ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. lxvii.

An Act for more effectually repairing, widening, and otherwise improving the Road from the South-east End of the Town of *Loughborough* in the County of *Leicester*, commencing at *South Field Lane*, to the South End of *Cavendish Bridge* in the same County. [22d *April* 1831.]

WHEREAS an Act was passed in the Eighth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road* 7 & 8 G. 4.
from the South-east End of the Town of Loughborough *in the* c. 74.
County of Leicester, *commencing at* South Field Lane, *to the South End of* Cavendish Bridge *in the same County:* And whereas the Trustees for executing the said recited Act have proceeded to put the same into execution, and have made Progress in repairing, widening, and otherwise improving the Road thereby directed to be repaired and improved, and have borrowed Money on the Credit of the Tolls thereby authorized to be taken, which Money still remains due: And whereas it would be of great public Utility if Power were given to make, widen, straighten, and improve the said Road in the Town of *Loughborough* and in the Village of *Kegworth* in the said County of *Leicester:* And whereas, in consequence of the dangerous Steepness of the Hill at *Kegworth* aforesaid, called *Packington Hill,*

and the Sharpness of the Angles connected therewith, it would be of great public Benefit and Utility to avoid the same by making a new Line of Road to lead out of the said Village of *Kegworth*, opposite to the *Flying Horse* Public House, in a north-westwardly Direction, towards a certain Lane there called the *Side Lees Lane*: And whereas it is expedient that a certain Part of the said Road in the Village of *Kegworth* aforesaid, from the *Flying Horse* Public House in the same Village to a Place there called the *Side Lees Lane*, should no longer be a Turnpike Road, and that the Trustees should be discharged from the Care and Management thereof; but the beneficial Purposes aforesaid cannot be effected without the Aid and 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 Act passed in the Eighth Year of the Reign of His said late Majesty, and all and every the Powers, Provisions, Directions, Penalties, Forfeitures, Clauses, Matters, and Things therein contained, shall be and are hereby declared to remain in force and be exercised and executed, for and during the Term therein mentioned, as fully and effectually to all Intents and Purposes as if the same were herein particularly repeated and re-enacted; but subject nevertheless to the Alterations, Additions, and Amendments in this Act contained.

Powers of recited Act to remain in force, except as herein altered.

This Act to take effect for the Purposes herein mentioned.

II. And be it further enacted, That this Act shall commence and take effect and shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, altering, diverting, and otherwise improving a certain Part of the said Road in the Town of *Loughborough* aforesaid, by widening and straightening the same in or near the Market Place in *Loughborough* aforesaid, on the northwardly Side thereof, by taking down and passing over Part of the Dwelling Houses, Shops, and Premises in the several Occupations of *John Adderley* and *Edward Lacey*, and by widening and straightening a certain other Part of the same Road, opposite or near to the Churchyard in the Village of *Kegworth* aforesaid, and on the south-westwardly and westwardly Sides thereof, and passing through the several Cottages or Tenements, Shops, Stables, Lands, and Premises, in the several Occupations of *Betsey Crane*, *Thomas Whyman*, *Stephen Clarke*, *John Tarratt*, *Timothy Kerry*, *William Hunt*, *Sarah Howe*, *Nathaniel Graves*, and *Charles Crane*, and by making a new Line of Road to lead out of the same Village of *Kegworth*, opposite to the *Flying Horse* Public House, in a north-westwardly Direction, through several Kitchens, Barns, or other Buildings, and over several Stack Yards, Closes, and Parcels of Land and Premises, in the several Occupations of *Catherine Hall*, *Samuel Barrow*, *Richard Sutton*, *John Clifford*, and *Thomas Osborne*, into the said Turnpike Road near a certain Lane there called the *Side Lees Lane*.

Old Road to continue until new one completed.

III. Provided always, and be it further enacted, That until the new Line of Road hereby directed to be made Turnpike shall be made fit for the Passage of Cattle, Carts, and Carriages, and shall be

so certified by any Two of His Majesty's Justices of the Peace acting for the County of *Leicester*, it shall be lawful for the said Trustees to continue, maintain, and make use of the present Course of the said Road opposite the said Public House in *Kegworth* aforesaid, called the *Flying Horse* Public House, to the said Lane called *Side Lees Lane*; and the Trustees for executing the said recited Act and this Act shall be discharged from the Care and Management of such old Line of Road when the new Line is completed and certified so to be as aforesaid.

Meetings of the Trustees.

IV. And be it further enacted, That the said Trustees shall meet at the *Plough* Inn, or at some other convenient House or Place in *Loughborough* aforesaid, on the Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Three and Seven of the Clock in the Afternoon, and shall then and there proceed to put the said recited Act and this Act into execution, and shall and may from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Road, as they shall think proper.

Application of the Tolls.

V. And be it further enacted, That all the Monies which before the Day of the Commencement of this Act shall have been raised and produced by virtue of the said recited Act, and which shall be remaining unappropriated or undisposed of, and also all the Monies which shall hereafter arise and be produced under or by virtue of the said recited Act and this Act, and not otherwise appropriated or directed to be applied, shall be applied to and for the several Uses, Intents, and Purposes, and in manner following; (that is to say,) in the first place, in Payment of all Costs, Charges, and Expences which have been incurred in or about applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto; secondly, in paying and discharging the Interest which shall from Time to Time be due to any Mortgagee or Mortgagees of the Tolls payable on the said Road; thirdly, in defraying the Expences of amending, widening, diverting, improving, repairing, and preserving the Road by the said recited Act and this Act directed to be amended, widened, diverted, improved, repaired, and preserved, and of making and completing and also of repairing the new Road hereby directed to be made, and for other the Purposes of the said recited Act and this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which shall have been borrowed or secured by virtue of the said recited Act, and also the several Principal Sums of Money which may be hereafter borrowed and secured by virtue of the said recited Act or this Act, and to or for no other Use or Purpose whatsoever.

Money received by virtue of this Act not to be laid out in repair of Streets.

VI. And be it further enacted, That no Part of the Money received by virtue of the said recited Act or of this Act shall (other than for the Improvements by this Act authorized to be made in the said Town of *Loughborough* and Village of *Kegworth*) be laid out in the Repair of any of the Streets or Pavements of the said Town of *Loughborough*, or any other Town, Village, or Place through which the said Road may pass, any thing herein contained to the contrary notwith-

notwithstanding: Provided always, that when the Improvements by this Act directed to be made within the said Town of *Loughborough* and Village of *Kegworth* shall be completed, no further Sum of Money shall be laid out by the said Trustees in repairing and amending the said Road so directed to be widened and straightened in the said Town of *Loughborough* and Village of *Kegworth*.

Power to make the new Lines of Road.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete the said new Line of Road hereinbefore respectively described, in such Manner and Form and of such Width as the said Trustees may think proper, not exceeding the Width of Forty-five Feet; and from and after the making and Execution thereof, the same shall respectively be and be deemed to be a public Highway or Highways to all Intents and Purposes, and shall be deemed and taken to be a Part and Parts of the Road hereinbefore mentioned and described; and for which Purposes, as well as for the Purpose of widening the existing Road, the said Trustees are hereby authorized and empowered to make the same in, upon, over, or along any Lands, Grounds, Tenements, or Hereditaments described in the Map or Plan, Maps or Plans, and Book or Books of Reference herein-after mentioned, together with such Footpaths, Causeways, Bridges, Arches, Culverts, Ditches, Drains, and Fences as they shall think necessary or expedient, and to take down or remove and take and use any Dwelling Houses, Outhouses, Edifices, Buildings, Curtilages, Courts, Yards, Gardens, Orchards, Paddocks, Stack Yards, Lawns, Shrubberies, planted Walks, or Avenues to any House, Nurseries, or any inclosed Ground planted and set apart as a Nursery for Trees, or other Hereditaments mentioned and set forth in the Schedule to this Act annexed, upon making Satisfaction for the same to the Owners of the said Hereditaments and Premises, and other Persons interested therein, or for the Damage which such Owners or other Persons may respectively sustain thereby; and it shall be lawful for the said Trustees, and for their Surveyor or Surveyors and Workmen, from Time to Time to enter upon the said several Lands and Premises, and to stake out the same, for the Purposes of this Act, at such Time or Times and in such Manner as the said Trustees shall think necessary or expedient, without such Trustees, Surveyor or Surveyors, or Workmen, being deemed Trespassers or a Trespasser for or by reason of such Entry, or being subject or liable to any Fine, Penalty, or Punishment for or by reason of such Entry; and if any Person shall displace, remove, or take away or destroy any Stake or Stakes used in such staking as aforesaid, or any other Marks used for that Purpose, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

The Plan deposited with the Clerk of the Peace to be open to Inspection.

VIII. And whereas a Map or Plan, Maps or Plans, describing the Line of the said new Roads and the Branches to join the same, herein-before particularly mentioned, and the Lands, Hereditaments, and other Premises in, upon, through, over, or along which the same are respectively intended to be made or carried, and the existing Road is intended to be widened, together with a Book or Books of Reference to such Map or Plan, Maps or Plans, containing a List of the

the Names of the Owners or reputed Owners and Occupiers of such Lands, Hereditaments, and other Premises, have been deposited at the Office of the Clerk of the Peace of the said County of *Leicester*; be it therefore further enacted, That the said Map or Plan, Maps or Plans, and Book or Books of Reference, shall remain in the Custody of the said Clerk of the Peace, to the end that all Persons may, at all reasonable Times, have Liberty to inspect and peruse the same, and to take Copies thereof or Extracts therefrom, at their Will and Pleasure, paying to the said Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and the said Trustees in making the said new Line and Branches shall not deviate more than One hundred Yards from the Lines described in the said Map or Plan, Maps or Plans, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands and Premises the said new Line and Branches shall respectively be made.

Trustees not to deviate from Plan.

IX. Provided always, and be it further enacted, That if any of the Lands, Houses, Buildings, and other Hereditaments and Premises to be taken or used for the Purposes of this Act shall happen not to be described in the said Map or Plan, Maps or Plans, or any Part or Parts thereof shall happen to be omitted, misnamed, or inaccurately described in the said Book or Books of Reference, such Omission, Misnomer, or inaccurate Description shall not prevent or retard the Execution of this Act, but the several Lands, Houses, Buildings, and other Hereditaments and Premises, and every Part thereof, shall and may be taken and used for the Purposes of this Act as fully and effectually as if the Names of the Owners and Occupiers of the same had not been omitted, or such Owners and Occupiers had been properly and accurately named, provided it shall appear to any Two or more Justices of the Peace of the County of *Leicester*, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only.

Misnomers not to prevent the Execution of the Act.

X. Provided also, and be it further enacted, That the Powers and Authorities given by this Act for making, maintaining, widening, diverting, improving, or altering the said Road comprised in this Act, and making the said new Lines and Branches, shall not extend or be construed to extend to authorize or empower the said Trustees to take or pull down, injure or damage, any Dwelling House or other Building, or to take in or make use of any Curtilage, Orchard, Garden, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, Plantation, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof or other Person interested therein first had and obtained, except such as are mentioned and specified in the Schedule to this Act annexed.

Trustees restrained from pulling down Dwelling Houses, &c. without Consent, except those specified in the Schedule.

XI. And be it further enacted, That if the said Trustees shall not, within the Space of Five Years from and after the passing of this Act, agree for and cause to be valued and paid for the Lands, Tenements, and Hereditaments mentioned in the Schedule to this Act

Limiting the Period of purchasing the Property.

annexed, then and from thenceforth the Powers to them granted for such Purposes only shall cease, determine, and be utterly void and of no effect, save and except with the Consent of the Owners and Occupiers of such Houses, Lands, Tenements, and Hereditaments; any thing herein contained to the contrary thereof in anywise notwithstanding.

Penalty for exercising Three Horses abreast, or hanging Clothes near the Road.

XII. And be it further enacted, That if any Person or Persons shall exercise Three Horses at the same Time upon any Part of the said Road, by riding one of them, and leading the others abreast, or if any Person shall hang out any Linen or other Clothes within Forty-five Feet from the Centre of the said Road, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Public Act.

XIII. 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.

Term of the Act.

XIV. And be it further enacted, That this Act shall commence and take effect upon the passing thereof, and shall thenceforth continue and be in force for and during the Term and Time mentioned and specified by the said recited Act of the Eighth Year of the Reign of His said late Majesty.

The

The SCHEDULE referred to by the aforegoing Act.

Name of Owner or reputed Owner.	Name of Occupier.	Description of Property.
	In Loughborough.	
John Miller - - -	John Adderley -	A Shop.
James Aslet - - -	Edward Lacey - -	The like.
	In Kegworth.	
Christopher Hack - -	Betsey Crane - -	A House and Premises.
John Sperry - - -	Thomas Whyman	A House, Stable, and Premises.
John Sutton - - -	Stephen Clarke -	Shop and Premises.
The same - -	John Tarratt - -	A House and Premises.
The same - - -	Timothy Kerry - -	The like.
The same - - -	William Hunt - -	Shop and Premises.
Robert Knight - -	Sarah Howe - -	The like.
William Sutton - -	Nathaniel Graves -	A House and Premises.
The same - - -	Charles Crane - -	A Shop and Premises.
Catherine Hall - -	Catherine Hall -	Kitchen, Barns, Land, and Premises.
Richard Sutton - - -	Samuel Barrow -	Barn, Farm Yard, and Premises.
Richard Sutton of the Dragwell Head, Kegworth -	Richard Sutton -	Hovel and Orchard.
John Clifford - - -	John Clifford - -	Land.
The Reverend Timothy East and his Co-Trustees, for whom he acts - -	Thomas Osborne -	The like.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1831.