



ANNO QUADRAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 118.

An Act for repairing the Road from the Borough of Leicester to Peterborough, in the County of Northampton; and for repealing Two Acts passed for repairing the said Road.

[23d June 1801.]

WHEREAS an Act passed in the Twenty-seventh Year of the Reign of His late Majesty King George the Second, intituled, *An Act for repairing and widening the Road from the Borough of Leicester to and by the North Side of the Town of Uppingham, in the County of Rutland, and to Wansford, in the County of Northampton, and from thence to Peterborough, in the said County of Northampton*: And whereas another Act passed in the Fourteenth Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of the said recited Act, and for repairing the Road from the Termination of the said Road at Peterborough to the Market-place there*, which said Acts and the Terms thereby granted are near expiring: And whereas the Trustees authorized to put the said recited Acts into Execution (so far as the same relate to the said Road leading from the said Borough of Leicester, to and by the North Side of the Town of Uppingham, in the County of Rutland, to Wansford, in the County of Northampton) have, in pursuance of

Preamble. 27 Geo. II; and

14 Geo. III, recited.

[Loc. & Per.]

the

the Trusts reposed in them, borrowed several Sums of Money on the Credit of the Tolls arising upon that Part of the said Road, and the Trustees authorized to put the said recited Acts into Execution, (so far as the same relate to the Remainder of the said Road leading from the said Town of *Wansford*, through *Ailsworth*, *Castor* and *Longthorpe*, to the Market-place in the said City of *Peterborough*), have likewise borrowed several Sums of Money on the Credit of the Tolls arising on such Part of the said Road; which said respective Sums still remain due, and cannot be repaid, nor can the said Road be effectually improved and kept in Repair unless the Term now subsisting under the said former Acts be further continued, and the Powers and Tolls thereby granted, altered and enlarged; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the Authority of the same, That the Term granted by, and now subsisting under, the said several in Part recited Acts of the Twenty-seventh Year of the Reign of his late Majesty, and the Fourteenth Year of His said present Majesty, or either of them, shall be, and the same is hereby enlarged and continued for and during the further Term hereinafter granted.

Term granted by former Acts continued.

Powers of former Acts repealed, and this Act to be put in Execution in lieu thereof.

II. And whereas the several Powers and Authorities necessary to be exercised for ordering, repairing, widening, and improving the said Road, will be better understood, and more easily executed, if the same be contained in One Act of Parliament: Be it therefore further enacted, That instead of the several Clauses, Provisions, Tolls, Powers, Penalties, Punishments, Exemptions, Matters, and Things, contained in the said in Part recited Acts of Parliament, the several Clauses, Provisions, Tolls, Powers, Penalties, Forfeitures, Punishments, Exemptions, Matters, and Things, in this present Act contained, shall respectively commence and take Effect, for the Purpose of amending, widening, turning, altering, keeping in Repair, and improving the said Road from the said Borough of *Leicester* through a Place called *Humberstone Gate*, and the new Inclosure of the Fields of *Saint Margaret*, near the said Borough; through a Lane in the Liberty of *Belgrave*, in the said County of *Leicester*, to a Bridge at the End of the said Lane called *Humberstone Bridge*; from thence through *Salter's Lane* and a Place called *Humberstone Counsel*, in *Humberstone Field*, to and through *Thurnby* and *Bushby Lanes*; from thence by the Side of the *Rose and Crown* at *Houghton on the Hill*, through *Billesdon*; and from thence by *Skeffington* and *Tugby*, through *East Norton*; and from thence to and over *Fincet Bridge*, in or near the County of *Leicester*; and from the said Bridge over the new Inclosure of *Belton* to and through *Wardley Lane* over *Uppingham Field*, to and by the North Side of the Town of *Uppingham*, in the County of *Rutland*; and from thence through *Glaston* to the Way Post at or near *Morcott*, and from thence on *Roegate Way*, over *Barrowden Hay*, through *Tixover Lane* to *Duddington Bridge*, in or near the said County of *Rutland*, and through Part of the Town of *Duddington*, by *Colleyweston Toll House* through *Colleyweston Cow-wood* to *Badgates*; and from thence over *Whittering* and *Thornhaugh Heaths* by *Sibertons Lodge*, in the Parish of *Thornhaugh*, to *Wansford* in the said County of *Northampton*; and from the said Town of *Wansford* through the Towns of *Ailsworth*, *Castor*, and *Longthorpe*, to the Market-place

ket-place in the City of *Peterborough*, in the said County of *Nor-*
thampton.

III. And be it further enacted, That all and every Sum and Sums of Money which, on the Day of the Commencement of this Act shall be due and owing on the Credit of the said former Acts, or either of them, or on the Security of the Tolls thereby granted, together with the Interest on such of the same Sum or Sums of Money as respectively carry Interest, shall stand and be charged and chargeable on the Tolls by this Act granted, within the said respective Districts, and may be recovered in like Manner as if the same had been contracted on the Credit of this Act, or secured on the Tolls hereby granted, within the said Districts.

Debts con-
tracted under
the former
Acts secured
by this Act.

IV. And be it further enacted, That the Right Honourable *Brown-*
low Cecil commonly called Lord *Burghley*, the Honourable
Cecil, the Right Honourable *Charles William Fitzwilliam* commonly call-
ed Lord *Milton*, the Right Honourable *Charles Viscount Cullen* of the
Kingdom of *Ireland*, the Right Honourable *Proby* common-
ly called Lord *Proby*, the Right Honourable *Charles Manners* common-
ly called Lord *Charles Manners*, the Right Honourable *John Russell* com-
monly called Lord *John Russell*, the Right Honourable *William Russell*
commonly called Lord *William Russell*, the Right Honourable *John Fane*
commonly called Lord *Burghersh*, the Right Honourable *Philip Sherrard*
commonly called Lord *Sherrard*, the Right Honourable *Baron*
Carberry of the Kingdom of *Ireland*, the Honourable *William Cockayne*,
the Honourable *Henry Watson*, the Honourable *George Watson*, the Ho-
nourable *John Monckton*, the Right Honourable *George Harry Grey* com-
monly called Lord *Grey*, the Honourable *Booth Grey*, Sir *William Lowther*
Baronet, Sir *Gilbert Heathcote* Baronet, Sir *John Trollope* Baronet, Sir
John Palmer Baronet, Sir *Edmund Cradock Hartopp* Baronet, Sir *Charles*
Grave Hudson Baronet, Sir *Thomas Hussey Appreعه* Baronet, Sir *George Pigot*
Baronet, Sir *Morgan* Baronet, Sir *George Robinson* Baronet,
Sir *William Charles Farrell Skeffington* Baronet, the Honourable *John Grey*,
the Honourable *William Booth Grey*, the Honourable *Antickel Grey*, the
Right Honourable *Robert Manners*, commonly called Lord *Robert Man-*
ners, Sir *William Manners* Baronet, *Shuckburgh Ashby Appreعه*, *George*
Ashby, *Gilbert Affleck*, *William Affleck* Clerk, *John Allinson* Clerk, *Thomas*
Appreعه, *Nathaniel Ashby*, *Gerrard Andrewes* Clerk, *Gerrard Thomas An-*
drewes, *Thomas Arnold* M. D., *Thomas Graham Arnold* M. D., *Francis All-*
sop, *Thomas Allsop*, *Charles Bowyer Adderley*, *Thomas Barker*, *Samuel Bar-*
ker, *William Belgrave*, *Richard Brooke De Capel Brooke*, *Arthur Brooke*
De Capel Brooke, *Thomas Babington*, *Thomas Barfoot*, *Henry Boulton*, *James*
Bell, *Edward Brown*, *Francis Barnes* D. D., *Calverley John Bewicke* Clerk,
Jeremiah Belgrave Clerk, *Charles Belgrave* Clerk, *Robert Boon* Clerk,
William Baker Clerk, *Henry Key Bonney* Clerk, *Gregory Bateman* Clerk,
William Babington Clerk, *James Blakesley*, *James Bankart*, *Thomas Bankart*,
Samuel Bankart, *John Barratt Junior*, *Robert Brewin*, *Charles Berkeley*,
Thomas Bryan, *William Boon*, *John Bullock*, *William Brown* Clerk, *John*
Suffield Brown, *Richard Barkley*, *John Brown*, *Thomas Buxton*, *Andrew*
Burnaby D. D., *Thomas Bentley Buxton*, *Edwin Andrew Burnaby*, *Joseph*
Boulbee, *Thomas Boulbee*, *Robert Burnaby* Clerk, *John Byerley Beaumont*,
John Dick Burnaby, *Thomas Burnaby* Clerk, *Henry Coleman* of *Harborough*,
Henry

Trustees
appointed:

Henry Coleman of Birstall, George Crump, John Clarke, John Cooke, Francis Cheselden, Nedham Cheselden, Edward Cheselden, William Ralph Cartwright, John Clementson, John Edward Carter, Joseph Spencer Cardale, Anthony Carr, Isaac Carter, Richard Carey Clerk, Richard Coulton Clerk, John Clementson Junior, Henry Carter, William Casson Clerk, William Chamberlayne, Joseph Chamberlin, William Chamberlin, Thomas Clarke Clerk, Robert Clarke, Robert Clark the Younger, William Banbury Clark, Joseph Cooke, Joseph Cradock, Richard Cooke, Thomas Cotchett, Charles Duncombe, Francis Dickins, Nathaniel Dance, William Dent, Isaac Dudley, Thomas Deakin, Dashwood, John Dudley Clerk, Stephen Eaton, George Fludyer, William Fenwicke Clerk, Joseph Farmer, George Fenwicke, Charles Fenwicke, William Firmage, Frederick Gustaveus Fowke, William Fox, William Forster Clerk, Thomas Foster Clerk, Farrer Clerk, Thomas Freer, George Godfrey, John Gregory, Thomas Godfrey, Joseph Gill Clerk, William Gilson, Jonathan Gibbons, George Harry William Hartopp, Edmund Hartopp, Samuel Hartopp Clerk, Edward Hartopp, Henry Harrison, William Harrison, John Heycock, John Heycock Junior, Joseph Heycock, George Finch Hatton, David Harris, John Heathcote, Robert Heathcote, Thomas Hotchkin, Robert Hubbard, James Hurst, John Heyrick, Nicholas Heycock, Samuel Heyrick Clerk, Charles Hesilridge, Charles Thomas Hudson, John Peach Hungerford, John Hunt, Richard Holgate Clerk, Thomas Hurst Clerk, Hawkins, Hugh Jackson, Abraham Jobson Clerk, Edward Jones Clerk, Francis Jones Clerk, Jeremiah Jackson Clerk, Nicholas Joyce Gentleman, William Kemp, George Anthony Legh Keck, Francis Kemp, John King, Henry King, Caleb Lowdham, Richard Lucas Clerk, Richard Lucas Junior, Thomas Lomas, William Law, Edward Loveden Loveden, the Mayor, Recorder, and Twelve Senior Aldermen of the Borough of Leicester for the Time being, Henry Larratt, Thomas Leach, John Loseby, John Morris, Pank Medmore, John Moore, Campbell Morris, Charles Morris, Edward Manners, John Manners, John Mansfield, James Mansfield, Samuel Markland, William Mason, John Miles Clerk, George Miles, Samuel Miles, Thomas Moore, Gerrard Noel Noel, Noel Noel, Noel Noel, Cosmas Neville, John Nichols, Thomas Standley Nedham, John Nedham, Francis Nedham, George Nichols, John Nichols the Younger, George Noble, Henry O'Brien, John Bass Oliver, Peter Oliver, John Owsley Clerk, William Oldham, John Bass Oliver the Younger, George Bass Oliver Clerk, Thomas Barfoot Oliver, Samuel Oliver, George Osborne Clerk, Thomas Pares, Thomas Pares Junior, Thomas Paget, Thomas Palmer, Henry Palmer, John Palmer, John Abeam Palmer, William Pochin, William Pochin Junior, Pochin, the Dean and Prebendaries of Peterborough for the Time being, Conyers Peach, John Pares, William Pares Clerk, George Peake, Charles James Packe the Younger, George Pywell, William Pegg, Thomas Peach, George Plummer, Charles William Pochin, George Pochin, John Pepper, George Robinson, Thomas Robinson Clerk, Benjamin Raworth, Samuel Roberts, John Roberts, Walter Ruding, Walter Ruding the Younger, Read Clerk, Samuel Reeve, Charles Roberts, Samuel Smith, Charles Loraine Smith, Joseph Sibley, John Stephens, Nicholas Simons Clerk, Richard Stephens, William Shield, Henry Shield Clerk, Henry Sharpe, Richard Sharpe, George Shaw Clerk, Thomas Stokes, Matthew Snow Clerk, John Simpson, John Finch Simpson, John Smith M. D., Robert Stafford, Henry Swann, Lumley Saint George Skeffington, Lancelot Skynner Clerk, Matthias Slye Clerk, John Slye Clerk, John Stevens the Younger, Samuel Simpson, John Sykes, Samuel Stone, Edward Thomas Clerk, Thomas Tryon, Charles Tryon, George Tryon,

Tyron, Leonard Towne Clerk, James Tiptaft, Baptist Noel Turner Clerk, Robert Tomblin, Cotton Thompson, Henry Thomas, William Thompson, Marmaduke Tomlin, John Frewen Turner, Samuel Towndrow, Robert Throsby Clerk, John Vaughan Serjeant at Law, Henry Vaughan M. D., Charles Richard Vaughan M. D., James Vann, Robert Wilson, Robert Walker, Thomas Woods, John Wingfield, Thomas Wingfield Clerk, Bentley Warren, John Wing, John Webster, Daniel Webster, William Walker, Richard Walker Clerk, Thomas Warner, John Wildbore, Henry Wildbore, Thomas Watchorn, Edward Hartopp Wigley, Edmund Wigley, George Williamson, James Willey, Thomas Willows Clerk, Henry Wilson Clerk, George Wilson Clerk, Clement Winstanley, Clement Winstanley the Younger, Thomas Winstanley, James Winstanley, Thomas Wright, Henry Wood, Henry Wood the Younger, Thomas Woods, Daniel Woodland, and Henry Woodcock Clerk, shall be and they are hereby appointed Trustees for making, widening, altering, diverting, improving, and keeping in Repair, the District of the said Road, from the said Borough of Leicester to and by the North Side of the Town of Uppingham, in the County of Rutland, to the said Town of Wansford, in the said County of Northampton, as far as the West Side of the North Road leading from Wansford Bridge to Stamford; and also for putting into Execution all the other Powers in and by this Act given, so far as they relate to that Part of the said Road; and that the Right Honourable Charles William Fitzwilliam commonly called Lord Viscount Milton, John Bevis, Bryan Beetham, Benjamin Vinter, John Chambers, Nathaniel Hudson, George Edmunds, Thomas Goodman, John Taylor, William Strong Clerk, Henry Cole, John Wedred Clerk, Sir John Trollope Baronet, Walden Orme, Henry Mathew Shutz D. D., John Bringhurst Clerk, Henry Freeman Clerk, Francis Hopkinson Clement Whitehead, George Maxwell, Edward Laxton, Edward Hare, William Wing Clerk, Robert Henson, John Spolding, Thomas C. C. Moore Clerk, Wright Thomas Squire, William Squire, William Hopkinson, James Devie Clerk, Feast Goodman, Thomas Mann, the Honourable Lionel Damer, Anthony Marshall, Thomas Bussey, John Pepper, Thomas Pepper, William Dodson Junior, Edward Brown, William Bowker, John Chambers Junior, William Child, Samuel Edwards, William Waller, Robert Henson, John Compton, Fowke LL. D., John Miller, William Simpson, French Lawrence, Thomas Alderson Cooke, William Loftus Clerk, Morris Tongue, Edward Lloyd, Levet Ibbetson, John Benson, James Nicholson, Benjamin Mugliston, Charles Jacob, James Higgins M. D., William Platel, Thomas Orby Hunter, John Atkinson, John Jackson Serocold Clerk, Stephen Bracken, Abraham David Hake Clerk, George Wilkinson, the Honourable and Reverend Charles Stewart, Francis Tennant Clerk, John Cox, William Salmon, Christopher Hodgson Clerk, William Waldgrove, Sir Richard Hetley Knight, William Hetley, Pank Medmore, John Wing, Robert Miller, Joseph Sutton, the Dean and Prebendaries of Peterborough, for the Time being, John Wing, Baptist Proby D. D., Robert Wright, John Wright, Stephen White D. D., Edward Orme, Thomas Walker, John Miller, Henry Clarke Clerk, Thomas Squire, shall be, and they are hereby appointed Trustees for making, widening, altering, diverting, improving, and keeping in Repair, the District of the said Road, from the East Side of the said North Road, leading from Wansford Bridge to Stamford aforesaid, through the several Towns of Ailsworth, Castor, and Longthorpe, to the Market Place in the said City of Peterborough; and likewise for putting into Execution all other the Powers in and

[Loc. & Per.]

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by

by this Act given, so far as the same relate to that Part of the said Road.

Power to appoint new Trustees.

V. And be it enacted, That when and as often as any of the Trustees hereby nominated and appointed, or who shall be elected and appointed in Manner herein-after mentioned, shall die, or by Writing under their respective Hands, refuse to act in the Execution of the said Act, it shall be lawful for the surviving or continuing Trustees from Time to Time at any Meeting to be holden in pursuance of this Act, by Writing under their respective Hands, to elect and appoint some fit Person to be a Trustee in the Room of every Trustee dying, or refusing to act; Ten Days previous Notice of the Time and Place of Meeting of the said Trustees for every such Election, being given by the Clerk or Treasurer of the said Road, herein-after directed to be appointed, by affixing such Notice in Writing, upon all the Turnpike Gates then erected across the said Road; and by inserting the same in some Newspaper usually circulated in the Counties of *Leicester, Rutland, and Northampton*; and every Person who shall be elected and appointed a Trustee, in Manner aforesaid, shall and may act with the surviving and continuing Trustees, in the Execution of this Act, to all Intents and Purposes as if he had been hereby nominated and appointed a Trustee.

All Acts may be done by Five Trustees, unless where otherwise directed.

VI. And be it further enacted, That all Acts, Proceedings, Orders, Matters, and Things, relative to the Execution of this Act, may be done and executed by any Three or more of the Trustees hereby nominated and appointed, or who shall hereafter be elected and appointed as aforesaid (except only in the Cases herein particularly directed to be done and executed by any greater or less Number of them).

Qualification of Trustees.

VII. Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Trustee in the Execution of this Act, during the Time that he shall hold any Place of Profit under this Act, nor unless he shall be in his own Right, or in the Right of his Wife, seised of or entitled to Messuages, Lands, Tenements, or Hereditaments, for some Estate for Life or of Inheritance, in Possession of the clear yearly Value of Fifty Pounds above Reprizes, or shall be Heir Apparent to some Person or Persons seised of or entitled to Messuages, Lands, Tenements, or Hereditaments for some Estate for Life, or of Inheritance, of the clear yearly Value of Three hundred Pounds, or possessed of personal Estate to the Amount of One thousand Pounds, over and above what will be sufficient to pay all his Debts; and if any Person not being so qualified shall presume to act as a Trustee in the Execution of this Act, every Person so offending shall forfeit and pay the Sum of Fifty Pounds to any Person who shall inform or sue for the same, to be recovered in a summary Way, before the Justices of the Peace at their Quarter Sessions, or in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Effoin, Protection, or Wager of Law, nor more than One Imparance shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, upon Proof given of his having acted as a Trustee in the Execution of this Act.

VIII. Pro-

VIII. Provided always, That all the Acts and Proceedings of any Person as a Trustee in the Execution of this Act, previous to his being convicted of the said Offence, shall be as valid and effectual as if such Person had been duly qualified according to the Directions of this Act.

The Acts of unqualified Trustees previous to Conviction to be valid.

IX. Provided also, That every Trustee before he shall act as such (except in administering the following Oath) shall take an Oath before One or more of the said Trustees, (who is and are hereby empowered to administer the same) in the Form following; (that is to say),

Trustees to be sworn.

I *A. B.* do swear, that I am truly and *bonâ fide* in my own Right (or in Right of my Wife) seized of or entitled to Messuages, Lands, Tenements, or Hereditaments, for some Estate for Life or of Inheritance, in Possession of the clear yearly Value of Fifty Pounds above Reprizes; (and in case of an Heir Apparent) I, *A. B.* do swear, that I am Heir Apparent to *C. D.* who, to the best of my Knowledge and Belief, is truly and *bonâ fide* seized of or entitled to Messuages, Lands, Tenements, or Hereditaments for some Estate for Life, or of Inheritance, of the clear yearly Value of Three hundred Pounds above Reprizes; (and in the case of Personal Estate) I, *A. B.* do swear, that I am truly and *bonâ fide* possessed of personal Estate to the Amount or Value of One thousand Pounds over and above what will be sufficient to pay all my just Debts; and that I will truly and impartially, according to the best of my Judgement, act in the Execution and Performance of the several Powers, Authorities, and Trusts reposed in me as a Trustee, by virtue of an Act passed in the Forty-first Year of the Reign of His Majesty King George the Third, intituled [*here set forth the Title of the Act*].

The Oath.

So help me GOD.

X. And be it further enacted, That all 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 authorised 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 authorised 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 in the Commission of the Peace may act as Justices.

XI. And be it further enacted, That the Trustees for repairing the Road from *Leicester* to *Wansford* aforesaid, shall meet at the House of *Thomas Holmes*, known by the Sign of the *Falcon* Inn, in *Uppingham* aforesaid, or at some other convenient House in the same Town, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and shall then proceed to carry this Act into Execution; and that the Trustees for repairing the Road from *Wansford* to the Market-place in *Peterborough* aforesaid, shall meet at the *Talbot* Inn, in *Peterborough* aforesaid, or at some other convenient House in the said Town, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and shall then proceed to carry this Act into Execution; and that the said respective Trustees shall then, and from Time to Time afterwards, adjourn themselves, to meet at the same House, or at such other Houses in the

Meetings of the Trustees.

same Towns, or at such other Places near some Part of the said Road, and at such Times as the said respective Trustees shall, from Time to Time, order and direct (provided Two Trustees shall be sufficient for the Purpose of Adjournment, and that no Adjournments shall be made for a longer Time than Three Calendar Months); and that the said Trustees acting on the District from *Leicester* to *Wansford* aforesaid, shall hold Two of their Meetings at the least in each Year at the Town of *Billesdon* aforesaid, or some other Place nearer to the said Borough of *Leicester*; and if at any Meeting, appointed to be holden by virtue of this Act, there shall not appear a sufficient Number of Trustees, to act or to adjourn to another Day; or in case the Trustees, at any Meeting assembled, shall not adjourn themselves, the Clerk or Treasurer of that District of the said Road, shall, from Time to Time, as often as such Case shall happen, by Notice in Writing, to be affixed on all the Turnpikes then erected across the said Road, at least Ten Days before the said intended Meeting, appoint the Trustees to meet at the Place where the last Meeting was appointed to have been holden, or at any other Place near any Part of the said Road, on the Day Three Weeks after the Day on which such last Meeting was appointed.

Meetings on
Emergencies.

XII. Provided always, and be it further enacted, That if, after any Adjournment of the Trustees for either District, it shall at any Time be thought necessary, that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, in that Case the Clerk or Treasurer of either District of the said Road, upon an Order in Writing, signed by Three or more of the Trustees of such District (mentioning the Time, Place, and Purpose of such Meeting), shall forthwith give Notice thereof, and of the Time, Place, and Purpose, mentioned in such Order, in the Manner last herein-before directed (such Time not being less than Ten Days after such Notice), and such earlier Meeting shall and may be held accordingly; and the said Trustees, at all their Meetings, shall defray their own Expences.

Trustees Ex-
pences.

How Orders
of the Trust-
tees are to be
made and re-
voked.

XIII. And be it further enacted, That it shall and may be lawful, to and for the said respective Trustees, or the major Part of them present at any Meeting, which shall be held in pursuance of this Act, from Time to Time, to make all necessary Orders, Directions, Appointments, Agreements; and Determinations, in the Execution of this Act; and no such Order, Direction, Appointment, or Determination, shall be made, unless the Number of Trustees, by this Act authorised to make the same, shall be present, and the Majority of the Trustees present shall concur therein; and no such Order, Direction, Appointment, Agreement, or Determination, shall be revoked or altered at any subsequent Meeting, unless Nine Trustees, or more, shall be present, and Seven of them at least shall concur therein.

Powers to
continue and
erect Toll
Gates.

XIV. And be it further enacted, That it shall and may be lawful, to and for the said respective Trustees, to continue the several Toll Gates, or Turnpikes, now erected across the said Road, from *Leicester* to *Peterborough* aforesaid, in the Places hereafter mentioned, that is to say, One Turnpike or Toll Gate at the West End of the Lane, in the Liberty of *Belgrave* aforesaid, leading to the said Bridge, called *Humberstone Bridge*, and called *Humberstone Gate*; One other Toll Gate or Turnpike,

at

at the West End of a Lane, leading from *Billesdon* to *Skeffington* aforesaid, called *Skeffington Gate*; One other Toll Gate or Turnpike, across a Lane, in the Parish of *Wardley* aforesaid, called *Wardley Lane Gate*, and near to a Gate, by the Side of the said Road, across a Bridle way leading to *Ridlington*, in the said County of *Rutland*; and also One other Turnpike across the said Road, at the East End of the Town of *Uppingham* aforesaid; and also One other Toll Gate or Turnpike across the said Road, near the End of the said Road, in the Parish, and the West Side of the Village of *Wansford* aforesaid; One other Turnpike or Toll Gate across the said Road, at the East End of *Wansford Lane*; and One other Turnpike or Toll Gate, between the said Town of *Longthorpe*, and the City of *Peterborough* aforesaid; and also that the said respective Trustees, or such Person or Persons as they shall appoint, shall and may have full Power and Authority, by this Act, to pull down and destroy the Gates, Toll Houses, and Buildings, so erected across the said Road as aforesaid, and may erect or otherwise provide such and so many other Toll Gates or Turnpikes, in, upon, or across such other Parts, and in such other Places of the said Road; and also such and so many Toll Gates or Turnpikes, on the Sides of the said Road, and in, upon, or across any Lane or Byeway, that doth or shall lead into or out of the same, as the said Trustees shall think proper (subject nevertheless to the Restrictions and Directions herein-after mentioned concerning the same), and also shall and may erect or otherwise provide a Toll House to each of such new erected Toll Gates or Turnpikes, with suitable Buildings and other Conveniences thereto, and inclose from the Sides of the said Road convenient Gardens for the same.

XV. And be it further enacted, That the several Tolls herein after particularly mentioned, shall be demanded and taken at each and every of the Toll Gates, which shall be continued, erected, or provided, in pursuance of this Act (except as herein-after is expressly directed or provided to the contrary) before any Horse, Cattle, or Carriage, upon which any Toll is by this Act imposed, shall be permitted to pass through the same (that is to say),

And take
Tolls.

For every Horse, Mare, Gelding, Mule, or Ass, not drawing, the Sum of One Penny Halfpenny.

The Tolls.

For every Horse, Mare, Gelding, Mule, Ass, Ox, Bullock, or other Cattle, drawing any Carriage, the Sum of Four-pence Halfpenny.

For every Drove of Oxen, or neat Cattle, the Sum of Ten-pence per Score, and so in Proportion for any greater or less Number.

For every Drove of Calves, Sheep, Hogs, or Lambs, the Sum of Five-pence per Score, and so in Proportion for any greater or less Number.

For every Four-wheeled Carriage, fixed in any Manner to any Waggon, Wain, Drug, Cart, or other Carriage, the Sum of Nine-pence.

For every Two-wheeled Carriage so fixed, the Sum of Sixpence.

For every Drug so constructed as that the Distance between the Axletrees 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 Horses drawing the same.

Additional
Tolls on a
Sunday made
payable.

And that on every *Sunday* after the Commencement of this Act, there shall be demanded and taken, in Addition to the Tolls herein-before made payable, at each of the said Toll Gates before any Horse, Cattle, or Carriage, shall be permitted to pass through the same, One Third more than the Tolls before directed to be taken on any other Day in the Week.

Which said respective Tolls, or Sums of Money, shall be demanded and taken by such Person or Persons as the said respective Trustees shall, from Time to Time in that behalf authorize and appoint to receive the same; and if any Person or Persons, subject to the Payment of any such Tolls, or any Part or Parts thereof, shall, after Demand thereof by any Collector or Collectors, or other Person or Persons authorized to receive the same, neglect or refuse to pay the said Tolls, or any of them, or any Part or Parts thereof, it shall be lawful for the Person or Persons so authorized to seize and distrain any Horse or Cattle, Beast or Carriage, upon which any Toll is by this Act imposed, or any of the Loading, Harness, or Accoutrements thereof respectively, or any of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same; and if such Tolls and the reasonable Costs of such Distress and keeping the same, shall not be paid within the Space of Four Days after the Time of making such Distress, the Person or Persons so distraining, shall and may, at any Time or Times thereafter, sell the Horse, Cattle, Beast, Carriage, Goods, and Chattels, so distrained, and out of the Monies which shall arise by such Sale, pay such Tolls, and all reasonable Charges incurred by such Distress and Sale, returning the Overplus of the Money, which shall arise by such Sale, and what shall remain unsold (if any), upon Demand, to the Owner or Owners thereof.

For settling
Disputes con-
cerning Tolls.

XVI. And be it further enacted, That if any Disputes shall happen concerning any Tolls due, or the Charges occasioned by any such Distress as aforesaid, it shall be lawful for the Collectors so distraining, to retain such Distress, or the Money arising from the Sale thereof, till the Quantity of the Tolls and the Charges of such Distress shall be ascertained by some Justice of the Peace for the County, Liberty, or Division, in which such Disputes shall arise, or in which such Distress shall be taken, who, upon Application made to him for that Purpose, shall examine the Matters by Oath of a Witness or Witnesses, and shall determine the Toll due, and assess the Charges of such Distress, and of the Collector's Attendance upon the said Justice for that Purpose; all which Sums so determined and assessed shall be paid to the said Collector, before he shall be obliged to return the said Distress or Overplus, or any Part thereof.

Collectors de-
clared compe-
tent Witnesses.

XVII. And be it further enacted, That in case any Dispute, Suit, or Litigation, shall arise, touching or in any Way relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting under the Authority of the said respective Trustees, shall be competent to give Evidence in any such Dispute, Suit, or Litigation.

Tolls may be
varied.

XVIII. And be it further enacted, That it shall be lawful for the said respective Trustees, from Time to Time, when and as often as they shall think proper, to lessen, vary, or alter, all or any of the Tolls hereby

hereby granted or made payable at all or any of the Turnpikes to be continued; erected; or provided; by virtue of this Act, and to raise the same again, so that they do not at any Time exceed the Tolls by this Act granted or made payable, and so as every such Reduction thereof be made with the Consent of the Person or Persons for the Time being, intitled to Four fifth Parts of the Money then due on Security of the said Tolls; but no such Alteration shall be made, unless Twenty-one Days previous Notice thereof shall be affixed in Writing upon all the Turnpikes then erected across the said Road, and also inserted in One or more of the Newspapers usually circulated in the Counties of *Leicester, Rutland, and Northampton.*

XIX. And be it further enacted; That no Person or Persons shall be liable to pay Toll more than once at any One Toll Gate or Turnpike, continued; erected, or provided by virtue of this Act; for passing or repassing at any Time or Times in any One Day, to be computed from Twelve o'Clock at Night to Twelve o'Clock in the succeeding Night, with the same Horses, Cattle, Beasts, and Carriages, through the same Toll Gate or Turnpike; but that all and every Person and Persons having paid Toll once as aforesaid; shall afterwards pass and repass with the same Horses, Cattle, Beasts, and Carriages, Toll free, during the same Day, through the same Toll Gate or Turnpike where such Toll was paid; upon producing a Ticket denoting the Payment of such Tolls, which the Collector or Collectors of such Tolls are hereby required to give *gratis* on Receipt of the said Toll.

Tolls to be paid but once a Day.

XX. Provided always nevertheless, That nothing herein contained shall extend or be construed to extend to empower the said respective Trustees, or any of them, to cause more than Three full Tolls to be demanded or taken for the Passage of any Horses, Beasts, or Carriages, through all the Toll Gates to be continued, erected, or provided by virtue of this Act, in the whole Length of the said Road from *Leicester* to *Uppingham* aforesaid; or more than Two full Tolls to be demanded or taken for the Passage of any Horses, Beasts, or Carriages through all the Toll Gates to be continued, erected, or provided by virtue of this Act in the whole Length of the said Road from *Uppingham* to *Wansford* aforesaid; or more than One full Toll to be demanded or taken for the Passage of any Horses, Beasts, or Carriages through all the Toll Gates to be erected, continued, or provided by virtue of this Act, in the Whole Length of the said Road from *Wansford* to *Peterborough* aforesaid; but that all and every Person and Persons having paid the said Three Tolls between *Leicester* and *Uppingham* aforesaid, and Two Tolls between *Uppingham* and *Wansford* aforesaid, and One Toll between *Wansford* and *Peterborough* aforesaid, and producing a Ticket or Tickets denoting the Payment thereof; (which Tickets the Collectors of the Tolls are hereby required to give *gratis* on Receipt of such Tolls) shall pass and repass with the same Horses, Cattle, Beasts, and Carriages, Toll free, during such Day, through all other the Toll Gates or Turnpikes to be erected in any other Parts of the said Road from *Leicester* to *Uppingham*, or from *Uppingham* to *Wansford*, or from *Wansford* to *Peterborough* aforesaid.

Only Five Tolls to be taken between *Leicester* and *Wansford*, and One between *Wansford* and *Peterborough*.

XXI. And be it further enacted, That no Tolls shall be demanded or taken for any Horse, or other Beast, or any Carriage, when employed in carrying

Exemptions from Tolls.

carrying or conveying Stones, Bricks, Lime, Timber, Wood, Gravel, or other Materials for repairing the said Road, or any of the Highways in the several Parishes, Townships, or Districts through which the said Road passes, or in carrying or conveying any Hay, Clover, Corn in the Straw, or other Produce of Land to be laid up or consumed in the Houses, Out-Houses, Yards, or Barns, held or used by the Occupier of the Land whereon the same grew, or in carrying or conveying between the First Day of *March* and the First Day of *November* in each Year, and at such other Times (if any) during Frost, as any Two or more of the said Trustees, by Writing under their Hands, either at a publick Meeting or otherwise, shall direct, any Dung, Mould, Lime, or Compost to be used for the manuring of Lands lying in any of such Parishes, Townships, or Districts as aforesaid, or any Dung, Mould, Lime, or Compost to be used for manuring of Land lying in any Township, Hamlet, Manor, or Parish, wherein the same shall have been respectively dug, gotten up, or made; nor shall any of the Tolls hereby granted be demanded or taken for any Ploughs, Harrows, or other Implements of Husbandry, nor for any Horses, Mares, Geldings, or Cattle, when going or returning to or from Work in cultivating the Lands or Grounds within the said Parishes, Townships, or Districts, or any adjoining Parish, Township, or District, or going to or returning from Pasture or Watering Places: Provided that such last-mentioned Exemption shall only extend to such Cattle as shall be driven to and from Water or Pasture, from One Parish, Township, or District, to the next adjoining Parish, Township, or District, or to such Cattle as shall not pass upon the said Road more than the Distance of Two Miles, in going or returning from Water or Pasture; nor shall any of the Tolls hereby granted be demanded or taken for any Carriage, Horse, or Beast which shall only cross the said Road, or shall not pass above One hundred Yards thereon, nor from any Person or Persons residing in the same Parishes, Townships, or Districts, who shall pass on *Sundays* or any other Day on which Divine Worship shall be ordered by Authority to be celebrated, through any of the said Turnpikes, to and from Church or Chapel, or any other Place of religious Worship, tolerated by Law, or when attending the Funeral of any Person or Persons who shall be buried in any of the same Parishes, Townships, or Districts; nor for any Horses, Cattle, or Carriages which shall be employed in conveying any Mail or Packet made up under the Authority or Direction of His Majesty's Post-master General, or his Deputies; nor for any Horses belonging to Officers or Soldiers upon their March, or upon Duty; nor for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or carrying any sick, wounded, or disabled Officers or Soldiers; nor for any Horses, Carts, or Carriages employed in conveying Vagrants sent by legal Passes; nor for any Horses or Carriages carrying or conveying any Elector or Electors to and from any Election of a Knight or Knights of the Shire to serve in Parliament for the said Counties of *Leicester*, *Northampton*, or *Rutland*; and if any Person shall claim, or take the Benefit of any of the Exemptions aforesaid, or any other of the Exemptions from Toll herein contained, not being entitled to the same, every Person so offending, and being lawfully convicted thereof, shall forfeit and pay a Sum not exceeding Five Pounds, nor less than Forty Shillings, at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

XXII. And be it further enacted, That if any Person or Persons shall, with any Horse, Cattle, Beast, or Carriage, upon which any Toll is by this Act imposed, pass through any Land or Ground adjoining or lying near to any Toll Gate or Turnpike which shall be continued, erected, and provided, by virtue of this Act, the same not being a common Road; or if any Owner or Occupier of any such Land or Ground shall knowingly permit or suffer any other Person or Persons, with any Horse, Cattle, Beast, or Carriage, to pass through the same, whereby the Payment of any of the said Tolls, or any Part or Parts thereof, shall be evaded; or if any Person or Persons shall give to or receive from any Person, (other than a Collector of the said Tolls) or shall forge or counterfeit any Ticket by this Act directed to be given by a Collector of the said Tolls; or shall forcibly pass through any such Toll Gate or Turnpike as aforesaid, with any Horse, Cattle, Beast, or Carriage; or shall at any Time or Times take off, or cause to be taken off, any Horse, Cattle, or Beast, from any Carriage, whereby the Payment of any of the said Tolls, or any Part or Parts thereof, shall be evaded; or if any Person or Persons shall leave, or cause to be left, upon or near to any Part of the said Roads, any Carriage, Horse, Cattle, or Beast, with Intent to evade the Payment of any of the said Tolls, or any Part or Parts thereof, or with such Intent shall unload any Goods from any Horse, Cattle, Beast, or Carriage, every Person offending in any of the Cases aforesaid, and being lawfully convicted thereof shall forfeit and pay a Sum not exceeding Five Pounds, nor less than Forty Shillings, at the Discretion of the Justice or Justices before whom such Offender shall be convicted, One Moiety whereof shall be for the Use of the Informer or Informers, and the other Moiety thereof shall be applied for the Purposes of this Act, in Manner herein-after directed.

To prevent evading the Tolls.

XXIII. And be it further enacted, That it shall be lawful for the said respective Trustees, from Time to Time, as they shall see convenient, to compound and agree for any Term not exceeding One Year at any One Time, with all or any of the Inhabitants of the several Parishes, Townships, or Districts, to or through which the said Road leads, for the Passage of their Horses, Cattle, or Carriages, through all or any of such Toll Gates or Turnpikes as aforesaid.

Power to compound Tolls.

XXIV. And be it further enacted, That it shall be lawful for the said respective Trustees, or Five or more of them respectively, after giving Twenty-one Days previous Notice thereof in Writing, to be affixed upon all the Turnpikes erected across the said Road, and to be inserted in One or more of the Newspapers usually circulated in the Counties of *Leicester*, *Rutland* and *Northampton*, from Time to Time, to lease and demise the Tolls granted by this Act, or any Part or Parts thereof, for any Term not exceeding Three Years, upon publick Bidding, to the highest Bidder, for the best Rent or Price that can reasonably be gotten for the same, payable at such Times, and in such Manner, and with, under, and subject to such Covenants, Conditions, and Agreements, as the said respective Trustees, or any Five or more of them, shall think fit, they the said Trustees having a Counterpart of such Lease or Leases, and taking such other sufficient Security for Payment of the Rents and Performance of the Covenants to be reserved and comprized in such Lease or Leases

Power to lease the Tolls.

[*Loc. & Per.*]

as the said respective Trustees, or any Five or more of them, shall think fit.

For letting
Weighing En-
gines.

XXV. And be it further enacted, That it shall be lawful for the said respective Trustees, or any Five or more of them, at 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 One 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 Roads, over and above the Weight allowed by Law, provided that the said additional Tolls be collected in the same Manner as the Tolls arising at the said Toll Gates are by this Act directed or prescribed to be let.

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

XXVI. And be it further enacted, That in case the Tolls arising at all or any of the Toll Gates erected or to be erected on the said Road, 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 by the Space of Four 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 the said Cases the said respective Trustees, or any Three or more of them, or their Clerk or Treasurer, or other Person authorized by Writing under the Hands of them, the said Trustees, or any Three or more of them, shall be at Liberty, and they are hereby authorized to enter into and upon the Possession of the Toll House or 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 payable; and that thereupon it shall be lawful for the said respective Trustees, or any Three 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 or Agreements for Payment of the Arrears of Rent or Rents thereby reserved) as if such Demise or Agreement had never been made; and it shall and may be lawful for the said respective Trustees, or any Three or more of them, in every such Case, to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be taken or collected, as if no Contract or Agreement had been entered into relative thereto.

Power to re-
move Toll
Gates.

XXVII. Provided always, and be it further enacted, That it shall be lawful for the said respective Trustees, or any Five or more of them, from
Time

Time to Time, when and as often as they shall think fit, to cause any of the Toll Gates or Turnpikes which shall have been erected in, upon, or across, or on the Sides of the said Road, to be removed to, and erected in, upon, or across, or on the Sides of such other Part or Parts of the said Road, as the said Trustees, or any Five or more of them, shall from Time to Time order and direct; but none of the said Toll Gates or Turnpikes shall be removed as aforesaid, unless Twenty-one Days previous Notice of the Intention to remove the same shall have been affixed in Writing upon all the Toll Gates or Turnpikes then erected across the said Road, and inserted in some One or more of the Newspapers usually circulated in the said Counties of *Leicester, Rutland, and Northampton*.

XXVIII. And be it further enacted, That the Right, Interest, and Property of and in all the Toll Gates or Turnpikes and Toll Houses, which shall be continued, erected, or provided in pursuance of this Act, with the several Conveniencies and Appurtenances thereunto belonging respectively, and the Materials of which the same shall consist; and all Materials, Matters, and Things which shall be purchased or provided for the Purposes of this Act, shall be vested in the said Trustees, and they or any Five or more of them are hereby authorized and empowered to sell, assign, transfer, apply, and dispose of the same as Occasion shall require, and as they shall think proper; and to bring or cause to be brought any Action or Actions, or to prefer and prosecute any Bill or Bills of Indictment against any Person or Persons who shall dig up, break, or pull down, take, steal, or carry away, spoil, destroy, injure, or damage, any of the said Toll Gates, Turnpikes, or Toll Houses, or any of the Conveniencies and Appurtenances thereunto belonging, or any of the Materials, Matters, and Things aforesaid, or any new Fences which shall be made and repaired by the said Trustees, or who shall do any Act to hinder or obstruct any Person or Persons employed by the said Trustees in the Execution of this Act.

XXIX. And be it further enacted, That it shall be lawful for the said respective Trustees, at any of their Meetings, to borrow and take up at Interest, upon the Credit of the Tolls to arise by virtue of this Act, any Sum or Sums of Money they shall think necessary for the Purposes of this Act, provided that no Money shall be borrowed after the first Meeting of the said Trustees, unless Twenty-one Days previous Notice thereof shall be affixed in Writing upon all the Toll Gates or Turnpikes then erected across the said Road; and also published in One or more of the Newspapers usually circulated in the Counties of *Leicester, Rutland, and Northampton*; and the said Trustees are hereby empowered, by any Writing or Writings under their respective Hands and Seals, from Time to Time, to assign or mortgage the said Tolls, or any Part or Parts thereof, during the Continuance of this Act, as a Security or Securities to any Person or Persons who shall advance such Sum or Sums of Money as aforesaid, their respective Executors, Administrators, or Assigns, for the Money so to be advanced, with Interest for the same, after the Rate of Four Pounds Ten Shillings for One hundred Pounds for One Year, which Writing or Writings may be made in the Form or in the Words to the Effect following; (that is to say),

• BY

Form of the
Security.

BY virtue of an Act of Parliament made in the Forty-first Year of
the Reign of His Majesty King George the Third, intituled, [*here
set forth the Title of the Act*], we of the Trustees
for putting the said Act into Execution, in Consideration of the Sum
of _____ paid by *A. B.* of _____ in the
County of _____ to the Treasurer of the said Road, do hereby
bargain, sell, and assign, unto the said *A. B.* such Proportion of the
Tolls to arise upon the said Road as the said Sum of
doth or shall bear to the whole Sum now due, or hereafter to become
due, on the Security thereof, to hold the same unto the said *A. B.*
his Executors, Administrators, and Assigns, from the Day of the
Date hereof, for and during the Continuance of the said Act, unless
the said Sum of _____ with Interest for the same, after
the Rate of _____ for _____ for One Year shall be
sooner repaid and satisfied. Given under our Hands and Seals this
_____ Day of _____ in the Year of Our Lord One thousand
eight hundred _____

Copies to be
entered in a
Book.

Mortgages
may be trans-
ferred.

And Copies of all such Mortgages shall be entered in a Book or Books
to be kept for that Purpose by the Clerk or Treasurer of the said Road,
which Book or Books may at all seasonable Times be perused and inspec-
ted without Fee or Reward; and it shall be lawful for all and every Per-
son and Persons to whom any Mortgage or Security shall be made as
aforesaid, his, her, and their Executors and Administrators respectively,
by Writing or Writings under their respective Hands and Seals, to assign
and transfer his, her, or their Right, Title, or Interest, in and to such
Mortgage or Security; and the principal Money and Interest secured
thereby to any other Person or Persons; which Assignment and Transfer
may be in the Form, or in Words to the Effect following; (that is to
say),

Form of
Transfer.

I *A. B.* of _____ or *C. D.* of _____ Executor or
Administrator of *A. B.* late of _____ (or otherwise as the
Case may be) in Consideration of the Sum of _____ to me
paid by *E. F.* of _____ do hereby assign and transfer
unto the said *E. F.* his Executors, Administrators, and Assigns, a cer-
tain Mortgage or Security bearing Date the _____ Day of
_____ in the Year of our Lord _____
under the Hands and Seals of
_____ of the Trustees for putting into Execution, an Act of
Parliament passed in the Forty-first Year of the Reign of His Majesty
King George the Third [*here set forth the Title of the Act*], with all my
Right and Title to the principal Sum of _____ thereby se-
cured, and all Interests now due, and hereafter to grow due thereon.
Dated this _____ Day of _____

Which Transfer shall be produced to the Clerk or Treasurer within Three
Calendar Months next after the Day of the Date thereof, who shall enter
the same in the Book or Books last mentioned; for which Entry the Sum
of Two Shillings and Sixpence, and no more, shall be paid and such
Transfer shall then entitle such Assignee or Assignees, his, her, or their
Executors, Administrators, and Assigns, to the Benefit of such Mortgage
or Security; and every such Mortgage or Security may be again assigned
and transferred in like Manner, and so from Time to Time as often as Occa-
sion

from shall require; and it shall not be in the Power of any Person or Persons, other than the Person or Persons to whom the same shall be last assigned as aforesaid, his, her, or their respective Executors or Administrators, to release discharge, or make void, the original Mortgage or Security so transferred as aforesaid, or the Monies due thereon or any Part thereof; and all Persons to whom any Mortgage or Security shall be made as aforesaid, their respective Executors, Administrators, and Assigns, shall, in Proportion to the Sums of Money thereby secured, be Creditors on the Tolls by this Act granted in equal Degree one with another, and shall have no Preference in respect to the Priority of advancing their Monies, or of the Dates of their respective Securities.

No Priority among Mortgagees.

XXX. And it is hereby further enacted, That the said respective Trustees, or any Five 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, instead or in lieu thereof respectively, in Manner and transferable as is herein-before mentioned.

Old Mortgages may be called in, and new ones granted.

XXXI. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said Two preceding Acts of the Twenty-seventh Year of the Reign of his late Majesty, and the Fourteenth Year of the Reign of His said present Majesty, or either of them, upon the said Road, herein-before described, from the said Borough of *Leicester* to *Wansford* aforesaid, and shall be remaining undisposed of on the Day of the Commencement of this Act; and also all the Monies which shall arise and be produced by or from the Tolls in that District by this Act granted or made payable, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act, and not herein otherwise appropriated or directed to be applied, shall be vested in the Trustees, for the Time being, of the said last-mentioned District, and applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following (that is to say), in the First Place, in Payment of such Proportion of the Costs, Charges, and Expences incident to or attending the preparing, obtaining, or passing this Act, as the Trustees of the respective Districts shall hereafter agree upon; in the Second Place, of defraying the Expences of erecting and providing Turnpikes, Toll-houses, and other Buildings, and repairing the same; and of altering, widening, turning, repairing, and improving the said Road from *Leicester* to *Wansford* aforesaid, and purchasing Lands for those Purposes, and of executing the other Purposes of this Act; in the Third Place, in paying the Interest accruing upon the several principal Sums of Money which shall from Time to Time be due and owing on Mortgage or Security of the Tolls arising between *Leicester* and *Wansford* aforesaid; and lastly, in reducing, paying off, and discharging such several principal Sums respectively.

Application of the Money in the District between *Leicester* and *Wansford*.

XXXII. And be it further enacted, That all the Monies which before the Commencement of this Act shall have been raised and produced by virtue of the said recited Acts, or either of them, upon the said Road herein-before described, leading from *Wansford* to *Peterborough* aforesaid, [Loc. & Per.]

Application of the Money in the District between *Wansford* and *Peterborough*.

said, and shall be remaining undisposed of on the Day of the Commencement of this Act; and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable, together with the Monies which shall be borrowed upon the Credit thereof; and all other Monies which shall arise and be produced by virtue of this Act, and not herein-before otherwise appropriated or directed to be applied, shall be vested in the said Trustees of the District from *Wansford* to *Peterborough* aforesaid, for the Time being, and applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following, *videlicet*, in the First Place, in the Payment of such Proportion of the Costs, Charges, and Expences incident to or attending the passing of this Act, as the Trustees of the respective Districts shall hereafter agree upon; in the Second Place, in defraying the Expences of erecting and providing Turnpikes, Toll-houses, and other Buildings, and of repairing the same, and of altering, widening, turning, repairing, and improving of the said Road from *Wansford* to *Peterborough* aforesaid, and purchasing Lands for those Purposes, and of executing the other Purposes of this Act; in the Third Place, in paying the Interest accruing upon the said principal Sums of Money which shall from Time to Time be due and owing on Mortgage or Security of the Tolls arising between *Wansford* and *Peterborough* aforesaid; and lastly, in reducing, paying off, and discharging such several principal Sums respectively.

Money advanced for obtaining and passing this Act, to be repaid with Interest.

XXXIII. And be it further enacted, That in case the Money which shall be advanced for the Purpose of defraying the Expences of obtaining and passing this Act, shall not be repaid within the Space of Three Months after the Royal Assent shall be given thereto, that then and in such Case lawful Interest shall be paid to the Person or Persons advancing the same, in Addition to the Money so advanced.

Appointing Officers.

XXXIV. And be it further enacted, That it shall be lawful for the said respective Trustees by Writing, under their respective Hands, to continue or appoint One or more Collector or Collectors of the said Tolls, Clerk or Clerks, Treasurer or Treasurers, Surveyor or Surveyors of the said Road, and such other Officers as the said respective Trustees shall consider necessary, and such Collectors, Clerks, Treasurers, Surveyors, and other Officers, or any of them, from Time to Time, to remove, and on the Removal, Death, or Resignation of them, or any of them, to appoint others in their Stead (provided that no Person, being a menial Servant of any Trustee, shall be capable of holding any Place of Profit or Trust under this Act); and the said respective Trustees are hereby authorized to allow and pay to the several Collectors, Clerks, Treasurers, Surveyors, and other Officers, and to such other Person or Persons as shall be assisting in the Execution of this Act, such Salaries and Allowances for their Trouble, Labour, and Service, as the said respective Trustees shall deem reasonable; and all such Officers and Persons shall from Time to Time, when thereunto required by the said respective Trustees, deliver to them, or to such Person or Persons as they shall appoint, true, exact, and perfect Accounts, in Writing, under their Hands, upon Oath (which Oath any One or more of the said Trustees is and are hereby empowered to administer), of all Monies which they and every of them respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together

Salaries to Officers.

How Officers shall account.

with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands, to the said respective Trustees, or to such Person or Persons as they shall appoint to receive the same; and if such Officer or Person shall refuse or neglect to give such Account, or to produce or deliver up such Vouchers as aforesaid, or to verify such Account upon Oath, or to pay the Money due upon such Account in Manner aforesaid, or to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said respective Trustees, all the Books, Papers, and Writings in his Custody or Power, relating to the Execution of this Act; in every or any of the said Cases it shall be lawful for any Two or more Justices of the Peace for the County or Place where the Officer or Persons so making Default shall be or reside, upon Complaint thereof made to them by any Two or more of the said Trustees, to make Enquiry concerning such Refusal, Default, or Neglect, as well by the Confession of the Parties themselves respectively, as by the Testimony of any credible Witness or Witnesses upon Oath (which Oath the said Justices, or either of them, are and is hereby empowered and required to administer without Fee or Reward); and if any such Officer or Person shall be convicted of any of the Offences aforesaid, such Justices shall, upon such Conviction, commit him to the County Goal or House of Correction of the same County or Place, there to remain without Bail or Mainprize, until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees (which Composition the said respective Trustees are hereby empowered to make), or until he shall have delivered up such Books, Papers, and Writings as aforesaid, or make Satisfaction in respect thereof to the said respective Trustees, provided that no Person shall be so committed as last aforesaid, for a longer Space of Time than Six Calendar Months.

Penalty on Refusal.

XXXV. And be it further enacted, That the several Accounts of the Clerks, Treasurers, Surveyors, and other Officers of the said District from *Leicester* to *Wansford*, to be appointed under this Act, shall be examined and settled yearly in the Month of *May*, at the Town of *Uppingham* aforesaid; and that the Accounts of the Officers of the said District between *Wansford* and *Peterborough* shall also be settled yearly, in the Month of *May*, at the City of *Peterborough* aforesaid, of the Time and Place of which respective Meetings, Ten Days previous Notice shall be given on all the Turnpike-gates across the said Road, within each respective District, and in some One of the Newspapers usually circulated in the Counties of *Leicester*, *Rutland*, and *Northampton*.

Officers to account yearly.

XXXVI. And be it further enacted, That upon the Death, Incapacity, or Absence of any Collector of the Tolls, it shall be lawful for any Three or more of the said respective Trustees, though not assembled at a Meeting appointed in pursuance of this Act, by Writing under their respective Hands and Seals, to nominate and appoint a proper Person to be a Collector of the said Tolls, to continue until the then next Meeting of the said Trustees, in the Stead of such Collector as shall so die, become incapable, or absent himself:

Trustees may appoint temporary Collectors in certain Cases.

XXXVII. Provided always, and be it further enacted, That all Persons who shall have been employed, or who shall have received any Tolls

Persons who have received Tolls, &c. by or Virtue of for-

mer Acts, to
account with
Trustees in
like Manner.

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 respective Trustees, in the like Manner, and under the like Penalties, as the several Officers and other Persons are herein directed to account.

Treasurers,
etc. to give
Security.

XXXVIII. And be it further enacted, That the said respective Trustees shall, and they are hereby required, to take such Security from the Treasurer and Treasurers, Collector and Collectors, Receiver and Receivers, and from any other Officers to be appointed in pursuance of this Act, for the faithful Execution of their respective Offices, as the said respective Trustees shall think proper.

Surveyors
may get Ma-
terials for the
Road.

XXXIX. And be it further enacted, That it shall be lawful for the respective Surveyors of the said Road, or either of them, or such other Person or Persons as shall be employed by such Surveyor, to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials, for repairing the said Road, in, upon, out of, and from any Waste Grounds, Commons, Common Quarries, Rivers, or Brooks, in any Parish, Township, or District, within or near whereto the said Road passes, without paying any Thing for the same; such Surveyors, or either of them; or such other Person or Persons, throwing in the Sides of the Pits, and levelling the Ground from whence such Materials shall be taken, or sufficiently fencing off such Pits, so that the same may not be dangerous to Passengers or Cattle; and in case such Materials cannot conveniently be had in such Waste Grounds, Commons, Common Quarries, Rivers, or Brooks, as aforesaid, then to cut, dig, gather, take, and carry away, any such Materials as aforesaid, in, upon, out of, or from and over any other Lands, Grounds, and Quarries (except as herein-after is mentioned), making such Compensation and Satisfaction for the Damage done to the Owners and Occupiers of such Lands, Grounds, and Quarries, where, through, and from whence the same shall be digged, gathered, taken, and carried away, or over which any Materials gotten in any Waste Ground, Common, Common Quarry, River, or Brook, shall be conveyed as the said respective Trustees shall judge reasonable.

Materials got-
ten under the
former Act to
be compensat-
ed for.

XL. 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 in 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.

Materials not
to be taken
from enclosed
Grounds with-
out an Order
from the Trus-
tees, or Two
Justices.

XLI. Provided always nevertheless, and be it further enacted, That it shall not be lawful for any Person or Persons, under the Authority of this Act, to dig, gather, take, or carry away, any such Materials as aforesaid, in or from any inclosed or Private Lands, Grounds, or Quarries, until after Ten Days previous Notice in Writing, signed by the said Surveyor,

Surveyor, or some other Officer of the said Trustees, shall have been given to the respective Owners or Occupiers of the Lands or Grounds from which such Materials are intended to be taken, or left at their usual Places of Residence respectively, requiring them to appear before the said Trustees, or Two or more Justices of the Peace, acting for the County in which such Materials are proposed to be taken, at a certain Time and Place, to be specified in such Notice, to shew cause why such Materials should not be taken away; and such Trustees or Justices, after hearing the Parties concerned, shall, if they think proper, authorize such Surveyor, or other Officer or Officers, to dig, gather, take, and carry away such Materials, at such Time or Times, and in such Manner, as to such Trustees or Justices shall seem proper, the said Trustees making Compensation for the Damage they do; or if such respective Owners or Occupiers shall not by themselves, or their respective Agents, attend pursuant to such Notice, such Trustees or Justices may make such Order therein as they shall think fit, in like Manner as if such respective Owners or Occupiers had attended pursuant to such Notice.

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XLII. And be it further enacted, That if any Person or Persons shall take and carry away any Materials, which shall have been dug or gathered for the Purpose of making or amending the said Road, nor shall get or take away any Materials out of any Pit or Quarry which shall have been made for the Purpose of getting Materials for the said Road before the said Surveyor or his Workmen shall have discontinued working therein for the Space of Thirty Days (except the Owners or Occupiers of any private Lands or Grounds, and the Person or Persons authorized by such Owners or Occupiers, and who may get Materials therein for their own Use only, and not for the Use of any other Highway, or for Sale) every Person so offending, and being lawfully convicted thereof, shall forfeit and pay a Sum, not exceeding Five Pounds, nor less than Forty Shillings, at the Discretion of the Justice or Justices before whom such Offender shall be convicted.

Penalty on taking away Materials got by Surveyors.

XLIII. And be it further enacted, That no Dung, Ashes, Compost, Manure, or other Thing, shall be unloaded and laid down upon any Moor, Common, or Waste Ground, nearer to the Side of the said Road than Thirty Feet, upon Pain that every Person so offending, and being lawfully convicted thereof, shall forfeit and pay the Sum of Twenty Shillings.

For preventing Obstructions on the Sides of the Roads.

XLIV. And be it further enacted, That it shall be lawful for the said Surveyors, or either of them, or such Person or Persons as they or either of them shall appoint, from Time to Time to remove and prevent all Nuisances and Annoyances on any Part or Parts of the said Road by Timber, Stone, Carriages, Saw Pits, or other Pits, Ashes, Dung, Filth, Rubbish, or otherwise; and also to turn any Watercourses, Gutters, Conductors, or Drains, running into the same to the Prejudice thereof, and to open, scour, cleanse, deepen, and enlarge, any Gutter, Ditch, Conduit, or Watercourse adjoining; or near to any Part of the said Road; and also to cut down, top, or lop any Trees, Branches, or Bushes growing in the said Road, or the Hedges, Fences, Banks or Grounds adjoining thereto, and to take or carry away the same in case the respective Owners or Occupiers of the Lands or Grounds where such Annoyances shall happen to

Surveyors may remove Annoyances.

[Lor. & Per.]

be, shall neglect so to do, for Ten Days after Notice in Writing given for that Purpose, under the Hand of such Surveyors, or either of them, and the Charges thereof respectively (being settled by the said Trustees) shall be reimbursed to such Surveyor, by such respective Owners, or Occupiers so neglecting as aforesaid; and in case such Charges shall not be paid on Demand, the same shall be levied and recovered in the Manner the Penalties, Forfeitures, and Fines by this Act authorized to be imposed, and herein-after directed to be levied and recovered.

Surveyor may make Causeways, Drains, &c.

XLV. And be it further enacted, That it shall and may be lawful to and for the said Surveyors, or any other Person or Persons, by Order of the said respective Trustees, to cut and make Ditches, Drains, and Watercourses, in, upon, and on the Sides of the said Road, and also through any Grounds lying contiguous thereto; and to erect, rebuild, and keep in Repair, the Bridges and Arches upon the said Road, and across any such Ditch, Drain, or Watercourse as aforesaid; and to make sufficient Barriers and Erections on any Part or Parts of the said Road, in Order to prevent the same from being flooded or over flooded with Water, as the said Surveyor shall judge necessary; and also to make, or cause to be made, any temporary Road or Roads through, over, and along the Grounds adjoining to any narrow, or ruinous Part or Parts of the said Road, except as herein-after is mentioned to be made Use of as a Road, whilst the old Road shall be repairing, and until the same shall be made safe and convenient for Travellers, making such Satisfaction to the Owners and Occupiers of such Grounds so to be used, cut through, or built upon, for the Damages which they or any of them, shall sustain thereby, as the said respective Trustees shall judge reasonable.

Power to widen, turn, or alter the Roads,

XLVI. And be it further enacted, That it shall and may be lawful to and for the said respective Trustees, from Time to Time, to widen the said Road, and to divert, turn, or alter the Course or Direction of any Part or Parts thereof, and to make a new and convenient Carriage Road through or over any Moor or Waste Ground, or along the Course of any other publick Road, without making any Satisfaction for the same; and also through or over any private Lands or Grounds, first making Satisfaction to the Owner or Owners thereof, and Persons interested therein, for the Damages they may thereby sustain; and for that Purpose it shall be lawful for the said respective Trustees to treat, contract, and agree with the Owners of, and Persons interested in, any private Lands or Grounds, for the Purchase thereof, or for the Loss or Damage such Owners and Persons interested, or any of them, shall or may any Ways sustain by making, widening, turning, or altering any Part or Parts of the said Road; and it shall be lawful for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees whatsoever, for and on Behalf of any Infants, Females Covert, Cestuique Trusts, and for all and every Person and Persons whomsoever, who are or shall be seized, possessed of, or interested in any such Lands or Grounds, to contract and agree with the said respective Trustees for the Satisfaction to be made for such Damages as aforesaid, or to sell to them all or any of such Lands or Grounds as Occasion shall require; and all Contracts or Sales so made shall, without any Conveyance or Assurance in the Law, be valid and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or any other Matter or Thing

and to purchase Lands.

Power to Corporations, &c. to sell.

Thing to the contrary thereof notwithstanding; and all such Bodies Politick, Corporate, or Collegiate, Corporations, Aggregate or Sole, Trustees, Executors, Administrators, Guardians, and Trustees, and all other Persons; are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act; and if any of such Owners, Proprietors, Occupiers, Bodies Politick, Corporate, or Collegiate, Corporations, Aggregate or Sole, Trustees, Executors, Administrators, Guardians, and Trustees, or any other Person or Persons interested in any such Lands or Grounds, upon Notice in Writing, to him, her, or them given, or left at the respective Dwelling Houses or Places of Abode of such Person or Persons; or of the Head Officer or Officers of such Bodies Politick, Corporate, or Collegiate, Corporations, Aggregate or Sole, or at the House of the Tenant in Possession of the Lands or Grounds so to be taken in and added to any Part of the said Road, or into which any Part or Parts of such Road are or is to be turned or altered as aforesaid, shall by the Space of Ten Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree on the Premises, or by Reason of Absence shall be prevented from treating, then, and in every or any such Case, the said respective Trustees shall cause it to be enquired into and ascertained, by and upon the Oaths of a Jury of Twelve indifferent Men of the County in which the Lands or Grounds so to be taken in, or into which any Part or Parts of such Road are or is to be turned or altered as aforesaid, shall lie or be situate, (which Oaths any One or more of the said respective Trustees is and are hereby empowered and required to administer), what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Occupiers, or other Person or Persons interested, for or on Account of the taking of such Lands or Grounds into the said Road, or of turning any Part or Parts of such Road into the same Lands or Grounds; and in Order thereto, the said respective Trustees are hereby empowered and required, from Time to Time, as Occasion shall require, to summon and call before the said Jury, and examine upon Oath all and every Person or Persons whomsoever, who shall be thought necessary and proper to be examined as a Witness or Witnesses, touching or concerning the Premises (which Oath any One or more of the said respective Trustees is and are hereby empowered to administer); and they shall also order and cause the said Jury to view the Places in question (if there be Occasion) and use all other effectual Ways and Means, as well for their own as the Jury's better Information in the Premises, as the said respective Trustees shall think fit; and after the said Jury shall have enquired of, ascertained, and settled such Damage, Recompence, and Satisfaction, the said respective Trustees shall thereupon order the Sum or Sums of Money so assessed by the said Jury, to be paid to the said Owners or Occupiers of, or other Persons interested in the said Lands or Grounds, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Order so had and made, shall be final, binding, and conclusive, to all Intents and Purposes, against all Parties and Persons whomsoever, claiming any Estate in Fee Simple or Fee Tail, for Life or Lives, or Years in Possession, Reversion, Remainder, or otherwise, their Heirs, Successors, Executors, Administrators, Infants, Issue unborn, Females Covert, Persons beyond the Seas, and under any other Disability whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, as well as all other Persons whomsoever; and for the summoning and returning of such Jury or Juries, the said respective

The Recompence to be settled by a Jury, in certain Cases.

Their Verdict to be final.

Sheriffs to
summon
Juries.

pective Trustees are hereby empowered to issue their Warrant or Warrants to the Sheriff of the County in which the Lands or Grounds so to be taken in, or into which any Part or Parts of such Road are or is to be turned or altered as aforesaid, shall lie; or in case such Sheriff, or his Deputy or Deputies, shall be anyways interested in the Matter in Question, then to some One of the Coroners of such County, not interested therein, thereby commanding such Sheriff or Coroner to empanel, summon, and return a Jury of Twenty-four honest and indifferent Men, qualified according to Law to be returned for Trials of Issues, in His Majesty's Courts of Record at *Westminster*, to appear before the said respective Trustees, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, his Deputy or Deputies, or Coroner, is and are hereby required to empanel, summon, and return such Number accordingly, and out of the Persons so empanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said respective Trustees, or any One or more of them, shall swear, or cause to be sworn, Twelve who shall be the Jury for the Purposes aforesaid, and in Default of a sufficient Number of Jurymen, the said Sheriff, his Deputy or Deputies, or Coroner, shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend such Service (being qualified as last aforesaid) to 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, but shall not challenge the Array; and the said Trustees acting in the Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents, or such Coroner making Default in the Premises, and on any of the Persons that shall be summoned and returned on the Jury, and shall not appear, unless he shall have reasonable Excuse, or who shall refuse to be sworn on the said Jury, or being so sworn, refusing to give, or not giving, their Verdict, or in any other Manner wilfully neglecting 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, touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence, provided that any such Fine shall not exceed the Sum of Ten Pounds, on any such Sheriff, his Deputy or Deputies, or Coroner, and the Sum of Five Pounds upon any other Person for any One Offence.

Application of
Money arising
from Estates
which the
Parties hold in
Fee.

XLVII. And be it further enacted, That every Sum of Money, Redemption, and Satisfaction, which shall be agreed for or assessed as aforesaid, shall be paid out of the Monies which shall arise and be produced by virtue of this Act, to the Parties or Persons respectively entitled thereto, or to their Agents, (except in such Cases wherein it is herein-after otherwise directed), and upon Payment thereof, or in case of Refusal to accept the same, upon leaving the same in the Hands of the Treasurer of the said Road, to be by him paid into the Bank of *England*, for the Use of such Parties or Persons, and after Ten Days Notice thereof to such Person or Persons or their Agents, all Owners and Occupiers of, and Persons interested in such Lands or Grounds, shall from thenceforth be divested of all Right, Title, Claim, Interest, and Property, of, in, to, or out of the same; and such Lands or Grounds shall be laid into, and made Part of the said Road, in such Manner as the said respective Trustees shall.

shall direct, and shall be by them or by such Person or Persons as they shall appoint, sufficiently drained, ditched, fenced, and set out for that Purpose, and shall from thenceforth, to all Intents and Purposes whatsoever, become, and for ever afterwards be a Common Highway, and shall be deemed Part of the Road to be repaired by virtue of this Act, and shall be repaired accordingly; and after such new Road shall be completed, the Lands constituting the former Road, or any Part thereof, (unless leading over some Moor or Waste Ground, or to some Town, Village, or Hamlet, to which such new Road doth not lead) shall be vested in the Clerk or Clerks, and Treasurer or Treasurers of the said respective Districts of Road for the Time being; and he and they is and are hereby empowered to sell, exchange, or otherwise dispose of the same, and to convey and assure the Fee and Inheritance thereof, to such Person and Persons, and in such Manner as the said respective Trustees shall direct and appoint.

XLVIII. And be it further enacted, That if any Money, Recompence, or Satisfaction shall be agreed for, or assessed to be paid as aforesaid, for any Lands or Grounds taken or used by virtue of this Act, which shall belong to any Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, and other Trustees whatsoever, for and on Behalf of any Infants, Cestuique Trusts, or other Person or Persons under any Disability or Incapacity, such Money shall, if the same amount to Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the 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 entitled to the Rents or Profits of the said Lands or Grounds in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances or Parts thereof, as the said Court shall authorize to be paid, affecting the same Lands, Grounds, or Hereditaments, or affecting other Lands or Grounds, 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, and upon, such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so 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 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 per Centum Consolidated*, or *Three 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

Purchase Money belonging to Bodies Politick, &c. how to be applied.

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 or Settlement were made.

The like as to Sums less than Two hundred Pounds, and more than Twenty Pounds.

XLIX. Provided always, and be it further enacted, That if any Money, Satisfaction, or Recompence, shall be agreed for or assessed to be paid as aforesaid, for any Lands, Tenements, or Hereditaments, purchased, taken, or used, for the Purposes aforesaid, and belonging to any Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or any Feoffees in Trust, Executors, Administrators, Guardians, or other Persons whomsoever, under any 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, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the said High Court of Chancery; and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three 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 be applicable, without obtaining, or being required to obtain, the Direction or Approbation of the Court of Chancery.

The like as to Sums less than Twenty Pounds.

L. Provided always, 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 all such Cases the same shall be applied to the Use of the Person or Persons who would, for the Time being, have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, for the Purposes of this Act, in such Manner as the said respective Trustees, or any Three or more of them, shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

How Expences of the Jury, &c. are to be paid.

LI. And be it further enacted, That in case any Jury or Juries to be summoned and sworn pursuant to the Authority of this Act, shall give in a Verdict or Assessment for more Monies as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons, in any such Lands or Grounds, or for any such Damage as aforesaid, than what shall have been agreed to and offered for the same by the said respective Trustees before the summoning or returning of such Jury or Juries, then and in such Case the Costs and Expences of summoning and maintaining the Jury and Witnesses for the Purposes aforesaid, shall be paid by the said respective Trustees out of the Monies which shall arise by virtue of this Act; but if any Jury or Juries so summoned and sworn as aforesaid shall

shall give in a Verdict or Assessment for no more or for less Monies as such Recompence and Satisfaction as aforesaid, than what shall have been agreed to and offered by the said respective Trustees for the same before the summoning or returning of the said Jury or Juries, then the Costs and Expences of summoning and maintaining such Jury and Witnesses shall be paid by the Person or Persons with whom the said respective Trustees shall have had such Controversy or Dispute; which said Costs and Expences having been settled by some Justice or Justices of the Peace for the County in which the Land or Grounds so taken in as aforesaid, or into which any particular Part or Parts of the said Road are or is to be turned or altered as aforesaid, (not interested in the Matter in Question, who is and are hereby required to examine and settle the same), shall and may be deducted out of the Money so adjudged or assessed as so much Money advanced to and for the Use of such Person and Persons, and Payment or Tender of the Remainder of such Monies shall be deemed and taken to be a Payment or Tender of the whole Sum or Sums so adjudged or assessed, or otherwise; and such Costs or Expences may be recovered by such Ways and Means as are herein-after provided for the Recovery of the Penalties, Forfeitures, and Fines, by this Act authorized to be imposed.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall empower the said Trustees, or any other Person or Persons, to divert, turn, or alter, the general Line or Course of the said Road as described and set forth in this Act, or to pull down or damage any Dwelling House or other Building, or to take away or damage any Ground having been used as a Garden, Orchard, Yard, Walk, or Avenue to a House, or Plantation, or Nursery of Trees, for the Space of Twelve Calendar Months then last past, without the Consent in Writing of the Owner or Owners of every such Dwelling House or other Building, Garden, Orchard, Yard, Walk, Avenue, or Plantation, or Nursery of Trees, his, her, or their Agent or Agents, under their respective Hands for that Purpose first had and obtained, any Thing herein contained to the contrary thereof in anywise notwithstanding.

The general Line of the Roads not to be altered.

LIII. Provided also, and be it further enacted, That in case the ancient or former Road over any Moor or Waste Grounds shall by virtue of this Act be turned or diverted, the Inhabitants of the Parish, Township, or Hamlet, wherein the ancient or former Road, which shall thereby be left or discontinued, lieth, shall not be obliged to repair such ancient or former Road, unless the same leads to some Town, Village, or Hamlet, with which the new Road doth not communicate.

Roads discontinued not to be repaired.

LIV. Provided also, and be it further enacted, That Lords of Manors, and other Proprietors, shall have the same Interest and Property in and to the Soil and Royalties of or within every new Road which shall be made by virtue of this Act, as they were seised, or possessed of, or entitled to, in the former Road, in lieu whereof such new Road shall be made; and that all Mines, Minerals, and Fossils lying under any Grounds made use of for the Purposes of this Act, and not constituting any Part of the present Road, as well as under the former Road, shall continue to be the Property of the Person or Persons who would, from Time to Time, have been seised of or entitled to the same, in Case this Act had not been made;

Royalties saved.

and in case the Owner or Owners of any such Ground shall require a Certificate from the said respective Trustees of the Quantity and Situation of Ground so made use of, the said respective Trustees are hereby empowered and required to grant such Certificate *gratis*, which Certificate may be enrolled in the Office of the Clerk of the Peace for the County where the Land lies, or Alteration took place, concerning which such Certificate shall be required; and a true Copy thereof signed by such Clerk of the Peace, or his Deputy, shall be legal Evidence of the same.

Trustees not to act where interested.

LV. Provided also, That no Person shall act as a Trustee in any Case relating to the contracting for or purchasing of any Lands, Grounds, or Hereditaments, wherein he shall be personally interested.

New Roads to be fenced by the Trustees.

LVI. And be it further enacted, That in all Cases where the said respective Trustees shall widen, turn, or alter any Part or Parts of the said Road, or make any new Road over and through any inclosed Lands or Grounds, the said respective Trustees shall make, or cause to be made proper Walls or Quickset Fences when necessary, as the Case shall require, so as effectually to guard and fence off the Lands adjoining to the said Road; and also proper Gates, Bridges, and Arches, where necessary, out of the said Road into the Lands adjoining, and shall keep the Quickset Fences so to be made, in proper Order and Repair for the Term of Six Years, from the Time such Quickset Fences shall have been made or planted.

Lands liable to repair Roads and Bridges as before.

LVII. Provided always, and be it further enacted, That where any particular Part or Parts of the said Road, or any Bridges, Arches, Drains, Sewers, or Watercourses lying in and upon the same Road, have been accustomed, or ought to be repaired and maintained by any particular Person or Persons, Bodies Politick or Corporate, by Reason of the Tenure of any Lands, Tenements, or Hereditaments, or by the said Counties of *Leicester, Rutland, and Northampton*, or any or either of them, or any Wards, Parish, or Township therein, or otherwise howsoever; all and every such Part and Parts of the said Road, and all such Bridges, Arches, Drains, Sewers, and Watercourses, shall from Time to Time be maintained and kept in Repair by such Person or Persons, Bodies Politick, and Corporate, County, Wards, Parishes, or Townships respectively, and in such Manner as the same ought to have been respectively maintained and kept in Repair, in case this Act and the said former Acts had not been made.

Statute Work to be continued.

LVIII. Provided always, That all Persons chargeable by Law towards repairing any Part or Parts of the said Road, or any Bridges thereon, which still remain so chargeable, and shall do their respective Statute and other Work, in and upon the other Highways of the Parishes or Districts, in which the said Road lies in like Manner as before the passing of this Act, (subject nevertheless to the Regulations herein-after expressed concerning the same), and where any old Road shall be discontinued by Virtue of this Act, such Statute and other Work shall be performed upon the new Road made in lieu thereof, as had theretofore been, or of Right ought to have been performed upon the former Road.

LIX. And

LIX. 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 Districts 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 *Leicester, Rutland, or Northampton*, and they are hereby required at any Petty or Special 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 Districts, in or through which the said Road passes, which Statute Duty shall be done and performed within the respective Parishes, Townships, and Districts, in such Manner as the said respective Trustees or their Surveyor shall direct.

How the Statute Work is to be apportioned.

LX. And be it further enacted, That the respective Surveyors of the Highways in all the Parishes, Townships, and Districts through which the said Road passes, shall yearly and every Year, within Ten Days after Demand made to them respectively, in Writing, by the Surveyor, Clerk, or Treasurer of the said Road, give and deliver to the Person making such Demand, a true and exact List or Account in Writing, under their respective Hands, of the Christian and Surname of every Person in their said respective Parishes, Townships, and Districts, who are by Law chargeable towards repairing the said Road in such Parishes, Townships, and Districts, and shall set forth and specify in such List what each Person is respectively chargeable with, for and towards the same; and such respective Parish or Township Surveyors, within Four Days after Notice to them given by the said Turnpike Surveyors, of the Time or Times, when and where, and how many of the Persons so chargeable as aforesaid, he would have to perform their respective Day's Works, shall summon or give Notice thereof in the Mode prescribed by Law, to the Persons so chargeable as aforesaid; and if any such Parish or Township Surveyor or Surveyors shall neglect or refuse to do as he and they is and are hereby required and directed to do, or shall wilfully return incorrect or imperfect Lists, he and they shall respectfully forfeit and pay the Sum of Five Pounds for every such Refusal or Neglect; and if any Person or Persons keeping a Team or Teams, Draught or Draughts, Cart or Carts, Wain or Wains, and chargeable towards repairing the said Road, shall after such Summons or Notice as aforesaid, neglect or refuse to send their respective Teams, Draughts, Carts, or Wains furnished with Labourers, Oxen, or Horses, according to the Custom of the Country; and proper Tools to do and perform such their respective Day's Works upon the said Road, he, she, or they so neglecting or refusing, shall forfeit and pay the Sum of Ten Shillings for every Day that each Team, Draught, Cart, or Wain shall be wanting, or shall not be duly employed in that Service; and if any Person or Persons, who shall be sent with any Team, Draught, Cart, or Wain to work on the said Road, shall be found idle or negligent by the said Turnpike Surveyor, he is hereby authorized and required to discharge, and dismiss every such Person or Persons so found idle or negligent; and it shall be deemed as if such Team, Draught, Cart, or Wain had not been sent to work on the said Road, and the same Sum shall be accordingly forfeited and paid.

And to be performed.

Statute and other Work may be compounded for.

LXI. And be it further enacted, That it shall be lawful for the said respective Trustees, from Time to Time, to compound and agree by the Year or otherwise, with the Owners or Occupiers of any Lands, Tenements, or Hereditaments, or other Persons, Bodies Politick or Corporate, liable or chargeable with or towards the Repair of any Part or Parts of the said Road, or any Bridges, Arches, Drains, Sewers, or Water-courses lying in and upon the same, or the Performance of Statute Work thereon, for the Payment of a Sum or Sums of Money in lieu of such Repairs and Statute Work respectively; and also for the respective Surveyors of the Highways of any of the said Parishes, Townships, and Districts through which the said Road passes, to compound and agree by the Year or otherwise with the said Trustees, for and in lieu of Statute Work to be performed by the Inhabitants of such Parishes, Townships, and Districts, upon any Part or Parts of the said Road.

Power to recover the Composition Monies for Tolls, Statute, and other Work.

LXII. And be it further enacted, That in case the Composition Money agreed to be paid for passing through any Turnpikes or Toll Gates, or in lieu of any such Repairs of Statute Works as aforesaid, or any Part or Parts of such Composition Money respectively, shall not be paid within Fifteen Days after the same shall become payable, it shall be lawful for the said Trustees, or any Justice or Justices of the Peace for the Counties of *Leicester*, *Rutland*, and *Northampton*, or Liberty of *Peterborough* and Borough of *Leicester* respectively, by Writing under their respective Hands and Seals, to empower the Person or Persons authorized to receive such Composition Money, (Oath having been first made before such Trustees or such Justice or Justices, that the same hath been demanded and remains due, which Oath they are hereby respectively empowered and required to administer), to levy such Composition Money by Distress and Sale of the Goods and Chattels of the Surveyor or Surveyors of the Highways, or other Person or Persons so having compounded or agreed to pay such Composition Money as aforesaid, returning the Overplus, (if any) after deducting such Composition Money, and the reasonable Charges of such Distress and Sale to the Owner or Owners thereof.

How Surveyors of Highways are to be reimbursed the Composition Money.

LXIII. And be it further enacted, That the respective Surveyors of the Highways who shall pay any such Composition Money, or of whom the same shall be recovered as aforesaid, shall be repaid or reimbursed the Composition Money paid by or recovered of them respectively, with the Costs and Charges attending such Recovery by the several Ways and Means, and in such Manner as by the Laws in being, Surveyors of the Highways are to be repaid or reimbursed the Monies by them expended in buying Materials for repairing the said Highways.

Trustees may contract for Repairs, &c.

LXIV. And be it further enacted, That the said respective Trustees, or such Person or Persons as they respectively shall, for that Purpose, delegate or appoint, are hereby empowered to contract with any Person or Persons for making, altering, raising, and widening the said Road, or any Part or Parts thereof respectively, or any Arches or Bridges upon the same, and for doing any other Work by this Act authorized to be done, in such Manner, and for such Sum or Sums of Money as the said Trustees,

tees, or any Five or more of them, shall think proper; and also to contract with any Person or Persons, Bodies Politick or Corporate, for the Re-payment of any annual Sum or Sums in gross, as a Compensation or Satisfaction for any Loss, Injury, or Damage which he, she, or they shall or may sustain by carrying this Act into Execution; and all Contracts in Writing for any of the Purposes aforesaid, which shall be entered into pursuant to an Order at any Meeting of the said Trustees, or any Five or more of them, shall be binding to all Parties who shall sign the same, his, her, and their Executors and Administrators; and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Parties failing in the Execution.

LXV. 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 Footway or Path adjoining to, or made on the Side of, or upon the said Road, or upon any of the Foot Pavements within any of the Towns through which the said Road passes, or shall drive any Horse, Cattle, or Swine, or any Carriage thereon, or shall cause any Damage to be done to any such Footway, every Person so offending, shall for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings, nor less than Ten Shillings.

Mile Stones and Direction Posts to be erected.

Penalty on defacing them.

LXVI. And be it further enacted, That if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Road, (excepting only in crossing the same), 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 which shall be conveyed upon wheeled Carriages, to drag upon any Part of the said Road, to the Prejudice thereof, every Person so offending, and being lawfully convicted thereof, shall forfeit and pay the Sum of Twenty Shillings.

Penalty on hauling Timber, except on wheeled Carriages.

LXVII. And be it further enacted, That all Forfeitures, Penalties, and Fines, by this Act imposed, or authorized to be imposed, (the Manner of levying and recovering of which is not herein otherwise particularly directed) shall, upon Proof of the Offences, and Conviction of the Offenders respectively, before any One or more Justice or Justices of the Peace for the County, Liberty, or Division wherein such Offences shall be committed, either by the Confession of the Party or Parties offending, or by the Oath of One or more credible Witness or Witnesses, be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by virtue of a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of such Justice or Justices, which Warrant or Warrants such Justice and Justices is and are hereby authorized and required to grant, and to administer such Oaths gratis; and the Overplus, after such

How Penalties Forfeitures, and Fines are to be recovered and applied.

such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale are deducted, shall be returned on Demand to the Owner or Owners of such Goods and Chattels; and all such Forfeitures, Penalties, and Fines, (if not otherwise directed by the Act) shall be paid to the said Trustees or their Treasurer, and applied for the Purposes of this Act: and in case a sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, such Justice or Justices is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for such County, Liberty, or Division, there to remain without Bail or Mainprize; for any Time not exceeding Three Calendar Months, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied; and for the more easy Conviction of Offenders against this Act, be it further enacted, That the Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, may cause the Conviction to be drawn up in Form, or in Words to the Effect following, *mutatis mutandis*, as the Case shall happen to be, to wit:

Form of
Conviction.

County of } ' BE it remembered, That on (Time of Conviction) at (Place
' of Conviction) *A. B.* (Name of Offender) of (Addition
' of Offender) was duly convicted before me [*or, us*] (Name and Stile of
' convicting Justice or Justices) for that the said *A. B.* (Name of Offender) on (Time of committing Offence) at (Place of committing Offence) did (here state the Offence against the Act according to the Fact) contrary to the Form of the Statute made in the Forty-first Year of the Reign of His Majesty King *George* the Third, intituled, [*here set forth the Title of the Act*] and I [*or, we*] do therefore declare and adjudge that the said (Name of Offender) hath forfeited for his said Offence the Sum of (Fine) or shall be committed to (Place of Imprisonment) for the Space of (Time of Imprisonment). Given under my Hand and Seal, (*or, our Hands and Seals*) the Day and Year first above written.

Persons ag-
grieved may
appeal.

LXVIII. And be it further enacted, That if any Person or Persons shall think himself or herself aggrieved by any Act, Order, or Judgement of the said respective Trustees, or any Justice or Justices of the Peace, in the Execution of the Powers hereby to him or them given; such Person or Persons may at any Time, within Six Calendar Months after the Cause of Complaint shall arise, or cease to exist, appeal to the Justices of the Peace at the General Quarter Sessions, to be held for the County in which such Cause of Complaint shall arise, such Appellant or Appellants first giving or causing to be given, Ten Days Notice, in Writing, of his, her, or their Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or the Treasurer of the said Road, and within Four Days of such Notice, entering into a Recognizance before some Justices of the Peace for such County, Liberty, or Division, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of the Justices of such Quarter Sessions, and to pay such Costs as shall be awarded against him, her, or them, by such Justices at their said Sessions; and on due Proof of such Notice having been given as aforesaid, and of the entering

entering into such Recognizance, shall proceed in due Form of Law, and finally determine the Causes and Matters of such Appeal in a summary Way, and award Costs to the Party appealing or appealed against, as they shall think proper, and their Determination shall be final, binding, and conclusive, to all Intents and Purposes.

LXIX. And be it further enacted, That all Orders and Proceedings of the said respective Trustees in the Execution of this Act, and made at their respective Meetings, shall be entered in a Book or Books to be kept for that Purpose, and shall be signed by the same Number of Trustees as are empowered to make or direct the same; and shall then be deemed original Orders and Proceedings; which Book or Books, and also the Book directed to be kept for registering Mortgages and Transfers, shall and may be produced and read in Evidence in all Courts, and before all Justices and other Persons, having Jurisdiction in the Premises.

Books to be kept.

LXX. And be it further enacted, That the said respective Trustees may sue and be sued for or concerning any Thing which shall be done against or by virtue of this Act, in the Name of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said respective Trustees, in the Name of their Clerk or Treasurer by virtue of this Act, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, without the Consent of the said respective Trustees; but that the Clerk or Treasurer for the Time being to the said respective Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action; and every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully 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 Proceeding, he shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his being made Plaintiff or Defendant as aforesaid.

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

LXXI. 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 Twenty Days Notice thereof shall be given to the Clerk or Treasurer of the said Road; nor after a Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, nor after the Expiration of Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County where the Cause thereof shall arise, and not elsewhere; and the Defendant or Defendants, in every such Action, shall or may, at his or their Election, plead specially, or the General Issue, and give this Act and the Special Matter in Evidence at any Trial thereupon; and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or that such Action or Suit shall have been brought before Twenty Days Notice thereof was given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Expiration of the Time limited for bringing the same as aforesaid, or shall be brought in any other County than where the Cause thereof shall

Limitation of Actions.

[Loc. & Per.]

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arise,

arise, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if such Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for the same as any Defendant hath in other Cases by Law.

Commence-
ment of Act.

Publick Act.

LXXII. And be it further enacted, That this Act shall commence upon the Twenty-fourth Day of *June* One thousand eight hundred and one; and shall continue in force until the End of the First Session of Parliament, which shall commence after the Twenty-fourth Day of *June*, One thousand eight hundred and twenty-two; and shall be adjudged, deemed, and taken to be a publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without the same being pleaded specially.

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