



ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. lxxxix.

An Act for more effectually repairing and improving the Road from the Side Gate on the *Hinckley* and *Lutterworth* Turnpike Road in the Parish of *Burbage* in the County of *Leicester* to the *Leicester* Turnpike Road in or near to the Village of *Narborough* in the said County. [21st July 1835.]

WHEREAS an Act was passed in the Fifty-fourth Year of the Reign of His Majesty King George the Third, intituled *An Act for amending and widening the Road commencing at or near the Side Gate on the Hinckley and Lutterworth Turnpike Road in the Parish of Burbage in the County of Leicester to the Leicester Turnpike Road in or near to the Village of Narborough in the said County*: And whereas the Trustees acting under the said recited Act have proceeded to put the same into execution, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted, which Money still remains due and owing, with a large Arrear of Interest, and the same cannot be paid off; nor can the said Road be effectually amended, improved, and kept in repair, unless the Term of the said Act be further continued: And whereas it is expedient that the said recited Act should be repealed, and that further and more effectual Provisions should be granted instead thereof: May it therefore please Your Majesty that it may be enacted;

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Recited Act
repealed.

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 on the Second *Tuesday* next after the passing of this Act the said recited Act passed in the Fifty-fourth Year of the Reign of His said Majesty King *George* the Third shall be and the same is hereby declared to be repealed.

This Act to
be put in
execution in-
stead thereof.

II. And be it further enacted, That this Act shall from thenceforth commence and take effect and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of amending, improving, and keeping in repair the Road from the Side Gate on the *Hinckley* and *Lutterworth* Turnpike Road in the Parish of *Burbage* in the County of *Leicester* to the *Leicester* Turnpike Road in or near to the Village of *Narborough* in the said County.

Trustees
appointed.

III. And be it further enacted, That Sir *Arthur Grey Hazlerigg* Baronet, Sir *Edmund Cradock Hartopp* Baronet, Sir *Willoughby Wolstan Dixie* Baronet, Sir *Henry Halford* Baronet, *Robert Thomas Adnutt* Clerk, *Gerard Thomas Andrewes* Clerk, *James Allen*, *John Armiston*, the Venerable Archdeacon *Bonney*, *Thomas Babington*, *Matthew Babington*, *Thomas Gisborne Babington*, *Matthew Drake Babington* Clerk, *John Billson*, *Thomas Bray*, *Matthew Brown* Clerk, *Samuel Bonner*, *Gilbert Bridges*, *Thomas Burbidge*, *Thomas Bishop*, *James Brookes*, *Francis Breedon*, *Marston Buszard*, *Charles Berridge*, *George Beale*, *John Cooper* Clerk, *James Cooper*, *John Chamberlain*, *Joseph Cotman* Clerk, *William Cowdell*, *John Caldecott*, *Joshua Clarke*, *John Crafts*, *John Carver*, *Nathan Cooper*, *Thomas Edward Dicey*, *Jerome Dyke* Clerk, *James Ley Douglass*, *Charles Hay Frewen*, *John Frewen*, *Thomas Freer*, *John Fisher* Clerk, *John Fisher* the younger, Clerk, *Thomas Footman*, *John Garratt*, *William Gillson*, *Richard Gough*, *Joshua Grundy*, *John Goodacre*, *James Eyre Harington* Clerk, *William Edmund Hartopp*, *John Hill*, *Thomas Howcutt*, *Thomas Higginson*, *Samuel Heyrick* Clerk, *William Heyrick*, *Joshua Harrison*, *John Stockdale Hardy*, *John Hays*, *Henry Halford*, *Edward Bouchier Hartopp*, *James Hollier*, *William Hackett*, *William Howkins*, *George Hunt*, *Charles Jervis*, *Thomas Jarratt*, *Robert Henry Johnson* Clerk, *Robert Johnson*, *John King*, *George Anthony Legh Keck*, *John Lynes* Clerk, *George Mettam* Clerk, *Samuel Miles*, *Roger Miles*, *John Mansfield*, *Charles Meredith*, *Robert Martin* Clerk, *John Martin*, *Marvin*, *Robert Marston*, *Thomas Needham*, *William Nurse*, *Abraham Nurse*, *Thomas Noel* Clerk, *Charles Noel*, *Samuel Lambert Noble* Clerk, *Richard Norton*, *Thomas Oldacres*, *John Orton*, *James Powell* Clerk, *Benjamin Perkins*, *Joseph Pratt*, *Thomas Ayscough Rickards* Clerk, *Joseph Robinson*, *Charles Loraine Smith*, *Loraine Loraine Smith* Clerk, *Thomas Sansome*, *John Sankey* Clerk, *William Shaw* Clerk, *William Spencer*, *Joseph Smith*, *William Simpkin*, *William Swaine*, *William Sherrard*, *William Simons*, *Thomas Stevens*, *Thomas Frewen Turner*, *Henry Townsend*, *Thomas Vowe*, *Clement Winstanley*, *George Winstanley* Clerk, *Thomas Wartnaby* Clerk, *Jonathan Ward*, *Thomas Webster*, *John Wood*, *John Ward*, *Ralph Winterton*, *John George White Young*, and their Successors, being duly qualified to act as Trustees of Turnpike Roads

Roads in *England*, shall be and they are hereby appointed the Trustees for putting this Act into execution.

IV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time at any of their Meetings to appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads (not exceeding Three in the whole) to be Trustees for the Purposes of this Act; and such Persons so appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named and appointed.

Power to appoint additional Trustees.

V. And be it further enacted, That the said Trustees shall meet at the *Bull's Head Inn* in *Hinckley* in the County of *Leicester*, or at some other convenient House or Place in *Hinckley* aforesaid, on the Second *Tuesday* next after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, or as soon after that Time as conveniently may be, for the Purpose of carrying this Act into execution, notwithstanding any Adjournment may then have been made by the said Trustees under or by virtue of the said recited Act hereby repealed, and shall and may adjourn themselves from Time to Time, and meet at the above Inn, or at such other Place on or near the said Road as they may think proper; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Trustees to act, the Meeting shall be adjourned, and Two Trustees shall be sufficient for the Purpose of Adjournment only; and in case the said Trustees or any of them shall not attend, or shall omit to adjourn, then the Clerk to the said Trustees shall adjourn the said Meeting, and appoint the said Trustees to meet at the Place where such last Meeting was appointed to be held, and shall cause Notice thereof to be affixed on the several Turnpike Gates on the said Road at least Ten Days before such Meeting.

First Meeting of the Trustees.

VI. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors, Lessee or Lessees of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money herein-after mentioned at each and every Toll Gate or Toll Bar or Place which now is or hereafter shall be standing or being in or upon the said Road 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, Stage Coach, Diligence, Landau, Chariot, Barouche, Phaeton, Curricle, Chair, Gig, Whiskey, Caravan, Hearse, Litter, Break, Chaise, Taxed Cart, or other Carriage of the like Description, by whatsoever other Name called or known, not exceeding the Sum of Sixpence:

Tolls.

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, having the Fellies of the Wheels thereof of less Breadth than Four and a Half Inches at the Bottom or Soles thereof, not exceeding the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, having the Fellies of the Wheels thereof

thereof of the Breadth of Four and a Half Inches and less than Six Inches at the Bottom or Soles thereof, not exceeding the Sum of Five-pence :

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, not exceeding the Sum of Four-pence :

For every Dog drawing any Cart, Truck, or other Carriage, not exceeding the Sum of Two-pence :

For every Four-wheeled Carriage fixed in any Manner to any Waggon, Wain, Drug, Cart, or other Carriage, not exceeding the Sum of Nine-pence :

For every Two-wheeled Carriage so fixed, not exceeding the Sum of Sixpence :

For every Dray or Drug so constructed as that the Distance between the Axletrees thereof measured at their Ends shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber, Stone, or Iron, not exceeding the Sum of One Shilling and Sixpence over and above the Toll or Duty for the Horses drawing the same :

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

For every Drove of Oxen and all Kinds of Neat Cattle, not exceeding the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number :

For every Drove of Swine, Sheep, or Lambs, not exceeding the Sum of Sixpence *per* Score, and so in proportion for any less Number :

And for every Carriage, Machine, or Caravan, of whatever Description, not drawn by any Horse or other Beast of Draught, but propelled or moved by Steam, Gas, or Machinery, not exceeding the Sum of Two Shillings and Sixpence :

Tolls vested in the Trustees.

Which said respective Tolls or Sums of Money shall or may be demanded and taken as aforesaid before any Horse, Beast, Carriage, or Thing whatsoever upon which any Toll is by this Act imposed shall be permitted to pass through or by any such Toll Gate or Toll Bar or Place ; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

One Third of the Tolls only to be taken on a certain Part of Road.

VII. Provided always, and be it further enacted, That from and after the Commencement of this Act not more than One Third of the said respective Tolls shall be taken for passing solely on such Part of the said Road as lies between the following Points, (that is to say,) the *Hinckley* End of the said Road and its Point of Junction with the first Lane therefrom leading to the Village of *Aston Flamville*.

No Toll to be taken for passing from Huncote to Narborough.

VIII. Provided also, and be it further enacted, That from and after the Commencement of this Act no Toll shall be taken for passing solely upon such Part of the said Road as lies between the following Points, (that is to say,) the Point of Junction with the Lane leading from *Huncote* to *Narborough* and the said *Leicester* Turnpike Road.

IX. Pro

IX. Provided also, and be it further enacted, That if in any Case the Tolls payable under or by virtue of this Act shall be or comprise the fractional Part of a Farthing, then the whole of such Farthing shall be paid.

Fraction of a Farthing in Tolls.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees, or any Person authorized by the said Trustees to be Collector of the said Tolls, to demand or take more than Two full Tolls in any One Day (such Day to be computed as aforesaid) for or in respect of the same Horses, Beasts, Cattle, Carriage, or other Thing passing or repassing along the said Road, except as herein-after provided.

Limiting the Tolls.

XI. Provided also, and be it further enacted, That in case any of the said Tolls shall have been paid at any Toll Gate or Toll Bar or Place for or in respect of any Horse, Beast, Cattle, or Carriage, then and in such Case no Toll shall be demanded or taken for or in respect of the same Horse, Beast, Cattle, or Carriage on the same Day (to be computed as aforesaid) at any Place within the Distance of Five Miles of the Place at which such Tolls shall have been paid.

No Toll to be paid within Five Miles of the Gate at which Toll shall have been paid.

XII. Provided always, and be it further enacted, That if any Person shall have paid the Tolls hereby respectively authorized to be taken for the passing of any Horse, Cattle, Beast, or Carriage through or by any of the Toll Gates or Toll Bars or Places on the said Road, such Horse, Cattle, Beast, or Carriage (except Horses or other Beasts drawing any Stage Coach, Caravan, or any Post Chaise or other such Carriage travelling for Hire as herein-after mentioned,) shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free during the same Day (to be computed as aforesaid) through or by the same Toll Gate or Toll Bar or Place, and also through or by such other Toll Gates or Toll Bars or Places as the Ticket for such Payment shall denote to be free.

Tolls to be paid but once a Day.

XIII. And be it further enacted, That the Tolls hereby made payable for or in respect of all Horses or other Beasts drawing any Stage Coach, Diligence, Waggon, Caravan, Cart, Van, or other Carriage conveying Passengers or Goods for Hire or Reward, or every Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage propelled or moved by Machinery, carrying or conveying Passengers or Goods for Hire or Reward, shall, unless the said Trustees shall otherwise direct, be paid every Time of passing or repassing through any of the said Gates, Bars, or Places: Provided nevertheless, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Waggon, Caravan, Cart, Van, or other Carriage on account only of the Horses or Beasts drawing the same having been changed.

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

XIV. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses drawing any Post Chaise or other Carriage, or in respect of any Carriage propelled or moved by Steam, Gas, or Machinery, which shall be let out to Hire, shall be payable

Horses drawing Post Chaises, &c. to be subject to full Toll

[Local.]

and

on every new Hiring.

Horses drawing different Carriages to pay each Time of passing.

One-horse Carts may be weighed.

General Exemptions for Lime.

Application of Money.

and paid every Time of passing along the said Road whenever any new Hiring thereof shall take place.

XV. And be it further enacted, That in case the Tolls authorized by this Act to be taken shall have been paid for the passing of any Horse or Horses, or other Beast or Beasts, drawing any Waggon, Wain, Cart, or other such Carriage, for passing through or by any Toll Gate or Toll Bar or Place on the said Road, and any such Horse or other Beast shall afterwards be employed on the same Road during the same Day (such Day to be computed as aforesaid) in drawing a different Waggon, Wain, Cart, or other such Carriage from that which such Horse or other Beast was employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall be again liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

XVI. And whereas it frequently happens that Carts drawn by One Horse passing along the said Road carry a greater Weight than is by Law allowed for Carts drawn by Two or more Horses; be it therefore enacted, That all Carts passing along the said Road drawn by One Horse only shall and may be weighed at any Weighing Machine now erected or to be erected on the said Road, and the like additional Tolls demanded and received for the Overweight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses or Beasts; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Carts drawn by more than One Horse or Beast shall be applicable to Carts passing on the said Road drawn by One Horse or Beast only, and to the Drivers, Masters, and Owners thereof.

XVII. Provided always, and be it further enacted, That no Toll shall be demanded or taken upon the said Road between the First Day of *April* and the First Day of *November* for any Horse or other Beast drawing any Waggon, Cart, or other Carriage employed in carrying or conveying or going to fetch any Lime to be used or employed in Husbandry only, or returning empty after having been so used or employed.

XVIII. And be it further enacted, That all Monies raised or produced by virtue of the said Act hereby repealed which shall be undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise or be collected under or by virtue of this Act (save such only as may be raised by way of Loan), shall be applied and disposed of by the said Trustees in manner following; (that is to say,) in the first place, in payment of the Costs, Charges, and Expences incurred in or about the applying for or obtaining this Act, and then in defraying the necessary Expences for Books, Advertisements, Salaries of Officers, the erecting and keeping in repair the Toll Houses, Gates, and Buildings, and any other Expences incident to the Execution of this Act; and after Payment thereof the Surplus shall from Time to Time be divided into Two equal Parts, and one of such Parts shall be applicable towards discharging the Interest due or to become due upon the Mortgages or other Securities

Securities made or granted under the said Act hereby repealed, or which at any Time hereafter may be made or granted by the said Trustees, or in reducing or discharging the Principal Sum or Sums due on such Mortgages or Securities, and the other Part of such Surplus Monies shall be applied in or towards repairing or improving the said Road: Provided nevertheless, that nothing herein contained shall extend to or in any way prejudice or affect the Power or Right of any Mortgagee or other Creditor to take possession of any Toll Gate or other Hereditament, or to enter into receipt of the said Tolls.

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XIX. And whereas divers Sums of Money have from Time to Time been borrowed upon Security of the Tolls arising by virtue of the said Act hereby repealed, which Money has been applied pursuant to the Provisions of the said Act, and One or more Mortgages, or Instruments, purporting so to be, has or have been made or executed by the Trustees under the said repealed Act for securing the Monies so borrowed, and such last-mentioned Trustees have paid divers Sums on account of the Monies so borrowed or the Interest due in respect thereof, but no Copy of any such Mortgage or other Instrument hath been entered in a Book or Books kept for that Purpose by the Clerk or Treasurer according to the Provisions of the said repealed Act, nor does it appear in the Books kept under such repealed Act whether or not the Provisions of such Act in relation to Loans and Mortgages were in other respects duly observed; and inasmuch as it would be unjust, by reason of any Neglect or Default of such last-mentioned Trustees or their Officers, to deprive any Person to whom Monies may be due in respect or on account of such Loans of his just and equitable Right; be it therefore enacted, That in all Cases where it shall appear by the Books kept by the Clerk or Treasurer under the said repealed Act, or by any satisfactory Evidence adduced at any Meeting of the Trustees under this Act, that any Person or Persons is or are a Creditor or Creditors on Security of the Tolls, or under any Deed or Instrument executed by the Trustees under the said repealed Act, purporting to be a Security of the Tolls arising thereunder, it shall be lawful for the said Trustees, or any Seven or more of them, at the Expence of the Person or Persons applying for the same, to demise and mortgage the Tolls arising under or by virtue of this Act, or any Part or Parts thereof, and the Turnpikes and Toll Houses for collecting the same, for the Sum or Sums mentioned in such original Mortgage or other Instrument, or so much thereof as to such Trustees shall be made to appear to be justly due and owing, and the Interest (if any) then due in respect thereof (but so nevertheless that such Interest shall not be converted into Principal Money, and the bare Production of any such unentered or informal Mortgage or Instrument as aforesaid shall not preclude the said Trustees from requiring Proof as to the Time or Times when the Sum or Sums mentioned therein was or were advanced); and every such Mortgage shall be effectual and conclusive for the Purposes thereby intended: Provided nevertheless, that no Claim or Account of any such Creditor or Creditors shall be allowed or in any way proceeded in or investigated, nor shall any such Demise or Mortgage be made or executed, except at a Meeting whereof Notice has been given by Advertisement in some Newspaper circulated in the Neighbourhood of such Road; in which

For re-
medying
Defects in
existing
Mortgages.

Notice

Notice shall be expressed the Time, Place, and Purpose of such Meeting, such Time not being less than Fourteen Days after Publication of the said Notice, and which Notice shall be signed by the Clerk or Clerks for the Time being of the said Trustees or any Three of such Trustees.

Tolls not to be laid out in repairing the Streets of any Town.

XX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to apply any of the Tolls authorized by this Act to be taken, nor any of the Monies raised by virtue of the said recited Act or to be raised by virtue of this Act, in or towards the repairing or improving of any Street, Highway, or Place within any of the Towns through which the said Road shall pass.

No Person to exercise Three Horses at once, having One on each Side of him.

XXI. And be it further enacted, That if any Person shall exercise Three or more Horses at the same Time upon any Part of the said Road, riding one of the said Horses, and shall not lead or keep the others on one and the same Side of the Horse on which he shall ride, he shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Penalty for hanging out Clothes, &c.

XXII. And be it further enacted, That if any Person or Persons shall hang or place out, or cause to be hung or placed out, any Linen or other Clothes on any Line, Bank, Rail, or Fence adjoining the said Road, or shall place or cause to be placed any Hook or Hooks, or other Thing or Things, so as to project into the said Road, or be an Annoyance to any Person or Cattle passing thereon, or prevent the free and safe Use of the whole Breadth of the said Road, every Person offending in any of the Cases aforesaid shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence.

Entrance to Fields, &c. to be made with hard Materials.

XXIII. And be it further enacted, That in all Places throughout the said Road directed to be repaired, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Building, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made by or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Buildings, so that such Road may not be injured by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to keep the same respectively in proper Order, for the Space of One Calendar Month after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual or last known Place of Residence, by the Surveyor to the said Trustees, or other Person appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees or their Surveyor, or any other Persons acting by or under their or his Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively (as the Case may be), and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier (as the Case may be); and in case of Nonpayment of such Expences within Fourteen Days next

after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace of the County or Place where such Road shall be situate, which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant on Proof made before him or them on Oath of such Expence having been incurred, and of such Notice having been given as aforesaid; and the Overplus (if any) shall be returned, on Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XXIV. And be it further enacted, That in case any Lands shall, in pursuance of this Act and of the said Acts for regulating the Turnpike Roads in *England*, or any of them, be purchased by the said Trustees for the Purposes of this Act, the Freehold and Inheritance of and in the Lands so purchased shall not (notwithstanding any Provisions in the said Acts or any of them to the contrary), by means of any such Purchase, or any Conveyance made in pursuance thereof, be vested in the said Trustees, but that the Freehold and Inheritance of and in the Lands so purchased shall, notwithstanding such Purchase and Conveyance, remain and be vested in the Person or Persons in whom the same were vested immediately prior to such Purchase by the said Trustees; and the said Trustees shall, by means of such Purchase and Conveyance or either of them, be entitled to a perpetual Right of Way in or upon the Lands purchased by them in pursuance of this Act and the said Acts, or any of them.

The Freehold and Inheritance of Lands to remain and be vested in the Persons of whom they are purchased.

XXV. Provided also, and be it further enacted, That if at any Time any Land purchased by the said Trustees for the Purposes of the Roads mentioned in this Act or any of them shall not be wanted for the same, then and in such Case the Right of Way in or upon the said Lands vested in the said Trustees shall cease, determine, and be extinguished, and the Freehold and Inheritance of the said Lands shall be and remain in the Person or Persons then entitled to the same, freed and discharged of and from such Right of Way.

The Right of Way to cease when Lands are not wanted

XXVI. Provided also, and be it further enacted, That the said Trustees shall have such and the same Power and Authority of cutting and digging the Lands and Hereditaments taken by them for the Purposes of this Act, as fully and effectually to all Intents and Purposes as the said Trustees would have had in case they had purchased the Fee Simple of the said Lands and Hereditaments under and by virtue of the Powers contained in any of the Acts now in force for regulating Turnpike Roads in *England*; any thing herein contained to the contrary in anywise notwithstanding.

The Trustees to have the same Power of cutting the Lands taken by them as if they had purchased the Fee Simple.

XXVII. 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.

Public Act.

[Local.]

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XXVIII. And

Term of Act. XXVIII. And be it further enacted, That this Act shall commence and take effect upon the second *Tuesday* next after the passing thereof, and shall from thenceforth continue and be in full Force and Effect for and during the Term of Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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