

ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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CAP. XXXIX.

An Act to authorize Trustees or Commissioners of Turnpike Roads to appoint Meetings for executing their Trusts in certain Cases.

[4th *August* 1840.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England, whereby it was enacted, that where a sufficient Number of the Trustees or Commissioners of any Turnpike Road should not meet on the Day appointed by any Act or Acts of Parliament for making, repairing, or maintaining any Turnpike Road for their First Meeting, or should not meet on the Day appointed by Adjournment for their Meeting, or for Want of a proper Adjournment, by which Means, or by some or one of them, the Intent of such Act or Acts might be frustrated, in all or either of the said Cases it should be lawful for so many of the said Trustees or Commissioners as should meet, or the major Part of them, or, in case no such Trustee or Commissioner should be present, for their Clerk or Clerks, to cause Notice in Writing to be affixed on all the Turnpike Gates which 3 G. 4. c. 126. s. 70.

which should be then erected on the said respective Roads, or if no Turnpike Gate should then be erected to cause the like Notice to be affixed in the most conspicuous Place in one of the principal Towns or Places nearest to which the Roads directed to be repaired should lie, and also in some public Newspaper circulated in the County in which the Road should be situate, at least Ten Days before the intended Meeting, appointing such Trustees or Commissioners to meet at such Place where the preceding Meeting was appointed to have been held, or at the Place directed for the First Meeting of such Trustees or Commissioners, if no such preceding Meeting should have been held; and the said Trustees or Commissioners, when met in pursuance of such Notice, should and might and they were thereby required to proceed and carry such Act or Acts into execution, in the same and in as ample and full a Manner to all Intents and Purposes as they might or could have done if no such Neglect had happened: And whereas the said recited Provisions have been found inadequate to the Purposes intended to be provided for, and it is expedient that more ample Provision should be made: Be it therefore 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 the said recited Provisions shall be and the same are hereby repealed.

Repeal of recited Provisions of Act 3 G. 4. c. 126.

II. And be it enacted, That where a sufficient Number of the Trustees or Commissioners of any Turnpike Road shall not meet on the Day appointed by any such Act or Acts respectively for their First Meeting, or shall not meet on the Day appointed by Adjournment for their Meeting, or for Want of a proper Adjournment, by which Means, or by some or one of them, the Intent of the said Act or Acts may be frustrated, in all or either of the said Cases it shall be lawful for so many of the said Trustees or Commissioners as shall meet, or the major Part of them, or in case no such Trustee or Commissioner shall be present, for their Clerk or Clerks, or in case of the Death, Resignation, Absence, Incapacity, Neglect, or Refusal of such Clerk or Clerks, for any Five or more of such Trustees or Commissioners to cause Notice in Writing to be affixed on all the Turnpike Gates which shall be then erected on the said respective Roads, or if no Turnpike Gate shall then be erected to cause the like Notice to be affixed in the most conspicuous Place in one of the principal Towns or Places nearest to which the Roads directed to be repaired do lie, and also in some public Newspaper circulated in the County in which the Road shall be situate, at least Ten Days before the intended Meeting, appointing such Trustees or Commissioners to meet at the Place where the preceding Meeting was appointed to have been held, or at the Place directed for the First Meeting of such Trustees or Commissioners, if no such preceding Meeting shall have been held; and the said Trustees or Commissioners, when met in pursuance of such Notice, shall and may and they are hereby required to proceed and carry such Act or Acts into execution in the same and in as ample and full a Manner to all Intents

Providing for Cases where sufficient Number of Trustees do not attend on the Day appointed for the First Meeting of Trustees under any Act relating to Turnpike Roads.

Intents and Purposes as they might or could have done if no such Neglect had happened.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament. Act may be amended this Session.

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