the same.

[24th *July* 1820.]

WHEREAS it is of great public Importance that the Communications between the different Parts of the Kingdom should be rendered as commodious and expeditious as possible: And whereas it will greatly facilitate the adopting Measures for the Improvement of the Turnpike Roads, and of the Laws for making, repairing, and maintenance of the Turnpike Roads in *Great Britain*, if Information was obtained, and accurate Returns were laid before Parliament, of the Extent of the said Roads, and the Funds for and the Expences of maintaining the same; and it is expedient that Provision should be made for obtaining such Information and Returns: 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 a sufficient Number of Printed Copies of this Act and of the Schedule thereto, shall, so soon as conveniently may be after the passing of this Act, be transmitted by His Majesty's Printer to the Clerks of the Peace of the several and respective Counties, Ridings, and Divisions of *England*, *Scotland*, and the Principality of *Wales*; and the said several Clerks of the Peace shall and they are hereby required forthwith on the Receipt of the said Copies of the said Act and of the said Schedules,

The King's Printer to send a sufficient Number of Copies of the Act and Schedule to the Clerks of the Peace in England, Scotland, and Wales.

to cause a Copy of the said Schedule to be delivered to the Clerk and Treasurer of every Trust for making, repairing, and maintenance of the Turnpike Roads within the Limits of their respective Counties, Ridings, and Divisions.

Clerks of the Peace to cause Notice to the Clerks and Treasurers of Turnpike Roads to be inserted in the Newspapers.

II. And whereas it may happen, that the said Clerks of the Peace may not be acquainted with the Place or Places of Abode of all the said Clerks and Treasurers of the Trustees of Turnpike Roads within their Counties, Ridings, Divisions, or Stewartries, whereby they may be unable to forward the said Schedules to them; be it therefore enacted, That the said several Clerks of the Peace shall and they are hereby required, immediately on receiving the said printed Copies of this Act and of the said Schedules, to insert or cause to be inserted in some one Newspaper or Newspapers usually circulating within their respective Counties, Ridings, or Divisions, a Notice in the Form and to the Effect following:

'*To the Clerks and Treasurers of the Trustees of the Turnpike Roads within the County of*

'County of } PURSUANT to the Directions of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for* [*insert the Title of this Act,*] I do hereby give Notice to the several Clerks and Treasurers of every Trust for making, maintaining, and repairing the Turnpike Roads within this County, that printed Copies of the Schedule of the said Act are now ready for Delivery at my Office; and all the said Clerks and Treasurers who have not already received Copies of the said Schedule, are hereby required, within Fourteen Days from the Date hereof, to apply for the same; and the said Clerks and Treasurers are hereby further required to make a true and accurate Return in Writing, verified on Oath, to my Office in of the several Matters in the said Schedule contained, on or before the Day of in the Year Dated this Day of

(Signed) '*A.B.* Clerk of the Peace.'

Penalty not exceeding 50l. nor less than 20l.

And every such Clerk of the Peace who shall omit to forward the said Copies of the said Schedule, or to cause such Notice to be inserted, or to deliver a Copy of the said Schedule, on Application to him by any such Clerk or Treasurer, who shall make wilful Default in any other Matter or Thing required of him by this Act, shall for every such Offence forfeit a Sum not exceeding Fifty Pounds, nor less than Twenty Pounds, at the Discretion of the Justice or Justices before whom Complaint shall be made.

Clerks and Treasurers to Trustees to obtain Information, and makeReturns verified on Oath.

III. And be it further enacted, That every such Clerk or Treasurer to every Turnpike Trust, shall forthwith, on receiving the said Schedule, proceed in obtaining the Information required by the said Schedule, and shall prepare a true and correct Return of all the several Matters and Things required by the said Schedule; which said Return shall be fairly copied out in Writing, and shall be signed by the said Clerk and Treasurer in the Presence of any One or more Justice or Justices of the Peace acting for the County, Riding, or

Division, or Stewartry, within which the Turnpike Road to which such Return shall relate is situated; which said Return when so signed, shall be verified by the said Clerk and Treasurer by an Oath, to be taken before the said Justice or Justices, (who is and are hereby authorized to administer the same), in the Form and to the Effect following:

'I *A. B.* do swear, That this Return, and all Things therein contained, is and are true, to the best of my Knowledge and Belief, and that I have not wilfully omitted any thing required to be returned by me. So help me GOD.'

Or in case the Party making such Return shall be a Quaker, then by Affirmation to the same Effect: And the said Justice or Justices before whom the said Return shall be signed and verified shall, and he or they is and are hereby required to certify the same to have been so signed and verified before him or them, by Writing under his or their Hand, at the Foot or on the Back of such Return.

Clerks and Treasurers to transmit Returns to Clerks of the Peace; who are to transmit the same, with a List of Persons omitting to make such Returns, to the Secretary of State, to be laid before Parliament.

IV. And be it further enacted, That the said Clerks and Treasurers to the Trustees for making, maintaining, and repairing the Turnpike Roads, shall respectively transmit the said Returns to the Clerk of the Peace for the County, Riding, or Division within which the Turnpike Road in respect whereof the Return shall be made is situated, and shall cause the same to be deposited in the Office of the said Clerk of the Peace, on or before the First Day of *September* in the Year One thousand eight hundred and twenty; and the said Clerks of the Peace shall and they are hereby required, on or before the First Day of *October* in the Year One thousand eight hundred and twenty, to transmit all such Returns as they shall have received, (together with a List of the Treasurers to Trustees who shall not have made any Return), to the Office of His Majesty's Principal Secretary of State for the Home Department; and all the said Returns, and the said List of Persons omitting to make such Returns, shall be laid before both Houses of Parliament within Two Months after the said First Day of *October*, or if Parliament shall not then be sitting, within Fourteen Days after the Commencement of the ensuing Session.

How Returns are to be made for divided Trusts.

V. And whereas there are certain Turnpike Trusts which are, by the Arrangement of the Trustees or by Law, divided into Districts, for the more conveniently repairing and maintaining the Roads under such Trusts, and more effectually carrying into Execution the Purposes of such Trusts; be it therefore enacted, That in every such Case the Return of the particular Treasurer or Clerk of each District, on the Return of the general Treasurer and principal Clerk in Manner herein-before directed, shall be deemed sufficient, provided that such Return contains all the Information and all the Matters and Things required to be returned according to the said Schedule to this Act; and that such general Treasurer and principal Clerk, or such particular Clerk and Treasurer, describe themselves as such in signing such Return, and state the Trust in respect of which such Return shall be made to be a divided Trust.

VI. Pro-

Where the Duties of Clerk and Treasurer are performed by One Person, Return signed by him sufficient.

VI. Provided always, and be it further enacted, That in case the Duties of Clerk to any Turnpike Trustees, and the Duties of Treasurer to any such Trustees, shall be discharged by one and the same Person, then and in every such Case a Return, signed by such Person, describing himself as holding both the said Offices, shall be deemed and taken to be, and shall be a sufficient Return, provided the same contains all the Information and all the Matters and Things required by the Schedule to this Act to be returned.

How Returns are to be made where the Road lies in more than One County.

VII. And be it further enacted, That in case any Turnpike Road in respect of which any such Return shall be required, shall be continued and situated in more Counties than One, or in more than One Riding or Division of the same County, that then and in every such Case it shall be sufficient for the Clerk and Treasurer to the Trustees for repairing such Road, to make One Report to the Clerk of the Peace for any One of the Counties, Ridings, or Divisions into which such Road shall be continued and be situate: Provided nevertheless, that the Clerk and Treasurer making such Return as last mentioned shall send, or cause to be sent, a Notice to the Clerks of the Peace of the other Counties, Ridings, or Divisions through which such Road shall pass, stating to whom they have made their Return.

Penalty on Clerks and Treasurers omitting to make Return, or making false Returns, 50*l*.

VIII. And be it further enacted, That if any Clerk or Treasurer to any Trustees of any Turnpike Road shall neglect or omit to make such Return as aforesaid, duly signed, verified, and certified, according to the Directions of this Act, within the Time herein-before limited for making such Returns, and delivering the same to the Clerk of the Peace; or if any such Clerk or Treasurer shall wilfully omit any Matter or Thing required to be stated in such Return, or shall wilfully make a false or inaccurate Return, or wilfully mistake any Thing therein, every such Clerk or Treasurer so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of His Majesty's Courts of Record at *Westminster*, in case such Offence shall be committed in *England*; in case of such Offence being committed within a County Palatine, in the Courts of Record of such County; and in the Great Session of the Principality of *Wales*, in case the Offence shall be committed in *Wales*; and in the Court of Session of *Scotland*, in case the Offence shall be committed in that Part of *Great Britain*.

Clerk of the Peace to provide a Book, and enter the Returns therein, which shall be open to public Inspection.

2*s*. to be paid for an Inspection:

IX. And be it further enacted, That every such Clerk of the Peace shall provide a Book or Books of sufficient Size for the Purpose, and shall, previous to the transmitting such Returns to the Office of the Secretary of State as herein-before directed, cause all such Returns to be fairly and accurately copied into such Book or Books; which said Book or Books shall for ever thereafter remain in the respective Offices of the said Clerks of the Peace, who are hereby required to allow any Person or Persons desirous of inspecting the said Copies of the said Returns, and paying for such Inspection the Sum of Two Shillings, to inspect the same, and to grant a Copy or Copies of any such Returns so entered in such Book or Books, to any Person or Persons requiring the same, taking for the Copy or Copies so granted from such Book

or Books, the Sum of Five Shillings for the Copy of each Return, and no more.

5s. for Copy of a Return.

X. And be it further enacted, That there shall be paid and allowed for the Trouble and Expences incurred by the Persons employed in carrying into Effect the Purposes of this Act, the Sums following; to every Clerk of the Peace for every Return received by them and copied into such Book or Books, and transmitted to the Office of the Secretary of State as aforesaid, the Sum of Two Guineas, also the further Sum of Five Shillings, from each Trust within the County or Division for which such Clerk of the Peace shall act, to be paid to the Clerk of the Peace, as full Compensation and Payment of all Expences which such Clerk of the Peace shall have incurred and been put to in inserting such Notice in the Newspapers, or transmitting Copies of the Schedule to this Act to the respective Clerks and Treasurers to the Trustees of Turnpike Roads, where the Residence of such Clerks and Treasurers shall be known, and such Copies shall have been forwarded to them or otherwise in the Execution of this Act, and to the said Clerks and Treasurers such Expences, if any, which they shall have actually incurred, and been put off in going before a Justice or Justices of the Peace, to sign their Return, or otherwise, in consequence of this Act; and all such Sum and Sums of Money shall be respectively paid out of the Funds of the Trusts in respect of which the Return shall be made, and the several Trustees are hereby authorized and required to order the said Sums to be paid by their Treasurer, and to allow the same in his Accounts.

Clerk of the Peace to be paid for every Return entered and transmitted to the Secretary of State 2*l.* 2*s.*; and 5*s.* from each Trust within the County for which he shall act:

Clerks and Treasurers to be paid the Expence incurred by them.

Such Payments to be made out of the Funds of the Trusts.

XI. And be it further enacted, That the Penalties and Forfeitures inflicted and directed to be recovered before a Justice or Justices of the Peace by this Act, shall, if not immediately paid, be levied by Distress and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace having Jurisdiction where such Offender shall dwell, rendering to the said Offender the Overplus, (if any) after the Charge of such Distress and Sale shall be deducted; and every Forfeiture by this Act incurred, when recovered, shall be paid One Half to the Informer, and the other Half to such Public Charity as may be directed by the convicting Justices of the Peace.

Recovery of Penalties and Forfeitures.

XII. Provided always, and be it enacted, That no Return shall be required in respect of the Line of Road vested in, and repaired and maintained by the Commissioners under an Act passed in the Fifty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for vesting in Commissioners the Line of Road from* Shrewsbury *in the County of* Salop *to* Bangor Ferry *in the County of* Carnarvon*; and for discharging the Trustees under several Acts of the Seventeenth, Twenty-eighth, Thirty-sixth, Forty-first, Forty-second, Forty-seventh, and Fiftieth Years of His present Majesty, from the future Repair and Maintenance thereof, and for altering and repealing so much of the said Acts as affects the said Line of Road.*

Certain Roads exempted.

59 G. 3. c. 39.

SCHEDULE to which the ACT refers.

RETURN to be made by Clerks and Treasurers to Turnpike Trusts.

First.—The Name of the Trust, the County or Counties in which the Roads are situate.

Second.—The Length of Road under the Trust, mentioning the Extremities of each Line of Road, as described in the Act.

Third.—The annual Income of the Trust averaged from the last Three Years; or if the Trust has not existed so long, the Amount of the last Year's Income arising from Tolls.

Fourth.—The Amount of the Debt of the Trust, as it stood at the last Settlement of the Accounts, and the Date of such Settlement, distinguishing the Debt on the Security of the Tolls, and stating the Nature of the Securities by Mortgage or otherwise from the floating Debt; the latter to be made up on the nearest Calculation that can be made.

Fifth.—The annual Expenditure averaged from the last Three Years, (or, if the Trust has not existed so long), for the last Year.

Sixth.—The Number of Trustees who have qualified, distinguishing those who have qualified as Land Owners, and those who have qualified on Personal Property.

Seventh.—The Balances of Accounts of the Treasurer, Clerks, Bankers or Cashiers of the Trust with the Trust at the last Settlement, mentioning the Amount, and whether due to or from such Treasurer, Clerk, Banker or Cashier.

Eighth.—Whether any, and what Sum of Interest is due and unpaid.

Ninth.—Whether any, or what Sinking Fund is established, and if so what Amount of Debt it has liquidated.

Tenth.—The Dates and Chapters of the several Acts of Parliament from which the Trustees derive their Authority.

To be directed,

*The Right Hon^ble^*
The Secretary of State for the
Home Department,
Whitehall.

Turnpike Trust Return.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1820.