



ANNO QUADRAGESIMO SECUNDO

# GEORGII III. REGIS.

\*\*\*\*\*

## Cap. 36.

An Act for continuing the Term, and altering and enlarging the Powers of Two several Acts, passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, and in the Twenty-first Year of the Reign of His present Majesty, for repairing and widening the High Road from *Westwood Gate* in the Parish of *Knotting*, in the County of *Bedford*, through the Towns of *Rushden* and *Higham Ferrers*, and over *Artleborough Bridge*, to the Turnpike Road in *Barton Seagrave Lane* in the Parish of *Barton Seagrave*, in the County of *Northampton*. [30th April 1802.]

**W**HEREAS an Act was made in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second; intituled, *An Act for repairing and widening the High Road from Westwood Gate in the Parish of Knotting, in the County of Bedford, through the Towns of Rushden and Higham Ferrers, and over Artleborough Bridge,* 27 Geo. 2. and  
[Loc. & Per.] 6 R 10

21 Geo. 3.

Acts further  
continued.

to the Turnpike Road in Barton Seagrave Lane in the Parish of Barton Seagrave, in the County of Northampton: And whereas another Act was made in the Twenty-first Year of the Reign of His present Majesty, for enlarging the Term and Powers of the said recited Act: And whereas the Trustees for the Care and Management of the said Road, have made great Progress in the Repair thereof, and for that Purpose have borrowed a considerable Sum of Money on the Credit of the Tolls authorized to be collected thereon, which Money, together with an Arrear of Interest, still remains due, and the same cannot be repaid, and the said Road amended and kept in Repair, unless the Term of the said Acts (which is near expiring) be further continued, the Tolls increased, and some of the Provisions thereof altered and enlarged: 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same, That from and immediately after the Commencement of this Act, the Term granted by the said recited Acts shall be repealed; and that the said recited Acts, and all the Clauses, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained, (except such Parts thereof as are hereby varied, altered, or repealed, and also such as relate to Exemption from Stamp Duties), shall be and remain in full Force and Effect, and together with this present Act shall be put in Execution for the several Purposes thereby and hereby intended, for and during the Term hereinafter granted, as fully and effectually in all Respects, and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be, and is hereby declared to be subject and liable to the Payment of all Monies now due and owing on the Credit of the said recited Acts, or which shall or may hereafter be borrowed or become due on the Credit of the said recited Acts and of this Act, and all Interest due and to become due for the same respectively.

For appoint-  
ing addi-  
tional Trus-  
tees.

II. And be it further enacted, That *Thomas Alston, Justinian Alston, Rowland Alston, William Andrews, William Lee Antonie, Thomas Ashpole, Simon Adams Clerk, John Achurch, Thomas Angrave, John Anthony, John Austin, John Adams, John Arnytage, the Honourable Edward Bouverie, Edward Bouverie, George Barker Clerk, Thomas Battams, William Bitbrey, John Bitbrey, Charles Bletsoe, Britten, George Brooks, Charles Burton Clerk, William Bricheno, William Burbidge, Richard Booth, Richard Brooke, De Capell Brooke, Abraham Blott, Ephraim Buswell, John Brown, John Boudier Clerk, Leonard Burton, Richard Andrews Calhcart, Charles Chester, Samuel Cornish, John Crawly, Samuel Crawley, Frogmore Cummins Clerk, Adam Corrie, Andrew Corrie, Thomas Chapman, James Cobb, John Day, William Day, Thomas Day, John English Dolben, William Somerset Dolben, William Drage, William Douglas, Thomas Davis, Robert Carey Elwes, John Eyles, Robert Eden, William Fancourt Clerk, William Grove Spurgeon Farrer, Dudley French, John Fox, Thomas Fox, Thomas Fletcher, John Fletcher, Francis Ferrand Foljambe, John Garrard, Robert Garstin, Charles Garth, John Gell, Thomas Gell, Thomas Gent, John Gibberd, Robert Gibbins, Valentine Grantham Clerk, Griffiths Clerk, Joseph Gulston, Francis Green, the Honourable George Germaine, Henry Gladwell, Green Gascoyen, George Gascoyen, William Geary, William Griffin, Thomas Gotch,*

*Gotch, John Cooper Gotch, Charles Gibbon, Richard Garrett, Thomas Green, James Hardwick, John Webster Hawksley Clerk, John Higgins senior, John Higgins junior, John Higgins of Higham Park, Bartholomew Higgins, Hind Clerk, William Hooper Clerk, Robert Harris Hurst Clerk, Isaac Hurst Clerk, William Harris, William Hart, William Hill, William Hensman, Buswell Hensman, Samuel Hill, John Hennell, Henry Hensman, Thomas Bolton Hodgson Clerk, Samuel Isted, George Isted, John Istop, John Kipling, Thomas Kidman, John Knight, Henry Ryder Knapp Clerk, Thomas Knight, John Keep, William Kerr M. D., John Leighton, William Drury Lowe, Robert Lee, Matthew Lee, Richard Lee, John Linnell, the Right Honourable Lord Frederick Montagu, the Right Honourable Charles William Wentworth Fitzwilliam commonly called Lord Viscount Milton, John Madocks Clerk, Macqueen M. D., John Macham, Thomas Orlebar Marsh Clerk, Thomas Maxey, William Maxey, Benjamin Mather, Archibald Morton, Abraham Mee, William Lockwood Maydwell Clerk, Samuel Munns, Luke Nunnely, Richard Orlebar senior, Richard Orlebar junior, John Orlebar, Sir George Osborne Baronet, John Osborne, Thomas Paine, Joseph Paine, Emery Palmer, Roger Parry, Joseph Pawsey, William Pickering, William Palmer, William Porter, William Pywell, Charles Proby Clerk, Joseph Robinson, John Tole Rodick Clerk, Archibald Rodick, John Rogers, Benjamin Rogers, the Right Honourable Francis Russell commonly called The Marquis of Tavistock, the Right Honourable William George Russell commonly called Lord William George Russell, the Right Honourable William Russell commonly called Lord William Russell, the Right Honourable John Russell commonly called Lord John Russell, Sir George Robinson Baronet, George Robinson, William Villiers Robinson Clerk, Charles Robinson Clerk, John Rogers, John Robinson, Samuel Robinson, Joseph Robinson, Thomas Robinson, Castle Sberard Clerk, Thomas Strange, Joseph Sibley, Thomas Sparke, John Sawell, the Honourable Saint Andrew Saint John, the Honourable George Saint John, Lovell Stonebanks, William Swannell, John Grove Spurgeon Clerk, Stephenson Clerk, Orlebar Smith, Richard Stevens, Thomas Smith, Samuel Sharman, John Satchell, John Sutton Clerk, Samuel Sharman of Hardwick, Jarvis Tibbitts, Neville Tomlinson, Charles Tibbitts, Robert Talbot, John Talbot, Edward Tanquery Clerk, Charles Tanquery Clerk, John Tassell, the Honourable John Trevor, Robert Trevor, John Harvey Thursby, Rice Vorley, William Wray, Thomas Ward Clerk, Saint John Livesay Wagstaffe, Ward Clerk, John Ward, Samuel Whitbread, Thomas Whitworth, Richard Williams Clerk, John Wing, William Wootton senior, William Wootton junior, Samuel Wright, John Wallis, Thomas Whalley Clerk, William Wilson, Ralph Wilson, Edward Ward, Joseph Wright, Christopher Wilson, Matthew Wilson, John Warner, Samuel Wallis, Samuel Wright, Edmund Wallis, Owen Wallis, Allen Edward Young, John Young Clerk, and William Yorke, shall be and they are hereby added to and joined with the Trustees appointed, by or in pursuance of the said recited Acts, for putting the same and this Act into Execution; and the Trustees herein nominated, and their Successors, (being qualified according to the Directions of the said first recited Act), are hereby empowered to act in the Execution of the said recited Acts and of this present Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed Trustees by or in pursuance of the said recited Acts.*

Tolls on  
Horses, Oxen,  
&c. repealed  
and others  
granted.

III. And be it further enacted, That from and after the Commencement of this Act, the Tolls payable in and by the said recited Act of the Twenty-first Year of His present Majesty, for and upon all Horses, Mares, Geldings, Mules, or Asses drawing Carriages, and for Oxen, Cows, or other Neat Cattle, and for Calves, Hogs, Sheep, or Lambs, shall cease, determine, and be no longer paid or payable; and that in lieu thereof, the following Tolls shall be demanded and taken before any Carriages drawn by Horses, Mares, Geldings, Mules, or Asses, or before any Oxen, Cows, or other Neat Cattle, Calves, Hogs, Sheep, or Lambs, shall be permitted to pass through any Turnpike or Toll Gate, erected or to be erected by virtue of the said recited Acts or this Act, upon and across the said Road, or upon and across any Lane or Way leading into the same; that is to say,

For every Horse, Mare, Gelding, Mule, or Ass, drawing any Carriage whatsoever, the Sum of Sixpence:

For every Score of Oxen, Cows, or other Neat Cattle, the Sum of One Shilling and Three-pence, and so in Proportion for any lesser Number: And,

For every Score of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny, and so in Proportion for any lesser Number.

To repeal the  
Exemption of  
the Inhabit-  
ants of *Higham  
Ferrers* from  
paying Toll.

IV. Provided always, and be it further enacted, That so much of the said recited Act passed in the Twenty-first Year of His present Majesty, as exempts the Inhabitants of *Higham Ferrers* from paying Toll for the passing of any Horses, Cattle, or Carriages through the Toll Gate or Turnpike erected between the South End of the Town of *Higham Ferrers* and the Road leading to *Wellingborough*, shall be and is hereby repealed.

Trustees may  
alter the Situ-  
ation of Turn-  
pikes.

V. Provided always, and be it further enacted, That the said Trustees, or any Nine or more of them, at a Special Meeting to be holden for that Purpose, shall have Power to alter the Situation of Toll Gates or Turnpikes upon the said Road, and to pull down and rebuild the same, and to erect such Side Gates as to them may seem proper, (any Exceptions in the said recited Act passed in the Twenty-first Year of the Reign of His present Majesty to the contrary notwithstanding); of which Meeting Notice shall be given One Month at the least previous thereto, upon all the Toll Gates or Turnpikes upon the said Road, and Twice at the least in the Newspaper usually circulated in the Counties through which the Line of the said Road passes: Provided nevertheless, that it shall not be lawful for the said Trustees to erect any Toll Gate or Turnpike in *Higham Ferrers* North of the present Turnpike or Toll Gate now standing at the South End of *Higham Ferrers* aforesaid, and South of the Road leading to *Kimbolton*; any Thing in this Act or the said recited Acts contained to the contrary in anywise notwithstanding.

Trustees to  
hold their Ge-  
neral or Spe-  
cial Meetings  
at *Higham  
Ferrers*, &c.

VI. Provided always, and be it further enacted, That the Trustees shall be, and are hereby authorized and empowered, to hold their General or Special Meetings for the Purpose of carrying the said recited Acts and this Act into Execution, at the Town of *Higham Ferrers*, or at any other Place upon the Line of the said Road, which they shall judge more convenient.

For altering  
the Rate of  
Interest.

VII. And whereas it is proper that the said Trustees should for the future be empowered to allow a greater Rate of Interest for the Money to be

be borrowed than they are authorized to do by the said first recited Act; be it therefore further enacted, That so much of the said first recited Act, as limits the Rate of Interest of any Money which shall be borrowed by the said Trustees, shall be and is hereby repealed; and it shall and may be lawful for the said Trustees, or any Five or more of them, to allow and pay to any Person or Persons who may hereafter have any Money secured on the Credit of the Tolls authorized to be collected by virtue of the said recited Acts or either of them, or this present Act, such Rate of Interest for all such Money as aforesaid, as the said Trustees, or any Five or more of them, shall from Time to Time think proper, not exceeding the Rate of Five Pounds *per Centum per Annum*.

VIII. And be it further enacted, That if any Person or Persons, other than those employed in the Repairs of the said Road, shall take away any Materials which have been digged, gathered, or collected in any Lands or Grounds, or on the Sides of the said Road, or shall get or take any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road, before the Surveyors thereof or their Workmen shall have discontinued working therein for the Space of One Month, (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials therein), every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, to be recovered and applied in the same Manner as the Penalties and Forfeitures by the said recited Acts are directed to be recovered and applied.

To prevent  
Materials  
being taken  
away.

IX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Grounds, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Grounds, or other Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid affecting the same Lands, Grounds, or other Hereditaments standing settled therewith, to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Grounds, or other Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Grounds, or other Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Con-

Application of  
Compensation  
Money when  
amounting to  
200 l.

veyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200*l.* and exceeds 20*l.*

X. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Grounds, or other Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments, so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is less than 20*l.*

XI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Grounds, or other Hereditaments so purchased, taken, or used for the Purposes of the said Acts and this Act, in such Manner as the said Trustees, or any Five or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

For paying the Expences of the Act.

XII. And be it further enacted, That the Costs, Charges, and Expences incident to and attending the procuring and obtaining of this Act, together with lawful Interest for the same, from the Time of advancing the same till the Time of Payment, shall be paid and satisfied by the said Trustees;

Trustees; and that it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby directed and required to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the first Monies that shall be collected, borrowed, or received by virtue of the said recited Acts and this Act, in Preference to all other Payments and Disbursements whatsoever.

XIII. And be it further enacted, That this Act shall be deemed and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

XIV. And be it further enacted, That this Act shall commence and take Place from and immediately after the Eighth Day of *May* One thousand eight hundred and two, and shall continue in Force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament. Commence-  
ment and  
Continuance  
of the Act.

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