



ANNO QUADRAGESIMO QUINTO

GEORGI II. REGIS.

Cap. 50.

An Act to revive, continue, and enlarge the Term and Powers of Three Acts, passed in the Twenty-seventh and Twenty-ninth Years of His late Majesty, and in the Second Year of His present Majesty, for repairing the Roads therein mentioned; so far as the said Acts relate to the Road leading from the Town of *Hinckley* in the County of *Leicester*, to the Town of *Nuneaton*, in the County of *Warwick*, and from thence to *Bishop's Gate*, in the City of *Coventry*. [5th June 1805.]

WHEREAS an Act was 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 Leicester to Narborough, and from Leicester to Coventry, and from thence through Kenilworth to Warwick, and from thence to Halford Bridge, and from Warwick to Stratford-upon-Avon, and from Coventry to Martyn's Gutter, leading towards Stoneleigh Town; and for supplying an Omission in an Act passed in the last Session of Parliament, for repairing the Road from Leicester to Ashby-de-la-Zouch, in the County of Leicester*; whereby the several Roads therein particularly described were divided into several Districts, and certain Persons were thereby nominated and appointed Trustees for putting the same in Execution

Act 27 G. 2.

[Loc. & Per.]

with

Act 29 G. 2.

Act 2 G. 3.

Said Acts re-
vived and
continued.

with respect to each District, and so much of the Roads therein described as leads from the Town of *Hinckley*, in the said County of *Leicester*, to the Town of *Nuneaton* in the County of *Warwick*, and from thence to *Bishop's Gate* in the City of *Coventry*, constituted One of the said Districts: And whereas an Act was passed in the Twenty ninth Year of the Reign of His said late Majesty, for explaining, amending, and rendering more effectual so much of the said Act as relates to the Road leading from the said Town of *Hinckley* in the County of *Leicester*, to *Bishop's Gate* in the City of *Coventry*: And whereas an Act was passed in the Second Year of the Reign of His present Majesty King *George* the Third, for explaining and amending so much of the said Two Acts as relates to the said Road between *Hinckley* and *Coventry*: And whereas the Trustees appointed in or by virtue of the said Acts, for the Care of the said Road leading from the Town of *Hinckley* in the said County of *Leicester*, to the Town of *Nuneaton* in the County of *Warwick*, and from thence to *Bishop's Gate* in the City of *Coventry*, have proceeded to put the same in Execution; and the said last mentioned Road cannot be effectually amended, widened, improved, and kept in Repair, unless the Term and Powers of the said Acts, so far as the same respectively relate to the said last mentioned Road, are revived, continued, 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 said Acts passed in the Twenty-seventh and Twenty-ninth Years of the Reign of His said late Majesty King *George* the Second, and the Second Year of the Reign of His present Majesty King *George* the Third, and all the Authorities, Powers, Privileges, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, and which were in force immediately before the Expiration of the said Term (except so much thereof as are by this Act varied, altered, or repealed, and except so much thereof as relates to Exemptions from Stamp Duties), so far as the same relate to the said Road leading from the Town of *Hinckley* in the said County of *Leicester*, to the Town of *Nuneaton* in the County of *Warwick*, and from thence to *Bishop's Gate* in the City of *Coventry*, shall be and are hereby declared to be revived, and the same and also this present Act shall be in full Force and Effect, and be executed for and during the Term hereinafter mentioned, in as full, ample, and beneficial a Manner, to all Intents and Purposes whatsoever, as if the same were repeated and re-enacted in the Body of this Act; and this Act, and the Term hereby granted, shall be subject and liable to the Payment of all Money now due and owing upon the Credit or on Account of the said Acts, or any or either of them, or which shall hereafter be borrowed and become due on Account of the said last mentioned Road, and all Interest due and to grow due for the same.

Proceedings
since the Ex-
piration of
the said Acts
to be valid,
and indemnify
the
Trustees for
having acted.

II. And be it further enacted and declared, That all Acts, Matters, and Things, which, since the Expiration of the Term of the said Acts, have been done by the Trustees, for the Care of the said Road leading from the Town of *Hinckley* in the said County of *Leicester*, to the Town of *Nuneaton* in the County of *Warwick*, and from thence to *Bishop's Gate* in the City of *Coventry*, or any of them, or by any Collector of the Tolls, or other Officer or Person acting under them, touching or in anywise relating to the amending, widening, or repairing the said last mentioned

tioned Road, or in the Exercise or supposed Exercise of any of the Powers or Provisions contained in the said Acts, so far as relates to the said last mentioned Road, shall be as good, valid, and effectual, to all Intents and Purposes, as if the Term of the said Acts had not expired; and that the said Trustees, and also the several Collectors of the Tolls, and other Officers and Persons employed by them, are hereby indemnified for having acted in the Collection or Receipt of the said Tolls, or otherwise, relating to the said last mentioned Road, in as full and ample Manner, to all Intents and Purposes, as they would have been if the said Acts had remained in full Force and Effect.

III. And be it further enacted, That *Henry Aston, Francis Dugdale Astley, Charles Bowyer Adderley, Robert Abney, John Dugdale Astley, Richard Astley, Richard Astley the younger, John Adamthwaite Doctor in Divinity, John Aspinshaw Doctor in Divinity, Richard Arkwright, Henry Cadwalader Adams, Abraham Bracebridge, Walter Bracebridge, William Briton, Joseph Boulton, Thomas Boulton, John Boulton, William Brown, Matthew Bloxam, William Buck, Richard Berry, Gilbert Beresford Clerk, John Darleston Blakeley, Thomas Ball, William Brooks Clerk, Thomas Cree Clerk, Thomas Brathwaite Clerk, James Blakeley, Stafford Squire Baxter, Dudley Baxter, Dudley Baxter the younger, John Burton, Henry Burton, Samuel Ballard, Robert Bunney, Thomas Bunbury, Thomas Bray, Samuel Bonner, Robert Barrs, Sir George Chetwynd Baronet, Edward Croxall, George Champagne Clerk, Thomas Clare Clerk, James Chartres Clerk, Thomas George Clay, William Cooper, John Cooper, William Crawford, William Craddock, Thomas Craddock, John Craddock, William Chapman, John Hood Chapman, Thomas Cope, John Cox, Robert Chesher, James Cooper, Thomas Clay, Samuel Cotterell, John Spencer Cobbold, William Carter, John Carter, Beaumont Dixie, Richard Dugdale, Dugdale Stratford Dugdale, Charles Dilke, John Dilke Clerk, Jerome Dyke Clerk, Thomas Dickenson, Joseph Downes, William Dickinson, William Dickinson the younger, John Derrington, Benjamin Dickens, William Eborall, William Eborall the younger, George Eld, Gilpin Ebdell Clerk, William Errington, Thomas Eagle, John Eagle, Thomas Ewbank, Joseph Eld, the Honourable Charles Finch, the Honourable Daniel Finch Clerk, Thomas Fisher, Thomas Fisher Clerk, John Fisher Clerk, Robert Foster, John Farr, Arthur Francis Gregory, Edward Gulson, Samuel Gibbons, George Greenway, John Green, Thomas Geary, George Geary, John Geary, Thomas Goode, Sir Edmund Cradock Hartopp Baronet, Samuel Bracebridge Heming Clerk, George Heming, Demster Heming, Andrew Hacket, Samuel Highmore Clerk, John Howlett Clerk, Nicholas Hurst, Charles Hurst, Joseph Hutchins Clerk, Thomas Hutchins, Hugh Hughes Clerk, Thomas Hughes, William Hill, John Heathcote, Joseph Harpur Clerk, John Harpur, John Haskisson, Edward Inge, Richard Jee, Joseph Jee, Joseph Ingleby, William Jeffery, Richard Jervis Clerk, Charles Jervis, Richard Spooner Jaques, William Kirkby, John King, Edward Knightly, John Ludford Doctor of Laws, William Little, William Lytball, Morris Edward Lytball, William Lowe, David Lloyd, Richard Lloyd, John Lapworth, Robert Lingard, Jeremiah Lowe Clerk, William Marsh, Thomas Morris, Thomas Mason, George Mottam Clerk, Robert Milligan, Thomas Marler, Arthur Graner Miller, Joseph Miles, Francis Newdigate, Thomas Noel Clerk, Francis Newdigate the younger, Charles Newcomb, Thomas Needham, Haughton Farmer Okeover, William Owen, Thomas Oldham, Thomas Owen, John Oliver Clerk; Sa-*

Trustees.

muel Steete Perkins, Francis Parratt, Joseph Phillimore Clerk, Thomas Powers, William Preeft, Robert Piercy, the Honourable Henry Ryder Clerk, David Rattray Doctor of Medicine, Charles Edward Repington, Joseph Rann Clerk, Thomas Robinson, the Honourable Richard Bruce Stopford Clerk, John Stanton, Thomas Sanson, Ambrose Joseph Salisbury, John Seymour, Robert Simpson Clerk, Joseph Smith, Derham Sharp, Thomas Sharp, William Payton Summerfield, Thomas Short, Henry Tomkinson, Joseph Troughton, James Troughton, Joseph Twigger Clerk, George Taylor, Edward Thornley, John Villers, Dormer Vincent, Bradford Wilmer, John Woodcock, James Wyatt, Joseph Wilkes, John Willday, George Woodcock, John Ward, Jonathan Ward, Joseph Worthington, Charles Weston, Edward Weston, John Watson, John Woodhouse, and Joseph Warden, being qualified according to the Directions of the said first-recited Act, shall be, and are hereby appointed Trustees, and shall be added to and joined with the Trustees appointed by or in pursuance of the said Acts, or any or either of them; and that the Trustees herein-before named shall be, and are hereby empowered, to put the said Acts and this Act in Execution, as fully and effectually, to all Intents and Purposes, as if they had been appointed Trustees for the Care of the said last mentioned Road in and by the said Acts, or any or either of them.

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

IV. And be it further enacted, That the said Trustees for the Care of the said last mentioned Road may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of the said Acts and this Act, either in the Names of Trustees, who may be Parties to any Deed or Instrument in Writing, upon which any Action shall or may be brought, or 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 Trustees, in their Names, or in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death, Incapacity, or Removal of any Trustee or Trustees, or Clerk or Treasurer, or by the Act of such Clerk or Treasurer, without the Consent of the said Trustees, or any Five or more of them, but that the Clerk or Treasurer for the Time being to the said Trustees, in case such Action shall be brought against, or defended, in the Name of such Clerk or Treasurer, shall be deemed to be Plaintiff or Defendant (as the Case may be) in every such Action: Provided always, that such Trustees, or Clerk, or Treasurer, in whose Names or Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of the said Acts or this Act, shall be fully reimbursed and paid out of the Monies to arise by virtue of the said Acts and this Act, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding they or he shall pay, bear, expend, or be put unto or become chargeable with, by reason of their or his being so made Plaintiffs or Defendants, Plaintiff or Defendant as aforesaid.

Trustees, Clerk, or Treasurer, to be reimbursed their Expences.

Barkeepers declared not to be incompetent Witnesses.

V. And be it further enacted, That in case any Dispute, Suit, or Litigation, shall happen to arise touching or in anywise relating to the Tolls to be collected on the said Road leading from the Town of *Hinckley*, in the said County of *Leicester*, to the Town of *Nuneaton* in the County of *Warwick*, and from thence to *Bishop's Gate* in the City of *Coventry*, or the Recovery of such Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the

the said Trustees, shall be, and they and every of them are and is hereby declared not to be incompetent to give Evidence in any such Dispute, Suit, or Litigation, by reason of their or his being appointed to collect the said Tolls, or acting under the Authority of the said Trustees as aforesaid.

VI. And be it further enacted, That none of the Tolls authorized to be taken on the said last mentioned Road, shall be demanded or taken for any Waggon, Wain, Cart, Carriage, or Horse, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials, for repairing of the said Road, or any of the Roads in the Townships or Parishes in which any Part of such Road doth lie; or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners thereof; or for any Waggon, Wain, Cart, Carriage, or Horse, employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or any Mould, Dung, Soilage, Compost, or Manure, employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horse or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or from any Person going to or returning from his proper parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Parishes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or for any Horse, Cattle, or Carriage, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horse, Cart, or Waggon, attending any Soldiers on their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horse, Mare, or Gelding, furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from any Place of Exercise, Inspection, or Review, provided that such Person is in the Uniform of his Corps, and has his Arms, Furniture, and Accoutrements according to the Regulations appointed for such Corps at the Time of claiming the Exemption; or for any Horse, Cart, or Waggon, employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast, carrying any Passenger, or drawing any Coach, Landau, Berlin, Chariot, Calash, or Chair, going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the said County of *Warwick* on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and if any Person or Persons shall, in any fraudulent or collusive Manner, Exemptions
from Toll.

[*Lac. & Per.*]

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whatsoever,

whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of the said Acts and this Act; any Thing contained in the said Acts to the contrary thereof notwithstanding.

Application of
Compensation
if amounting
to or exceed-
ing 200l.

VII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used, by virtue of the Powers of the said Acts, or any or either of them, and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, as in the said first recited Act particularly mentioned, such Money shall, in case the same shall amount to, or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing so much of the said Acts as relates to the said last mentioned Road and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith, 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 Lands 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 Lands and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the mean Time, and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less
than 200l. and
exceeding 20l.

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

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

When less than 20l.

X. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said Acts, and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or any Five or more of them, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded, as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then, and in every such Case, it shall and may be lawful to and for the said Trustees, or any Five or more of them, to order the said Sum or Sums of Money so awarded as aforesaid, to 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, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, [describing them]; subject to the Order, Controul, and Disposition, of the said Court of Chancery; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be, and is hereby empowered, in a summary Way of Proceeding, or otherwise, as to the

In Cases of not making out Titles, or if Persons cannot be found, Purchase-Money to be paid into the Bank, subject to the Order of the Court of Chancery, on Motion or Petition.

same

same Court shall seem meet, to order the same to be laid out and invested in the Publick Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto; and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is, and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Upon any Question of Title to the Money so to be paid, Persons then in Possession of the Lands to be deemed the Party entitled to the Money.

XI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of the said Acts, or any or either of them, or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with such Monies, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of the Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of such Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchases to be paid.

XII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments, to be purchased by the said Trustees under the Authority of the said Acts, or this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act; it shall be lawful for the said Court to order the Expences of all Purchases, from Time to Time, to be made in pursuance of this or the said Acts, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Persons chargeable to Statute Work to continue so.

XIII. Provided always, and be it further enacted, That all Persons who by Law are, or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the Road hereby directed to be

be made, widened, and repaired, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Leicester* or *Warwick*, or City of *Coventry*, in their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the said Trustees, or by their Clerk or Surveyor by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Road, by the Inhabitants of the respective Parishes or Places in which the said Road doth lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them, paid to the said Trustees or to their Treasurer; and in order thereunto, it shall and may be lawful to and for such Justices, from Time to Time, to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which List of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed by any Law or Statute in Force and Effect for the Repairs of the Publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest) and in such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as they the said Justices shall direct; and in default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said Acts or this Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, by any Surveyor of the said Trustees, shall, for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Pains, Penalties, and Forfeitures, as such Person or Persons may be subject or liable to by any Law or Statute in force and effect for the Repair of the Publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to

Justices to determine Differences touching Statute Work.

work on the said Road, shall be found idle or negligent by any Surveyor to the said Trustees; such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and, in that Case, every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Parts of the said Road, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards the amending the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for in-
juring Roads,
&c.

XIV. And be it further enacted, That if any Person shall ride upon any Footway adjoining to the said Road, or shall drive any Horse or other Cattle, or any Swine, or any Cart or other Carriage thereon, or shall cause any Damage to be done to such Footway; or if any Person shall haul or draw, or cause to be hauled or drawn upon any Part of the said Road, any Tree or Piece of Timber, or any Stone, otherwise than upon Wheel Carriages, or shall suffer any Part of any Tree or Piece of Timber or Stone, which shall be carried upon Wheel Carriages, to drag upon any Part of the said Road to the Prejudice thereof; or if any Person driving any Pigs or Swine upon the said Road shall suffer the same to root up and damage the same, or any Part thereof, or the Fences, Hedge-backings, or Copse on either Side thereof; or if any Person driving any Coach, Chaise, Waggon, Cart, or other Carriage upon the said Road, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his Carriage on the left Side of the said Road; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him, her, or them upon the said Road, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Person shall make or assist in making any Fire or Fires, commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatsoever, on any Part or Parts of the said Road; or if any Person shall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of any Part of the said Road, longer than may be necessary for loading or unloading the same, either with or without any Horse or Beast of Draught harnessed or yoked thereto, or shall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbish, or other Matter or Thing whatsoever, on any Part of the said Road, or on the Side or Sides thereof to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Persons travelling thereon, every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings.

For paying
the Expences
of the Act.

XV. And be it further enacted, That all the Costs, Charges, and Expences, incident to and attending the obtaining and passing this Act, and all and every Sum and Sums of Money that shall be advanced, borrowed, or lent for Payment of the same, and all Interest to grow due thereon, shall be paid out of the first Monies to arise by virtue of the said Acts, or any or either of them, and this Act, in Preference to all other Payments whatsoever.

XVI. And

XVI. 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 the said Acts, or this Act, until Fourteen Days Notice thereof in Writing be given to the Clerk or Clerks, Treasurer or Treasurers, to the said Trusses, or to the Surveyor of the said last mentioned Road, or after a sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be laid and brought in the County or Place wherein the Cause of Action shall arise, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead, at his Election, specially, or the General Issue Not Guilty, and give the said Acts, and this Act, or the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of the said Acts and this Act; and if the same shall appear to have been so done, or that such Action or Suit shall be brought before Fourteen Days Notice shall be thereof given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County or Place than where such Cause of Action shall arise, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited or discontinue his, her, or their Action or Actions, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Limitation of Actions.

XVII. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

Publick Act.

XVIII. And be it further enacted, That the said Acts, so far as the same respectively relate to the said Road leading from the Town of *Hinckley* in the said County of *Leicester*, to the Town of *Nuneaton*, in the County of *Warwick*, and from thence to *Bishop's Gate* in the City of *Coventry*, shall be, and are hereby declared to be revived; and the said Acts, so far as the same relate respectively to the said last mentioned Road, and this Act shall continue and be in force, and be executed for the Purpose of amending, widening, improving, and keeping in Repair the same, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Term and Continuance of this Act.