



Year of the Reign of His present Majesty, the Term and Powers of the said first-mentioned Act were enlarged and continued for a further Term, which is near expiring: And whereas the Trustees appointed in or by virtue of the said Acts, have proceeded in the Execution of the Powers thereby vested in them, and have from Time to Time for that Purpose borrowed several considerable Sums of Money on the Credit of the Tolls authorized to be taken thereby, which still remain owing, and cannot be repaid; nor can the said Roads be properly amended, improved, and kept in Repair, unless the Term now subsisting under the said Acts be further continued: And whereas the Powers and Provisions of the said Acts are found in many Respects defective, and it would be convenient and beneficial to the Publick if the said Acts of the Twenty-seventh Year of His late Majesty, and the Twentieth Year of His present Majesty, were repealed, and further and other Powers granted instead thereof; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most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 upon the Day of the Commencement of this Act, the said Act of the Twenty-seventh Year of His late Majesty, and the said Act of the Twentieth Year of His present Majesty, shall be, and the same are hereby declared to be repealed; and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of repairing, widening, and improving the Road from the North End of *Bridgeford Lane*, in the County of *Nottingham*, to and through several Towns and Places in the Counties of *Nottingham*, *Leicester*, *Rutland*, and through *Rockingham* to the *Bowling Green* at *Kettering*, in the County of *Northampton*; and this Act and the Tolls hereby granted shall be and are hereby made subject to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized to be taken by the said Acts on the said Road, and of all Interest to grow due thereon, as fully to all Intents and Purposes as if such Monies had become due and owing on the Credit or on Account of this Act.

Former Acts repealed, and this Act to be put in Execution.

Trustees.

II. And be it further enacted, That *Sir Thomas Hussey Appreece* Baronet, *Charles Bowyer Adderley*, *Gilbert Afflect*, *William Afflect* Clerk, *John Allinson* Clerk, *George Ashby*, *Shuckburgh Ashby Appreece*, *Adams*, *George Almond*, *James Amys*, *John Allen*, *Anderson* Clerk, the Right Honourable *Brownlow Cecil* commonly called Lord *Burghley*, the Right Honourable *Fane* commonly called Lord *Burghursh*, *Thomas Barker*, *Samuel Barker*, *William Belgrave*, *Richard Brooke de Capel Brooke*, *Arthur Brooke de Capel Brooke*, *Thomas Babington*, *Thomas Barfoot*, *Henry Bolton*, *Francis Barnes D.D.*, *Calverley* *John Bewicke* Clerk, *Jeremiah Belgrave* Clerk, *Charles Belgrave* Clerk, *Robert Boon* Clerk, *William Berry*, *William Baker* Clerk, *Henry Key Bonney* Clerk, *Gregory Bateman* Clerk, *Charles Berkeley*, *Thomas Bryan*, *William Boon*, *John Bullock*, *Thomas Black*, *John Bowater*, *Richard Boyfield*, *John Bright*, *Edward Bright*, *William Browne* Clerk, *John Suffield Brown*, *John Bradford* Clerk, *Ephraim Buswell*, *William Brereton* Clerk, *Henry Brown* Clerk, *Thomas Beaumont Burnaby*, *John Buck*, *Jonas Bettison*, the Reverend *William Beetham*, the Reverend *John Blanchard*, *John Burnside*, *Thomas Bolton*, *Samuel Bolton*, *Jonas Bradley*, *John Bell*, the Reverend *James Bingham*, the Reverend *James Bingham the Younger*, *Samuel Bryans*, *William*

*William Boulton, John Bigsby, John Brendon, Langham Rokeby, the Right Honourable Baron Carberry of the Kingdom of Ireland, Sir Lionel Copley Baronet, the Reverend William Clarke, the Reverend Leonard Chapman, William Clarke Grocer, Richard Cole, Joseph Cooper, John Collishaw, John Clarke, Thomas Clarke, John Chamberlin, the Right Honourable Charles Viscount Cullen of the Kingdom of Ireland, the Honourable Cecil, the Honourable William Cockayne, George Crump, John Clarke, John Cooke, Francis Cheselden, Nedham Cheselden, Edward Cheselden, William Ralph Cartwright, John Clementson, John Clementson Junior, Richard Cary Clerk, William Banbury Clark, Samuel Caldecott, William Chamberlain Clerk, John Cleathing Clerk, John Clementson, John Crompton, Charles Duncombe, Francis Dickins, Dashwood Clerk, Henry Donly M. D., the Reverend Owen Dimsdale, John Deakin, the Reverend Donnitborne, the Right Honourable commonly called Lord Dalkeith, William Elliott Elliott, John Elliott, Robert Edmunds, Francis Evans, Stephen Eaton, the Honourable Bouverie commonly called Lord Folkstone, George Fludger, William Forster Clerk, Thomas Foster Clerk, Farrer Clerk, John Freer, William Freer, William Fablin, John Floar, Daniel Freeth, John Freeth, Samuel Freeth, Joseph Flewitt, Thomas Ford LL. D., Thomas Frisby, George Godfrey, William Godfrey, John Godfrey, Peter Godfrey, Thomas Godfrey, William Gillson, the Reverend William Gill, William Gillson, the Reverend Edward Gregory, John Cole Gillson, Edmund Goodall, Jonathan Gibbons, William Gould, William Gibson, John Gill, Sir Edmund Cradock Hartopp, the Reverend Nathan Haines, D. D., George Henry William Hartopp, James Hooley, John Heycock, John Heycock Junior, George Hopkinson, Joseph Heycock, Nathan Tempest Haines, William Hornbuckle, George Fench Hatton, Sir Gilbert Heathcote Baronet, Edward Healey Clerk, Robert Heathcote, John Heathcote, Thomas Hotchkin, John Hunt, Thomas Hunt, Richard Holgate Clerk, Thomas Hurst Clerk, Richard Hill, Robert Hawley, Edward Wigley Hartopp, Samuel Hartopp Clerk, Thomas Hemsley Clerk, Robert Hinde, Seth Hose, William Hill, Joseph Innes, Sir Francis Burdett Jones Baronet, Edward Jones Clerk, Francis Jones Clerk, the Reverend Jordan, Abraham Jobson Clerk, William Jamson, Christopher Jowitt, Gibson Jalland, George Anthony Legh Keck, Jonas Keuney, Thomas Kendall, Thomas Keal, William Kemp, William Keal, Knight Clerk, Sir William Lowther Baronet, Cornelius Launder, Richard Lucas Clerk, the Reverend Abel Collin Launder, Lidiart Clerk, John Leadbeter, Charles Latham Junior, Richard Lucas Junior, Henry Larratt, the Right Honourable Charles Manners commonly called Lord Charles Manners, the Right Honourable Robert Manners commonly called Lord Robert Manners, Sir William Manners Baronet, the Honourable John Monckton, the Honourable Fitzwilliam, commonly called Lord Milton, the Right Honourable Lord Viscount Melbourne of the Kingdom of Ireland, Edward Manners, Morgan Baronet, John Musters, John Mann, John Musters the Younger, John Maddox, William Marsden M. D., John Marriott, William Marriott Senior, Thomas Maltby, William Marriott Junior, Robert Myddelton D. D., the Reverend Morris, John Moore, Thomas Cecil Maunsell Esquire, Thomas Marshall, William Morris, John Morres Clerk, Thomas Morris, John Morris, Campbell Morris, Charles Morris, William Lockwood Mayderwell Clerk, Richard Norman, Pendock Neale, Pendock Neale Clerk, Josiah North, Thomas North, Langford Nevill, Charles*

Charles Nixon Clerk, Matthew Needham, Gerard Noel Noel, Noel Noel, Noel Noël, Noel Noel, Cosmas Neville, George Osborne Clerk, Henry O'Brien, Richard Orlebar, Richard Orlebar Junior, the Honourable Evelyn Pierrepont, Sir John Palmer Baronet, Sir Thomas Parkyns Baronet, Thomas Palmer, Sampson Parkyns Clerk, John Palmer, Henry Palmer, James Phelp, Robert Padley, Samuel Parke, William Pidcock, James Parke, William Pochin, Thoroton Pocklington, John Page, John Abeam Palmer, Charles William Pochin, William Pochin; William Pochin Junior, Pochin, Conyers Peach, George Pywell, Sir George Robinson Baronet, William Reeve, Thomas Jekyll Rawson, Charles Robinson Clerk, Martin Roe, William Villiers Robinson, James Robinson, John Robinson, John Renshaw, Berry Rusbland, Samuel Reeve, Charles Roberts, the Honourable and Reverend Richard Bruce Stopford, Robert Stanley, Matthias Sly Clerk, John Sly Clerk, Sir Charles Farrell William Skeffington, Samuel Smith, the Reverend Philip Story, William Sheild, George Smith, Henry Sheild Clerk, Thomas Smith, Henry Sharpe, William Sherbrooke, Richard Sharpe, John Sterland, George Shaw Clerk, Edward Spencer, Thomas Stokes, John Simpson, Matthew Snow Clerk, Nathaniel Stubbins, John Finch Simpson, William Sanday, John Simpson, William Smith the Younger, John Smith M. D., Benjamin Stoney, Robert Stafford, John Sutton; Lumley St. George Skeffington, Robert Sykes, Edward Swan, the Reverend Edward Smith, the Reverend Henry Smith, William Shepherd, William Sharrard, John Simpson, Edward Stokes, the Reverend Philip Storey, Robie Sherwin Clerk, Thomas Sewell, the Right Honourable the Marquis of Titchfield, the Reverend William Thompson, William Taylor, Charles Tibbits, Samuel Tupman, Thomas Tollington, William Taylor, James Tebutt, John Topott, John Frewin Turner, Thomas Tryon, Charles Tryon, George Tryon, Leonard Towne Clerk, James Tiptaft, Baptist Noel Turner Clerk, Robert Tomlin, Cotton Tompson, Robert Tomlinson Clerk, William Underwood, the Honourable Henry Watson, the Honourable George Watson, Sir John Borlase Warren Baronet, Robert Wilson, Samuel Wright, Robert Walker, John Wright, Thomas Woods, Ichabod Wright, John Wingfield, John Smith Wright, Thomas Wingfield Clerk, Richard Webster, Bentley Warren, Thomas Wright Watson, the Reverend Charles Wildbore the Elder, the Reverend John Walter, William Gregory Williams, the Reverend Charles Wylde D. D., Thomas Warner Junior, Robert Wartnaby, John Whitchurch Senior, John Whitchurch Junior, Vincent Wing, Robert Walker, Thomas Wright, Richard Williams Clerk, Richard Williams Junior, Christopher Wilson, Thomas Yates, Allen Edward Young, John Young Clerk, and their Successors, to be elected in Manner herein-after mentioned, shall be, and they are hereby appointed Trustees for putting this Act in Execution.

Time and  
Place of  
Trustees an-  
nual Meeting  
for the whole  
Road.

III. And be it further enacted, by the Authority aforesaid, That the several Trustees hereby appointed, or any Seven or more of them, shall meet together at the Crown Inn in Oakham aforesaid, between the Hours of Ten in the Forenoon, and Three in the Afternoon, or such other convenient House there as shall be appointed by the said Trustees, or any Five or more of them, for that Purpose, of which Appointment Fourteen Days previous Notice shall be given upon all the Toll Gates upon the said Road, and adjourn themselves from Time to Time (provided always that Two such Trustees shall be sufficient for such Adjournment), yearly and every Year, during the Continuance of this Act, on  
the

the First *Saturday* in *July*, for the Election of new Trustees to fill up such Vacancies as may have happened by Death or Refusal to act, as is hereinafter mentioned; and for the determining upon the Expediency of raising more Money upon the Credit of the Tolls hereby granted, and for entering and registering all Securities and Assignments thereof granted by virtue of this Act, or the said former Acts, or either of them; and for passing and settling the Accounts of all Receivers, Collectors, Toll Bar Keepers, and other Officers belonging or relating to the said Road, and for the transacting of such other Business as relates to the Whole of the said Road; and if there shall not appear, at any such yearly Meeting so appointed, a sufficient Number of Trustees to act at such yearly Meeting, or to adjourn to another Day, the Clerk or Clerks to the said Trustees, or either of them, shall and may, by publick Notice in Writing, to be fixed on all the Toll Gates at least Ten Days before the next Meeting, appoint another Meeting of the said Trustees to be held at the House where the last Meeting was appointed to be held, and the said Trustees at their said Meeting shall defray their own Expences.

IV. Provided always, and be it further enacted, by the Authority aforesaid, That the said Trustees shall make no Order in pursuance of this Act which shall relate only to that Part of the Road leading from the North End of *Bridgeford Lane* to the *Crown Inn* in *Oakham* aforesaid, or that shall relate only to that Part of the Road leading from the said *Crown Inn* in *Oakham* aforesaid, to the *Bowling Green* at *Kettering* aforesaid, at such yearly Meetings of the said Trustees, or any Adjournments thereof.

No Orders relating to the respective Districts to be made in the General Meetings.

V. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the *Mermaid Inn* in the Town of *Plumtree*, in the said County of *Nottingham*, on the Second *Monday* after the Fourth Day of *July* next after the passing of this Act, between the Hours of Ten in the Forenoon and Three in the Afternoon, or as soon after as conveniently may be, and shall then and there proceed to the Execution of this Act, as far as the same relates to that Part of the said Road that lies between the North End of *Bridgeford Lane* and the Watercourse, which divides the Counties of *Nottingham* and *Leicester*, being the North Part of the Northern Division of the said Road, and adjourn themselves from Time to Time, and afterwards meet there, or at any other Place in the County of *Nottingham*, on or near the said North Part of the said Northern Division of the said Road, as the said Trustees, or any Three or more of them, shall think proper and appoint, or in the Town of *Nottingham*, as often as it shall be necessary for putting this Act in Execution; and that the said Trustees, or any Five or more of them, shall meet at the *White Swan Inn* in *Melton Mowbray*, in the said County of *Leicester*, on the Second *Monday* after the Fourth Day of *July* 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 as conveniently may be, and shall then and there proceed in the Execution of this Act, as far as the same relates to that Part of the said Road that lies between the said Watercourse which divides the Counties of *Leicester* and *Nottingham*, and the said *Crown Inn* in *Oakham* aforesaid; being the South Part of the Northern Division of the said Road, and adjourn themselves from Time to Time, and afterwards meet there or at any other Place near the said South Part of the said Northern Division of the said Road, as the said Trustees, or any Three or more of them, shall think proper and appoint,

Trustees for the respective Districts Meetings.

as often as shall be necessary for putting this Act in Execution ; and that the said Trustees, or any Five or more of them, shall meet at the *Falcon Inn* in *Uppingham*, in the County of *Rutland*, on the Second *Monday* after the said Fourth Day of *July* next after the passing of this Act, between the Hours of Ten in the Forenoon and Three in the Afternoon, or as soon after as conveniently may be, and shall then and there proceed in the Execution of this Act, as far as the same relates to that Part of the said Road that lies between the *Crown Inn* in the Town of *Oakham* aforesaid, and the *Bowling Green* in *Kettering* aforesaid, being the Southern Division of the said Road, and adjourn themselves from Time to Time, and afterwards meet there, or at any other Place near the said Southern Division of the said Road, as the said Trustees, or any Three or more of them shall think proper and appoint, as often as it shall be necessary for putting this Act in Execution.

How Meetings may be adjourned.

Meetings on Emergencies.

VI. Provided always, That Two Trustees shall be sufficient for the Purpose of Adjournment, and that in Case a competent Number of Trustees shall not appear at any Time and Place appointed for a Meeting of the Trustees for putting this Act in Execution, either then to act, or to adjourn to any other Time, or in Case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, then, and in either of the said Cases, it shall be lawful for the Clerk or Treasurer to the said Trustees for the Time being, by a Note in Writing affixed on all the Toll Gates upon the said Road, within the Division or District for which such Meeting is to be held, at least Fourteen Days before the next Meeting, to appoint them to meet at the same Place where the last Meeting was held, or was to have been held, on such future Day as shall be specified in such Notice, not exceeding Three Weeks after the Day on which such last Meeting was held, or was to have been held as aforesaid ; and in Case such Clerk or Treasurer respectively shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Two of the said Trustees respectively, although not assembled at a Meeting, at any Time or Times after such Refusal, Neglect, or Prevention respectively as aforesaid, by Notice in Writing, under their Hands, to be affixed in Manner aforesaid, to appoint the Trustees to meet at some House on or near the said respective Divisions or Districts of the said Road, upon some Day within Three Weeks after the Date of such last-mentioned Notice ; and if after any Adjournment of the said Trustees, in either of the said Divisions or Districts, it shall be thought necessary that they should meet at an earlier Time than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, in the respective Divisions or Districts, upon an Order in Writing, signed by Two or more of them, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in such Order (such Time not being less than Fourteen Days after such Notice) and such earlier Meeting shall and may be held accordingly, and all the Proceedings of the Trustees at all such Meetings as aforesaid, shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournments ; and all Orders and Determinations of the Trustees, in the Execution of this Act, shall be made at Meetings, to be held in pursuance of this Act, and not otherwise, (except as herein-mentioned) and that no Order or Determination shall be made, unless the major Part of the Trustees present,

sent, shall concur therein; and that all such Trustees as are Justices of the Peace, may act as Justices in the Execution of this Act, notwithstanding their being Trustees, (except only in such Cases where they shall be personally interested); and in all Cases where the Trustees are authorized to examine any Person or Persons upon Oath, it shall be lawful for such Trustees to administer such Oath, and which they, or either of them, are hereby authorized to do to all or any of the Officers to be appointed under this Act, relating to, or any Ways concerning any of their Accounts.

Trustees being Justices may act as such.

VII. Provided always, and be it further enacted, That no Order made at any Meeting at which Five or more of the Trustees were present, shall be revoked or altered, unless Nine Trustees at least shall be then present, and Seven or more of them concur therein.

No Order to be revoked, unless Nine Trustees present.

VIII. And be it further enacted, That all Orders and Proceedings of the Trustees shall be entered in a Book or Books to be kept for that Purpose, and such Orders and Proceedings so entered shall be signed by the Trustees making the same, or the major Part of them, or by their Clerk by their Order, which said Book or Books, and also the Books hereinafter mentioned and directed to be kept for registering the Mortgages and Assignments of the Tolls hereby intended to be granted, or Transcripts thereof signed by the Clerk or Clerks to the said Trustees, shall and may be read in Evidence in all Cases of Appeal, and in all Suits and Actions touching any Thing done, or to be done in pursuance of this Act.

Proceedings to be entered in a Book.

IX. And be it further enacted, That in case any of the Trustees named in, or appointed by virtue of this Act, shall happen to die or refuse to act, it shall and may be lawful for the surviving Trustees, or any Seven or more of them, by any Writing or Writings under their Hands, from Time to Time, and at all Times during the said Term, (at such yearly General Meetings to be held at *Oakham* aforesaid, whereof at least Ten Days Notice shall have been given, upon all the Toll Gates erected upon the said Road, specifying that an Appointment of new Trustees is intended to be made at such Meeting, to nominate and appoint some other Person to be a Trustee, in the Room of every such Trustee so dying, or refusing to act as aforesaid; and every Person so nominated and appointed, (being qualified as by this Act is required) shall have the like Power and Authority to act as a Trustee under this Act, as the Person had in whose Stead he shall be so appointed.

Power to chuse Trustees.

X. And be it further enacted, That no Person shall be capable of acting as a Trustee, in the Execution of this Act, unless he shall, in his own Right, or in the Right of his Wife, be in the actual Possession; or Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds, or shall be Heir Apparent of some Person having such Estate of the clear yearly Value of Three hundred Pounds; or be possessed of, or entitled unto a Personal Estate to the Amount or Value of One thousand Pounds; and if any Person not being qualified as aforesaid, shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same, to be recovered in any of His Majesty's Courts of Record at

Qualification of Trustees.

Penalty for acting not being qualified.

*Westminster;*

*Westminster*, by Action of Debt, or on the Case, wherein no Effeign, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and the Person prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act; and that no Trustee shall be capable of acting in the Execution of any of the Powers hereby granted, during the Time he shall hold any Place of Profit or Emolument under this Act, or in any Case in which he shall be personally interested, nor shall any menial Servant of any Trustee be capable of holding any Place of Profit under this Act.

Acts of Trustees valid before Conviction.

XI. Provided nevertheless, That all Acts and Proceedings which shall have been done and performed by any such Person touching the Execution of this Act, previous to his being convicted of the Offence before-mentioned, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of this Act.

Toll Gates to be erected.

XII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may either continue the Six principal Turnpikes, or Toll Gates, and Toll Houses, now standing in, upon, or across the said Road, at the several Places herein-after mentioned, (that is to say), one of them in the Town of *Plumtree* aforesaid; another of them at a certain Place in the Town of *Melton Mowbray*, in the said County of *Leicester*, called *Spittle End*; another of them near, and on the South Side of the Way Post which stands about One Furlong from the Town of *Langham* aforesaid, on the North Side thereof; another of them at the South End of *Ayston Lane*, which lies about Three Furlongs on the North Side of the Town of *Uppingham* aforesaid; another of them at the South End of *Rockingham Bridge*, and the other at the South End of *Glen Lane*, which lies about a Mile and an Half on the North Side of *Kettering* aforesaid, or remove the same, or any of them; and also shall and may continue or remove all or any of the other Toll Gates erected or set up by virtue of the said former Acts, and may erect and set up, or cause to be erected and set up, any other Toll Gate or Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Road, by this Act directed to be repaired, and upon the Sides thereof; and also in, upon, or near unto, or across any Street, Lane, Common, or Way leading into, or out of the same; and may also continue, erect, or provide a Toll House, with suitable Out-buildings and Conveniences at or near each Toll Gate, and may from Time to Time afterwards, remove, alter, or discontinue the Toll Gates or Toll Houses, or any of them, as they the said Trustees, or any Five or more of them shall think expedient; and also may take in and inclose from the said Road, or any Part thereof, convenient Garden Spots for each of the said Toll Houses, not exceeding One-eighth Part of an Acre, as the said Trustees, or any Five or more of them, shall direct or appoint, and that the respective Tolls following shall be demanded at each and every of such Toll Gates, of the Person or Persons attending any Cattle or Carriages, by such Person or Persons as the said Trustees, or any Five or more of them, shall, from Time to Time authorize or appoint for that Purpose, before any such Cattle or Carriage shall be permitted to pass through



through the same, on any Day of the Week (except *Sundays*, that is to say),

For every Chaise, Gig, Whisky, or other Carriage of the like Kind, <sup>Tolls.</sup> drawn only by One Horse, the Sum of Sixpence :

For every Horse or other Beast of Draught, drawing any Chair, Gig, Whiskey, or other Carriage of the like Kind, (if drawn by more than One) or drawing any Coach, Sociable, Berlin, Landau, Chariot, Vis-a-Vis, German Waggon, Phæton, Chaise, Calash, Chaise Marine, Curricule, Caravan, Hearse, Litter, Waggon, Wain, Drug, Cart, or other Carriage, (except such Chair, Gig, Whiskey, or other Carriage of the like Kind, drawn only by One Horse), the Sum of Four-pence Halfpenny :

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

And for every Two-wheeled Carriage so fixed, the Sum of Nine-pence :

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

And for every Horse, Mare, Gelding, Mule, or Afs, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :

And for every Drove of Oxen, or other Neat Cattle, the Sum of Ten-pence *per* Score, and so in Proportion for every less Number :

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

And that on every *Sunday* after the Commencement of this Act, there shall be demanded and taken at the Toll Gates respectively, by such Person or Persons to be nominated and appointed as aforesaid, before any Horse, Cattle, or Carriage shall be permitted to pass through the same, double the Tolls before directed to be taken on any other Day in the Week.

Double Tolls  
on a *Sunday*.

XIII. And be it further enacted, That the said Trustees, or any Five or more of them, at any Meeting to be holden for that Purpose, whereof at least Fourteen Days Notice shall be given in Writing, affixed on all the Toll Gates erected on the said Road, and published in the County Newspaper, may, and they are hereby authorized and empowered, from Time to Time (in Case it shall appear requisite or expedient) to lessen and reduce, and again to raise and advance the Tolls hereby authorized to be taken, or any Part or Parts thereof, so that the respective Tolls so varied never exceed the Tolls by this Act authorized to be taken, nor are ever lessened until the Money borrowed on the Credit thereof, together with the Interest, be repaid, except the Person or Persons entitled to Three-fourth Parts, or more, of such Money, consent thereto ; and such Tolls or Duties so varied, and every of them, shall be collected, recovered, and applied, in the same Manner as the Tolls and Duties hereby authorized to be taken, are directed to be collected, recovered, and applied.

Tolls may be  
varied.

XIV. Provided nevertheless, That it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby empowered from Time to Time, either with or without the Consent of the Persons entitled to the Whole or any Proportion of the Money which shall be borrowed, and then owing on the Credit of the Tolls, arising on the said Road, to lessen or reduce the Toll of Four-pence Halfpenny hereby granted for every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or other Carriage of the like Kind, to any Sum not less than Three-pence for every such Horse or Beast of Draught, and again from Time to Time to raise the same to any Sum not exceeding the Sum of Four-pence Half-penny.

Number of  
Tolls to be  
taken in each  
District.

XV. Provided always nevertheless, That nothing herein contained shall extend, or be construed to extend, to empower the said Trustees, or any of them, to cause more than One full Toll to be demanded or taken for the Passage of the same Cattle, Carriages, or Beasts, through all the Toll Gates erected, or to be erected, between the North End of *Bridgeford Lane* and the Watercourse which divides the Counties of *Nottingham* and *Leicester*, on the same Day; nor more than Two full Tolls for the Passage of the same Cattle, Carriages, or Beasts, through all the Toll Gates erected or to be erected between the said Watercourse and the said *Crown Inn* in *Oakham* aforesaid, on the same Day; nor more than Three full Tolls for the Passage of the same Cattle, Carriages, or Beasts, through all the Toll Gates erected, or to be erected, between the *Crown Inn* in *Oakham* aforesaid, and the *Bowling Green* at *Kettering* aforesaid, the Day to be computed from Twelve of the Clock at Night until Twelve of the Clock the next Night; nor to erect or cause to be erected any Toll Gate across or at the End of any Road now being a Turnpike Road, leading into or across the said Road hereby directed to be repaired.

Tolls paid but  
Once a Day.

XVI. And be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken, for the passing of any Horse, Cattle, Beast, or Carriage, through any of the Toll Gates continued or erected by virtue of this Act, the same Person shall, upon producing a Note or Ticket, denoting the Payment thereof, on that Day, at the same Toll Gate, (which Note or Ticket the Collector or Collectors of the said Tolls is, and are hereby required, to deliver *gratis*, on Demand, to every Person so paying the same), be permitted to pass Toll-free with the same Horse, Cattle, Beast, or Carriage, through the same Toll Gate at any Time or Times during the same Day.

Manner of  
recovering  
Tolls.

XVII. And be it further enacted, That the said respective Sums of Money shall be demanded and taken in the Name of or as a Toll, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after directed; and if any Person, subject to the Payment of any of the said Tolls, shall, after Demand thereof made, neglect or refuse to pay the same, or any Part or Parts thereof, it shall be lawful for the Person or Persons, authorized and appointed as aforesaid, to collect such Tolls by himself or themselves, or taking such Assistance as he or they shall think necessary, to distrain any Horse or Horses, Beast or Beasts, Cattle, or other Thing or Things, upon or in respect of which such Toll is hereby imposed, together with the respective Bridles, Saddles, Gears, Harness, Accoutrements, or Loading, belonging to the  
same,

same, or any Carriage, with or without its Loading, in respect of the Horses or Beasts drawing, which Carriage such Toll is by the Act imposed; and if such Tolls, and the reasonable Charges of such Distress shall not be paid within the Space of Four Days after such Distress made, the Person or Persons so distraining may sell the Horses, Beasts, Cattle, Carriages, or Things, so distrained, or a sufficient Part thereof, returning the Overplus of the Money to arise by such Sale, (if any), and what shall remain unfold, upon Demand, to the Owner thereof, after such Tolls, and the reasonable Charges occasioned by such Distress and Sale shall be deducted.

XVIII. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of Tolls due, or the Charges of keeping any Distress, it shall be lawful for the Collector or Person distraining, to detain the same, or the Money arising from the Sale thereof, (as the Case may happen), until the Quantity of the Tolls due, and Charges of seizing, distraining, keeping, and selling, (as the Case shall happen), shall be ascertained by One or more Justice or Justices of the Peace, for the County wherein the Toll Gate is situate, at which such Tolls shall be claimed to be payable, about which such Dispute shall happen, who upon Application made to him or them for that Purpose, shall examine the said Matter, on Oath of the Parties or other Withels or Witnesses, and determine the Quantity of the Tolls due, and also assess the Charge of such Seizure, Distress, Keeping, and Sale, and also the Collector's Attendance for that Purpose on the said Justice or Justices; all which Sums so determined or assessed shall be paid to the said Collector, or other Person, before he shall be obliged to return the Distress or Overplus after the Sale thereof, or of any Part thereof.

For settling  
Disputes con-  
cerning Tolls.

XIX. Provided always, and it is hereby enacted and declared, That no Toll shall be demanded of or paid by any of the Inhabitants of any or either of the Parishes and Townships of *Barkstone, Bottesford, Easthorpe, Eastwell, Harby, Holwell, Hose, Long Clawson, Muffon, Norman-ton, Plungar, Redmile, Scalford, and Stathern*, for the Passage of Cattle or Carriages through the Side Gate in the Road leading from the Town of *Melton Mowbray* to the Vale of *Belvoir*, now erected near the Turnpike Gate and Toll House at the *Spittle End*, in the Town of *Melton Mowbray* aforesaid, (except such Carriages as shall be laden with Coals for Sale, or carried for Hire), provided the respective Surveyor or Surveyors of the Highways for the said several Parishes and Townships, shall yearly, in the First Week in *November*, give unto the Toll-gatherer at the said Turnpike Gate at the *Spittle End*, in the said Town of *Melton Mowbray*, a true and exact List, in Writing, and signed by him, of the Names of the several Inhabitants of the Parish or Township of which he shall be Surveyor for the Time being, to the Intent that the said Toll-gatherer may know what Persons are to be so exempted from the Payment of Toll as aforesaid; and if any such Parish or Township Surveyor or Surveyors, shall refuse or neglect to give and leave with such Gate-keeper such List as aforesaid, within Ten Days after the First Week of *November* yearly, and Oath being made thereof by such Gate-keeper, before the said Trustees, or any Five or more of them, or before One or more Justice or Justices of the Peace for the said County of *Leicester*, such respective Township or Parish Surveyor or Surveyors shall respectively,

Particular Ex-  
emptions from  
Tolls.

tively forfeit and pay the Sum of Forty Shillings, to be levied, recovered, and applied in such Manner as herein-after mentioned and provided for the Recovery and Application of the Forfeitures made payable by this Act; and that no Toll shall be demanded of or paid by any of the Inhabitants of the Town or Lordship of *Melton Mowbray* aforesaid, for the Passage of their Cattle and Carriages, through the Side Gate, which shall be going to any of the Parishes or Townships above-mentioned, except such Carriage as shall be laden with Coals, either for Sale, or carried for Hire.

Collectors of  
Tolls compe-  
tent Witnesses.

XX. And be it further enacted, That in case any Dispute, Suit, or Litigation, shall arise, touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be and are hereby declared to be competent to give Evidence in any such Dispute, Suit, or Litigation.

For letting  
Weighing  
Engines.

XXI. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at any such Meeting after such Notice, to let to farm, either with or without the Tolls by this Act authorized to be taken, the additional Toll or Duty granted and made payable by virtue of an Act passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes*, for every Hundred Weight of One hundred and twelve Pounds to the Hundred, which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh at any of the Weighing Engines now or hereafter to be erected on the said Road, over and above the Weight allowed by Law, provided that the said additional Tolls be let in the same Manner as the Tolls arising at the said Toll Gates are by the said Act of the Thirteenth Year of His present Majesty, directed or prescribed to be let.

Enabling the  
Trustees to  
take Possession  
of Toll  
Houses when  
let to farm.

XXII. And be it further enacted, That in case the Tolls arising from all or any of the Toll Gates erected or to be erected on the said Roads, shall at any Time or Times during the Continuance of this Act, be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers thereof shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let; or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in Arrear for the Space of Seven Days next after any of the Days on which the same ought to be paid pursuant to the Agreement for letting the same, then and in either of those Cases the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or other Person authorized by Writing, under the Hands of any Five or more of them, shall be at Liberty, and they are hereby authorized to enter into and upon the Possession of the Toll Houses, with the Buildings, Gates, and Appurtenances thereto belonging, so let as aforesaid, and to remove and put out such Lessee or Lessees, Farmer or Farmers, from the Possession thereof, and from the Collection of the Tolls there made payable; and that thereupon it shall be lawful for the said Trustees, or any  
Five

Five or more of them, (if they shall think fit), to vacate and determine the Contract or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall be utterly void, to all Intents and Purposes (save as to the Covenants of Agreements for Payment of the Arrears of the Rent or Rents hereby reserved), as if such Demise or Agreements had never been made; and it shall and may be lawful for the said Trustees, or any Five or more of them, in every such Case, to demise or let to farm the said Tolls again to any Person or Persons, or cause them to be taken and collected, as if no former Contract or Agreement had been entered into relative thereto.

XXIII. And be it further enacted, That the Trustees, or any Five or more of them, may and they are hereby authorized and empowered to compound and agree by the Year or otherwise, with any Person using to travel on the said Road, (Common Carriers, and the Proprietors of Stage Coaches only excepted), for any Sum or Sums of Money which the said Trustees, or any Five or more of them, shall think fit, for and in lieu of Payment of any of the said Tolls, which Composition shall be paid in Advance to the said Trustees, or to such Person or Persons as they or any Five or more of them shall appoint.

Trustees may compound for Tolls.

XXIV. And be it further enacted, That none of the said Tolls hereby authorized to be taken shall be demanded, taken, or paid, at any of the Toll Gates erected or to be erected or continued upon the said Road, for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses, under the Authority of His Majesty's Postmaster General, either when employed in carrying, fetching, or guarding such Mails or Expresses, or in returning therefrom, nor for the Horses belonging to any Officers or Soldiers upon their March or on Duty, nor for any Horses, Cattle, or Carriages employed in carrying and conveying the Arms and Baggage of any such Officers or Soldiers, or in carrying any sick or disabled Officers or Soldiers; nor shall more than single Toll be demanded and taken at any such Toll Gates of or from any Rector, Vicar, or Curate, in going to or returning on a *Sunday* from his own Parish Church, or any Place of Divine Worship, nor for any Horses, Cattle, or Carriages, used or employed for the Purpose only of carrying or conveying Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for any of the Counties of *Nottingham, Leicester, Rutland, and Northampton*, or of carrying or conveying Vagrants sent by Passes, or of carrying or conveying Hay, Clover, or Corn in the Straw, not being sold or disposed of, or going to be sold or disposed of, but passing to be laid or stacked up in a Barn or Yard held or used by the Grower thereof, or of carrying or conveying at any Time between the First Day of *April* and the First Day of *November*, and at such other Time during Frost as the said Trustees, or any Two or more of them, either at a Meeting or otherwise, shall order and direct, any Dung, Mould, Lime, or Compost, to and to be used only for manuring of Lands lying in any Township, Hamlet, Lordship, or Parish, through which the said Road passes; nor for any Horses or Cattle, passing in Order to be used or employed only upon or for the Occupation of Land in any Township, Hamlet, Lordship, or Parish, in which such Gate shall be placed; or drawing any Waggon, Cart, Plough, Harrow, or other Implements of Husbandry, in

Exemptions from Toll.

order to be so used or employed, or to be repaired, unless the Waggon, Cart, or Carriage, bearing any such Plough, Harrow, or other Implement of Husbandry, be also laden with any other Things not hereby intended to be exempted from Toll; nor for any Horse, Cattle, or Sheep, passing to or from Pasture, upon any such Land as last mentioned; or to or from Water; nor for any Horse, Cattle, or Carriage, used or employed, or returning unladen or empty from being used or employed for the Purpose only of carrying or conveying Materials for the making or repairing any Highway or Publick Road within any Township, Hamlet, Lordship, or Parish through which the said Road passes; nor for any Horses, Cattle, or Carriages belonging to any Person or Persons residing or occupying Lands within the Lordship within which such Gate is situate, or passing to and from such Land only; and if any Person shall claim and take the Benefit of any Exemption in this Act contained, not being entitled to the same, every Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings.

To prevent  
evading of  
Tolls, &c.

XXV. And be it further enacted, That if any Person shall pass with, or ride or drive any Horse or Beast, or ride in or drive any Carriage, through or over any Land, Ground, or Place, lying by the Side of or near to any Part of the said Road, either with or without the Permission of the Owner or Occupier thereof; or if any Person or Persons owning or occupying any such Land, Ground, or Place, (the same not being a publick Highway), shall knowingly or willingly permit or suffer any other Person or Persons to go or pass with any Cattle or Carriage, through or over such Land, Ground, or Place, whereby or by Means whereof any Evasion of the Tolls hereby granted shall take place or be effected; or if any Person shall forge, counterfeit, or alter, or shall deliver to, or shall receive from any other Person or Persons, any Note or Ticket, with Intent to avoid the Payment of all or any Part of the said Tolls; or if any Person or Persons shall unload or cause to be unloaded any Goods or Merchandizes, or shall take off, or cause to be taken off any Horse or other Beast from any Carriage, either before or after having passed through any Toll Gate, or having passed through any Toll Gate shall afterwards add or put any Horse or other Beast to any such Carriage, and draw therewith upon any Part of the said Road, so as to increase the Number of Horses, or other Beasts, drawing the said Carriage, after the same shall have passed through the said Toll Gates, with the Intent to avoid the Payment of any Tolls; or if any Person or Persons having travelled along any Part of the said Road with any Cattle, Carriage, or other Thing liable to pay the said Tolls or Duties, shall pass through any Toll Gate erected or to be erected upon any Part of the said Road, and leave such Cattle, Carriage, or other Thing as aforesaid, in any House, Outhouse, Barn, Stable, Building, Close, or other Place, with the Intent to avoid the Payment of any of the said Tolls, or any Part thereof; or if any Person or Persons shall do any other Act with such Intent as aforesaid, such Persons, and every of them, shall, for such Offence, forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings, over and besides such Damages and Punishments as they shall otherwise be liable to by Law, to be recovered in such Manner as is herein-after mentioned and provided for the Recovery of Penalties and Forfeitures, One Half whereof, when recovered, shall be paid

Paid to the Informer, and the other Half shall be applied in such Manner as the other Penalties and Forfeitures are herein-after directed to be applied.

XXVI. And be it further enacted, That if any Person or Persons travelling on the said Turnpike Road, shall turn out of the same into any other Road, with any Horse, Cattle, or Carriage, in order to avoid the Payment of Toll, and shall afterwards proceed with such Horse, Cattle, or Carriage, into and on the said Turnpike Road, every such Person so offending shall forfeit and pay, if he be the Owner of such Horse, Cattle, or Carriage, any Sum not exceeding Five Pounds, nor less than Twenty Shillings, and if he be the Driver or Servant, and not the Owner, any Sum not exceeding Fifty Shillings, nor less than Ten Shillings.

Penalty on  
Evasions  
through other  
Roads.

XXVII. And be it further enacted, That the Right and Property in all the said Toll Gates and Toll Houses which are already erected on the said Road, or which shall be erected by virtue of this Act, and in the Materials for building and repairing the same, and for repairing the said Road, and all other Materials, Articles, and Things collected to be made use of for the same, shall be vested in the said Trustees, and they, or any Five or more of them, are hereby authorized and empowered to dispose of the same as they shall think proper, and to bring, or cause to be brought, any Action or Actions, or to prefer, or cause to be preferred, any Bill or Bills of Indictment against any Person or Persons who shall steal, take away, break down, or damage any such Toll Gates, Toll Houses, or Materials, Articles, or Things, or disturb them, or their Agents or Servants, in the Possession thereof.

Toll Gates,  
&c. vested in  
Trustees.

XXVIII. And be it further enacted, That the said Trustees; or any Seven or more of them, at any Meeting to be holden for that Purpose, (whereof Twenty-one Days Notice shall be given in Writing affixed upon all the Toll Gates then erected upon the said Road), may and they are hereby empowered from Time to Time to borrow and take up at Interest such Sum and Sums of Money as they shall think needful, and they are hereby also empowered either at such Meeting, or afterwards; by any Writing or Instrument under their Hands and Seals, to assign over or mortgage all or any Part of the Tolls to be collected and levied at the said Toll Gates, (the Charges of assigning or mortgaging the same to be paid out of such Tolls), for any Term during the Continuance of this Act, as a Security or Securities for any Sum or Sums of Money so to be borrowed by the said Trustees, or any Seven or more of them, upon the Credit of such Tolls, to such Person or Persons, or his, her, or their Trustee or Trustees, as shall advance and lend the same, by the following Words of Assignment under their Hands and Seals, or by any other Words to the like Effect; (*videlicet*),

For borrow-  
ing Money  
or assigning  
Tolls.

BY virtue of an Act passed in the Forty-first Year of the Reign of His present Majesty King George the Third, intituled, [*Here set forth the Title of this Act*]. We \_\_\_\_\_ of the Trustees for putting the said Act in Execution, in Consideration of the Sum of \_\_\_\_\_ to the Treasurer of the said Road in Hand paid, by *A. B.* of \_\_\_\_\_ do grant, bargain, sell, and demise unto the said

Form of  
Assignment.

said *A. B.*, his Executors, Administrators, and Assigns, such Portions  
 of the Tolls arising by virtue of this Act, and of the Toll Gates and  
 Toll Houses for collecting the same, as the Sum of  
 doth or shall bear to the whole Sum due and owing on  
 the Credit thereof, to be had and holden from this  
 Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_  
 for and during the Continuance of the said Act, unless  
 the said Sum of \_\_\_\_\_ with Interest at the Rate  
 of \_\_\_\_\_ *per Centum per Annum* shall be sooner repaid  
 and satisfied. Given under our Hands and Seals, this  
 Day of \_\_\_\_\_

And Copies of all such Mortgages or Assignments shall be entered in a  
 Book or Books to be kept for that Purpose, by the Clerk or Treasurer  
 to the said Trustees, and all and every Person or Persons, to whom any  
 such Assignment or Assignments shall be made as aforesaid, or who shall  
 be entitled to the Money thereby secured, or to whom any Assignment  
 or Assignments of Tolls may have been made under the said recited Acts,  
 or either of them, may from Time to Time assign or transfer his or their  
 Right, Title, Interest, or Benefit, to the Principal and Interest thereby  
 secured, or any Part thereof, to any Person or Persons whomsoever, by  
 signing an Instrument to be annexed thereto, or by indorsing on such  
 Security, before One credible Witness, the following Words, or Words  
 to the like Effect; (*videlicet*),

Form of  
Transfer.

I *A. B.* do transfer this Assignment (or the annexed Mortgage, *as the  
 Case may be*), with all my Right and Title, to the principal Sum of  
 \_\_\_\_\_ hereby (*or, thereby*) secured, and all the  
 Interest due, and to grow due thereon, unto *C. D.*, his Executors,  
 Administrators, and Assigns. Dated this \_\_\_\_\_ Day of \_\_\_\_\_  
 Witness *E. F.* \_\_\_\_\_ *A. B.*

Which Transfer shall be produced, and notified to the said Clerk or Treas-  
 urer, who shall cause an Entry or Memorial to be made thereof in the  
 before-mentioned Book or Books, containing the Numbers, Dates, Names  
 of the Parties, and Sums of Money therein transferred, for which the  
 said Clerk or Treasurer shall be paid the Sum of Two Shillings and Six-  
 pence, and no more; and such Transfer shall then entitle such Assignee,  
 his, her, or their Executors or Administrators, to the Benefit thereof  
 and Payment thereon; and such Assignees may, in like Manner, assign  
 or transfer the same again, and so *toties quoties*; and it shall not be in the  
 Power of any Person or Persons, except the Person or Persons to whom  
 the same shall be last transferred, his Executors or Administrators, to  
 make void, release, or discharge the original Security, or any Monies  
 thereby due, or any Part thereof.

No Priority  
among Mort-  
gages.

XXIX. Provided always, and be it further enacted, That no Preference  
 shall be given to any Person or Persons advancing any Sum or Sums of  
 Money upon the Credit of this Act, or who shall already have advanced  
 any Sum or Sums of Money on the Credit of the said recited Acts, or  
 either of them, in Respect of the Priority of advancing or having  
 advanced any Sum or Sums of Money, but that all Persons to whom  
 such Mortgages or Assignments have been or shall be made as aforesaid,  
 shall be (in Proportion to the Sum or Sums of Money therein  
 mentioned),



mentioned), Creditors on the said Tolls in equal Degree one with another.

XXX. And be it further enacted, That the said Trustees, or any Seven or more of them, shall and may, if thereunto required, receive in and cancel all or any of the Mortgages now standing out, that were made by virtue of the said recited former Acts, or either of them, and give and execute another Mortgage or other Mortgages for the same Sum or Sums of Money, instead or in lieu thereof respectively, in Manner and transferrable as herein-before mentioned.

Old Mortgages may be called in and new ones granted.

XXXI. And be it further enacted, That out of any Monies already received by virtue of the said Acts, or out of the Monies which shall be raised or received by virtue of this Act, the said Trustees, or any Five or more of them, shall, in the Proportions herein-after mentioned, pay and discharge all the Costs and Expences relative to procuring and passing this Act; and the Remainder of such Monies shall, from Time to Time, be applied in putting this Act in Execution, and in repaying the Principal Money by this Act charged or to be borrowed, and the Interest due and to grow due thereon.

Application of Money.

XXXII. Provided always, and be it further enacted, That the Money which shall arise from the Tolls collected on the said Road, and be applied in the repairing, widening, and improving thereof, shall be laid out and applied in Manner following; (to wit), Two-third Parts thereof (the Whole in Three equal Parts to be divided) shall be expended and applied in amending, repairing, and improving that Part of the said Road which lies between the North End of *Bridgesford Lane* aforesaid, and the said *Crown Inn* in *Oakham* aforesaid, being the Northern Division of the said Road, in the Manner and Proportions following; (*videlicet*), Eleven Parts out of Twenty-eight Parts of the said Two-third Parts of the Whole of the said Tolls shall be expended and applied in amending and repairing that Part of the said Northern Division of the said Road, which lies between the said North End of *Bridgesford Lane*, and the Watercourse which divides the Counties of *Nottingham* and *Leicester*, being the Northern District of the Northern Division of the said Road, and the remaining Seventeen Parts of the said Two Third Parts of the Whole of the said Tolls shall be expended and applied in repairing that Part of the said Northern Division of the said Road which lies between the said Watercourse and the said *Crown Inn* in *Oakham* aforesaid, being the Southern District of the Northern Division of the said Road; and the other Third Part of the whole of the said Tolls shall be expended, applied, and laid out, in amending and repairing that Part of the said Road which lies between the said *Crown Inn* in *Oakham* aforesaid and the said *Bowling Green* in *Kettering* aforesaid, being the Southern Division of the said Road; but in case either or any of the said Parts or Divisions of the said Road shall at any Time hereafter be well and effectually repaired, it shall be lawful for the Trustees, or any Five or more of them, acting upon such Division, to order any Surplus Monies to be paid to the Treasurer of the other Divisions, for the Purposes of repairing such other Divisions.

Apportioning Tolls.

XXXIII. And be it further enacted by the Authority aforesaid, That the Trustees at their General Annual Meetings, to be held as aforesaid, shall

Balances in the Hands of the Treasurer of each Dis-

trust to be paid over to the Treasurer of the other District.

shall order and direct the Balances that shall appear upon the Statements of the Receipts in their respective Districts, to be in the Hands of any or either of the respective Treasurer or Treasurers, to be paid over to the other Treasurer or Treasurers, so as to give to each District of the said Road, its due Proportion of the Tolls that shall have been received in the Course of the preceding Year, according to the Proportions hereinbefore directed.

Directing how the Expences of passing the Act shall be borne.

XXXIV. And be it further enacted, That in case there shall not be a sufficient Sum of Money in the Hands of the Treasurer of either of the above mentioned Divisions of the said Road, arising from the Tolls collected upon the said Road, to pay the Proportion hereinbefore directed to be borne by such Division, of the Expences of the obtaining and passing this Act, the Deficiency shall be advanced and paid by the Treasurer of the other Division, out of the Monies in his Hands, arising from the Tolls collected upon the said Road; and that the Money so to be advanced, for the Purpose aforesaid, shall be allowed in Account, or otherwise repaid to such Treasurer as shall advance the same, by the Treasurers of the other Districts of the said Road, in the Proportions in which they shall be respectively entitled, out of the first Monies they shall respectively receive from the Tolls, applicable to the Repair of their respective Districts, so that such Demands shall not extend to more than Half the Tolls that shall then have been collected on such Divisions.

Trustees to appoint Officers.

XXXV. And be it further enacted, That the said Trustees, or any Five or more of them, at their First or any subsequent Meeting as Occasion shall require, shall and may, by Writing under their Hands, elect and appoint, or continue, a Clerk or Clerks, and a Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, of such Money as shall be due and payable by virtue of this Act, (and take such Security from such Officers for the due Execution of his or their respective Office or Offices as the said Trustees, or any Five or more of them shall think fit), and also a Surveyor or Surveyors, and all such other Officers as they the said Trustees, or any Five or more of them, shall think proper, and also may remove from Time to Time all such Clerks, Treasurers, Collectors, Receivers, Surveyors, or Officers, or any of them, as they the said Trustees, or any Five or more of them, shall see Occasion; and the said Trustees, or any Five or more of them, shall and may, out of the Monies to be raised by virtue of this Act, make such Allowance unto the Clerks, Treasurers, Receivers, Collectors, Surveyors, or other Officers so appointed or continued, for and in Consideration of the Care and Pains to be by them respectively taken in the Execution of their respective Offices, and to such other Persons as shall be assisting in and about the Execution of this Act, as to them, the said Trustees, or any Five or more of them, shall seem proper; and all such Officers and Persons shall, from Time to Time, when thereunto required by the said Trustees, or any Five or more of them, deliver to such Trustees, or to such Person or Persons as they, or any Five or more of them shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected, or received, and how, and to whom, and for what Purpose the same and every Part thereof hath been disposed of, together with the Vouchers and Receipts for such Payments, and shall

verify such Accounts upon Oath, (which Oath any One of the said Trustees is hereby empowered to administer), and also such Officers and Persons shall and are hereby respectively required to pay all such Monies as upon the Balance of such Account or Accounts shall appear to be in their Hands to such Person or Persons as the said Trustees, or any Five or more of them, shall appoint to receive the same; and if the said Officers and Persons, or any of them, shall refuse or neglect to render and give such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof upon Oath, or to pay the Balance remaining in their Hands, when thereunto required in Manner aforesaid; or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint, within Ten Days after being thereunto required by the said Trustees, or any Five or more of them, or by such other Person or Persons, all Books, Papers, or Writings, in their Custody or Power, relating to the Execution of this Act, then and in every such Case, Complaint being made by the said Trustees, or any Five or more of them, or by any Person or Persons on their Behalf, of any such Neglect or Refusal to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing, shall live or reside, such Justice may and is hereby authorized and required, by Warrant or Warrants, to cause such Officer or Officers, Person or Persons, to be brought before him; and upon his or their appearing, or not being to be found, to hear or determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees or any Five or more of them, might have done; and if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and empowered, upon Non-payment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods and Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress and Sale, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place appointed for that Purpose, without having such Excuse as shall be approved by such Justice, or if appearing shall refuse or neglect to give and deliver to the said Justice, an Account of Receipts and Payments as aforesaid, or to verify the Truth of such Accounts, and of the Articles thereof, on Oath as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or to deliver up all such Books, Papers, and Writings as aforesaid, then and in either of the Cases aforesaid, the said Justice may, and is hereby authorized and required, by a Warrant or Warrants, under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Gaol or House of Correction of the County or Place where he or they shall live or reside, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts; and have verified the same upon Oath, and shall have delivered up the

Vouchers

Not to be de-  
tained in Cuf-  
tody more  
Three Months.

Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress as shall in that Respect have been made, or until he or they have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Composition Money to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same (and which Composition the said Trustees, or any Five or more of them, are hereby empowered to make) or until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in Respect thereof to the said Trustees, or any Five or more of them: Pro-  
vided always, That no Person who shall be committed for Want of sufficient Distress, shall be detained in Prison for any longer Time than Three Calendar Months.

Persons who  
have received  
Tolls by vir-  
tue of former  
Acts to ac-  
count with  
Trustees in  
like Manner.

XXXVI. Provided always, and be it further enacted, That all Persons who shall have been employed, or who shall have received any Tolls, or other Monies by virtue or on Account of the said former Acts, or shall have in their Custody or Possession, any Books, Accounts, Papers, Writings, or other Things relating to the said Road, shall account for the same and every Part thereof to the said Trustees, in like Manner and under the like Penalties as the Officers to be appointed in pursuance of this Act are herein-before directed to account.

Five Trustees  
not assembled  
in Meeting  
may appoint  
temporary  
Collectors.

XXXVII. And be it further enacted, That when and so often as any Collector or Receiver of the Tolls shall grossly neglect, or be incapable of performing his Duty, or shall abscond or absent himself, any Three or more of the said Trustees, though not assembled at a Meeting of the said Trustees, appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding, or absenting himself; and in such Case, and also in Case any such Collector or Receiver shall die; such Trustees shall and may nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the next Meeting of the Trustees, in the Stead of such Collector or Receiver as shall die or be discharged, and such Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die, or be discharged, would have had, or would have been subject to.

Surveyors  
may dig for  
Gravel in  
Wastes, and  
without pay-  
ing for it.

XXXVIII. And be it further enacted, That it shall be lawful for the said Surveyor or Surveyors, and all such Persons as he, she, or they shall appoint, to search for, dig, gather, and carry away any Materials for compleating or repairing the said Road, out of any Waste or Common in or near which any Part of the said Road lies, without paying any Thing for such Materials, they the said Surveyor or Surveyors, or other Person or Persons filling up the Pits or Quarries, levelling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off such Pits or Quarries, so that the same shall not be dangerous to any Persons or Cattle, and paying for the Damages done by going through and over any Lands or Grounds for or with Materials, (such Damages to be ascertained as herein-after mentioned); and also that it shall be lawful for the said Surveyor or Surveyors, or such Persons

In private  
Grounds,  
making Sa-  
tisfaction.

as he or they shall appoint, to search for, dig, gather, and carry away such Materials in or out of the Grounds of any Person, (not being a Garden, Orchard, Yard, Park, Paddock, planted Walk or Walks, or Avenue to a House, or any Piece of Ground planted and set apart as a Nursery for Trees), making or tendering such Satisfaction for the Damages done to the Owners or Occupiers of such Grounds where and from whence the same shall be dug, gathered, and carried away, or over which the same, or any other Materials for repairing the said Roads shall be carried, as the said Trustees, or any Five or more of them shall adjudge reasonable; and in case of any Difference between the said Trustees, Surveyors, or other Persons appointed and employed as aforesaid, and the Owners and Occupiers of private Grounds, or any of them, concerning such Payments and Damages as aforesaid, the Justices of the Peace, at their next General Quarter Session of the Peace, or at the second General Quarter Session at the farthest, to be holden for the County in which such Materials shall be dug, on Ten Days Notice thereof being given in Writing by either of the Parties to the other, shall hear, settle, and determine the Matter of such Payment and Damages, and the Judgement or Order of the said Justices therein shall be final and conclusive to all Parties.

XXXIX. And be it further enacted, That the Owners and Occupiers of Lands, Grounds, and Quarries, where, through, and from whence any such Materials as aforesaid shall have been dug, gathered, taken, or carried away, or over which any Materials gotten in any Waste Ground, Common, Common Quarry, River, or Brook, shall have been conveyed, under, or by virtue of the said former Acts, who shall not have received Compensation and Satisfaction for the Damages thereby occasioned, shall have, and be entitled to such and the same Compensation and Satisfaction for the same; and such and the same Remedies in respect thereof, as are herein directed and provided respecting Materials to be dug, gathered, taken, carried away, or conveyed, under the Authority of this Act.

Compensation to be made to the Owners and Occupiers of Lands, Grounds, and Quarries, for Damages in conveying Materials for the Roads.

XL. Provided nevertheless, and be it further enacted, That it shall not be lawful for any Surveyor or any other Person or Persons under the Authority of this Act, to dig, gather, take, or carry away any Materials for making or repairing the said Road, out of or from any inclosed Lands or Grounds, until Notice in Writing, signed by the Surveyor, shall have been given to the Land Owner, or his known Agent, or to the Occupier of the Premises from which such Materials are intended to be taken, or left at such Occupier's usual Place of Residence, to appear before the said Trustees, or any Five or more of them, or any Two Justices of the Peace, acting for the County or Place wherein such Premises shall lie, to shew Cause why such Materials shall not be had from such Lands or Grounds; and in case such Land Owner, Agent, or Occupier shall attend pursuant to such Notice, the said Trustees, or such Justices shall, if they think proper, authorise such Surveyor or other Persons to dig, gather, take, and carry away such Materials, at such Time or Times as to such Trustees, or to such Justices shall seem proper; and if such Land Owner or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, the said Trustees or such Justices shall and may make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier, or his or her

Notice to be given to the Occupiers of Land before Materials are to be taken.

[Loc. & Per.]

23 K.

Agent

Agent had attended, and the Order of such Trustees and Justices respectively shall be final and conclusive to all Parties.

Penalty on taking Materials raised by Surveyors.

XLI. And be it further enacted, That if any Person whomsoever shall take away any Materials which shall have been gotten or gathered for the Repair or Use of the said Road, or shall raise or carry away any Materials out of any Pit or Quarry which shall have been made or opened for the Purpose of getting Materials for the said Road, before the said Surveyors, or their Workmen, shall have discontinued working therein, for the Space of Fourteen Days, (except the Owner or Occupier of any private Ground, and Persons authorized by such Owner or Occupier to get Materials for his own private Use only, and not for Sale), every Person so offending shall, for every such Offence, forfeit and pay a Sum not exceeding Five Pounds, nor less than Forty Shillings.

Mile Stone to be erected.

Penalty on defacing them.

Riding on Foot-pavements.

Drawing Timber or Stone.

XLII. And be it further enacted, That it shall be lawful for the said Trustees, or any Three or more of them, from Time to Time, to cause the said Road to be measured, and Stones or Posts to be placed in or near the same, with Inscriptions thereon, denoting the Number of Miles, and Distance of Places, as they shall think proper; and if any Person or Persons shall wilfully pull up, or damage any Direction Post or Mile Stone erected or fixed, or to be erected or fixed in or near the Side of the said Road, or shall obliterate or deface any of the Letters, Figures, or Marks inscribed thereon; or if any Person or Persons shall exercise, ride, or lead any Horse or Horses upon any Foot-way or Path adjoining to, or made on the Side of, or upon the said Road, or upon any of the Foot-pavements within the said several Towns of *Melton Mowbray*, *Oakham*, and *Uppingham* aforesaid. or shall drive any Horse, Cattle, or Swine, or any Carriage thereon, or shall cause any Damage to be done to any such Foot-way; or if any Person shall hale or draw, or cause to be haled or drawn, upon any Part of the said Road, any Tree or Piece of Timber, or any Stone, (otherwise than upon wheeled Carriages) or shall suffer any Part of any Tree or Piece of Timber or Stone, which shall be carried upon wheeled Carriages, to drag upon any Part of the said Road to the Prejudice thereof; every Person so offending, shall for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings.

Surveyors may make Cause-ways.

XLIII. And be it further enacted, That it shall and may be lawful for the said Surveyor or Surveyors, or any Person or Persons by him or them appointed or employed by Order of the said Trustees, or any Five or more of them, to make or cause to be made Cause-ways or Foot-paths, in or along the Sides of any Part or Parts of the said Road; and to cut, or cause to be cut, any Watercourses in, through, or across any Lands or Grounds, in order to drain or protect the said Road, or any Part or Parts thereof from being overflowed, and to erect Bridges over such Drains or Watercourses if necessary; and also to make, or cause to be made, a Road or Way by, through, or over the adjoining Grounds of any narrow or ruinous Parts of the said Road hereby intended to be repaired, (not being the Scite of or Ground whereon any House or Houses stand, or any planted Walk, Yard, Park, Paddock, or Avenue of any House) to be made Use of by all Passengers, with Carriages and Cattle or otherwise, as a Publick Highway, whilst the old or ruinous Road is undergoing

going Repair, and till such Time as it shall be convenient and safe for Carriages and Cattle to pass the same, making such reasonable Satisfaction to the Owners and Occupiers of such Lands or Grounds; for the Damages thereby sustained, as to the said Trustees, or any Five or more of them; shall seem reasonable.

XLIV. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to give Power to the said Trustees, or any of their Surveyors, Servants, Workmen, or Agents, to stop, divert, or dispose, of any Water or Watercourse, either in or through any publick or private Ground, that shall contribute towards filling or supplying any publick or private Pond or Ponds, Basons, Canals, or Reservoirs for Waters, until all and every such Pond or Ponds, Basons, Canals, or Reservoirs, shall be sufficiently supplied and filled, and the Water runs waste; and that whenever a Supply of Water shall or may be needful or convenient to any such Pond or Ponds, Basons, Canals, and Reservoirs, or any of them, it shall be lawful for the Owners and Occupiers thereof to stop and dam up any such Watercourse as may have been made in pursuance of this Act by Order of the said Trustees or their Surveyors, and to bring back the Water to such Pond or Ponds, Basons, Canals, and Reservoirs, until the same be again sufficiently supplied and filled, and the Water runs waste, and so from Time to Time, as often as such Owners or Occupiers shall think fit and convenient.

Not to divert Waters feeding Ponds.

XLV. And be it further enacted, That it shall and may be lawful for the said Surveyor or Surveyors, and such Persons as he or they shall appoint, to remove all Annoyances on any Part of the said Road, or on the Side or Sides thereof, by Carriages, Timber, Stone, Saw-pits, Hovels, Filth, Dung, Ashes, Rubbish, Straw, or otherwise, and to carry away and dispose of the same for the Benefit of the said Road; and to cut down any Tree, not being a Timber Tree; Shrubs, Wood, or Bushes, growing on the said Road; and also to lop any Timber-Trees, and to cut down, lop, or top, any other Trees, Shrubs, Woods, or Bushes, growing in the Hedges or Banks adjacent to the said Road, or being within Thirty Feet of the Centre of the said Road, and to cut and reduce all such Hedges to the Height of Five Feet; in case the Persons occasioning such Annoyances shall neglect to remove the same within Four Days after Notice given for that Purpose, in Writing by the said Surveyor; or in case the Owners or Occupiers of the Lands shall neglect to cut down, or lop, or top, and remove such Trees, Shrubs, or Bushes, or reduce such Hedges in such Manner as the said Surveyors shall require, for the Space of Ten Days next after Notice in Writing given for those respective Purposes, such Notice to be given for the cutting of such Hedges between the first Day of *November*, and the first Day of *March*, in each and every Year, under the Hand of such Surveyor, the Charges whereof (to be settled by the said Trustees, or any Five or more of them) shall be reimbursed to such Surveyor by such Owners or Occupiers thereof; and in case such Owners or Occupiers shall not upon Demand pay and reimburse the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Justice or Justices of the Peace for the County, from Time to Time to levy the Charges thereof upon such Owners or Occupiers, by Distress and Sale of his;

Surveyors may remove Annoyances.

Owners neglecting to do it after Notice;

Surveyors are empowered.

his, her, or their Goods and Chattels, rendering the Overplus to the Owners thereof upon Demand, after all Charges paid.

Owners of Watercourses neglecting to scour the same after Notice given.

XLIV. And be it further enacted, That if any Person or Persons who of Right ought to scour and cleanse any Ditch, Drain, or Watercourse, which shall adjoin to or lead into or out of any Part or Parts of the said Road, shall not in proper Manner cause the same to be scoured and cleansed within the Space of Twenty-one Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his, her, or their respective Place or Places of Abode by the said Surveyor or Surveyors, then the said Surveyor or Surveyors may cause such Ditches, Drains, and Watercourses to be scoured and cleansed, and pay for scouring and cleansing the same; and if the said Person or Persons shall not repay the Money paid by such Surveyor or Surveyors on Demand thereof upon him or them respectively made, either in Person or by Writing, to be left at his or their respective Place or Places of Abode, the said Money, and every Part thereof, upon the Proof of the cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money and Demand thereof made, and Non-payment, as aforesaid, by the Oath of One or more Witnesses or Witnesses before any Justice of the Peace for the County or Place where such Person or Persons respectively shall live, shall and may, by Warrant or Warrants under the Hand and Seal of such Justice, be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, rendering the Overplus (if any) to the Owner or Owners thereof, upon Demand, after all Charges paid.

Trustees may contract for purchasing Lands.

XLVII. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and empowered from Time to Time, as they shall think proper, to order or direct, turn, shorten, vary, or alter the Course or Path of any Part or Parts of the said Road, and that any Variation of Road may be made through any Common or Waste Ground without making any Satisfaction for the same, and through any private Grounds or Hereditaments, making Satisfaction to the Owners thereof, and the Persons interested therein, for the Damages they may thereby sustain; and it shall be lawful for the said Trustees, or any Five or more of them, from Time to Time to contract and agree with the Owners of and Persons interested in any Lands or Hereditaments for the Purchase or Exchange thereof, or for the Loss or Damage such Owners or Persons may sustain by widening, diverting, turning, shortening, varying, or altering the Course or Path of any Part or Parts of the said Road through such Lands or Hereditaments; and it shall be lawful for all Bodies Politick or Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, and Committees, not only for and on the Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Infants, Wards, Cestuique Trusts, Lunatics, Idiots, or Persons of unsound Memory and Understanding, and to and for all Females Covert, who are or shall be seized or interested in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seized or possessed of or interested in any such Lands or Hereditaments, to contract with the said Trustees, or any Five or more of them, for the Satisfaction to be made for such Damages as aforesaid, or to exchange with, sell, and convey unto



unto them, or any Five or more of them, all or any of such Lands or Hereditaments, or any Part thereof, for any of the Purposes aforesaid; and all Contracts, Exchanges, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter whatsoever, to the contrary notwithstanding; and all such Bodies Politick, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, Guardians, Feoffees, Trustees, Committees, and all other Persons, shall be and are hereby indemnified for what they shall do by virtue of this Act; and if any such Bodies Politick, Corporate, Ecclesiastical or Civil, Corporation Aggregate or Sole, Guardians, Feoffees, Trustees, Committees, or any other Person or Persons interested in any such Lands or Hereditaments, upon Notice to him, her, or them given or left in Writing at the Dwelling House or Houses, or other Place or Places of Abode of such Person or Persons, or of the principal Officer or Officers of any such Body Politick, Corporate, Ecclesiastical or Civil, at the House of the Tenant in Possession of the Lands or Hereditaments through which any Part of such Road is to be diverted, turned, or altered, shall, for the Space of Twenty-one Days next after such Notice given or left, neglect or refuse to treat, or shall not agree in the Premises, or by Reason of Absence shall be prevented from treating, then and in every such Case the said Trustees, or any Five or more of them, shall cause such Damages or Recompence to be enquired into and ascertained by a Jury of indifferent Men of the County in which such Land shall be; and in order thereto the said Trustees, or any Five or more of them, are hereby empowered and required, from Time to Time, as Occasion shall be, to summon and call before such Jury, and examine on Oath any Person or Persons whomsoever, which Oath any One or more of the said Trustees is and are hereby empowered to administer; and such Trustees, or any Five or more of them, shall, by ordering a View, or otherwise, use all Ways and Means, as well for their own as the said Jury's Information in the Premises, and after the said Jury shall have enquired of and assessed such Damage and Recompence, they the said Trustees, or any Five or more of them, shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners, and other Persons so interested in such Lands or Hereditaments, according to the Verdict or Inquisition of such Jury, which said Verdict or Inquisition, and Judgement, Order, or Determination thereupon, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever claiming or to claim in Possession, Remainder, Reversion, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females Covert, Lunatics, Idiots, and Persons under any Disability whatsoever, Bodies Politick, Corporate, Ecclesiastical or Civil, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for summoning and returning such Jury, the said Trustees, or any Five or more of them, are hereby empowered to issue their Warrants to the Sheriff for the County in which such Lands and Hereditaments shall lie, requiring him to impanel, summons, and return Twenty-four Persons, qualified to serve on Juries, to appear before the said Trustees, or any Five or more of them, at such Time and Place as in such Warrant or Warrants shall be appointed; and such Sheriff and his Deputy or Deputies is and are hereby required to impanel, summon, and return such Number of Persons accordingly, and out of the Persons so summoned, impanelled, and returned, or out of such of them as

Where Persons neglect or refuse to meet.

Damages to be settled by a Jury.

shall appear upon such Summons, the said Trustees, or any Five or more of them, shall and they are hereby empowered and required to draw by Ballot, and to swear or cause to be sworn Twelve Men, who shall be the Jury for the Purposes aforesaid; and in Default of a sufficient Number of Jurymen so returned, the said Sheriff, or his Deputy or Deputies, or any Five or more of the said Trustees, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to make up the Number of Twelve, and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn; and the said Trustees, or any Five or more of them, shall have Power, from Time to Time, to impose any reasonable Fine or Fines upon such Sheriff, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury, and who shall not appear, or appearing, shall refuse to be sworn on the said Jury, or being so sworn shall refuse to give or shall not give a Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury, shall refuse or neglect to appear, or appearing, shall refuse to be sworn and examined, or give Evidence, so as no such Fine be more than Five Pounds, or less than Forty Shillings, on any One Person for One Offence.

How Expences  
of Jury to be  
paid.

XLVIII. And be it further enacted, That in case any Jury shall give in and deliver a Verdict or Assessment for more Money, as a Recompence for the Right, Interest, or Property of any Person or Persons in any Lands or Hereditaments, or for any Loss or Damage to be by them sustained, than what shall have been agreed to and offered by the said Trustees, or any Five or more of them, or their Treasurer, Clerk, Surveyor, or other known Agent, before the summoning and returning of the Jury, as a Recompence and Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses, shall be borne and paid by the Treasurer to the said Trustees, out of the Money in his Hands to arise by virtue of this Act; but if such Jury shall give and deliver a Verdict or Assessment for no more or for less Money than shall have been agreed to and offered by the said Trustees, or any Five or more of them, before the summoning and returning the said Jury, as a Recompence or Satisfaction for any such Right, Interest, or Property, or Loss or Damage as aforesaid, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining of such Difference shall be borne and paid by the Person or Persons with whom the said Trustees shall have such Controversy or Dispute, which said Costs and Expences having been ascertained and settled by some Justice of the Peace for the said County not interested in the Matter in Question, (who is hereby required to examine and settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose), shall and may be deducted out of the Money so assessed, and adjudged as so much Money advanced to and for the Use of such Person or Persons; and the Payment and Tender of the Remainder of such Money shall be deemed and taken, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums

Sums so assessed and adjudged, or otherwise such Costs and Expences, in case the same be not paid upon Demand thereof, being so ascertained and settled as aforesaid, may be recovered by the Clerk to the Trustees, by such Ways and Means as are herein-after provided for Recovery of Penalties and Forfeitures.

XLIX. And be it further enacted, That all and every such Sum and Sums of Money, Consideration, Recompence, or Satisfaction, to be agreed for, or ascertained, or assessed, as aforesaid, shall be paid out of the Tolls, or out of the Monies to be raised by virtue of this Act, according to the Directions herein-after contained, either into the Bank of *England*, or, as the Case may require, to the Party or Parties respectively entitled to such Monies, or to their Agents, and that upon Payment or Tender thereof to such Person or their Agents, or in case of Refusal to accept the same, then upon leaving the same in the Hands of the Treasurer or Treasurers to the said Trustees, for the Use of such Parties or Persons, and after Twenty-one Days Notice thereof given to such Parties or Persons, or their Agents, to receive such Money, Consideration, Recompence, or Satisfaction, it shall be lawful for the said Trustees, or any Five or more of them, their Surveyors, Workmen, or Agents, to extend, widen, divert, or turn such Road, through or over such Lands or Hereditaments, and to do all and every such Act, Matter, and Thing, with relation to such Lands or Hereditaments as the said Trustees, or any Five or more of them, shall think fit; and the said Trustees, or any Five or more of them, shall cause such Parts of the said Road as shall be made, widened, diverted, or turned through any private Grounds, to be ditched or otherwise fenced from the adjoining Lands, in such Manner as the said Trustees, or any Five or more of them, shall direct; and all Lands and Hereditaments which shall be made a Part or Parts of any Road by virtue of this Act, shall to all Intents and Purposes be deemed a common Highway, and shall be repaired and kept in Repair as such, and from thenceforth all Parties and Persons whomsoever shall be divested of all Right and Title to such Lands and Hereditaments, and the Lands constituting any former Roads in lieu whereof some new Roads shall be made by virtue of this Act, unless leading over some Heath, Common, Moor, or Waste Ground, or to some Village, Town, Hamlet, or Place to which the respective new Road doth not lead, shall be vested in, and shall and may be sold and conveyed by the said Trustees, or any Five or more of them, for the best Price that can be gotten for the same; or may be exchanged for other Lands used for the Purposes of this Act, and the Money arising by such Sale shall be applied to the Repair of the Road by this Act directed to be repaired, provided that in all Cases the Preference shall be given and allowed to the Proprietors of adjoining Lands, if they or either of them chuse to treat for the same; and in case they shall be dissatisfied with the Terms offered by the said Trustees, the Difference shall be adjudged and determined by Two Persons, One to be appointed by each Party, and in case the said Proprietors do not within Fourteen Days acquiesce in such Determination, then it shall be lawful for the said respective Trustees to sell or exchange the Lands in Question, to or with any Person or Persons whomsoever; and all Deeds of Exchange or Conveyance executed by the said Trustees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County in which such Lands are situate, shall be good and effectual in the Law to all Intents

How Money  
assessed for  
Land to be  
paid and ten-  
dered.

Former Roads  
may be sold or  
exchanged.

and

Not to extend to the taking down any Dwelling House.

and Purposes; but this Act shall not extend to the taking down of any Dwelling House or other Building, or to the taking in of any of the Land that is a Garden or Orchard adjoining to any Dwelling House, or any Yard, Park, Paddock, planted Walk, inclosed Nursery for Trees, or Avenue to a House, or any Part thereof, without the Consent of the Owner or Proprietor thereof respectively.

Application of Monies arising from settled Estates which exceed 200*l*.

L. And be it further enacted, That if any Money shall be agreed or assessed to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, if the same amount to Two hundred Pounds, with all convenient Speed, be invested in the Purchase of other Lands or Hereditaments, which shall be conveyed and settled upon, and subject to the like Uses, Trusts, and Limitations, as the said Lands or Hereditaments belonging to such Corporation or other Person as aforesaid, so to be purchased, taken, or used, for the Purposes of this Act, were settled, limited, or assured; and in the mean Time, and until such Purchase can be made, such Money shall 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 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 intitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or 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, Tenements, and Hereditaments, or affecting other Lands, Tenements, or Hereditaments, standing settled to the same or the like Uses, 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 Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such or the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the 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 Conveyance 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 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, Tenements, and Hereditaments, so hereby directed to be purchased, in Case such Purchase and Settlement were made.

LI. Provided always, and be it further enacted, That if any Money so agreed or assessed to be paid for any Lands, Tenements, or 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 Hereditaments so purchased, taken, and used, or his 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 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 Three Trustees to be nominated by the Person or Persons making such Option, and approved of by Five or more of the Trustees for executing this Act, (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 the 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.

Being less than 200 l. and more than 20 l.

LII. Provided also, and be it further enacted, That where such Money so agreed or assessed to be paid as herein-before mentioned, shall be less than Twenty Pounds, then and in 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 Hereditaments so purchased, taken, or used, for the Purposes of 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 intitled respectively.

Being less than 20 l.

LIII. And be it further enacted, That all and every Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, who before the making of this Act hath or have used, or of Right ought, by reason of the Tenure of Lands, Tenements, or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby directed to be kept in Repair, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with the repairing and keeping in Repair the same Parts of the said Road, in the same Manner as they and every of them have or hath heretofore usually done or ought to do.

Persons liable to repair the Roads to continue so.

LIV. And, for ascertaining and determining what Part of the Statute Work ought to be performed on the said Road, by the Inhabitants of the several Parishes, Townships, and Places through which the said Road passes; be it enacted, That it shall be lawful for any Two or more Justices of the Peace for the Counties of *Nottingham, Leicester, Rutland,* or *Northampton*, and they are hereby required, at any petty or special

For settling the Proportion of Statute Work to be performed by the Inhabitants.

[*Loc. & Per.*]

23 M

Session

Sessions of the Peace, upon Application to them made by the said respective Trustees, to adjudge and determine what Part or Proportion of the Statute Work shall yearly and every Year be done in or upon the Road hereby directed to be repaired by the Inhabitants of each or any of the Parishes, Townships, or Places, in or through which the said Road passes; which Statute Duty shall be done and performed within the respective Parishes Townships, and Places, in such Manner as the said respective Trustees or their Surveyors shall direct.

Parish Surveyor to deliver in a List of Persons liable to perform Statute Work.

LV. And be it further enacted, That the respective Surveyor or Surveyors for the Time being of the Highways for the several and respective Parishes, Townships, or Places, in or through which any Part of the said Road by this Act directed or intended to be repaired doth lie, and in Cases where no such Surveyor or Surveyors shall be appointed, then the Churchwardens and Overseers of the Poor of such Parishes, Townships, or Places respectively, and in all Cases where neither Surveyor, Churchwarden, or Overseer of the Poor shall be appointed, then such other Inhabitant of such Parishes, Townships, or Places respectively, as shall be thereto required by Notice, in Manner herein-after mentioned, shall once in every Year, (or oftener if thereto required by the said Trustees, or any Three or more of them), upon Ten Days Notice at least in Writing, (signed by the Clerk, or Treasurer, or Turnpike Surveyor or Surveyors, appointed by the said Trustees for the Time being) for that Purpose given to the said Highway Surveyor or Surveyors, Churchwardens, and Overseers of the Poor, or other such Inhabitants respectively, or left at his, her, or their Dwelling House or Houses, last Place or Places of Habitation, or affixed upon all the Toll Gates then erected upon the said Road, return and deliver unto the said Trustees, at any Meeting to be by them holden according to such Notice, or unto such other Person or Persons, and at such Time or Times as in such Notice shall be specified, an exact and perfect List or Account, in Writing, verified on Oath if so required by the said Trustees, or any Three or more of them, (which Oath they or any Three or more of them are hereby empowered to administer), of the Christian and Surnames of all Persons liable to do or perform Statute Work or Duty, or otherwise contribute to the Repair of the Highways within their said respective Parishes, Townships, and Places, distinguishing which of them do and which of them do not keep a Team, Draught, or Plough, and containing all other Particulars necessary to shew and compute how much Duty Work, or Contribution, or Composition-money, each and every of them is by Law liable to perform or pay; or if any such Highway Surveyor or Surveyors, or Churchwarden or Overseer of the Poor, or other such Inhabitant so required by Notice, shall neglect or refuse to do as hereby required, or shall neglect or refuse to appear before any Justice or Justices of the Peace, (being thereunto required by the said Turnpike Surveyor or Surveyors), for the Purpose of, or shall not to the utmost of his, her, or their Power, assist in convicting any Inhabitant, or Occupier of Lands, Tenements, or Hereditaments, in his, her, or their respective Parishes, Townships, or Places, who shall make Default in Performance of his, her, or their Statute Duty on the said Road, every such Highway Surveyor, or Churchwarden, or Overseer of the Poor, or such other Inhabitant so required to supply the Place of such Surveyor, shall forfeit and pay for every such Neglect

Neglect or Refusal, any Sum not exceeding Five Pounds nor less than Twenty Shillings.

LVI. And be it further enacted, That every Person liable by Law to do Statute Work upon the said Road, who shall neglect or refuse to do such Work, at such Time and Place, and in such Manner as shall be approved by the said Trustees, or any Three or more of them, or by such Turnpike Surveyor or Surveyors, shall forfeit and pay the respective Sums herein-after mentioned; that is to say, every Person who shall keep a Team, Draught, or Plough, or by virtue of any Act of Parliament, shall be deemed to keep a Team, Draught, or Plough, for every Day's Default of such Team, Draught, or Plough, any Sum not exceeding Twenty Shillings nor less than Ten Shillings; and if any Person coming according to such Notice with any Team, Draught, or Plough, to work on the said Roads, shall be found negligent or idle by the said Turnpike Surveyor or Surveyors, where the Work is to be done, such Surveyor or Surveyors may and is and are hereby required to discharge such Person, and it shall be deemed as if such Person, or such Team, Draught, or Plough, had not come or been sent to do such Work, and every such Person, or the Owner of such Team, Draught, or Plough, shall be liable to the respective Forfeiture before mentioned.

Penalty on not performing Statute Duty.

LVII. Provided always, and be it further enacted, That it shall and may be lawful for the said Trustees, or any Seven or more of them, to compound and agree by the Year, or otherwise, with Possessors, Occupiers, Grantees, Trustees, Feoffees, Committees of Lands, Tenements, and Hereditaments, who are or shall be liable to or chargeable with the Repair of any Part of the said Road, or of any Bridge, Arch, or Sewer, or with any Person or Persons for the Performance of his, her, or their Statute Work thereon; and also that it shall and may be lawful for the Surveyor or Surveyors of the Highways of any of the said Parishes, Townships, or Places, or such Churchwardens and Overseers of the Poor, or other Inhabitant so supplying the Place of a Surveyor respectively as aforesaid, by and with the Consent of the Majority of the Inhabitants of such Parishes, Townships, or Places, first had at any Vestry or Publick Meeting of such Inhabitants, to compound and agree for a certain Sum of Money by the Year, or otherwise, in Lieu of the Statute Work to be done upon any Part or Parts, of the said Road, all which Composition-Money shall be from Time to Time paid in Advance, and shall be applied in the Repair of the said Road; and all such Surveyors, Churchwardens, or Overseers of the Poor, shall be reimbursed the Money so by them paid, in such Manner as Surveyors of the Highways are by Law to be reimbursed the Monies by them expended in buying Materials for repairing the Highways.

Trustees to compound for Statute Work, and other Work.

LVIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act, in the Name of their Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees by virtue of this Act, in the Name of their Treasurer, shall abate or be discontinued by the Death or Removal of any such Treasurer, nor by the Act of such Treasurer, without the Consent of

Trustees may sue and be sued, in the Name of their Treasurer.

the

the said Trustees, or any Five or more of them, at a Meeting held in pursuance of this Act; but that the Treasurer for the Time being to the said Trustees, shall be deemed to be the Plaintiff or Defendant, as the Case may be, in every such Action.

Treasurer to be reimbursed his Expences.

LIX. Provided always, That every such Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be lawfully indemnified, reimbursed, and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in Consequence of any such Action or Proceedings, he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

Trustees may contract for repairing the Roads.

LX. And be it further enacted, That the said Trustees, or any Five or more of them, may, and they are hereby empowered, from Time to Time, to contract and agree with any Person or Persons, for the repairing, widening, altering, turning, or amending the said several Roads, or any Part or Parts thereof, or for doing any other Work to be done in the Execution of this Act, in such Manner, and for such Sum or Sums of Money as the said Trustees, or any Five or more of them, shall think proper; and that all Contracts and Agreements in Writing entered into pursuant to an Order made at any Meeting of the said Trustees, or any Five or more of them, shall be binding to the said Trustees and their Successors; and also to all other Parties who shall sign the same, his, her, or their Executors and Administrators respectively, and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Party or Parties failing in the Execution of such Contracts or Agreements.

Penalty on obstructing the Execution of the Act.

LXI. And be it further enacted, That if any Person or Persons shall assault, intercept, or hinder, or cause, or promote to be assaulted, hindered, or intercepted any Collector of the Tolls, or any Surveyor or Surveyors, or any other Person or Persons by them, or any of them, or by the said Trustees, or any Five or more of them, employed in the Execution of this Act, every such Person shall for every such Offence forfeit any Sum not exceeding Five Pounds, nor less than Forty Shillings.

Penalties and Forfeitures, how to be recovered and applied.

LXII. And be it further enacted, That all Penalties, Forfeitures, and Fines hereby inflicted or authorized to be imposed, (if the Manner of levying and Recovery thereof be not herein otherwise directed), shall upon Proof of the Offence respectively, before any One Justice of the Peace for the said County or Place where the Offence shall be committed, or wherein the Offender shall be and reside, either by the Confession of the Party or Parties offending, or by the Oath of One or more Witnesses or Witnessess, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Justice, (which Warrant such Justice is hereby empowered and required to grant for those Purposes), and the Overplus, after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are recovered and deducted, shall be returned upon Demand unto the Owner or Owners of such Goods and Chattels, and the Penalties, Forfeitures,



Forfeitures, and Fines, when paid and recovered, (if not otherwise directed to be applied by this Act), shall be from Time to Time, paid to the Treasurer of the said Trustees, and applied for the Purposes of this Act; and in case sufficient Distress shall not be found, and such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any One Justice of the Peace as aforesaid, and he is hereby authorized and required by Warrant or Warrants under his Hand and Seal, to cause such Offender or Offenders to be committed to the House of Correction for the County or Place, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor less than Twenty-eight Days, unless such Penalties, Forfeitures, Fines, and all reasonable Charges shall be sooner paid and satisfied.

LXIII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may appeal to the Justices of the Peace, at any General Quarter Session of the Peace, to be holden for the proper County or Place, within Three Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving or causing to be given Fourteen Days Notice at least, in Writing, of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Three Days after such Notice, entering into a Recognizance before such Justice of the Peace for the said County, with two sufficient Sureties conditioned to try such Appeal and abide the Order made thereupon, and pay such Costs as shall be awarded by the Justices at such Quarter Session; and the said Justices at such Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizances, shall hear, and finally determine the Cause and Matter of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper, and the Determination of such Quarter Session shall be final, binding, and conclusive to all Intents and Purposes; and the said Justices at such Session, may also by their Order or Warrant levy such Costs, so awarded by Distress and Sale of the Goods and Chattels of the Person or Persons who shall refuse to obey the same, and for Want of sufficient Distress to commit such Person or Persons to the Gaol or House of Correction of or for such County or Place, for any Time not exceeding Two Calendar Months, or until Payment of such Costs.

Persons aggrieved may appeal to Quarter Sessions.

LXIV. And be it further enacted, That no Order made, touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction of any Offender or Offenders against this Act shall be quashed, for Want of Form, or be removed or removable by *Certiorari*, or any other Writ or Process whatever, into any of His Majesty's Courts of Record at *Westminster*; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on Account of any Defect, or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio* on Account of any Irregularity in the Party or Parties distraining; but

Proceedings not to be quashed for Want of Form.

the Person or Persons aggrieved by such Irregularity, shall and may recover full Satisfaction for the Special Damage, (if any) in an Action upon the Case; but no Plaintiff or Plaintiffs shall recover in any Action, for such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by or on Behalf of the Party distraining before such Action be brought.

Limitations  
of Actions.

LXV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, until after Fourteen Days Notice thereof shall have been given to the Clerk or Clerks of the said Trustees, nor after a sufficient Satisfaction or a Tender thereof hath been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed, and every such Action shall be laid and tried in the County in which the Complaint or Cause of Action arose, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial, to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear that the same was so done, or that such Action or Suit was brought before Fourteen Days Notice thereof had been given as aforesaid, or after a sufficient Satisfaction had been made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or if such Action shall be brought in any other Court than as before directed, then the Jury shall find for the Defendant or Defendants, and upon such Verdict, or if the Plaintiff or Plaintiffs shall be non-suited or discontinue his or their Action or Actions after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have in any Case of Law.

Publick Act.

LXVI. And be it further enacted, That this Act shall be deemed, adjudged, 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; and that the Term of this Act shall commence upon the Fourth Day of *July* next, after the passing this Act; and shall continue and be in Force for Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Term of Act.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1801.