

ANNO SEXTO

GEORGII IV. REGIS.

Cap. lxxxii.

An Act for more effectually repairing, widening, altering, and improving the Road from *Welford Bridge* in the County of *Northampton* to *Milstone Lane* in the Town of *Leicester*.

[20th *May* 1825.]

WHEREAS an Act was passed in the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for more effectually repairing, widening, and improving the Road from* Welford Bridge *in the County of* Northampton *to* Milstone Lane *in the Town of* Leicester: And whereas the Trustees appointed in or by virtue of the said Act have proceeded to put the same in Execution, and considerable Sums of Money have been borrowed on the Credit of the Tolls by the said Act granted, which Money still remains due and owing, and cannot be paid off, nor can the said Road be effectually amended, improved, and kept in Repair, unless the Term granted by the said recited Act be further continued; and it would be more convenient if the said recited Act was repealed, and other Powers and Provisions granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: And whereas an Act was passed in the Third Year of His present Majesty King *George* the Fourth, intituled *An Act to amend the general Laws now in being for* 45 G. 3. c. 78.

3 G. 4. c. 126.

for regulating Turnpike Roads in that Part of Great Britain *called* England: And whereas an Act was passed in the Fourth Year of
4 G. 4. c. 95. the Reign of His present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign of His present Majesty, to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His
5 G. 4. c. 69. said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike 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
45 G. 3. c. 78. repealed. assembled, and by the Authority of the same, That the said recited Act, passed in the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, shall be and the same is hereby declared to be repealed, and null and void, to all Intents and Purposes whatsoever; and this Act shall commence and take effect in lieu and instead thereof, and shall be put in Execution for and during the Term hereinafter mentioned, for the Purpose of amending, widening, altering, and otherwise improving and keeping in Repair the Road from *Welford Bridge* in the County of *Northampton* to *Milstone Lane* in the Town of *Leicester*, and for otherwise putting the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, and this Act, in Execution.

This Act to be liable to Payment of Money due on Account of said first-recited Act.

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit or on Account of the said recited Act of the Forty-fifth Year of the Reign of His late Majesty King *George* the Third, and also of such other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of the said recited Act and of this Act, or either of them, and of all Interest due and to grow due for the same respectively.

Powers of the recited Acts of the 3d, 4th, and 5th G. 4. extended to this Act.

III. 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 altered, varied, or repealed by the said recited Act of the Fourth Year of the Reign of His present Majesty, or varied, altered, or otherwise provided for by this Act), and also the said recited Acts passed in the Fourth and Fifth Years of the Reign of His said present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein respectively contained (save and except such Parts thereof as are expressly altered, varied, or otherwise provided for by this Act), shall respectively be as good, valid, and effectual for carrying this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Bonds, &c. under the former Act to be good under this Act.

IV. And be it further enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said recited Act of the Forty-fifth Year of the Reign of His said late Majesty King *George* the Third, according to the Provisions and Directions thereof respectively, 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 or entered into by the Trustees for executing the said recited Act hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, and shall be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively.

Books used under former Acts to be Evidence under this Act.

V. And be it further enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act hereby repealed, 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 Act of the Forty-fifth Year of the Reign of His said late Majesty had not been repealed.

Officers under former Acts to account.

VI. And be it further enacted, That all Persons who have been employed, or who shall have received any Tolls or other Money by virtue or in pursuance of the said recited Act hereby repealed, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Road, shall account, pay, and deliver over the same to the said Trustees, in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, or either of them, inflicted in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Acts and this Act.

Appointment of Trustees.

VII. And be it further enacted, That all and every His Majesty's Justices of the Peace for the Time being acting for the County of *Leicester*, together with the Right Honourable *Charles Manners* commonly called Lord *Charles Manners*, the Honourable *Robert Manners* commonly called Lord *Robert Manners*, the Honourable *George Harry Grey* commonly called Lord *Grey*, Sir *John Henry Palmer* Baronet, Sir *Henry Halford* Baronet, Sir *Edmund Cradock Hartopp* Baronet, *John Arthur Arnold*, *Samuel Alston*, *William Withering Arnold* Doctor of Medicine, *Poyntz Owsley Adams*, *Thomas Babington*, *Dean Judd Burdett* Clerk, *Henry Browne* Clerk, *Robert Burnaby* Clerk, *Beaumont Burnaby*, *James Bankart*, *Thomas Bankart*, *Samuel Bankart*, *John Bankart*, *Thomas Barratt*, *George Bellairs*, *John Fox Bell*, *Richard Hunter Bird*, *Thomas Burbidge*, *Thomas Burnaby* the younger, Clerk, *Jesse Berridge*, *Robert Otway Cave*, *George Calvert* Clerk, *John Clarke*, *Henry Davie Coleman*, *Joseph Spencer Cardale*, *William*

William Cleaver Clerk, *Anthony Carr*, *Francis Thomas Corrance* Clerk, *Richard Cooke*, *Joseph Cradock*, *Sheldon Cradock*, *Henry Freeman Coleman*, *John Sherard Coleman*, *James Sherard Coleman* Clerk, *Thomas William Dabbs*, *Richard Davies* Clerk, *John Hayward Dalton*, *William Firmadge*, *John Fox*, *Thomas Freer*, *John Booth Freer* Doctor of Medicine, *George Freer*, *John Gregory*, *Henry Greene*, *William Gregory*, *Valentine Green*, *Mansfield Gregory*, *Richard Gough*, *John Liptrott Greaves*, *John Goodacre*, *Isaac Hodgson*, *Robert Haymes*, *John Benjamin Humfrey*, *Henry Halford*, *Edmund Cradock Hartopp*, *William Edmund Hartopp*, *William Evans Hartopp* Clerk, *Libbeus Charles Humfrey* Clerk, *William Hackett*, *John Hill* Doctor of Medicine, *Richard Hole*, *George Brushfield Hodges*, *John Stockdale Hardy*, *Benjamin Jackson*, *William Jackson*, *Henry Kebbel* Clerk, *Augustus Hubbard Lafargue*, *Isaac Lovell*, *Robert Augustus Lafargue* Clerk, *William French Maior*, *Edmund Maior*, *William Martin*, *William Martin* the younger, *George Berkeley Mitchell* Clerk, *Robert Martin* Clerk, *Charles Meredith*, *John Miles* Clerk, *George Miles*, *Samuel Miles*, *Roger Miles*, *Thomas Miles*, *Samuel Thomas Miles*, *Thomas Miller*, *Nathaniel Morgan* Clerk, *James Morpott*, *Francis Mason*, *Thomas Standley Nedham*, *John Nedham* Surgeon, *John Nicholls*, *John Pengree Newby* Clerk, *Samuel Lovell Noble* Clerk, *James Pickering Ord*, *Thomas Charles Ord* Clerk, *Thomas Westley Oldham*, *Samuel Oliver*, *John Bass Oliver*, *George Payne*, *John Pares*, *Thomas Pares*, *John Tylston Pares*, *Thomas Paget*, *Henry Palmer*, *William Parsons*, *Richard Palmer* Clerk, *John Price*, *John Ragg*, *Loraine Loraine Smith* Clerk, *Henry Shuttleworth*, *Samuel Stone*, *Samuel Stone* the younger, *Richard Stephens* Clerk, *Francis Fortescue Turville*, *James Tindall* Clerk, *Richard Walker* Clerk, *William Kenworthy Walker*, *Clement Winstanley*, *James Winstanley*, *George Winstanley* Clerk, *Thomas Wood*, *Henry Wood*, *Richard Warner Wood*, *Thomas Wood* the younger, *Thomas Wright*, *Richard Watson*, *William Henry Walker* Clerk, *Charles Weaver*, *George Wartnaby*, *John George White Young*, and their Successors, being duly qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed the Trustees for carrying into Execution the said recited Acts and this Act.

Power to appoint additional Trustees.

VIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time, at their First and Second Meetings to be holden in pursuance of this Act, or either of them, to elect any Number of Persons not exceeding Three in the whole, to be Trustees for the Purposes of this Act and the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, in addition to the Trustees hereby appointed; and such Trustees, so elected, and being qualified according to the Directions of the said recited Acts of the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby invested with the same Powers and Authorities for executing this and the said recited Acts, as if they had been nominated and appointed Trustees in and by this Act.

IX. And

First Meeting of the Trustees.

IX. And be it further enacted, That the said Trustees shall meet at the *Three Crowns Inn* in *Leicester*, or at some other convenient House or Place in *Leicester* aforesaid, on the Second *Monday* 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 and the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty 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 or Clerks 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.

Old Officers to continue till removed.

X. And be it further enacted, That every Clerk, Collector of the Tolls, Surveyor, and other Officer and Officers (except the Treasurer) nominated and appointed under and by virtue of the said recited Act hereby repealed, shall hold and enjoy their several and respective Offices and Employments, until he or they shall be removed therefrom respectively by the said Trustees; and every such Clerk, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for carrying the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he or they had been nominated or appointed under or by virtue of the said recited Acts of the Third and Fourth Years of His present Majesty's Reign, or this Act.

Treasurer and Clerk not to be the same Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has or have been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or other Person in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has or have been or may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, or the Clerk or other Person in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, to be the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk

and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or other Person in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer in the Execution of this Act, or being the Partner of any such Treasurer or Treasurers, or the Clerk or other Person in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred 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, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, nor more than One Imparlance, shall be allowed.

Power to continue present Gates, and to erect others.

XII. And be it further enacted, That the said Trustees shall or may, as they shall think proper, continue, remove, take away, or change the Situation of all or any of the Toll Gates erected by virtue of the said recited Act hereby repealed, or which shall or may be erected by virtue thereof and of this Act, or either of them, and may erect and set up, or cause to be erected and set up, any other Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, in, upon, or across any Part or Parts of the said Road, and upon the Sides thereof respectively, and may also continue, erect, or provide a Toll House with suitable Outbuildings and Conveniences at or near each Toll Gate, and may from Time to Time afterwards remove, alter, or discontinue such Toll Gates or Toll Houses, or any of them, as they the said Trustees shall think expedient; and also may take in and enclose from the said Road convenient Garden Spots for the said Toll Houses respectively, not exceeding One-eighth Part of a Statute Acre to each Toll House.

No new Toll Gate to be erected, but by Order of Five Trustees.

XIII. Provided always, and be it further enacted, That no new Toll Gate, Toll House, Bar, or Chain shall be erected upon or by the Side of any Part of the said Road, unless the same be ordered by the Trustees at a Meeting of which Twenty-one Days public Notice shall have been given in Writing, and affixed upon all the Toll Gates then erected on such Road, and also in some public Newspaper circulated in that Part of the County, specifying the Place where such Toll Gate, Bar, or Chain is proposed to be erected, and unless the said Order shall be signed by a Majority of the Trustees present at such Meeting, at which not less than Five Trustees shall be present.

Lamps to be lighted at Toll Houses.

XIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to order and direct One or more Lamp or Lamps to be placed and erected on or against or in front of each and every of the Toll Houses to be continued or erected by virtue of this Act, as they the said Trustees shall think proper, and also to order and direct at what Times of the Year, and during what Hours, such Lamp or Lamps, or any of them, shall be kept lighted; and all and every Collectors and Collector of the Tolls authorized by this

this Act to be taken and collected, appointed by the said Trustees, and also all and every Lessee or Lessees thereof, and all Person and Persons appointed by any such Lessee or Lessees, who shall neglect or omit to observe and fulfil the Orders of the said Trustees in respect to the keeping and lighting of such Lamp or Lamps, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Neglect or Omission; and in case any Person or Persons shall damage or injure any Lamp or Lamps to be set up as aforesaid, or extinguish the Lights therein, such Person or Persons shall forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied in such and the same Manner as Penalties incurred by Offences against the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty are by such Acts directed to be recovered and applied.

Power to take Tolls.

XV. And be it further enacted, That in addition to the Tolls granted by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty, the respective Tolls herein-after mentioned shall and may, from and after the passing of this Act, be demanded and taken at each and every of the Toll Gates, Bars, Chains, and Side Gates now erected or set up, or hereafter to be erected or set up on the said Road, or on any Part thereof, by such Person or Persons as the said Trustees, or their Lessee or Lessees, Collector or Collectors for the Time being, shall from Time to Time appoint, before any Horse, Beast, Cattle, Carriage, or other Thing, upon which any Toll is by the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act imposed, shall be permitted to pass through the same; (that is to say),

Tolls.

For every Horse or other Beast drawing any Coach, Landau, Berlin, Barouche, Phaeton, Sociable, Chaise, Chariot, Calash, Hearse, Litter, Vis-a-Vis, Curricle, Gig, Chair, Car, Whiskey, Caravan, Taxed Cart, or other Carriage of the like Kind, the Sum of Four-pence Halfpenny:

For every Horse or other Beast drawing any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, the Sum of Four-pence Halfpenny:

For every Four-wheeled Carriage fixed in any Manner to any Waggon, Wain, Drug, Cart, or other Carriage, the Sum of One Shilling; and for every Two-wheeled Carriage so fixed, the Sum of Sixpence:

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

For every Drove of Oxen, Cows, or other Neat Cattle, the Sum of Ten-pence *per* Score, and so in proportion for a greater or less Number:

And for every Drove of Calves, Swine, Pigs, Sheep, or Lambs, the Sum of Five-pence *per* Score, and so in proportion for a greater or less Number:

Tolls vested in the Trustees.

Which said respective Sums of Money shall be demanded and taken in the Name of or as Toll, and shall be and are hereby vested in the said Trustees, to be by them applied as herein-after directed.

XVI. Pro-

Limiting the Number of Tolls.

XVI. Provided always, and be it further enacted, That no more than Three full Tolls shall be demanded or taken for the Passage of the same Horse, Beast, Cattle, Carriage, or Thing, on the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock the next succeeding Night), through all the Toll Gates erected or to be erected upon the whole Length of the said Road hereby intended to be repaired, (except as herein-after mentioned.)

Tolls to be paid but Once a Day.

XVII. Provided also, and be it further enacted, That if any Person or Persons shall have paid the Toll hereby authorized to be taken, for the passing of any Horse, Cattle, Beast, or Carriage, through any of the Toll Gates erected or to be erected on the said Road, such Horse, Cattle, Beast, or Carriage, (except Horses or other Beasts of Draught drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage, or any Post Chaise, or other such like Carriage let out to Hire, when any new Hiring thereof shall be made), shall, upon a Ticket denoting the Payment thereof for that Day being produced, (which Ticket the Collector or Collectors of such Tolls is and are hereby required to deliver *gratis* to the Person paying the same, and on such Ticket shall be named and specified the Gate and Gates at which the same shall have been paid, and also the Gate and Gates (if any) freed by the Payment of such Toll), be permitted to pass Toll-free through the same Toll Gate, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time or Times during the same Day, to be computed as aforesaid; any thing herein contained to the contrary thereof in anywise notwithstanding.

Stage Coaches and Post Chaises to pay every Time.

XVIII. Provided also, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage carrying or conveying Passengers or Goods for Pay, Hire, or Reward, every Time of passing or repassing along the said Road, and also for and 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, upon every new Hiring of such Post Chaise or other Carriage, on a Ticket being produced denoting a fresh Hiring.

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

XIX. And be it further enacted, That any Person who shall exercise Three Horses at the same Time upon any Part of the said Road, by riding One of them and leading the others, One on each Side of him, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

One Horse Carts may be weighed.

XX. 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 further 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, received, and recovered for the Overweight

weight thereof as are by Law payable in respect of the Overweight of Carts drawn by Two or more Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to Carts passing on the said Road drawn by One Horse only, and to the Drivers, Masters, and Owners thereof.

Application of Tolls.

XXI. And be it further enacted, That out of the Tolls and other Monies to be collected and levied under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, or out of the Monies to be borrowed on the Credit thereof, the said Trustees shall, in the first Place, pay and discharge the Expences incurred in, about, and relating to the obtaining and passing of this Act, and afterwards pay the Interest and Principal of any Money already borrowed, or hereafter to be borrowed under or by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, and the Remainder of the said Tolls shall be applied in defraying the Expence and Charge of erecting and providing the Turnpikes and Toll Houses, and of repairing, widening, altering, keeping in repair, and improving the said Road, and of executing the other Purposes of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, and to no other Use or Purpose whatsoever.

Power to make Causeways, Bridges, Drains, &c.

XXII. And be it further enacted, That it shall be lawful for the Surveyor or Surveyors of the said Road, and such Persons as he or they shall appoint, by Order of the said Trustees, to make and keep in repair, or cause to be made and kept in repair, any Causeway or Causeways for the Use of Foot Passengers in, upon, or on the Sides of the said Road, in such Manner as they shall think proper, and also the Ditches or Drains in or upon the said Road, and also through any Ground lying contiguous or near thereto, (not being a Garden, Orchard, Yard, Paddock, planted Walk, or Avenue to any House, or any Piece of Ground planted and set apart as a Nursery for Trees), and to erect, rebuild, and keep in repair all Bridges, Culverts, and Arches upon the said Road, or across any of the Ditches, Watercourses, or Drains, where necessary, making such Recompense to the Owners and Occupiers of such private Grounds respectively, for the Damages they shall or may thereby sustain, as shall be adjudged reasonable by the said Trustees; and in case of any Difference concerning such Damages between such Owners or Occupiers and the said Trustees, then it shall be lawful for any Two or more Justices acting for the County of *Leicester*, on Ten Days Notice in Writing being given by either Party to the other, to settle, adjudge, and determine what Recompence shall be made to such Owners and Occupiers for the Damages they shall have sustained as aforesaid.

Power to borrow Money to pay off existing Securities.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, in case they shall at any Time or Times be desirous of discharging and paying off any Principal Sum or Sums of Money advanced under the said Act hereby repealed, or the said recited Acts,

Acts, or any of them, or which shall hereafter be advanced under this Act, and they are hereby empowered to borrow such Sum or Sums of Money as may be required for such Purpose, of any Person or Persons willing to advance the same, upon such Terms and Conditions as the said Trustees shall, under the Circumstances of any such Case, deem expedient; and it shall be lawful for the said Trustees from Time to Time to grant fresh Securities on the Tolls on the said Road, in such and the like Manner, and under such and the like Regulations as is provided by the said recited Act of the Third Year of the Reign of His present Majesty.

Trustees empowered to reduce the Rate of Interest.

XXIV. Provided also, and be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered to reduce the Rate of Interest on the present existing Securities, or any of them, if the Holder or Holders of such Securities shall consent and agree to accept such lower Rate of Interest.

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

XXV. And be it further enacted, That in all Places throughout the said Road, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Building from the said Road, 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 Building, 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 Ten Days after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual Place of Residence by the Surveyor of 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 Person acting under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make a 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 Ten Days 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 where the Lands shall lie, and 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 any Overplus shall be returned on Demand to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

XXVI. And

Application of Compensation Money when exceeding 200*l.*

XXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster, *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or to the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the same Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

1 G. 4. c. 35.

XXVII. And

Application when the Compensation Money is less than 200*l.* but not less than 20*l.*

XXVII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends arising thereon, may be applied in Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application where the Money is less than 20*l.*

XXVIII. And be it further enacted, That when such Money so agreed or awarded to be paid as next before-mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles,

XXIX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account, to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said

Court, on the Application of any Person or Persons making claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money.

XXX. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of the said Acts and this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Exchequer may order reasonable Expences of Purchases to be paid by Trustees.

XXXI. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporations, entitled to any Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of the said recited Acts and this Act, it shall be lawful for the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from

Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Public Act.

XXXII. 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 the Act.

XXXIII. And be it further enacted, That this Act shall commence and take effect from the passing thereof, and shall continue and be in force and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1825.