



ANNO QUARTO

# GEORGII IV. REGIS.

\*\*\*\*\*

## Cap. ix.

An Act for repairing and amending the Road from *Castle Street* at the End of the Town of *Hinckley* in the County of *Leicester*, to the End of the Town of *Lutterworth* in the same County.

[23d May 1823.]

**W**HEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, and keeping in Repair the Road from Castle Street at the End of the Town of Hinckley to Lutterworth Town's End, and from or near the Guide Post at Walcot Town's End in the County of Leicester, to the Eighty Milestone in Welford Field in the County of Northampton*: And whereas another Act was passed in the Twenty-fourth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act passed in the Second Year of the Reign of His present Majesty, for amending, widening, and keeping in Repair the Road from Castle Street at the End of the Town of Hinckley to Lutterworth Town's End, and from or near the Guide Post at Walcot Town's End in the County of Leicester, to the Eighty Milestone in Welford Field in the County of Northampton*: And whereas another Act was passed in the Forty-fifth Year of the Reign of His said late Majesty, intituled *An Act to continue and amend Two Acts passed in the Second and Twenty-fourth Years of His present Majesty, for repairing the Road from Castle Street at the End of the Town of Hinckley to Lutterworth Town's End, and from the Guide Post at Walcot Town's End in the County of Leicester,*

2 G. 3. c. 54.

24 G. 3. c. 28.

45 G. 3. c. 36.

[Local.]

14 H

to



to the Eighty Milestone in Welford Field in the County of Northampton : And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof ; and several considerable Sums of Money borrowed at Interest on the Credit of the Tolls authorized to be collected on the said Road still remain due and owing, and the said Road cannot be effectually amended and kept in Repair, nor can the Money so due and owing be repaid unless the Terms and Powers of the said Acts are enlarged, and the Tolls increased : And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of Great Britain called England* : And whereas it is desirable that the said Acts passed in the Second, Twenty-fourth, and Forty-fifth Years of the Reign of His late Majesty King *George* the Third should be repealed, and that such Powers and Provisions as are herein-after mentioned should be granted and made for the better Repair and Management of the said Road : 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 passed in the Second, Twenty-fourth, and Forty-fifth Years of the Reign of His said late Majesty King *George* the Third, shall, on and from the Twenty-eighth Day of *June* next after the passing of this Act, be and the same are hereby severally repealed, and instead thereof this Act shall be put in Execution for and during the Term herein-after mentioned, for the Purpose of repairing, widening, altering, improving, and keeping in Repair the present Turnpike Road from *Castle Street* at the End of the Town of *Hinckley* in the County of *Leicester*, through the Villages or Places of *Burbage, Smockington, Nether Claybrook, Over Claybrook, Ullesthorpe, and Bitteswell*, to the End of the Town of *Lutterworth* in the same County ; and this Act and the Term and Tolls hereby granted shall be and the same are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized by the said Acts hereby repealed or any of them to be taken on the said Road, and of all Interest due and to grow due thereon, as fully and effectually to all Intents and Purposes as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

3 G.4. c. 126.

Three first  
recited Acts  
repealed.3 G.4. c. 126.  
to extend to  
this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are expressly varied, altered, or repealed by this Act, shall be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

Trustees  
Names.

III. And be it further enacted, That all His Majesty's Justices of the Peace acting for the Counties of *Leicester* and *Warwick* respectively, and also *Frederick Adcock, John Adcock, Thomas Adnutt Clerk, Robert Thomas Adnutt, George Allen, John Arthur Arnold, Thomas Barney, George Beale, William Bent, Thomas Bent, John Blakesley, Thomas Bloxam, Samuel Bonner, Isaac Bassford, Thomas Bown, Thomas Bray, Gilbert Bridges, James Brooks, Thomas Brooks, Matthew Browne Clerk, Robert Brown,*

*John*



John Bullivant, Daniel Burdett, Dean Judd Burdett Clerk, Richard Burdett, Francis Burges, Marston Buzzard the younger, Robert Chessher, Joshua Clarke, Joshua Clarke the younger, Thomas Clarke, John Shergard Coleman, Samuel Cooke, James Cooper, John Mawbey Cooper Clerk, Henry Cooper, William Cooper, Joseph Cotman Clerk, William Cowdell, John Crafts, Henry Crafts, Edward Darlinson, Thomas Edward Dicey, John Dowell, Doyle Clerk, Jerome Dyke Clerk, Henry Grey Dyke Clerk, John Fisher Clerk, John Fisher the younger, Thomas Footman, Samuel Fox, Thomas Freeman, John Garratt, William Gilbert, Thomas Gilbert, William Gillson, William Hall Gillson, William Gimson, William Glover, John Goodacre, John Goodacre the younger, Richard Gough, William Farbrace Gramshaw, Edward Gregory, John Gutteridge, James Harrington Clerk, Thomas Higginson, Nicholas Higginson, William Higginson, Joseph Hill, William Howkins, John Howkins, Hugh Hughes Clerk, Nicholas Hurst, Richard Jarratt, Charles Jervis, William Davies Jervis, Thomas Iliffe, Robert Henry Johnson Clerk, William Johnson, Robert Lord, John Lord, William Lucas, John Lucas, John Lucas the younger, Robert Marriott Clerk, William Martin, John Mason, Charles Meredith, George Mettam Clerk, Samuel Miles, Roger Miles, Thomas Miles, Robert Milligan, Abraham Moore, Joseph Moore, John Moore, James Morpott, John Musson, William Neale, Thomas Needham, Thomas Needham the younger, Joseph Smith Needham, George Noble Clerk, Abraham Nurse, William Nurse, John Orton, William Paddy, Robert Paddy, John Palmer, Thomas Pares, Thomas Pares the younger, John Pares, John Pares the younger, James Parsons, Joseph Wilton Pawsey Clerk, Thomas Perkins, Benjamin Perkins, James Powell Clerk, John Power, William Power, Joseph Pratt, Thomas Reeve, Henry Reynolds, Samuel Rowley, Thomas Sansome, William Scott, Thomas Scotton, John Sills, William Simons, James Smith, John Smith, Joseph Smith, William Spencer, William Swain, Joseph Swain, John Tebbs, William Vernon, Thomas Walker, James Walker, Thomas Wallin, John Ward, Jonathan Ward, Thomas Warner, Richard Warner, Richard Watson, William Wells, Henry Goodrich Willett, Philip Williams, Philip Williams the younger, John Wood, George Woodcock, Richard Wright, George White Young, and their Successors, shall be and they are hereby appointed Trustees for repairing, widening, altering, improving, and keeping in Repair the said Road, and for otherwise putting this Act in Execution.

IV. And be it further enacted, That no Person hereby appointed or who shall hereafter be chosen or appointed a Trustee, shall be qualified or capable of becoming and acting as a Trustee in the Execution of this Act until he shall have taken and subscribed the Oath (or, being One of the People called *Quakers*, the Affirmation) following, before any Two or more of the said Trustees who are hereby authorized and empowered to administer the same in the Words or to the Effect following; (that is to say),

‘ I do swear (or, being One of the People called *Quakers*, do solemnly affirm), That I will truly, faithfully, and impartially act in the Execution of the Trusts and Powers reposed in me by virtue of an Act of Parliament passed in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled *An Act* [here insert the Title of this Act]. So help me GOD.’

[Or, being a Quaker, omit the Words “ So help me GOD.”]

V. And

Trustees to  
take an Oath.

Power to  
appoint Five  
additional  
Trustees.

V. And be it further enacted, That it shall be lawful for the said Trustees or any Three or more of them, at any of their Meetings to be held pursuant to Notice for this Purpose given by the Space of Fourteen Days (by affixing the same in Writing upon all the Toll Gates erected upon the said Road, and by inserting the same in One or more of the Newspapers circulated in the Neighbourhood of the said Road) to elect, nominate and appoint any Number of fit and proper Persons (not exceeding Five in the Whole) to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed.

For appoint-  
ing Officers.

VI. And be it further enacted, That the said Trustees assembled at their first or any subsequent Meeting, or any Three or more of them, may by Writing under their Hands (subject to the Restrictions contained in the said recited Act passed in the Third Year of the Reign of His present Majesty) appoint a Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, Surveyor or Surveyors, and such other Officers as they the said Trustees shall think necessary, and may from Time to Time remove any such Officer or Officers respectively, and on the Death, Resignation, or Removal of any such Officer or Officers, may appoint another or others in his or their Stead; and the said Trustees shall and may, and they are hereby authorized and empowered, by and out of the Monies arising by virtue of this Act, to pay such Salaries and make such Allowances to such Officers, and also to any other Persons employed or who shall assist in the Execution of this Act, for their Services in or about the carrying of this Act into Execution, as they the said Trustees shall think reasonable.

Present Offi-  
cers to con-  
tinue until  
new ones  
elected.

VII. Provided always, and be it further enacted, That each and every Clerk, Collector, Surveyor, and other Officer (other than the Treasurer or Treasurers) appointed under and by virtue of the said former Acts, or any of them, for or in respect of the said Road hereby directed to be repaired and maintained, shall hold and enjoy their several and respective Offices and Employments until removed therefrom by the said Trustees for executing this Act, and each and every such Clerk, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all Respects whatsoever, as if he had been appointed by virtue of this Act.

Treasurers,  
&c. to give  
Security.

VIII. And be it further enacted, That the said Trustees shall and they are hereby required to take sufficient Security from the Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, or such other Officers to be appointed for the Purposes of this Act, for the faithful Execution of their respective Offices; and that no Treasurer, Receiver, Collector, or other such Officer, shall be permitted to enter upon or continue in such their Offices respectively, unless they shall have given such Security.

Books, &c.  
relative to  
former Acts  
to be deli-  
vered to the  
Trustees.

IX. And be it further enacted, That all Persons who are or have been or shall have been employed or who have or shall have received any Tolls or other Money on account of the said Road by virtue of the said Acts or any of them, or who have or shall have in their Custody or Possession any



any Money, Books, Accounts, Papers, Writings, or other Things relating to the said Road, shall account for, pay, and deliver over the same and every Part thereof to the Trustees in and by this Act named and appointed, in like Manner and under the like Penalties as the several Collectors or other Persons receiving any Money by virtue of this Act may be required to pay or account for the same.

X. And be it further enacted, That all and every the Books and Book of Proceedings which may have been kept by the Trustees acting in the Execution of the Acts hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, and also the Book or Books to be kept for the Purposes of this Act, shall be admitted as Evidence in all Courts, and by all Judges, Justices, and others; and also, that all Conveyances, Assurances, Mortgages, and Securities, and all Deeds, Bonds, Contracts, and Agreements, granted, made, or entered into under the Powers and Provisions of the said recited Acts or any of them, shall be as valid and effectual to all Intents and Purposes as the same respectively would have been in case the said recited Acts had remained unrepealed.

Former Books to be Evidence, and Mortgages under old Acts to be valid.

XI. And be it further enacted, That all Arrears of Tolls or Rents, or other Monies due to, and Property Real or Personal, and all Choses in and Rights of Action either at Law or in Equity, vested in the Trustees under the said recited Acts of the Second, Twenty-fourth, and Forty-fifth Years of the Reign of His said late Majesty King *George the Third*, or any of them, shall immediately on the Commencement of this Act be vested in the Trustees named in or to be elected and appointed by virtue of this Act, or of the said recited Act passed in the Third Year of the Reign of His present Majesty, who shall be and they are hereby enabled to receive and take Possession of the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act, or of the said Act passed in the Third Year of the Reign of His present Majesty, or such Arrears of Tolls or Rents, or other Monies so due to the Trustees under the said recited Acts hereby repealed as aforesaid, by virtue of any Deed or Specialty, shall and may be sued for and recovered in the Name of the Trustee or Trustees to or with whom such Deed or Specialty shall have been so made or entered into, or the Survivors or Survivor of them, at the Option or Election of the Trustees named in or to be appointed by virtue of this Act or of the said Act passed in the Third Year of the Reign of His present Majesty; and all the Costs to be incurred by the Trustees or Persons in whose Names such Proceeding shall be had shall be forthwith paid and defrayed by and out of the Monies to be received by virtue of this Act, and the Monies when recovered, shall be paid over to the Treasurer of the said Trustees, to be applied for the Purposes of this Act.

Arrears and Property belonging to former Trustees vested in the Trustees named in this Act.

XII. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue all and every or any of the Turnpikes or Toll Gates and Toll Houses now standing and being in, upon, or across the said Road, or on the Sides thereof, and also (subject to the Regulations contained in the said Act passed in the Third Year of

Power to continue and erect Toll Gates.

[*Local.*]



the Reign of His present Majesty) to erect, set up, or build, or cause to be erected, set up, or built, in, upon, or across the said Road hereby directed to be repaired, maintained, and amended, or any Part thereof, or upon or across the Entrance to any Road, Lane, or Way leading into the same or any Part thereof, when, where, and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Bar or Gate, or Side Bars or Gates, Chain or Chains, and also One or more Toll House or Toll Houses, with Outbuildings and Conveniences suitable thereto, at or near each Toll Gate, and to take in and inclose on the Sides of the said Road suitable Garden Spots to such Toll House or Toll Houses, not exceeding One-eighth Part of an Acre each, as they shall think necessary, and from Time to Time when and as often as they shall think proper (subject to the Regulations and Restrictions herein-before and in the said Act passed in the Third Year of the Reign of His present Majesty respectively contained) to cause any of the Toll Gates or Toll Bars or Chains already erected, or which shall be continued or erected in, upon, across, or on the Side or Sides of any Part of the said Road by virtue of this Act, to be discontinued and taken away, or to be removed to and erected in, upon, across, or on the Side or Sides of any other Part or Parts of the said Road, as the said Trustees assembled at a general or adjourned Meeting shall from Time to Time order and direct.

Lamps to be  
lighted at  
Toll Houses.

XIII. And be it further enacted, That it shall and may be lawful for the said Trustees from Time to Time to order and direct one or more Lamp or Lamps to be placed and erected on or against or in Front of each and every of the Toll Houses to be continued or erected by virtue of this Act, as they the said Trustees shall think proper, and also to order and direct at what Times of the Year and during what Hours such Lamps or any of them shall be kept lighted, and all and every Toll Collectors and Collector appointed by the said Trustees, and also all and every Lessees or Farmers, Lessee or Farmer of the Tolls authorized by this Act to be taken and collected, and all and every Persons and Person appointed by any such Lessees or Farmers, Lessee or Farmer, who shall neglect or omit to observe and fulfil the Orders of the said Trustees in respect to the keeping and lighting of such Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission, to be recovered and applied in such and the same Manner as Penalties incurred by Offences against the said recited Act of the Third Year of the Reign of His present Majesty are by that Act directed to be recovered and applied.

Power to sell  
the present  
Toll Houses.

XIV. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected upon the said Road by virtue of the said Acts hereby repealed, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, when they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Contract, at or for such Price or Prices as they the said Trustees can obtain for the same; and in case of Sale, to convey the said Toll Houses, Gardens and Appurtenances, to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the



Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees or their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trusts, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Non-application thereof: Provided always, that such Preference of purchasing shall be given to the Person or Persons whose Land may adjoin any such Toll House as is by the said recited Act passed in the Third Year of the Reign of His present Majesty directed to be given where any Piece or Pieces of overplus Land or old Road, not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of: Provided also, that it shall not be incumbent upon the said Trustees on any such Sale or Conveyance to shew any further or other Title to the Property so to be sold and conveyed than their Possession thereof under the said recited Acts hereby repealed, or some or one of them, or under this Act.

XV. And be it further enacted, That it shall be lawful for the said Trustees, or their Lessee or Lessees, or any Person or Persons to be appointed Collector or Collectors by virtue of this Act or of the said recited Act passed in the Third Year of the Reign of His present Majesty, to demand and take the several Tolls following (subject to the Restrictions in this Act and in the said last-mentioned Act contained) at each and every or any of the Toll Gates erected or to be erected upon the said Road or the Sides thereof, or on the Side of any Street, Road, or Way leading into or out of any Part of the said Road, once a Day, and on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock in the next succeeding Night; that is to say,

For every single Horse, Mule, or other Beast of Draught, drawing any Chaise Marine, Coach, Landau, Berlin, Barouche, Sociable, Chariot, Calash, Hearse, Break, Chaise, Curricule, Gig, Chair, Taxed Cart, Market Cart, or other Cart for the Conveyance of Passengers or light Goods or Articles, the Sum of Sixpence; and for Two or Three Horses, Mules, or other Beasts of Draught, drawing any such Carriage, as above mentioned, the Sum of Nine-pence; and for Four or Five Horses, Mules, or other Beasts of Draught, drawing any such Carriage above mentioned, the Sum of One Shilling and Sixpence; and for Six or more than Six Horses, Mules, or other Beasts of Draught, drawing any such Carriage above mentioned, the Sum of Two Shillings and Three-pence:

For every single Horse, Mule, or other Beast of Draught, or for Two Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of One Shilling; and for Three or Four Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage as above mentioned, the Sum of One Shilling and Sixpence; and for Five or Six Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage as above mentioned, the Sum of Two Shillings and Two-pence; and for more than Six Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage as above mentioned, the Sum of Two Shillings and Two-pence, and an additional

Power to  
take Tolls.

Tolls.



additional Sum of One Shilling for every such Horse, Mule, or other Beast of Draught above Six :

For every single Horse, Mule, or other Beast of Draught or for Two Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage having the Fellies of the Wheels thereof of the Breadth of Four Inches and an Half and less than Six Inches, the Sum of One Shilling and Three-pence ; and for Three or Four Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of One Shilling and Ten-pence Halfpenny ; and for Five Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Two Shillings and Eight-pence Halfpenny ; and for Six Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Three Shillings and Eight-pence Halfpenny ; and for more than Six Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Two Shillings and Eight-pence Halfpenny ; and an additional Sum of One Shilling and Three-pence for every such Horse, Mule, or other Beast of Draught above Six :

For every single Horse, Mule, or other Beast of Draught, or for Two Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage having the Fellies of the Wheels thereof of less Breadth than Four Inches and an Half, the Sum of One Shilling and Sixpence ; and for Three or Four Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Two Shillings and Three-pence ; and for Five Horse, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Four Shillings and Three-pence ; and for Six Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Five Shillings and Three-pence ; and for more than Six Horses, Mules, or other Beasts of Draught, drawing any Waggon or other such Four-wheeled Carriage last above mentioned, the Sum of Three Shillings and Three-pence ; and an additional Sum of One Shilling and Sixpence for every such Horse, Mule, or other Beast of Draught above Six, and a further additional Sum of One Shilling for the First Horse, Mule, or other Beast of Draught beyond Six :

For every single Horse, Mule, or other Beast of Draught, drawing any Cart or other such Two-wheeled Carriage having the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Sixpence ; and for Two Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage as above mentioned, the Sum of Ten-pence ; and for Three Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage as above mentioned, the Sum of One Shilling and Two-pence ; and for more than Three Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage as above mentioned, the Sum of One Shilling and Two-pence, and an additional Sum of One Shilling for every such Horse, Mule, or other Beast of Draught above Three :

For every single Horse, Mule, or other Beast of Draught, drawing any Cart or other such Two-wheeled Carriage having the Fellies of the Wheels thereof of the Breadth of Four Inches and an Half and less than Six



Six Inches, the Sum of Seven-pence Halfpenny; and for Two Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage last above mentioned, the Sum of One Shilling and One Halfpenny; and for Three Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage last above mentioned, the Sum of One Shilling and Five-pence Halfpenny; and for more than Three Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage last above mentioned, the Sum of One Shilling and Five-pence Halfpenny; and an additional Sum of One Shilling and Three-pence for every such Horse, Mule, or other Beast of Draught above Three:

For every single Horse, Mule, or other Beast of Draught, drawing any Cart or other such Two-wheeled Carriage having the Fellies of the Wheels thereof of less Breadth than Four Inches and an Half, the Sum of Nine-pence; and for Two Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage last above mentioned, the Sum of One Shilling and Three-pence; and for Three Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage last above mentioned, the Sum of One Shilling and Nine-pence; and for more than Three Horses, Mules, or other Beasts of Draught, drawing any Cart or other such Two-wheeled Carriage last above mentioned, the Sum of One Shilling and Nine-pence; and an additional Sum of One Shilling and Sixpence for every such Horse, Mule, or other Beast of Draught above Three:

For every Ox, Cow, or other Head of Neat Cattle (not drawing), the Sum of One Halfpenny:

For every Calf, Hog, Sheep, or Lamb, the Sum of One Farthing:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

And the said respective Tolls shall, subject to the Restrictions in this Act and in the said recited Act passed in the Third Year of the Reign of His present Majesty contained, be demanded and taken before any Horse, Mule, or other Beast, Coach, Waggon, Cart, or other Carriage whatsoever, or Drove of Oxen or Neat Cattle, Calves, Hogs, Sheep, or Lambs, be permitted to pass through any Toll Gate erected or to be erected, or continued on the said Road by virtue of this Act, or in, upon, or across any Lane, Street, or Bye-way leading into the same.

Tolls to be paid before Cattle, &c. pass the Gate.

XVI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to take or demand more than One-third of the said several Tolls at the Side Gate on the said Road across the Entrance to the Turnpike Road leading from the said Road to *Narborough*, and called the *Sapcote* and *Narborough* Turnpike Road, nor shall any other Toll Gate be erected or Toll taken between the said *Sapcote* and *Narborough* Turnpike Road and the said Town of *Hinckley*.

One-third Toll only to be taken at the *Narborough* and *Sapcote* Road Side Gate.

XVII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make any Distribution of such Tolls, or Orders relative thereto, so that no more than Three full Tolls on the whole Line of Road shall be demanded or taken of or from any Person or Persons for or in respect of the same Horse or Horses, or other Beasts or Cattle, or Carriage or Carriages as aforesaid, in any one Day (such

Limiting the Number of Tolls.

[Local.]

14 K

Day



Day to be computed as aforesaid), for passing and repassing through all or any of the said Toll Gates or Toll Bars erected, or continued or to be erected or continued on the said Road.

Stage  
Coaches and  
Post Chaises.

XVIII. Provided also, and be it further enacted, That for and in respect of all Horses or Beasts of Draught drawing any Stage Coach, the Tolls hereby made payable shall be paid for every Time of passing and repassing along the said Road upon the same Day, and for and in respect of all Horses or Beasts of Draught drawing any Post Chaise or other such like Carriage let out to Hire; the Tolls hereby made payable shall be paid for every Time of passing along the said Road whenever any new Hiring thereof shall be made.

Application  
of the Tolls  
and Money  
to be bor-  
rowed.

XIX. And be it further enacted, That out of the Monies already received by virtue of the said recited Acts or any of them, and now in the Treasurer's Hands, or out of the first Money which shall arise or be received from the Tolls, Mortgages, or otherwise by virtue of this Act, the said Trustees shall first pay and discharge all the Costs, Charges, and Expences relative to the obtaining and passing of this Act; secondly, the Costs and Expences of keeping in Repair the said Road; thirdly, the Interest of the principal Monies already borrowed by virtue of the said former Acts of any of them, or which by virtue of and under the Powers of this Act, or of the said recited Act passed in the Third Year of the Reign of His present Majesty, may be borrowed on the Credit of the Tolls hereby granted and made payable; fourthly, the Costs and Expences of widening, varying, altering, turning, improving, and rendering commodious the said Road, and otherwise putting this Act and the said recited Act passed in the Third Year of the Reign of His present Majesty in Execution; and lastly, the principal Monies already borrowed by virtue of the said Acts hereby repealed, or to be borrowed by virtue of this Act or of the said recited Act passed in the Third Year of the Reign of His present Majesty.

Where old  
Securities are  
lost, new ones  
may be exe-  
cuted.

XX. And whereas divers Creditors on the said Road may have lost or mislaid the Mortgages or Assignments of the Tolls executed by the Trustees for securing to him, her, or them the principal Money lent on the Credit of the said Acts hereby repealed, or the Tolls thereby granted, with Interest for the same, or the Transfers of such Mortgages or Assignments; and it is reasonable that in Cases where it can be proved to the Satisfaction of the Trustees that any Person is truly and *bonâ fide* entitled to any Sum or Sums of Money secured on the Tolls granted by the said last-mentioned Acts, or any of them, although they cannot produce the said Mortgage Security, that another Assignment of the Tolls hereby granted shall be executed for securing the Repayment of the Money now due on the Credit of the said Acts or the Tolls thereby granted; be it therefore further enacted, That in any Case where it shall appear by the Books kept by the Clerk or Treasurer to the said Trustees for executing this Act, or by any other satisfactory Evidence adduced at any Meeting of the said Trustees, that any Person or Persons is or are a Creditor or Creditors on Security of the Tolls granted by the said Acts hereby repealed, or any of them, and that the Mortgage or Assignment of the Tolls for securing any such Sum or Sums of Money or the Transfer thereof has been lost, mislaid, or by Accident destroyed, it shall and may be lawful for the said Trustees,



on any Three or more of them, to execute, at the Expence of the Person or Persons applying for the same, an Assignment of the Tolls by this Act granted, for the Sum or Sums of Money mentioned in such original Assignment or Transfer; and every Assignment so to be executed shall be valid and effectual for the Purposes thereby intended.

XXI. And be it further enacted, That all Damises or Leases of the Tolls arising on the said Road by this Act authorized to be repaired, and all Bonds or other Securities which shall have been given for Payment of the Rents reserved by any Leases respectively, and for the Performance of the Covenants and Agreements in such Leases contained on the respective Lessees Part, shall respectively continue in force until the respective monthly Days on which the Rents therein respectively reserved shall become payable, and happening next after the Commencement of this Act, on which respective Days the said respective Leases, Bonds, or other Securities aforesaid shall cease and determine, in the same Manner as if such Leases, Bonds, or other Securities had expired by Effluxion of Time (save as to the Obligations, Covenants, or Agreements for Payment of Rent, and Performance of Covenants, in such Leases, Bonds, or Securities on the respective Lessee's and Obligor's Part, to be observed and performed during the Continuance of such Leases, Bonds, or Securities by virtue of this Act); and until such Determination of such Leases respectively, the respective Lessees thereof shall be entitled to collect and receive, from the Commencement of this Act, the respective Tolls by this Act granted and made payable.

As to present  
Leases, &c.  
of Tolls.

XXII. And be it further enacted, That in case any of the Lessees of the said Tolls shall claim to be entitled to any Compensation or Satisfaction for or on account of such Continuance or Determination of his, her, or their Lease or Leases as aforesaid, then if the said Trustees and such Lessee or Lessees cannot agree as to the Amount of such Compensation or Satisfaction, such Lessee or Lessees may sue for and recover the same by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*.

Difference on  
vacating  
Leases how  
to be settled.

XXIII. Provided always, and be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid in pursuance of the Directions of the said recited Act passed in the Third Year of the Reign of His present Majesty, or of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Trustees or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same within Five Days after Demand in Writing shall have been made, stating the Order of such Justices, from any Clerk to the said Trustees or their Treasurer, in pursuance of the Directions or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of the said recited Act passed in the Third Year of the Reign of His present Majesty, or of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose

Directing  
how Costs  
and Damages  
are to be  
recovered.



Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees, or to their Treasurer for the Time being, as the Case may be; and such Treasurer shall and he is hereby authorized to retain, out of the first Monies which shall come to his Hands by virtue of this Act, the Amount of such Costs and Expences so paid by him as aforesaid.

Statute Labour how to be regulated and enforced.

XXIV. 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 by this Act authorized to be repaired, or any Part or Parts thereof, shall still remain liable thereto in like Manner as heretofore; and it shall be lawful for any Two or more Justices of the Peace for the respective Counties of *Leicester* and *Warwick*, within their respective Jurisdictions, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Clerks, Surveyor or Surveyors, by their Order) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done and performed upon the said Road by the Inhabitants of the respective Parishes, Townships, Tithings, Hamlets, Districts, Divisions, 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, Township, Tithing, Hamlet, District, Division, 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 or Treasurers, Surveyor or Surveyors; and in order thereunto, the Surveyor or Surveyors of the Highways for every such Parish, Township, Tithing, Hamlet, District, Division, or Place, shall, on an Order in Writing made by the said Justices on an Application to them by the said Trustees, or any Three or more of them, or by their Clerk or Surveyor, and respectively delivered to such Surveyor or Surveyors of the Highways, or left at his or their last or usual Place of Abode, bring and deliver within Ten Days afterwards to the said Turnpike Surveyor, or to his Place of Abode, true and perfect Lists in Writing of the Names of the several Persons who, within such Parish, Township, Tithing, Hamlet, District, Division, or Place, are by Law subject and liable to do and perform 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 Lists 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 Repair of the Public Highways; and the said Turnpike Surveyor having received such Lists shall within Five Days afterwards give a Notice to the Surveyor or Surveyors of the Highways of the Time when such  
Lists



Lists will be laid before the said Justices in order to apportion the said Statute Duty, and at the Time appointed in and by such Notice, the said Lists shall be laid before the Justices by the said Turnpike Surveyor in the Presence of the said Surveyor of the Highways, if he shall attend, and out of such Lists the said Justices respectively shall or may appoint and order such and so many of the Persons who shall appear to be subject and liable to do 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 on such Part or Parts of the said Road, as the said Trustees or their Surveyor or Surveyors for the Time being shall from Time to Time order, direct, and appoint; and the said Justices may also order and direct the Surveyor or Surveyors of every such Parish, Township, Tithing, Hamlet, District, Division, or Place for the Time being, to pay over to the said Trustees, or their Treasurer or Treasurers, Surveyor or Surveyors, such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do and perform such Statute Work or Duty as aforesaid, (after Notice in Writing given to or left for him, her, or them, as his, her, or their last or usual Place or Places of Abode for that Purpose, signed by any Surveyor or Surveyors to 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 Fines, 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 Public Highways; and if any Person who shall come to work as a Labourer, or who 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, or by any Person employed by him, such Surveyor or other Person is hereby empowered to remove and dismiss the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person so coming to work, or sending such Labourer as aforesaid, shall be subject and liable to the respective Forfeitures and Penalties aforesaid, as if he had neglected or refused to come or send a Labourer, or such Team or Draught, Horse or Beast, had not been sent to work on any Part of the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes, Townships, Tithings, Hamlets, Districts, Divisions, or Places in which the said Road lies, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money or any Part thereof in manner aforesaid, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; all which Forfeitures shall be paid to the Treasurer or Treasurers to the said Trustees, and applied towards amending the said Road; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways, by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the Counties of *Leicester* and *Warwick*, or either of them, on Complaint made to such Justices by the Surveyor of the said Trustees.



Public Act.

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

Commence-  
ment and  
Continuance  
of this Act.

XXVI. And be it further enacted, That this Act shall commence on the Twenty-eighth Day of *June* next after the passing of this Act, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

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