



ANNO QUARTO

GEORGIIV. REGIS.



Cap. lxxvii.

An Act for more effectually amending, repairing, and keeping in Repair the Road from the Toll Gate in the Parish of *Kettering*, through *Wellingborough* in the County of *Northampton*, and through *Olney*, over *Sherrington* Bridge, to *Newport Pagnell* in the County of *Buckingham*.

[23d May 1823.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His Majesty King George the Second, intituled *An Act for repairing and widening the Road* 27G.2.c.31.
leading from the Toll Gate in the Parish of Kettering, through the Town of Wellingborough in the County of Northampton, and through Olney, over Sherrington Bridge, to Newport Pagnell in the County of Bucks; and for repairing and widening or rebuilding the said Sherrington Bridge: And whereas another Act was passed in the Thirteenth Year of the Reign of His late Majesty King George the Third, intituled *An Act for enlarging the Term and Powers of an Act, made in the Twenty-seventh Year of the Reign of His late Majesty, for repairing the Road from the Toll Gate in the Parish of Kettering, in the* 13G.3.c.87.
[Local.] 15 N County

County of Northampton, to Newport Pagnell in the County of Bucks :
 And whereas another Act was passed in the Twenty-first Year of the Reign of His said late Majesty King George the Third, intituled
 21G.3.c.103. *An Act for enabling the Trustees for executing Two Acts, made in the Twenty-seventh Year of the Reign of King George the Second, and in the Thirteenth Year of the Reign of His present Majesty, for repairing the Road from Kettering in the County of Northampton to Newport Pagnell in the County of Bucks, to take down the Turnpike erected in Sherrington Field in the said County of Bucks, and to remove the same to the North End of Sherrington Bridge in the said County :* And whereas another Act was passed in the Forty-second Year of the Reign
 42 G. 3. c. 37. *of His said late Majesty King George the Third, intituled An Act for continuing the Term and altering and enlarging the Powers of Three several Acts, passed in the Twenty-seventh Year of the Reign of His late Majesty King George the Second, and the Thirteenth and Twenty-first Years of the Reign of His present Majesty, for repairing and widening the Road leading from the Toll Gate in the Parish of Kettering, through the Town of Wellingborough in the County of Northampton, and through Olney over Sherrington Bridge to Newport Pagnell in the County of Bucks ; and for repairing and widening or rebuilding the said Sherrington Bridge :* And whereas the Trustees appointed in or by virtue of the said Acts have proceeded in the Execution thereof, and have borrowed at Interest several considerable Sums of Money on the Credit of the Tolls authorized to be collected on the said Road ; and which Money still remains due and owing, and cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Terms and Powers of the said Acts be enlarged, and the Tolls increased : And whereas an Act was passed
 3G.4.c.126. *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 several Acts passed in the Twenty-seventh Year of the Reign of His late Majesty King George the Second, and the Thirteenth, Twenty-first, and Forty-second Years of the Reign of His late Majesty King George the Third, should be repealed, and that such further Powers and Provisions as are herein-after mentioned should be granted and made for the better Repair and Management of the said Road ; but as the same cannot be effected without the Authority of Parliament : 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 Twenty-seventh Year of the Reign of His late Majesty King George the Second, and the Thirteenth, Twenty-first, and Forty-second Years of the Reign of His late Majesty King George the Third, shall, on the *Tuesday* Fortnight next after the passing of this Act, be and the same are hereby severally repealed ; and that instead thereof this Act shall then commence and take place and be put in Execution, for and during the Term herein-after mentioned, for more effectually repairing, widening, altering, improving, and keeping in repair the Road leading from the Toll Gate in the
 Parish

Four first
 recited Acts
 repealed.

Parish of *Kettering*, through the several Parishes, Townships, Hamlets, or Places of *Kettering, Pytchley, Isham, Little Harrowden, Great Harrowden, Wellingborough, Irchester, Wollaston, Strixton, and Bozeat*, in the County of *Northampton*, and *Warrington, Olney, Emberton, Sherrington, and Lathbury*, to *Newport Pagnell*, in the County of *Bucks*; and that this Act and the additional 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, or become due and owing on the Credit of this Act, or of the Tolls hereby authorized to be collected; and all Conveyances to, or Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons, to or with the Trustees for executing the said recited Acts, or any of them, according to the Provisions and Directions thereof, shall remain in full force and effect, and shall be and continue available in all Courts of Law and Equity, until the same are or shall be fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities, duly made and entered into by the Trustees for executing the said Four first recited Acts, or any of them, to or with any Person or Persons, shall remain in full force and effect, and shall be binding on the Trustees under this Act, and be observed and kept by them, according to the Terms, Stipulations, Conditions, and Tenor thereof respectively.

This Act
liable, &c. to
all Money
due.

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.

Powers of
3 G. 4. c. 126.
extended to
this Act.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the respective Counties of *Northampton* and *Buckingham*, together with the Right Honourable *John Charles Spencer* commonly called Viscount *Althorp*, the Right Honourable *Charles Arbuthnot, Justinian Alston, Rowland Alston, Vere John Alston* Clerk, *Charles Horace Alston, Robert Andrew, William Andrews, John Armytage, George Anderson* Clerk, *Robert Abbey, William Alington* Clerk, the Honourable *James Brudenell* commonly called Viscount *Brudenell, William Battams, Edward Bouverie, Everard Bouverie, John Booth, Sir Richard Brooke de Capel Brooke* Baronet, *Arthur Brooke, William Bithrey, John Bithrey, John Boudier* Clerk, *John Baldwin, Theodore Bouwens* Clerk, *William James Baily, William Billings, Stamp Brooksbank, Thomas Butcher, Thomas Burnaby, Thomas Palmer Bull*, the Right Honourable *Spencer Joshua Alwyne Compton* commonly called Earl *Compton,*
William

Appointment
of Trustees.

William Ralph Cartwright, John Callis, Adam Corrie, John Corrie, Charles Chester, Daniel Coles, Edward Cowley, Robert Collison, John Freer Congreve, Richard Cautley Clerk, William Cotton Clerk, John Dainty, Francis Dickins, Watson William Dickins Clerk, the Honourable and Reverend James Douglas, John Dowbiggin Clerk, William Drake Clerk, William Drayson, Thomas Drayson, Robert Edmonds, William B. Fletcher Clerk, John Fisher Clerk, John Freestone, Thomas Fry Clerk, Farrer Grove Spurgeon Farrer, William Gee, Sir Robert Gunning Baronet, Joseph Gulston, Thomas Gardner Clerk, John Gibbard, Francis Gibbons, Charles Gibbon, William Gibbon, James Gibbs Clerk, Haynes Gibbs Clerk, John Cooper Gotch, William Green, William Gaudern, John Garrard, Daniel Goodall, Robert Shuttleworth Grimshawe Clerk, Henry Gauntlett Clerk, Joseph Harpur, George Hale, Thomas Hale, John Slater Hall, Thomas Hallowell, Joseph Harrold, Robert Hawkins, Henry Hensman, Charles Hill, John Higgins, Thomas Charles Higgins, William Bartholomew Higgins, Hugh Richard Hoare, Henry Van Hagen, Charles Marius Hardy, Richard Howes, Thomas Howes, John Baron Howes, Sir Justinian Isham Baronet, Vere Isham Clerk, Henry Isham Clerk, Charles Euseby Isham Clerk, Samuel Isted, Matthew Easton Jones, George Jones, Edward Jones Clerk, Francis Jones Clerk, John Kipling, Thomas Keep, Joseph Keep of Broughton, William Keep, Joseph Keep of Wellingborough, Matthew Knapp, Primatt Knapp Clerk, Richard Kitelee, Joseph Kitelee, William Layng Clerk, Robert Lowndes Clerk, Arthur Lovell, John Allen Lovell, William Lucas, George Lucas, Henry Lucas, Henry Laughton, the Right Honourable Charles William Wentworth commonly called Viscount Milton, Thomas Philip Maunsell, Archibald Morton, William Morton, Charles Morton, James Morton, William Marshall Clerk, George Warcup Malim Clerk, Richard Maxey, George Margetts, Thomas Mercer, John Mercer, Richard Orlebar, Richard Longuet Orlebar, Robert Charles Orlebar, John Osmond, George Osborn, John Oliver, Sir John Henry Palmer Baronet, Joseph Foster Palmer, Peter Payne, George Payne, Charles Pinfold, William Praed, William Tyringham Praed, James Backwell Praed, John Pretymann Clerk, Charles Pryce Clerk, Samuel Woodfield Paul Clerk, Samuel Pell of Sywell, Samuel Pell of Mears Ashby, Captain Watkin Owen Pell R. N., John Pickering, James Perry, Henry Reade Quartley Clerk, Sir George Robinson Baronet, William Villiers Robinson Clerk, George Stamp Robinson Clerk, Isaac Robinson, Legh Richmond Clerk, John Capel Rose, Archibald Rodick, William Roughton senior, William Roughton junior, John Rogers, William Childs Ratliffe, William Sawbridge, Henry Barne Sawbridge, Thomas Sanderson Clerk, Samuel Sharman senior, Samuel Sharman junior, Robert Sherard, Thomas Slater Clerk, Loraine Loraine Smith Clerk, William Tyler Smyth, William Smyth senior, Clerk, William Smyth junior, Clerk, the Honourable and Reverend Richard Bruce Stopford, William Stockdale Clerk, Richard Scriven, John Scriven, Samuel Somes, Sir George Throckmorton Baronet, Claude George Thornton, William Talbot Clerk, John Hale Talbot, John Talbot, Charles Talbot, Charles Tibbits, John Barber Tuck, Henry Andrewes Uthwatt, John Vivian, Sir William Wake Baronet,
Philip

Philip Hoddle Ward, Edward Ward, John Ward, Barnard Landell Ward, Amos Westoby Clerk, Thomas Whalley Clerk, John Whitehouse Clerk, William Whitworth, Robert Whitworth, Thomas Whitworth, James Whitworth, Charles Whitworth, Joseph Whitworth, Thomas Williams, George Worley, Edward Augustine Worley, Allen Edward Young, John Young Clerk, and their Successors, shall be and they are hereby appointed the Trustees for repairing, widening, altering, improving, and keeping in Repair the Road herein-before mentioned and described, and for otherwise putting this Act into Execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees, at their First Meeting to be holden in pursuance of this Act, to elect any additional Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this and the said last recited Act; and such Trustees, when so elected, shall be and are hereby invested with the same Powers and Authorities for executing this and the said last recited Act, as if they had been named and appointed Trustees in or by virtue of this Act.

Power to appoint additional Trustees.

V. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee for putting this Act into Execution, unless he shall be qualified in such Manner as in and by the said recited Act passed in the Third Year of the Reign of His present Majesty is directed and prescribed; and unless, being so qualified, he shall, before he shall act as a Trustee (except in administering the Oath mentioned in the said last-mentioned Act and the Oath herein-after mentioned,) take and subscribe before One or more of the said Trustees (who is and are hereby empowered to administer the same) the Oath following; (that is to say),

Trustees to be sworn.

I do swear, That I will truly and impartially, according to the best of my Judgment, execute and perform the several Powers, Authorities, and Trusts reposed in me as a Trustee by virtue of an Act passed in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled *An Act [here set forth the Title of this Act]*; and also an Act passed in the Third Year of the Reign of His said Majesty, intituled, *[here set forth the Title of the General Turnpike Act.]* So help me GOD.

And if any Person shall act (except as aforesaid) before he shall have taken and subscribed the said Oath, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed: Provided nevertheless, that no Act or Proceeding touching the Execution of the said Act of the Third Year of the Reign of His present Majesty, or this Act, which shall be done or performed by any such Person who shall have omitted or neglected to take and subscribe the said Oath by this Act prescribed, shall be thereby impeached or rendered nugatory, but all such Pro-

ceedings shall be as valid and effectual, as if such Person had taken such Oath previously to his having acted as such Trustee as aforesaid.

First Meeting
of Trustees.

VI. And be it further enacted, That the Trustees for executing this and the said last recited Act, or any Three or more of them, shall meet together at the *Hind Inn*, in *Wellingborough* aforesaid, or at some other convenient Place upon or near the said Road, on the *Monday* Three Weeks next after the passing of this Act, or so soon after as conveniently may be, and proceed to the Execution of this and the said last recited Act; and shall then and from Time to Time adjourn to and meet again at such Time and at such Place or Places within the said respective Counties of *Northampton* or *Buckingham*, and not elsewhere, as they or the major Part of them present at their respective Meetings shall think proper.

Trustees to
appoint
Officers, &c.

VII. And be it further enacted, That the said Trustees, or any Three or more of them, at any of their Meetings, shall and may from Time to Time appoint a Clerk, and also a Treasurer or Treasurers, Collector or Collectors of the Tolls, and a Surveyor or Surveyors of the said Road, and such other Officers as they the said Trustees shall think necessary; and from Time to Time remove any such Officer or Officers, and on the Death, Resignation, or Removal of any such Officer or Officers, may appoint another or others in his or their stead; and every such Appointment, or a Memorandum thereof, shall be entered in the Book of the Proceedings of the Trustees, and the Entry shall be signed by the Trustees making the Appointment, or by the major Part of the Trustees present at the Meeting where the Appointment is made; and Ten Days Notice shall be published on all the Turnpike Gates standing or being across the said Road, of every Meeting where any such Appointment shall be intended to be made after the First Meeting of the said Trustees, specifying the Intention of appointing any such Officer or Officers; and the said Trustees shall and may, and 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 other Persons employed, or who shall assist in the Execution of this Act, for their Services in and about the carrying this and the said last recited Act into Execution, and also all such Costs and reasonable Sums as they the said Trustees or any of them, or the Surveyor or Surveyors, or other Officer or Officers by them appointed, or any Justice or Justices of the Peace, shall have been at or put unto, or shall have expended in the due Execution of this and the said last recited Act, and of the Powers and Authorities given or granted thereby; or in defending or prosecuting any Action or Suit, Indictment or Indictments, Information, or other Proceeding whatsoever, for or on account thereof, or for or concerning any Matter or Thing whatsoever which he or they shall have done or ordered to be done in the due Execution thereof, or in or about the Prosecution of any Person or Persons whomsoever, for any Matter

or Thing whatsoever, which such Person or Persons shall have done in Contravention of or contrary to this or the said last recited Act, as they the said Trustees shall think reasonable; and to order and direct their Treasurer or Treasurers to pay and defray the same respectively, out of any Money in his or their Hands arising from the Tolls hereby granted: Provided always, that the Clerk, Receivers, Collectors and Surveyors, who have been appointed under and by virtue of the said Four first recited Acts hereby repealed, and also the Treasurer or Treasurers (if he or they shall have been appointed under the Provisions of the said recited Act passed in the Third Year of the Reign of His present Majesty, but not otherwise), shall respectively continue to hold and exercise such their several and respective Offices and Employments, until they shall respectively be removed therefrom by the said Trustees for executing this and the said last recited Act, or resign the same.

Present Officers to be continued.

VIII. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall act in both Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed.

Clerk not to act as Treasurer, and vice versâ.

IX. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said Four first recited Acts, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been repealed.

Books used under former Acts to be Evidence.

X. 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 and upon or across the said Road, or on the Sides thereof, except the Turnpike or Toll Gate now standing at or near *Sherrington*

Power to continue and erect Toll Gates.

Sherrington Bridge; and also (subject to the Regulations contained in the said Act passed in the Third Year of the Reign of His present Majesty) to erect and set up or build, or cause to be erected, set up, and built, upon or across the said Road hereby directed to be maintained, repaired, 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 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 Roads suitable Garden Spots to such Toll House or Toll Houses, not exceeding One-eighth Part of a Statute Acre each, as they shall think necessary; and from Time to Time to take down and remove or to alter and discontinue the same, or any of them, as they the said Trustees shall think proper to direct or appoint.

Power to remove Toll Gates.

XI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, 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 or upon or across or on the Side or Sides of any Part of the said Road by virtue of this Act, to be removed to, and erected in, upon, or across or on the Side or Sides of such other Part or Parts of the said Roads as the said Trustees assembled at a general or adjourned Meeting shall from Time to Time order and direct.

For removing the Toll Gate at *Sherrington* Bridge.

XII. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required, within Six Months next after the passing of this Act, to take down and remove the Turnpike Gate and Weighing Machine now standing and being at the North End of *Sherrington* Bridge aforesaid; and that it shall not be lawful for the said Trustees, or any Person or Persons by their Order, to erect, set up, or build any Toll Gate or Turnpike, or any Weighing Engine, upon or across the said Road hereby authorized to be repaired, nearer to the Town of *Newport Pagnell* aforesaid than the Distance of One Furlong North from the Road leading from *Newport Pagnell* to *Bedford*, which Road turns off to *Chichley* near the Way Post in *Sherrington* Field.

Power to sell the present Toll Houses.

XIII. 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 by virtue of the said Acts hereby repealed on the said Road to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances

nances thereunto belonging, where 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 Sale, 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 to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, 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 Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last recited Act directed to be given, where any Piece or Pieces of Ground or old Road not wanted for the Purposes of any Turnpike Road is authorized to be sold and disposed of.

XIV. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed or continued 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 and Exemptions in this Act and in the said last-mentioned Act contained, at each and every or any of the Toll Gates or Toll Houses, or Side Bars, or Side Gates or Chains, which are, or is, or shall be standing and being or continued or erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road, or any Part thereof, and on every Day, such Day to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next succeeding Night; (that is to say),

Power to take
Tolls.

For every Horse or other Beast drawing any Coach, Van, Caravan, Sociable, Berlin, Landau, Chariot, Barouche, Phaeton, Curricule, Gig, Hearse, Chaise, or other such Carriage, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, the Sum of Sixpence:

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

For every Score of Oxen or Neat Cattle, the Sum of Ten-pence; and so in proportion for any less Number: And,

For every Score of Calves, Swine, Sheep, or Lambs, the Sum of Five-pence; and so in proportion for any less Number.

Which said respective Tolls shall, subject to the Restrictions and Exemptions 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, Ass, Beast, or other Cattle, Coach, Van, Caravan, Waggon, Cart, or other Carriage whatsoever, or Drove of Oxen or Neat Cattle, Calves, Swine, Sheep, or Lambs, be permitted

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to

to pass through any Turnpike or Toll Gate, or Side Bar or Side Gate or Chain, erected or to be erected or continued by virtue of this Act upon or across the said Road, or any Part thereof, or upon or across any Lane or Way leading into the same; and which said respective Tolls shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in Manner hereinafter directed.

Chalk and Lime exempt from Toll.

XV. And be it further enacted, That all Chalk and Lime passing through any of the Turnpike Gates or Toll Bars on the said Road, shall be and the same is hereby exempted from the Payment of any Toll, provided the same be used only for Manure.

No more than Four full Tolls to be taken in any One Day.

XVI. And be it further enacted, That no more than Four full Tolls shall be taken upon the said Road, for the same Horses, Beasts, Cattle, and Carriages passing through all or any of the Toll Gates erected or to be erected across or on the Sides of the said Road in any One Day, such Day to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next succeeding Night.

Tolls to be paid but once a Day at each Gate.

XVII. Provided always, and be it further enacted, That no Person shall be subject to the Payment of Toll more than once in any One Day (such Day to be computed from Twelve of the Clock in One Night to Twelve of the Clock in the next succeeding Night) for passing and repassing with the same Horse or Horses, Beasts or Cattle, through the same Turnpike (except as herein-after mentioned), such Person or Persons producing a Note or Ticket denoting the Payment of such Toll, which Note or Ticket the several Collectors of the Tolls are hereby required to deliver gratis on Payment of the Toll.

Stage Coaches, &c. to pay each Time of passing.

XVIII. Provided always, and be it further enacted, That for and in respect of all Horses drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, for which Toll shall have been paid, and which shall return on the same Day through the same Turnpike or Toll Gate, the said Tolls hereby made payable shall be paid for repassing through each Toll Gate, in like Manner as if no Toll had been before paid thereat; and that the Toll hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing and repassing along the said Road on the same Day with a Ticket denoting a fresh Hiring.

Trustees restrained from pulling down Dwelling Houses without Consent of the Owners.

XIX. Provided also, and be it enacted, That the Powers and Authorities hereby given shall not in any Case be construed to extend to empower or authorize the said Trustees to take or pull down any Dwelling House or other Building, or to take in or make use of any Orchard, Garden, Yard, Park, Paddock, planted Walk or Avenue to a House, or any inclosed Ground planted and set apart as

a Nursery

a Nursery of Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof first had and obtained for that Purpose.

XX. And be it further enacted, That in all Cases where the said Trustees shall turn or alter any Part or Parts of the present Road, or make any new Road over and through any private Grounds, or shall take away any Fence for widening the said Road, the said Trustees shall make or cause to be made and planted proper Quickset Hedges and Fences on both Sides of such new-made Road, or on the Side upon which any such Fence may be so removed as aforesaid, with sufficient Ditches to the same, and a sufficient Post and Rail or other Fence to protect the Growth thereof, so as effectually to guard and fence off the Lands adjoining to the said Road; and also proper Gates, Bridges, and Arches, where necessary, out of the said Road into the said Lands adjoining; and shall keep such Fences so to be made in good Order and Repair for and during the Term of Seven Years from the Time that such Fences shall have been made or set up, unless the Owner or Proprietor for the Time being of any such Land or Ground shall agree with the Trustees to keep such Fences in Repair from any earlier Period.

Trustees to fence the Roads.

XXI. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace, in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty, or 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 Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices, from the Clerk to the said Trustees or their Treasurer, in pursuance of the Direction 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 this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that 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,

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress of the Goods of such Trustees or their Treasurer.

being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall receive in pursuance of the said last recited Act or this Act, all such Sums, Costs, Charges, and Expences as he shall pay or be put unto by virtue of any such Order as aforesaid.

Statute
Labour.

XXII. 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 the repairing and amending the said Road, shall be and remain liable thereto, in like Manner in every respect as they now are or have heretofore been; and it shall be lawful for Two or more Justices of the Peace in and for the said Counties of *Northampton* or *Bucks*, and they are hereby required and empowered, upon Application made to them by the Treasurer, Clerk, or Surveyor of the said Road, yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes, Hamlets, and Places in or through which the said Roads do or shall lie, lead, or pass, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, 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 their Treasurer or Treasurers; and in order thereunto, it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways, for every such Parish, Hamlet, or Place, to bring in a List before the said 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, Hamlet, 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 are or may be directed by any Law or Statute in force or effect for the Repairs of the Public Highways; and out of such List 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 do Statute Work in every Year upon the said Roads, 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 Parts of the said Roads, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Hamlets, and Places respectively, to pay over to the said Trustees or their Treasurer 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 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 to the said Trustees, shall for every Day of his, her, or their
Default,

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 now in force or effect for the Repairs of the Public 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 any Part of the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle and negligent as aforesaid; and in that case every such Person shall be subject and liable to the respective Forfeitures and Payments as 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 Roads; all which Forfeitures shall be paid to the Treasurer of the said Trustees, and applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and 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 Ten Pounds; 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 *Northampton* or *Bucks*, on Complaint made to such Justices by the Surveyor to the said Trustees.

XXIII. 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, with lawful Interest for any Money which any Person or Persons shall or may advance or pay for the Expences of obtaining and passing the same, from the Time of advancing such Money until the same shall be repaid; 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 or 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 Act passed in the Third Year of the Reign of His present Majesty.

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

[Local.]

15 Q

XXIV. And

Money to be
applied
towards a
Sinking
Fund,

XXIV. And be it further enacted, That from and after the passing of this Act, the Sum of One Pound *per Centum per Annum* on the Amount of all principal Monies due and secured on the Tolls of the said Roads, and on the Amount of every further Sum of Money which shall be borrowed or taken up at Interest on the Credit or Security of the Tolls of the said Roads, shall during the Continuance of this Act be appropriated and paid out of the said Tolls, in order to form a Sinking Fund for the gradual Payment of all and every the said Monies; and that after the Payment of any such principal Monies, the full Interest which would have been otherwise payable for or in respect of the same, to the Creditor or respective Creditors, shall from thenceforth, and during the Continuance of this Act, be appropriated and paid out of the said respective Tolls, in aid of the said Sinking Fund; and that as often as the said Sinking Fund shall amount to the Sum of One hundred Pounds, that Sum, and such Part of the Balance of any other Monies in the Hands of the Trustees as they shall think proper, shall be applied in Payment of an equal Amount of the principal Monies then remaining due or owing on the Credit or Security of the Tolls of the said Roads, rateable or by Lot, among the said Creditors, as the said Trustees shall think proper.

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 *Tuesday* Fortnight next after the passing thereof; 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 Session of Parliament.

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