



ANNO QUADRAGESIMO QUINTO

GEORGIUM III. REGIS.

Cap. 79.

An Act for enlarging the Term and Powers of Two Acts, passed in the Thirtieth Year of His late Majesty, and in the Twenty-third Year of His present Majesty, for repairing the Road from *Markfield Turnpike*, to the Road leading from *Loughborough*, to *Ashby-de-la Zouch*, in the County of *Leicester*.

[27th June 1805.]

WHEREAS an Act was passed in the Thirtieth Year of the Reign of His late Majesty, King George the Second, intituled, *An Act for repairing and widening the Road from Markfield Turnpike, in the County of Leicester, over Charley otherwise Charnwood Forest, through the Town of Whitwick, and from thence, through Talbot Lane, to where the Road leading from the Town of Loughborough, to the Town of Ashby-de-la-Zouch, in the said County, comes in from Ryley Lane, near to a Place called Snape Gate*: And whereas another Act was passed in the Twenty-third Year of the Reign of His present Majesty, intituled, *An Act to revive and render more effectual an Act passed in the Thirtieth Year of the Reign of His late Majesty King George the Second, for repairing the Road from Markfield Turnpike, in the County of Leicester, over Charley, otherwise Charnwood Forest, through the Town of Whitwick, and from thence, through Talbot Lane, to where the Road leading from the Town of Loughborough, to the Town of Ashby-de-la-Zouch, in the said County, comes in from Ryley Lane, near to a Place called Snape Gate*:
[Loc. & Per.] 16 2 And

50 G. 2. c. 49d

23 G. 3. c. 107.

Money due
on Credit of
the said Acts.

Acts conti-
nued.

And whereas the Trustees appointed by the said recited Acts have proceeded in the Execution of the Powers thereby vested in them, and borrowed several Sums of Money on the Credit of the Tolls thereby granted, which still remain due and cannot be repaid, nor the said Road properly amended and kept in repair, unless the Term and Powers of the said Acts be 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 recited Acts, and all the Clauses, Tolls, Powers, Authorities, Privileges, Provisions, Penalties, Forfeitures, Exemptions, Matters and Things therein respectively contained (except such as relate to Exemption from Stamp Duties, and also such as are hereby altered or varied) shall be, and are hereby continued in full Force and Effect, for and during the Term hereinafter mentioned, as fully and effectually to all Intents and Purposes, as if the same were repeated and re-enacted in this present Act, but subject nevertheless, to the Variations, Alterations, and Additions herein contained; and that this Act and the Term and Powers hereby granted shall be, and are hereby declared to be, subject and liable to the Payment of all Money now due and owing, and hereafter to grow due, or be borrowed upon the Credit of the said recited Acts, and this Act, or any of them, and all Interest due and to become due thereon respectively.

Trustees

II. And be it further enacted, That the surviving or remaining Trustees, appointed by or in pursuance of the said recited Acts, together with *John Adams, Thomas Allsop, Francis Allsop, Charles Allsop, John Anderson Clerk, Thomas Arnold Doctor of Physick, William Withering Arnold Doctor of Physick, Richard Arkwright, Richard Arkwright the younger, Thomas Babington, Thomas Babington the younger, William Babington Clerk, James Bankhart, Samuel Bankhart, Thomas Bankhart, John Bankhart, John Barratt, John Barratt the younger, Thomas Barratt, John Beaumont, Henry Wade Bickley, William Bishop, James Bakesley, William Bosworth Clerk, Joseph Boulbee, Joseph Boulbee the younger, Thomas Boulbee, Robert Brewin, John Brewin, William Roby Burgin, Joseph Burbidge, Francis Burgess, Robert Burnaby Clerk, Thomas Burnaby Clerk, Edwin Andrew Burnaby, Joseph Chambers, Joseph Spencer Cardale, Anthony Carr, George Carr, John Edward Carter, Henry Carter, William Casson Clerk, Joseph Chamberlin, Hamlett Clark, Robert Clarke, Robert Clarke the younger, William Cooper, Richard Cooke, Henry Coleman, Francis Thomas Currence, William Cox, Peter Crompton Doctor of Physick, Thomas William Dabbs, Edward Dawson, Thomas Deakin, John Dudley Clerk, Edward Farnham, William Firmadge, Henry Fisher Clerk, John Fisher Clerk, Jonathan Foster, Frederick Gustavus Fozoke, Thomas Freer, the Right Honourable George Harry Grey, commonly called Lord Grey, the Honourable William Booth Grey, the Honourable Anchtell Grey, Joseph Gill Clerk, William Gimson, John Gimson, Benjamin Gregory, John Gregory Grocer, John Gregory Printer, Mansfield Gregory, William Gregory, Sir Edmund Cradock Bartopp Baronet, George Harry William Cradock Hartopp, Edmund Cradock Hartopp, Edward Hartopp the younger, William Evans Hartopp, Samuel Hartopp Clerk, Richard Hardy Doctor in Divinity, John Hall, David Harris, William Harrison, William Herrick, John Herrick, Thomas Herrick, John Heyrick, Samuel Heyrick Clerk, William*

William Heyrick, William Hill, William Hood, Edmund Hood, Sir Charles Grave Hudson Baronet, Charles Thomas Hudson, John Samuel Hudson, John Peach Hungerford, John Hunt, Thomas Jeffcutt, Joseph Johnson, Robert Johnson, George Anthony Legh Keck, John King, Henry King, Charles King, William Latham, William Ashby Latham, John Lawton, Thomas Lockwood, George Lockwood, Thomas Lomas, Lambton Loraine Clerk, Lambton Loraine the younger, John Loseby, Caleb Lowdham, Thomas Ludlam Clerk, the Right Honourable Charles Manners commonly called Lord Charles Manners, the Right Honourable Robert Manners commonly called Lord Robert Manners, Sir William Manners Baronet, John Manners, Aulay Macaulay Clerk, John Mansfield, William Majon, Robert Martin, Robert Martin Clerk, William Martin, John Miles Clerk, George Miles, Samuel Miles, Roger Miles, Thomas Miller, Thomas Moore, John Moore, Campbell Morris, Joseph Neale, John Neaham, Thomas Stanley Nedham, John Nichols, John Nichols the younger, George Nichols, John Noble Clerk, George Noble, William Oldham, Thomas Westley Oldham, Peter Oliver, John Bass Oliver, John Bass Oliver the younger, George Bass Oliver Clerk, Charles James Packe, Charles James Packe the younger, Thomas Paget, Thomas Paget the younger, Thomas Paget Surgeon, Sir John Palmer Baronet, Thomas Palmer, John Palmer, Thomas Pares, Thomas Pares the younger, John Pares, William Pares Clerk, Thomas Parkinson, William Parsons, Michael Payne, Thomas Peach, Robert Peach, George Peake. Thomas March Phillipps, Charles March Phillipps, John Price, Charles William Pochin, George Pochin, Thomas Robinson Clerk, Thomas Read, Matthew Reid, Richard Roberts, Samuel Roberts, John Dawes Ross Clerk, Walter Ruding, Walter Ruding the younger, John Finch Simpson, Sir William Charles Farrell Skeffington Baronet, Lunicy Saint George Skeffington, Charles Loraine Smith, Loraine Loraine Smith, John Stephens, Richard Stephens, John Stephens the younger, John Parnham Stone, Samuel Stone, the Right Honourable Robert Shirley commonly called Viscount Tamworth, Robert Throsby Clerk, Samuel Towndrow, John Frewen Turner, William Richardson Tyson Clerk, John Vaughan Serjeant at Law, Henry Vaughan Doctor of Physick, Charles Richard Vaughan, Edward Thomas Vaughan Clerk, James Vann, William Walker, Henry Watchorn, Thomas Watchorn, Edward Hartopp Wigley, Edmund Wigley, Richard Williams Clerk, Thomas Willox Clerk, Clement Winstanley, Clement Winstanley the younger, James Winstanley, Thomas Wright, Henry Wood, Henry Wood the younger, Thomas Wood, Richard Warner Wood, Daniel Woodland, Henry Woodcock Clerk, and John William Woodcock, and their Successors (being qualified in the Manner directed by the said First recited Act) shall be and they are hereby appointed Trustees for putting the said recited Acts and this Act into Execution.

III. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any five or more of them, to erect, or cause to be erected, One or more Gate or Gates, Bar or Bars, and Toll-House or Toll-Houses, on the Side or Sides of any Part or Parts of the said Road, and also across any Street, Lane, or Way leading into or out of the same, and there to take and levy, or cause to be taken and levied, such Tolls as were granted by the said recited Acts, or either of them, and are hereby continued and made-payable on the said Road, so as the same do not extend to a double Charge, in case of passing through any of the other Turnpikes erected or to be erected on the said Road.

Power for the Trustees to erect Side Gates.

IV. And

Application
of Compen-
sation where
exceeding
200l.

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used, by virtue of the Powers of the said recited Acts and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, 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 the said Acts and this Act, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, 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 Lands, Tenements, or 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 or Settlement shall be existing undetermined and capable of taking effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery upon Application thereto, be invested by the said Accountant General, in his Name, in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application
where the
Compensation
does not ex-
ceed 200l.
or less than
20l.

V. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands Tenements, or Hereditaments, purchased, taken, or used, for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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, Tenements, 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

pective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Trustees for executing the said recited Acts and 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 any 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.

VI. 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, Tenements, 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.

Application where the Money is less than 20 £.

VII. 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 recited 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 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 be lawful 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 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

In case 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.

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.

Where any Question shall arise touching such Money, the Person who shall be in Possession of the Lands, &c. at the Time of such Purchase, shall be deemed entitled thereto.

VIII. Provided always, 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 recited Acts, or this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest, in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such 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 the 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 by the Trustees.

IX. Provided also, 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 under the Authority of the said recited Acts or this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts or 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 the said recited Acts or this Act, or so much of such Expences as the said 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.

Upon Payment of Purchase Money, Conveyances to be executed

X. And be it further enacted, That upon Payment of such Sum or Sums of Money, so to be agreed upon, or adjudged or awarded by the Jury to be paid for the Purchase of the said Lands or Grounds, or any Part thereof, the Person or Persons entitled thereto shall make and execute, or cause to be made and executed, proper and effectual Conveyances, Surrenders, Assignments, and Assurances in the Law, to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint, of the said Premises, for which such Sum or Sums of Money was or were so awarded or adjudged to be paid, and shall do all Acts, Matters, and Things necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Surrenders,

renders, Assignments, and Assurances shall contain such usual and reasonable Covenants as shall, on Behalf of the said Trustees be required; and in case any Person or Persons, to whom such Money shall be agreed, awarded, or adjudged to be paid as aforesaid, shall not evince a clear and perfect Title to the said Premises, and make or procure to be made, at the Expence of the said Trustees, proper and effectual Conveyances thereof, or shall refuse so to do (being thereunto required) such Sum or Sums of Money, so agreed, or adjudged to be paid as aforesaid, being ready to be paid to him, her, or them, on making such Title, and tendered for that Purpose; or in case any Person or Persons entitled to the Premises for which such Sum or Sums of Money shall be so agreed, awarded, or adjudged as aforesaid cannot be found, or in case, by reason of Disputes depending in any Court or Courts of Law or Equity, or for Defect of Evidence, it shall not appear to the said Trustees, or any five or more of them, what Person or Persons is or are entitled to the Premises in question, that then and in every such Case such Money shall, with all convenient Speed, be paid into the Bank of *England* in Manner herein-before mentioned; and when and so soon as such Sum or Sums of Money shall be so invested in the Publick Funds as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Equity of Redemption, Claim, and Demand whatsoever, in Law and Equity, of all and every Person or Persons, who shall be entitled to such Money of, in, to, from, and out of the same Premises, or any Part thereof, shall vest in the said Trustees, and they the same Trustees shall be deemed in Law to be in the actual Possession thereof in Fee Simple, freed and discharged from all Claims, Demands, and Equity of Redemption whatsoever, either in Law or Equity, to all Intents and Purposes, as fully and effectually, as if all and every Person and Persons, having any Estate, Right, Title, Trust, Dower, Right or Title of Dower, and Equity of Redemption, of, in, to, from, and out of the same Premises, had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine and Recovery, or any other Conveyance whatsoever.

XI. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, or Beast 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 lies; 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; or for any Horse, Cattle, or Beast, 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, 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 Horses 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 or her proper Parochial Church, Chapel, or other Place of Religious Worship tolerated by Law, on a *Sunday*, or upon any other Day on which Divine Service is ordered by Authority to be celebrated,

Exemptions
from Toll.

brated, or attending the Funeral of any Person that shall die and be buried in any of the said Townships or 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 whatever 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, Cattle, or Beast, attending any Soldiers upon their March or Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horse, Cart, Cattle, or Beast, employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horse, Cattle, or Beast, carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Leicester*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare, or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner 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 forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

Persons chargeable to Statute Work to continue so.

Justices to determine Differences touching Statute Work.

XII. 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 said Road, 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*, and they are hereby empowered and required 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 lies, 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 Compensation 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

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 Lists of Names shall be made in such Manner, and under such Regulations and Restrictions as 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 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 recited Acts 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 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 Part 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.

XIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politick or Corporate, for the Statute Work to be by them done on the said Road, or any Part thereof, and also with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any of the Parishes or Places in which the said Road is situate, for a certain Sum

Trustees may
compound for
Statute Work.

[Loc. & Per.]

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of

of Money by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers, done on the said Road; which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Parish, or by the Person or Persons so compounding, to the Treasurer of the said Trustees, in Advance, on or before the Twenty-ninth Day of September in each and every Year, or otherwise the Inhabitants and Occupiers of such Parish or Place shall not be permitted to compound for that Year.

For payment
of the Expenses
of this Act.

XIV. And be it further enacted, That all Charges and Expences, incident to or attending the obtaining and passing of this Act, shall be paid out of any Money already collected and received by virtue of the said recited Acts, or either of them, or out of the first Monies to be collected and received by virtue of the said recited Acts, and this Act, in preference to all other Payments whatsoever.

Guarantee
contained in
the Leicester
Navigation
Act [Cap. 65.]
recited, and
may be com-
pounded for.

XV. And whereas by an Act passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act for making and maintaining a navigable Communication between the Loughborough Canal and the Town of Leicester, and for making and maintaining a Communication by Railways or Stone Roads, and Water Levels, from several Places and Mines to the said Loughborough Canal, and for continuing the same by passing along the said Canal to the said navigable Communication, all in the County of Leicester*; after reciting the said Two Acts of Parliament herein-before mentioned, and taking Notice, that on the Credit of such Acts, Nine hundred and seventy-one Pounds and upwards had been borrowed, and then remained due and wholly unpaid, and that the making the said Navigation would very considerably diminish the annual Amount of the Tolls collected on the said Road, for which it was reasonable that some Recompense should be made by the Company of Proprietors of the said Navigation, it was amongst other Things enacted, that in each and every Year, when the Tolls collected upon the said Road should be let by publick Auction for a less Sum than Forty Pounds, the said Company of Proprietors should pay to the Treasurer of the said Road so much Money as would make the Annual Produce of the said Tolls amount to the Sum of Forty Pounds, which said Sum of Forty Pounds, if not paid within Thirty Days after the last Day in the Year in which it should become due as aforesaid, might be recovered from the said Company of Proprietors, by Action of Debt, in any of His Majesty's Courts of Record at *Westminster*, in the Name of the Treasurer to the said Trustees for the Time being, and the said several and respective Sums, when paid or recovered as aforesaid, should be applied by the said Trustees in such Manner as the Tolls authorized to be collected by the said Acts are thereby directed to be applied: And whereas the said Company of Proprietors of the *Leicester* Navigation may be desirous to make Recompense for any Diminution of the Annual Amount of the Tolls to be collected on the said Road, after the passing of this Act, by a Sum in gross, instead of making such Annual Recompense as aforesaid, be it therefore further enacted, That, upon the Payment, by the said Company of Proprietors, to any Five or more of the Trustees of the said Turnpike Road, or their Treasurer, of any Sum in gross not less than One hundred and twenty-five Pounds, then and in such Case from and after the Day of the Payment of such Sum in gross, such An-

Annual

nual Recompence for such Diminution of the Annual Amount of the Tolls as aforesaid, provided by the said recited Act passed in the Thirty-first Year of the Reign of His present Majesty, shall cease and be no more paid by the said Company of Proprietors; and the Receipt or Receipts of the said Trustees, or any Five or more of them, for such Sum of Money, shall be and be deemed and taken to be a full and sufficient Discharge to the said Company of Proprietors; and from and after the Day of the Payment of such Sum in gross, so much of the said recited Act, made in the Thirty-first Year of the Reign of His present Majesty, as directs that such Annual Recompence as aforesaid shall be made by the said Company of Proprietors, shall be, and the same is hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever; and the Money so to be paid by the said Company of Proprietors to the said Trustees, shall be, by the said Trustees, applied and disposed of for the several Purposes of the said recited Acts made in the Thirtieth Year of the Reign of His late Majesty King *George* the Second, and in the Twenty-third Year of the Reign of His present Majesty, and of this Act.

XVI. 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.

XVII. And be it further enacted, That the Term granted by the said recited Acts shall, on the passing of this Act, cease and determine; and that the said Acts (subject to the Alterations, Variations, and Additions herein-before contained) and this Act, shall from thenceforth commence, continue, and be in force, and be executed, for and during the Term of Twenty-one Years; and from thence to the End of the then next Session of Parliament. Term of the Act.

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