ANNO QUARTO

GEORGII IV. REGIS.

Cap. viii.

An Act for repairing and amending the Road from the City of *Peterborough* through *Oundle* and *Thrapston* to *Wellingborough* in the County of *Northampton*, and several other Roads near or adjoining thereto. [26th *March* 1823.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing and widening the Road from the City of* Peterborough *through* Oundle *and* Thrapston *to* Wellingborough *in the County of* Northampton: 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 of Parliament of the Twenty-seventh Year of the Reign of His late Majesty King* George *the Second, for repairing and widening the Road from the City of* Peterborough *through* Oundle *and* Thrapston *to* Wellingborough *in the County of* Northampton, *and for repairing and widening several other Roads near or adjoining thereto:* And whereas another Act was passed in the Forty-first Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for continuing for Twenty-one Years and from thence to the End of the then next Session of Parliament the Term and altering and enlarging the Powers of Two Acts passed in the Twenty-seventh Year of the Reign of His late Majesty King* George *the Second, and the Thirteenth Year of the Reign of His present Majesty, for repairing and widening the Road from the City of* Peterborough *through* Oundle *and* Thrapston *to* Welling-borough

27 G. 2. c. 23.

13 G. 3. c. 91.

41 G. 3. c. 14.

borough *in the County of* Northampton, *and for repairing and widening several other Roads near or adjoining thereto:* 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 Roads, and which Money still remains due and owing, and the said Roads cannot be effectually amended and kept in Repair nor can the Money so borrowed be repaid unless the Terms and Powers of the said Acts be 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 several Acts passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second and the Thirteenth and Forty-first 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 Roads: 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 and Forty-first Years of the Reign of His late Majesty King *George* the Third, shall on the Third *Monday* 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 several Roads herein-after mentioned; (that is to say), the Road leading from the City of *Peterborough* through *Oundle* and *Thrapston* to *Wellingborough* in the County of *Northampton*, which is called the *General Branch*, the Road leading from the North End of the Town of *Elton* in the County of *Huntingdon* to the Great North Road near the Toll Gate at or near the South End of *Wansford* Bridge in the said County of *Huntingdon*, which is called the *Elton Branch*, and also the Road leading from a certain Place in the Parish of *Lilford-cum-Wigsthorpe* in the said County of *Northampton* (where a Road called *The London Way* leading from *Lilford* Bridge to *Clapton* in the said County of *Northampton* crosses the Road leading from *Oundle* to *Thrapston* aforesaid) to the Turnpike Road leading from *Thrapston* aforesaid to *Brampton* Pound in the said County of *Huntingdon*, between the Ninth and Tenth Mile Stones, which is called the *Clapton Branch*; 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 Roads, 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 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.

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,

3 G. 4. to extend to this Act.

medies, 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 *Northampton* and *Huntingdon* respectively, and also *Henry Allington* Clerk, Sir *Thomas Hussey Apreece* Baronet, the Right Honourable *Charles Arbuthnot*, *John Austin*, *Thomas Bates*, *Batley* Clerk, *Thomas Belsey*, *Charles Paul Berkeley*, *Rowland Berkeley*, *Henry Kay Bonney* Clerk, *William Bradshaw*, *John Braithwaite*, *John Bringhurst* Clerk, *John Brown*, *Thomas Brown*, the Honourable *James Brudenell* commonly called Lord *Brudenell*, the Right Honourable *John Fane* commonly called Lord *Burghersh*, *Thomas Burton*, *John Campion* Doctor of Medicine, *Edward Carr*, the Honourable *George Cavendish* commonly called Lord *George Cavendish*, the Honourable *Frederick Cavendish* commonly called Lord *Frederick Cavendish*, *John Chambers*, *Joseph Chapman*, *Thomas Compton*, *Edward Henry Josiah Compton*, *Thomas Alderson Cooke*, *Thomas Cooper*, *Henry Crofts*, *Henry Crofts* the younger, *Thomas Eaton Champion De Crespigny* Clerk, *Francis Dickens*, *Francis George Dickens*, Sir *John English Dolben* Baronet, *Stephen Eaton*, *Robert Edmonds*, *George Eland*, the Honourable *Henry Sanders Fane*, the Honourable *Geargе Augustus Frederick John Fane*, *Philip Fisher* Doctor of Divinity, *Claudius Williams Fonnereau* Clerk, *William Fox*, *Henry Freeman* Clerk, *Henry Freeman* the younger, the Honourable *George Germain*, the Honourable *George Gordon* Clerk, *Thomas Baggerley Greene*, *John Greene*, *William Hailey*, *William Hanbury*, *Robert Hawkins*, *John Hewson*, *Septimus Hodson* Clerk, *Charles Havey Hodson*, *Edward Holditch*, *William Landen Hopkinson* Doctor of Medicine, *Thomas Welch Hunt*, Sir *Justinian Isham* Baronet, *Charles Euseby Isham* Clerk, *Samuel Isted*, *John James* Clerk, *William Johnson*, *Matthew Easton Jones*, *Buxton Kenrick*, *Adam Knibb*, *Randolph Richard Knipe* Clerk, *Henry Leete*, *Robert Linton* Clerk, *George Lynn*, *John Males*, *Joseph Charles Martin*, *William Mather*, *Lockwood Maydwell* Clerk, *John Miller* Clerk, the Honourable *Charles William Wentworth* commonly called Lord Viscount *Milton*, the Honourable *John Monkton*, *John Mould*, *John Mulso* Clerk, *Lancelot Newton*, *Stafford O'Brien*, *Donatus O'Brien*, *Henry Hoyle Oddie*, *Henry Hoyle Oddie* the younger, *James Ord* Clerk, Sir *John Henry Palmer* Baronet, *Rogers Parker*, *Littleton Powys* Clerk, the Honourable *Littleton Powys* Clerk, the Honourable *Frederick Powys* Clerk, the Honourable *Thomas Atherton Powys*, the Honourable *Robert Vernon Powys*, the Honourable *Horatio Powys*, the Honourable *Atherton Legh Powys*, the Honourable *Henry Littleton Powys*, the Honourable *Charles Powys*, the Honourable *John Proby* commonly called Lord *Proby*, the Honourable *Granville Leveson Proby*, *Elmer Pywell*, *Robert Roberts* Doctor of Divinity, *Samuel Roberts*, *William John Roberts*, Sir *George Robinson* Baronet, *William Villiers Robinson* Clerk, *Henry Rolls* Clerk, *James Rickett*, *Joseph Rickett*, *Jesse Watts Russell*, *Jesse David Watts Russell*, *Thomas Sanderson* Clerk, *William Sanderson*, *John Selby*, *John Jackson Serecold* Clerk, *Samuel Sharman*, *Robert Sherard*, *Fenwick Skrimshire* Doctor of Medicine, *John Smith*, *Thomas Smith*, *John Southwell*, *William Squire*, *William Walcot Squire*, *Charles James Stevens* Doctor of Divinity, *Anthony Mervin Storey*, the Honourable *Charles Gordon* commonly called Lord *Strathaven*, *Francis Tennant* Clerk, *John Tenney*, *Thomas*

Thomas Thompson Clerk, *William Watson Tookey*, *John Barber Tuck*, *James Tyley* Clerk, *Henry Morgan Vane* Clerk, the Honourable *Vernon* Clerk, *William Walcot*, *Henry Walker* Clerk, *John Webster*, *George Webster*, *Daniel Webster* of *Deene*, *Daniel Webster* of *Oundle*, *Palmer Whalley*, *Charles Apthorpe Wheelwright* Clerk, *William Whitworth*, *Ralph Willson*, *William Wing* Clerk, *William Wing* the younger, Clerk, *John Lawrence Wright*, *Daniel Yorke*, *William Yorke*, *John Yorke* of *Thrapston*, *John Yorke* of *Liveden*, *James Yorke*, *Charles Frederick Yorke*, *Allen Edward Young*, and their Successors, shall be and they are hereby appointed Trustees for repairing, widening, altering, improving, and keeping in Repair the said Roads, and for otherwise putting this Act into Execution.

Trustees to take an Oath.

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.']

Power to appoint Ten 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 the Directions of the said recited Act passed in the Third Year of the Reign of His present Majesty, to elect, nominate, and appoint any Number of fit and proper Persons not exceeding Ten to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated and appointed.

For appointing Officers.

VI. And be it further enacted, That the said Trustees assembled at their First or any subsequent Meeting 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 other 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.

VII. Pro-

Present Officers to continue until new ones elected.

VII. Provided always, and be it further enacted, That each and every Clerk, Receiver, 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 Roads hereby directed to be repaired and maintained, shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, 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.

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

VIII. 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 passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Second, and the Thirteenth and Forty-first Years of the Reign of His 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 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 or 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 Proceedings shall be had shall be paid and defrayed by and out of the Monies to be raised 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.

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

IX. 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 respec-

respectively would have been in case the said recited Acts had remained unrepealed.

Power to continue and erect Toll Gates.

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 Roads or on the Sides thereof, 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, in, or across the said Roads 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 Conveniencies 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 an 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 and 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 Roads 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.

Power to sell the present Toll Houses.

XII. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of the Materials of any of the Toll House or Toll Houses and Outbuildings erected upon the said Road by virtue of the said Acts hereby repealed, or hereafter to be erected by virtue of this Act, 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 Sale, at or for such Price or Prices as they the said Trustees can obtain for the same: Provided always, that such Preference of purchasing shall be given to the Person or Persons whose Land may adjoin any such Toll Houses 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 or disposed of.

Power to take Tolls.

XIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person or Persons to be appointed Collector or Collectors by

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 Roads or on the Sides thereof, or on the Side of any Street, Road, or Way leading into or out of any Part of the said Roads 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),

Tolls.

For every Horse drawing any Coach, Berlin, Landau, Chariot, Calash, Chaise, Chair, Van, Caravan, Hearse, or Litter, the Sum of Sixpence:

For every Horse, Mule, or Ass drawing any Waggon, Wain, Cart, or such other like Carriage, having the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Four-pence:

For every loaded Cart or other Carriage fixed or fastened to any Stage, Waggon, or other Carriage, the Sum of One Shilling; and if empty or unloaded, the Sum of Sixpence:

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

For every Drove of Oxen or other Neat Cattle, the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for any greater or less Number.

Tolls to be paid before Cattle pass the Gate.

And the said respective Tolls shall, subject to the Restrictions and Exemptions 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 Roads by virtue of this Act, or in or upon or across any Lane, Street, or Byeway leading into the same.

Limiting the Number of Tolls.

XIV. Provided always, and be it further enacted, That no more than Two full Tolls on the Line of Road from *Peterborough* to *Oundle*, One full Toll from *Oundle* to *Thrapston*, and One full Toll from *Cranford* Way Post to *Wellingborough*, and no more than One full Toll on each of the said Branches called the *Elton* and *Clapton* Branches, shall be demanded and taken of or from any Person or Persons for or in respect of the same Horse or Horses, or other Beast or Cattle, or Carriage or Carriages as aforesaid in any one Day, such 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 Roads.

Stage Coaches and Post Chaises.

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

XVI. And

Exemptions for the Inhabitants of Ashton;

XVI. And whereas the Inhabitants of the Hamlet of *Ashton* in the Parish of *Oundle* have at their own Expence repaired Part of the Road directed to be amended and kept in Repair by the said recited Acts, to wit, that Part of the Turnpike Road lying within the said Hamlet, and the Inhabitants of the said Hamlet have undertaken to keep such Part of the said Road in good and sufficient Repair, be it further enacted by the Authority aforesaid, That so long as the Inhabitants of the said Hamlet shall at their own Costs and Charges support, amend, and keep such Part of the said Road in good and sufficient Repair, in the Opinion and Judgment of the said Trustees, such Inhabitants shall, during such Time and Times only, and no longer, be and are hereby exempted from Payment of any Toll or Tolls whatsoever at the Toll Gate now standing at the East End of *Oundle North Bridge*, in going to and from *Ashton* and *Oundle* aforesaid, and not elsewhere.

and for certain other Persons.

XVII. Provided always, and be it further enacted, That no Toll shall be demanded or taken of any Owner or Occupier, or the Agent, Bailiff, or Servant of any Owner or Occupier of any Farm or Lands in any Parish or Place contiguous to any or either of the said Toll Bars going to the Farms of such Owner or Occupier only to view the same, or returning therefrom, not going or travelling out of the Parish or Place where such Farms or Lands are situated.

Application of the Tolls, and Money to be borrowed.

XVIII. 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 Roads; 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 Roads, 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.

Trustees to fence the Roads.

XIX. And be it further enacted, That in all Cases where the said Trustees shall turn or alter any Part or Parts of the present Roads, or make any new Road over and through any private Grounds, or shall take away any Fence for widening the said Roads, 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 Roads, and also proper Gates, Bridges and

Arches

Arches where necessary, out of the said Roads 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 Three 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.

As to present Leases of Tolls.

XX. And be it further enacted, That all Demises or Leases of Tolls arising on the said Roads 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 such Leases respectively, and for the Performance of the Covenants and Agreements in such Leases contained on the respective Lessee's Part, shall respectively continue in force until the 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.

Difference in vacating Leases how to be settled.

XXI. 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 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*.

Directing how Costs and Damages are to be recovered.

XXII. 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 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.

XXIII. 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 Roads 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 *Northampton* and *Huntingdon* 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 Roads by the Inhabitants of the respective Parishes, Townships, Tithings, Hamlets, Districts, Divisions, or Places in which the said Roads lie, 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 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 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 Part or Parts of the said Roads 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, at 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 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 Roads, 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 the said Roads; 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 Roads lie, 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 Roads; 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* and *Huntingdon*,

Huntingdon, or either of them, on Complaint made to such Justices by the Surveyor of the said Trustees.

Public Act.

XXIV. 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.

Commencement and Continuance of this Act.

XXV. And be it further enacted, That this Act shall commence on the Third *Monday* 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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