ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. ii.

An Act for enlarging the Term and Powers of an Act of His preſent Majeſty, for repairing the Road from *Saint Martin Stamford Baron* to *Kettering*, and from *Oundle* to *Middleton Lane*, in the County of *Northampton*. [22d *March* 1816.]

WHEREAS an Act was paſſed in the Thirty-fourth Year of the Reign of His preſent Majeſty, intituled *An Act for repairing and widening the Road leading from* Saint Martin Stamford Baron *to* Kettering, *and from* Oundle *to* Middleton Lane, *in the Pariſh or Hamlet of* Middleton, *in the County of* Northampton: And whereas the Truſtees acting in the Execution of the ſaid Act have borrowed upon the Credit of the Tolls thereby granted, ſeveral conſiderable Sums of Money, which with an Arrear of Intereſt now remain due, and cannot be repaid, nor the ſaid Roads effectually amended and kept in Repair, unleſs the Term of the ſaid Act (which is near expiring) be continued, the Tolls increaſed, and ſome of the Proviſions thereof altered and enlarged: 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, and all the Clauſes, Powers, Authorities, Proviſions, Exemptions, Penalties, Forfeitures, Matters and Things therein contained (except

34 G. 3. c. 126.

Recited Act continued.

(except such Parts thereof as are hereby varied, altered or repealed, and also such as relate to Exemption from Stamp Duties) shall be and remain in full force and effect, and together with this present Act shall be put in Execution for the several Purposes thereby and hereby intended for and during the Term hereby granted, as fully and effectually in all respects and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said Term hereby granted shall be and is hereby declared to be subject and liable to the Payment of all Monies now due on each Branch of the said Roads respectively, on the Credit of the said recited Act, and all Interest due and to become due for the same respectively.

Additional Trustees.

II. And be it further enacted, That *Samuel Arnsby* the Elder, *Samuel Arnsby* the Younger, the Right Honourable *James Thomas Brudenell*, commonly called Lord *Brudenell*, *Gregory Bateman* Clerk, *John Booth*, *Charles Paul Berkeley*, *Rowland Berkeley*, *Thomas Belcher*, *John Braithwaite*, the Right Honourable *Thomas Cecil*, commonly called Lord *Thomas Cecil*, *Clayton* Clerk, *John Cannam*, *Fletcher* Clerk, *Heneage Finch* Clerk, *George William Finch Hatton*, *Daniel Finch Hatton*, *James Hogg* Clerk, *Thomas Welsh Hunt*, *John James* Clerk, *Francis Jones* Clerk, *Thomas Philip Maunsell*, *William Mansfield* Clerk, *George Vander Neunburg*, *Craven Ord* Clerk, the Honourable *Thomas Powys*, *Charles Seawell*, *William Smith*, *Vevers* Clerk, *Thomas Tryon* the Younger, *John Wetherall* Clerk, *William Wright* Clerk, and *Charles Apthorpe Wheelwright* Clerk, together with Ten other Persons, to be named as Trustees at the First or any other Meeting to be held under this Act, shall be added to and joined with the surviving and remaining Trustees appointed by or in pursuance of the said recited Act, for putting the said recited Act and this Act into Execution; and the Trustees hereby nominated, and their Successors (being qualified according to the Directions of the said recited Act,) shall be and they are hereby empowered to act in the Execution of the said recited Act as fully and effectually, to all Intents and Purposes, as if they had been appointed Trustees in or by virtue of the said recited Act.

For fixing the Meetings of the Trustees.

III. And be it further enacted, That Quarterly Meetings of the said Trustees for the First District of the said Road, for putting into Execution the said recited Act and this Act, shall be held at the *King's Arms* in *Weldon*, or such other Place as the said Trustees or any Five or more of them shall from Time to Time appoint, on the Second *Thursday* in the Months of *January*, *April*, and *July*, and the Third *Thursday* in *October*, and that Quarterly Meetings of the said Trustees for the Second District of the said Road, for putting into Execution the said recited Act and this Act, shall be held at the *Swan Inn* in *Oundle*, or such other Place as the said Trustees, or any Five or more of them, shall appoint on the First *Wednesday* in the Months of *January*, *April*, *July*, and *October* in every Year, for the Purpose of passing the Treasurer's Accounts; and that no other Meetings (excepting for letting the Tolls to Farm,) shall be held, but for the Purpose of electing Officers in case of Vacancy, or for other special or extraordinary Occasions, and that Notice shall be given of such extraordinary Meetings, upon the several Toll Gates on the said Roads, and

in the *Northampton* and *Stamford Mercuries*, Ten Days at leaſt before the Time of holding any ſuch extraordinary Meeting, under the Hands of Five Truſtees, which Notice ſhall expreſs the ſpecial Purpoſe for which ſuch Meeting ſhall be called.

Empowering Five Truſtees to act.

IV. And whereas it would be convenient if the Number of Truſtees required for the Execution of the ſaid Act were reduced; be it therefore further enacted, That all Matters and Things required by the ſaid Act to be done by a greater Number of the ſaid Truſtees, ſhall and may for the future be done by any Five or more of the ſaid Truſtees, and ſhall be as valid and effectual to all Intents and Purpoſes as if done by any greater Number of the ſaid Truſtees.

Diſcontinuing former Tolls, and granting new ones.

V. And be it further enacted, That from and after the Commencement of this Act, the ſeveral Tolls and Duties granted in and by the ſaid recited Act, ſhall ceaſe, determine, and be no longer paid or payable; and that inſtead thereof, the reſpective Tolls or Duties following ſhall be demanded and taken, before any Horſe or other Beaſt or Cattle or any Carriage ſhall be permitted to paſs through any Turnpike or Gate erected or to be erected by virtue of the ſaid recited Act or this Act, upon and acroſs any of the ſaid Roads, or upon and acroſs any Lane or Way leading into the ſame; (that is to ſay),

For every Horſe drawing any Coach, Berlin, Landau, Chariot, Calaſh, Chaiſe, Chair, Caravan, Hearſe or Litter, if the ſame is drawn by more than One Horſe or other Cattle, the Sum of Four-pence Halfpenny for each Horſe, and drawn by One Horſe or other Cattle, the Sum of Sixpence:

For every Taxed Cart drawn by One Horſe or other Cattle, the Sum of Four-pence Halfpenny:

For each Horſe or other Cattle, drawing any Waggon, Wain, Cart or other Carriage, having the Fellies of any of the Wheels of leſs Breadth than Six Inches, the Sum of Four-pence:

For every Horſe or other Cattle, drawing any Waggon, Wain, Cart or other Carriage, having the Fellies of all the Wheels thereof of the Breadth of Six Inches or upwards bearing equally on the Surface of the Road, the Sum of Two-pence:

For every Horſe, Mare, 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 Ten-pence *per* Score, and ſo in Proportion for any leſs Number:

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

Tolls not to be taken at more than Three Gates on the Firſt Diſtrict, or Two Gates on the Second Diſtrict, on the ſame Day.

VI. Provided always, and it is hereby declared, That no Perſon ſhall be ſubject to pay the Tolls hereby granted at more than Three Gates on the Firſt Diſtrict of the ſaid Roads, or at more than Two Gates on the Second Diſtrict of the ſaid Roads, on the ſame Day, for or in reſpect of the ſame Horſe, Cattle or other Beaſt and Carriage, paſſing or repaſſing upon the ſaid Roads, in caſe any more Gates ſhall hereafter be erected thereon.

VII. And

For preventing Toll Collectors from taking undue Tolls.

VII. And be it further enacted, That all and every Toll Collector, being Leſſee of the ſaid Tolls, or appointed or continued either by the ſaid Truſtees or by any ſuch Leſſee or Leſſees, to collect the Tolls payable at any Turnpike or Toll Gate to be continued or erected by virtue of this Act, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a Board in legible Characters, in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately on his coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt One Inch in Length and of a Breadth in Proportion, and painted either in White Letters on a Black Ground or Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of this Act or the ſaid recited Act, or of the Orders and Reſolutions of the Truſtees made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in any Ways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls, or any of them; or ſhall in anſwer to ſuch Demand, give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll when demanded (all which Tickets the Collectors of the Tolls are hereby required to deliver *gratis* on the Receipt of ſuch Toll, and ſhall denote the ſeveral Gates through which any Perſon having once paid Toll, ſhall be allowed to paſs on the ſame Day) or ſhall unneceſſarily detain any Paſſenger or Paſſengers; or ſhall make uſe of abuſive Language to any Truſtee, Treaſurer, Clerk, Surveyor or other Officer, or any Traveller or Travellers, Paſſenger or Paſſengers; then and in every ſuch Caſe, every ſuch Toll Collector ſhall forfeit and pay any Sum not exceeding Forty Shillings for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge; and ſuch Penalty ſhall be recovered and applied as other Penalties are by the ſaid recited Act or this Act directed to be recovered and applied.

For ſettling Diſputes concerning Tolls.

VIII. And be it further enacted, That if any Diſpute ſhall happen about the Amount of the Tolls due, or the Charges of keeping any Diſtreſs, it ſhall be lawful for the Collector or Perſon diſtraining to retain ſuch Diſtreſs or the Money ariſing from the Sale thereof, (as the Caſe may happen) till the Amount of the Tolls due and the Charges of the Diſtreſs and Sale, and of keeping the Diſtreſs (as the Caſe may happen) be aſcertained by One or more Juſtice or Juſtices of the Peace for the County, Town, or Place, in which the Cauſe of Diſpute ſhall ariſe, who, upon Application made to him or them for that Purpoſe, ſhall examine the Matter on the Oath of the Parties or other Witneſs or Witneſſes, and ſhall determine the Amount of the Tolls due, and ſhall award ſuch Coſts and Charges to either Party, as to the ſaid Juſtice or Juſtices ſhall appear right and proper; all which Coſts and Charges ſhall and may be levied and recovered

vered, in caſe of Non-payment thereof, forthwith, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, rendering the Overplus (if any) on Demand, after deducting ſuch Coſts and Charges, and the Coſts and Charges of making ſuch Diſtreſs and Sale, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

Accounts of the Truſts to be open to the Inſpection of Creditors.

IX. Provided always, and be it further enacted, That the ſaid Truſtees ſhall and they are hereby required from Time to Time to cauſe to be entered in a Book regular Accounts of the Receipts and Diſburſements, and of the ſeveral Articles for which ſuch Sums have been diſburſed, which Book ſhall be kept by the Treaſurer or Clerk, in order that any of the ſaid Truſtees, or any Creditor or Creditors on the ſaid Tolls, may at all ſeaſonable Times have Acceſs thereto, and take Copies or Extracts therefrom without paying any Thing for the ſame; and in caſe the ſaid Treaſurer or Clerk ſhall refuſe to permit ſuch Perſon or Perſons as aforeſaid, to inſpect or take Extracts from ſuch Book of Accounts, he ſhall forfeit and pay for every ſuch Offence any Sum not exceeding the Sum of Five Pounds.

For repealing the Reſtriction as to erecting a Gate near Kettering.

X. And be it further enacted, That ſo much of the ſaid recited Act which provides that "no Turnpike ſhall be ſet up nearer to *Kettering* than the South Side or Fence of *Geddington Chaſe*," in the ſaid Act particularly mentioned, ſhall be, and the ſame is hereby repealed.

Truſtees empowered to contract with the Inhabitants of any Pariſh deſirous of repairing ſo much of the Road as lies within the ſame.

XI. Provided always, and be it further enacted, That in caſe the Inhabitants of any Pariſh, through which any Part of the ſaid Roads lead, ſhall be deſirous of contracting and agreeing with the ſaid Truſtees at their Expence to repair and amend ſo much of the ſaid Roads as lie within ſuch Pariſh, in conſideration of the Inhabitants thereof being exempt from the Payment of Tolls at ſome one of the Turnpike Gates in or near ſuch Pariſh, and of ſuch their Deſire, ſhall give Notice to the ſaid Truſtees, or any Five or more of them, at a Meeting to be held in purſuance of the ſaid recited Act or of this Act (ſuch Notice to be in Writing, and ſigned by the major Part of the Inhabitants liable to the Performance of Statute Duty) then it ſhall and may be lawful to and for the Truſtees, or any Five or more of them, at ſuch Meeting or at any ſubſequent Meeting, if they ſhall think fit ſo to do, to contract and agree with ſuch Inhabitants accordingly, and that the Inhabitants of any Pariſh ſo contracting as aforeſaid ſhall not be ſubject or liable to the Payment of Toll at ſuch Turnpike Gate for and during ſo long Time as they ſhall at their own Expence maintain, repair, and amend, to the Satisfaction of the ſaid Truſtees, ſo much of the ſaid Roads as lie within the Pariſh, the Inhabitants whereof ſhall ſo contract as aforeſaid.

Collectors of Tolls not to be deemed incompetent Witneſſes.

XII. And be it further enacted, That in caſe any Diſpute, Suit or Litigation ſhall ariſe, touching or in anywiſe relating to the ſaid Tolls, or any of them, or the Recovery of any of the Penalties by the ſaid recited Act or this Act to be laid, or to the Execution of any of the Powers of the ſaid recited Act or this Act, no Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon or Perſons acting by or under

the Authority of the ſaid Truſtees, ſhall be deemed to be incompetent to give Evidence in any ſuch Diſpute, Suit or Litigation, by reaſon of his or their being appointed to collect the ſaid Tolls.

Exemptions from Tolls.

XIII. And be it further enacted, That from and after the Commencement of this Act, no Toll ſhall be demanded or taken upon the ſaid Turnpike Roads, for any Cattle or Carriages employed in carrying or conveying, or going to carry or convey, or returning empty from carrying or conveying on the ſame Day, any Stone, Brick, Gravel or other Materials for repairing the ſaid Roads, or for repairing the Highways in any Pariſh or Place through which any Part of the ſaid Roads paſs; nor for any Cattle drawing or going with, or going empty or returning empty, after being laden only with any Ploughs, Harrows, or other Implements of Huſbandry, or with Manure, belonging to any Inhabitant or Occupier of Land within the ſaid reſpective Pariſhes or Places; or for any Hay, Straw or Corn in the Straw only, not ſold or diſpoſed of, but paſſing to be laid up or placed in the Barns, Outhouſes or Yards of the Owner or Owners thereof; nor for any Horſe or Horſes or other Cattle going to or from Water, Paſture or Plough, or other Work in Huſbandry, upon or in any of the Lands within any of the ſaid ſeveral Pariſhes or Places, or going to be or returning from being ſhoed or farried; or for any Horſe or other Cattle carrying Griſt to or from any Mill (within the Pariſh where the Owner ſhall live,) ſuch Griſt being for the Uſe or Conſumption of the Owner, and not for Sale; nor ſhall any Toll be demanded or taken of or from any Rector, Vicar, or Curate, going to or returning from his own Pariſh Church or other Place of Divine Worſhip, or viſiting his ſick Pariſhioners, or of or from any Perſon or Perſons in any of the ſaid Pariſhes or Places, for paſſing through any of the ſaid Toll Gates or Turnpikes on *Sundays* or on any other Day on which Divine Worſhip is ordered by Authority to be celebrated, to or from his, her, or their reſpective Pariſh Churches, or other uſual Place of Religious Worſhip, licenced according to Law, for the Purpoſe of attending, or after having attended Divine Service thereat; or for any Cattle or Carriage conveying the Corpſe, or attending the Funeral of any Perſon who ſhall have died in and is to be interred in any of the ſaid Pariſhes or Places; or for any Horſes or Carriages employed or to be employed in conveying, fetching or guarding the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſt Maſter General, or in returning back from conveying or guarding the ſame; or for the Horſes of Soldiers upon their March or upon Duty, or for Horſes, Cattle or Carriages attending them, or laden only with their Arms or Baggage, or employed in conveying any ſick, wounded or diſabled Officers or Soldiers, or for any Waggon, Wain, Cart or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for Horſes or Carriages travelling with Vagrants ſent by legal Paſſes, or for any Coaches, Berlins or Landaus, Sociables, Chariots, Curricles, Calaſhes, Chaiſes, Phaetons, Whiſkies, Chairs, or other Carriages, or Paſſengers on Horſeback, going to or returning from any Election of any Knight or Knights of the Shire to ſerve in Parliament for the County of *Northampton*, during

ſuch Election, or on the Day before or after ſuch Election ſhall begin or be concluded; and that no Toll ſhall be demanded or taken for any Horſe, Mare or Gelding, furniſhed by or for any Perſon or Perſons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exerciſe, provided that ſuch Perſons ſhall be dreſſed in the Uniform of their reſpective Corps, and have the Arms, Furniture and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively, at the Time of claiming ſuch Exemption as aforeſaid: And if any Perſon or Perſons ſhall, in any fraudulent or colluſive Manner whatſoever, claim or take the Benefit of any of the Exemptions by this Act granted, not being entitled to the ſame, every ſuch Perſon ſhall forfeit and pay for every ſuch Offence, any Sum not exceeding Five Pounds, One Moiety whereof ſhall go to the Informer, and the other Moiety ſhall be applied to the Purpoſes of this Act; and ſhall be recoverable in the Manner directed by the ſaid recited Act.

Carriages conveying Military Stores, not to be ſubject to Penalties for Overweight, &c.

XIV. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven, any Waggon, Wain, Cart or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance Barrack or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight; nor ſhall any ſuch Waggon, Wain, Cart or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this or the ſaid recited Act contained to the contrary notwithſtanding.

Application of Compenſation Money when amounting to 200l.

XV. 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 Act or this Act, for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons, under any Diſability or Incapacity, as in the ſaid recited Act particularly mentioned, ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed 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 High Court of Chancery, to be placed to his Account, *ex parte* the Truſtees for executing the ſaid recited Act or this Act, 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 towards the Diſcharge of any Debt or Debts, or other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, and Hereditaments, or affecting

other

other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Truſts, Intents, or 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 ſaid 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, or 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 or Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery, upon Application thereunto, 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 mean Time, 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 ſaid Lands, Tenements, or Hereditaments, by the ſaid recited Act, or this Act directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

When leſs than 200l. and amounting to 20l.

XVI. Provided always, 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 any 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, or 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 by Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, to be placed to his Account as aforeſaid, in order to be applied in Manner 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 Five or more of the ſaid Truſtees for executing the ſaid recited Act and this Act (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 hereinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

When leſs than 20l.

XVII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as laſt before mentioned, ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes, the ſame ſhall be applied

plied 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 or Hereditaments ſo purchaſed, taken or uſed, for the Purpoſes of the ſaid Act and this Act, in ſuch Manner as the ſaid Truſtees, or any Five or more of them, ſhall think fit; and 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.

Directions in Caſes of not making out Titles.

XVIII. 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 Act or 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 and may be lawful to and for the ſaid Truſtees, or any Five or more of them, 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 Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Lands, Tenements or Hereditaments [deſcribing them] ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery, which ſaid Court of Chancery on the Application of any Perſon or Perſons making Claim to ſuch Sum or 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 ſaid Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order 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 or Receipts 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 as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Reſpecting diſputed Titles.

XIX. Provided always, 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 Chancery, in purſuance of the ſaid recited Act or 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 recited Act or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands,

Tenements or 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 of Chancery; and the Dividends or Interest of the 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.

Court of Chancery may order Trustees to pay Expences.

XX. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements or Hereditaments, to be purchased under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the Court of Chancery, 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 Act or this Act, it shall be lawful for the said Court of Chancery to order the Expences of all Purchases, from Time to Time to be made in pursuance of the said recited Act or this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Respecting Statute Work.

XXI. Provided always, 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, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the County, Liberty, Division, or Place through which any Part of the said Roads pass, and they are hereby empowered and required (upon Application made to them for that Purpose by the said Trustees, or by their Clerk or Surveyor, by their Order,) yearly to adjudge and determine what Part or Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Parishes 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 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; and in order thereunto, it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in Lists before such Justices, at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature

of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid; which 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 out of such Lists such Justices shall and may allot, appoint and order, such and so many of the Persons who shall appear to be subject and liable to do Statute Work 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 upon such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons, who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for such Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees or their Treasurer, at such Time or Times as the said Justices shall direct; and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid (after Notice in Writing given to or left for him, her, or them, at his, her, or their last or usual Place or Places of Abode for that Purpose, signed by the 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 Pains, 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 the 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, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid; and in that Case, every such Person shall be subject and liable to the respective Forfeitures and Payments as aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads; all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

For compounding for Statute Work.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politic or Corporate, for the Statute Work to be by them done on the said Roads, or any Part thereof; and also with the Inhabitants

habitants and Occupiers of Lands, Tenements or Hereditaments, of and in all or any of the Pariſhes or Places in which the ſaid Roads are ſituate, for a certain Sum of Money, by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the whole or any Part of the Statute or other Work, to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Roads; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees, in Advance, on or before the Firſt Day of *May*, in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

Enabling Truſtees to take Poſſeſſion of Toll Houſes, &c. in the Hands of Leſſees, Farmers, or Collectors.

XXIII. And be it further enacted, That in caſe the Tolls ariſing from all or any of the Turnpikes or Toll Gates erected or to be erected upon the ſaid Roads, ſhall at any Time or Times be demiſed or let to farm to any Perſon or Perſons whomſoever, and the Leſſee or Leſſees, Farmer or Farmers, to whom the ſaid Tolls ſhall reſpectively be demiſed or let, ſhall neglect or refuſe to perform the Terms and Conditions on which the ſame ſhall be ſo demiſed or let; or in caſe the Rent or Rents agreed to be paid by ſuch Leſſee or Leſſees, Farmer or Farmers, or any Part or Inſtalment thereof, ſhall be in Arrear and unpaid by the Space of Five Days next after the Days on which the ſame ought to be paid, purſuant to the Contract or Agreement for letting the ſame; or if any Collector or Receiver of the Tolls who ſhall be diſcharged from his ſaid Office by the ſaid Truſtees, or the Wife or Widow, or any of the Children, Family, or Repreſentatives of any Collector or Receiver who ſhall die, abſcond, abſent himſelf, or be diſcharged; or if any other Perſon or Perſons ſhall refuſe to deliver up the Poſſeſſion of any Toll Houſe or Toll Houſes, with the Buildings and Appurtenances thereto belonging for the Space of Five Days next after Demand made thereof in Writing, ſigned by any Five of the Truſtees, or by their Clerk or Treaſurer with their Authority, and left in ſuch Toll Houſe, or in any Toll Houſe to be erected upon the ſaid Roads; then and in any of the Caſes aforeſaid, it ſhall be lawful for the ſaid Truſtees, or any Two or more of them, or the Clerk or Treaſurer, or any other Perſon authorized by a Warrant under the Hand and Seal of ſome Juſtice of the Peace acting for the County of *Northampton*, with ſuch Aſſiſtance as ſhall be thought neceſſary, to enter into and upon the Poſſeſſion of ſuch Toll Houſe or Toll Houſes, Weighing Engine or Weighing Engines, and other Buildings and Premiſes, in the Day-time, and remove the Perſon or Perſons who ſhall be found therein, together with his, her, or their Goods, out of the ſame, and from the Collection of the Tolls there payable, and to put the ſaid Truſtees, or any of their Officers, or any other Perſon or Perſons appointed by the ſaid Truſtees, or any Five or more of them, in Poſſeſſion thereof; and on ſuch Leſſee or Leſſees, Farmer or Farmers, or any Perſon or Perſons employed by or in Poſſeſſion under them, being ſo put out of Poſſeſſion as aforeſaid, it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, if they ſhall think fit, to vacate and determine the Contract or Agreement for leaſing and letting the ſaid Tolls to ſuch Leſſee or Leſſees, Farmer or Farmers, and the ſame ſhall be accordingly utterly void to all Intents and Purpoſes, as if ſuch Demiſe, Contract or Agreement, had never

never been made (ſave as to the Covenants or Agreements for the Payment of the Rent or Rents thereby reſerved or made payable;) and it ſhall be lawful for the ſaid Truſtees, or any Five or more of them, in every ſuch caſe, to demiſe, let, or farm the ſaid Tolls again to any other Perſon or Perſons, in the ſame Manner as if no former Demiſe, Contract or Agreement had been made or entered into relative to the ſame.

Surveyors not to get Materials in private Grounds till after Notice.

XXIV. Provided nevertheleſs, and be it further enacted, That it ſhall not be lawful for any Surveyor or any other Perſon or Perſons under the Authority of the ſaid recited Act, or this Act, to dig, gather, take, or carry away any Materials for making or repairing the ſaid Roads, out of or from any incloſed Lands or Grounds, until Notice in Writing ſhall have been given to the Owner and Occupier of the Premiſes from which ſuch Materials are intended to be taken, or left for ſuch Owner and Occupier at his or her laſt or uſual Place of Reſidence, to appear before any Two or more Juſtices of the Peace for the County in which the Lands from which ſuch Materials are intended to be taken are ſituate, to ſhew cauſe why ſuch Materials ſhould not be had from ſuch Lands; and in caſe ſuch Owner or Occupier ſhall attend purſuant to ſuch Notice, and ſhall not ſhew ſufficient cauſe to the contrary, ſuch Juſtices ſhall, if they think proper, authorize ſuch Surveyor, or other Perſon or Perſons, to dig, gather, take, and carry away ſuch Materials, at ſuch Time or Times as to ſuch Juſtices ſhall ſeem proper; and if ſuch Owner or Occupier ſhall refuſe or neglect to appear by himſelf or herſelf, or his or her Agent, ſuch Juſtices ſhall and may make ſuch Order therein as they ſhall think fit, as fully and effectually to all Intents and Purpoſes as if ſuch Owner or Occupier had attended; any Thing in the ſaid recited Act contained to the contrary hereof notwithſtanding.

Penalty for riding on Footpaths.

XXV. And be it further enacted, That if any Perſon or Perſons ſhall ride upon the Foot or raiſed Path, made for the Convenience of Foot Paſſengers, along the Side of the ſaid Roads, or ſhall wilfully drive, ſuffer, or cauſe any Horſe or other Cattle or Beaſt, or any Cart, or any other Carriage, to be on ſuch Foot or raiſed Path, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered on the Oath of One credible Witneſs, or the Confeſſion of the Party offending, before any Juſtice of the Peace for the ſaid County; and in caſe of Non-payment of ſuch Penalty, at ſuch Time as ſuch Juſtice ſhall order, it ſhall and may be lawful to and for ſuch Juſtice to commit the Offender to the Houſe of Correction for any Time not exceeding the Space of Fourteen Days; and it ſhall be lawful for the Surveyors or other Officers duly authorized by the Truſtees, to ſeize any unknown Perſon or Perſons guilty of any Offence as aforeſaid, and to convey him, her, or them before any One or more Juſtices of the Peace for the County, Liberty, Diviſion or Place, where any ſuch Offence ſhall be committed, without any other Warrant or Authority than this Act for ſo doing.

For paying the Expences of this Act.

XXVI. And be it further enacted, That all the Coſts Charges, and Expences incident to and attending the obtaining and paſſing of this Act, ſhall be paid and diſcharged by the ſaid Truſtees, or any Five or more of them, out

out of the Tolls ariſing on the ſaid Roads, in preference to all other Payments whatſoever, and in the Proportions following; (that is to ſay) One Moiety thereof by the Firſt Diſtrict of the ſaid Road, and the other Moiety thereof by the Second Diſtrict of the ſaid Road; and in caſe any Perſon or Perſons ſhall advance and pay any Money for the Expences of obtaining and paſſing this Act, ſuch Perſon or Perſons ſhall be repaid the ſame, together with lawful Intereſt thereon, from the Time of advancing ſuch Money.

Public Act.

XXVII. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and others, without being ſpecially pleaded.

Commencement and Term of the Act.

XXVIII. And be it further enacted, That the Term granted by the ſaid recited Act ſhall, upon the *Monday* next after the paſſing of this Act, ceaſe and determine; and the ſaid recited Act (ſubject to the Alterations, Variations, and Additions hereinbefore contained) and this Act, ſhall from thenceforth commence, 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.

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