ANNO QUARTO

GEORGII IV. REGIS.

Cap. cxi.

An Act for more effectually repairing the Road from *Wansford Bridge* in the County of *Northampton* to *Stamford*, and from *Stamford* to *Bourn* in the County of *Lincoln*.

[17th *June* 1823.]

WHEREAS an Act was passed in the First Year of the Reign of His present Majesty, intituled *An Act for more effectually repairing the Road from* Wansford Bridge *in the County of* Northampton *to* Stamford, *and from* Stamford *to* Bourn *in the County of* Lincoln: And whereas the Roads comprised in the said recited Act were divided into Two Districts, called the *Wansford* District and the *Bourn* District; and several Sums of Money are now due and owing on the Credit and Security of the Tolls thereby granted in each of the said Districts, and cannot be paid off, nor can the said Roads be effectually improved and kept in repair, unless further Provisions are made for those Purposes; and it will be more convenient that the said Act should be repealed, and that such further and other Tolls, Powers, and Provisions should be granted and made as herein-after mentioned, for the better Repair and Management of the said Roads: And whereas an Act was passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend the general Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: 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

1 G. 4. c. xxii.

3 G. 4. c. 126.

First recited Act repealed.

the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said recited Act, passed in the First Year of the Reign of His present Majesty, shall be and the same is hereby repealed; and that from thenceforth this Act shall be put in Execution for amending, widening, altering, improving, and keeping in repair the Roads from *Wansford Bridge* in the County of *Northampton* to *Scotgate* in the Borough of *Stamford* in the County of *Lincoln;* and from the same Road, at the North-west Corner of *Saint Mary's* Church in *Stamford* aforesaid, to the Market Cross in the Town of *Bourn* in the said County of *Lincoln*, where the same joins the Turnpike Road leading from *Bourn* to *Lincoln;* and that the said Roads shall be and continue divided into Two Districts; and that the said Road between *Wansford Bridge* and *Scotgate* shall form one District, and be called "The *Wansford* District;" and that the said Road from the North-west Corner of *Saint Mary's* Church in the said Town of *Stamford* to the Market Cross in *Bourn* aforesaid shall form the other District, and be called "The *Bourn* District."

Provisions of 3 G. 4. c. 126. extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Matters, and Things therein contained (save and except such Parts thereof as are expressly varied, altered, or repealed by this Act), shall be as good, valid, and effectual for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

This Act made subject to the Payment of all Monies borrowed on the Credit of former Acts.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby made subject and liable to the Payment of all Monies which have been borrowed and are now due and owing on the Credit or Security of the Tolls authorized to be taken by the said recited Act hereby repealed, or which shall or may hereafter be borrowed or become due on the Credit of this Act, and of all Interest due and to grow due thereon respectively, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed or become due and owing on the Credit or on account of this Act; and that all and every Person or Persons owing any Sum or Sums of Money to the Trustees for executing the said recited Act hereby repealed, shall be liable to pay the same to the Trustees for executing this Act; and all Bonds, Covenants, Agreements, Contracts, and Securities entered into by any Person or Persons, to or with Trustees for executing the said recited Act hereby repealed, shall remain in full force and effect, and be and continue available in all Courts of Law and Equity for the Purposes of this Act, and all Proceedings, Contracts, and Agreements heretofore made or entered into by the said Trustees for executing the said Act hereby repealed, shall remain in full force and effect.

Books of Proceedings under former Acts made Evidence.

IV. And be it further enacted, That all Books of Proceedings of the Trustees in the Execution of the said first recited Act, provided according to the Directions or Provisions thereof, and thereby made Evidence, shall and may be read in Evidence in all Cases of Appeal, and in all Suits, Actions, Controversies, or Disputes, touching any thing done by

virtue of or in pursuance of the said last recited Act or this Act, or in anywise relating thereto.

Trustees. V. And be it further enacted, That all His Majesty's Justices of the Peace acting for the respective Counties of *Northampton*, *Lincoln*, and *Rutland* for the Time being, the Reverend *Richard Atlay*, the Reverend *Henry Atlay*, the Reverend *Charles Atlay*, *Thomas Graham Arnold* M.D., the Reverend *Martin Amphlett*, *John Andrew*, *Edward Brown*, *Henry Boulton*, *Samuel Barker*, the Reverend *William Baker*, the Reverend *William Brown*, the Reverend *Edward Brown*, the Reverend *Gregory Bateman*, *James Bowker*, *William Broughton*, the Reverend *John Butt*, *Hugh Bell*, *George Bailey*, *Henry Batt*, *John Bellingham*, *Bettison*, the Reverend *William Belgrave*, the Reverend *Robert Boon*, the Reverend *Henry Key Banney*, the Honourable *Thomas Cecil* commonly called Lord *Thomas Cecil*, Sir *Montague Chomley* Baronet, *Charles Chaplin*, the Reverend *Christopher Cookson*, *Samuel Coddington*, *Benjamin Cooper*, *John Corrie*, *Thomas Chapman*, the Reverend *Richard Carly*, *Joshua John Proby* Earl *Carysford* in the Kingdom of *Ireland*, *John Chamberlain*, *Edward Cayley*, *George Richards Denshire*, *John Davis*, the Honourable *Thomas Dawney*, *Charles Duncombe*, *Pauncefoot Duncombe*, *Charles Denshire*, *John Dove*, *Thomas Dove*, *John Dove* the younger, *William Dove*, the Reverend *John Ellicott*, *William Brown Edwards*, *Stephen Eaton*, *George Fludyer*, *Evan Foulkes*, the Reverend *Thomas Foster*, *Samuel Richard Fydell*, *Henry Fryer*, the Reverend *Kingsman Foster*, the Reverend *William Foster*, *John Gibson*, *Thomas Grosvenor*, *George De Ligne Gregory*, *William Hopkinson*, *John Hewson*, *William Hardwick*, *William Halford*, Sir *Gilbert Heathcote* Baronet, *James Hurst*, *Thomas Hurst*, the Reverend *John Hopkinson*, *Chelsden Heuson*, *Henry Hopkinson*, *Robert Heathcote*, *Robert Stuart Hurst*, *Whitworth Thomas Hotchkins*, the Reverend *Samuel Edmund Hopkinson*, Sir *Robert Heron* Baronet, *Robert Hurst*, *William Augustus Johnson*, *Charles Johnson*, the Reverend *Edward Jones*, *Samuel Judd*, *Thomas Hippesley Jackson*, the Reverend *Knipe*, the Reverend *Brounlow Villiers Layard*, *Anthony Lewis Layard*, *Thomas Lloyd*, the Right Honourable *William Lowther*, the Reverend *Richard Lucas*, the Reverend *Richard Lucas* the younger, *Richard Lluellyn*, *John Rowland Litchford*, *John Lenton*, *Charles Lowe*, the Reverend *John Lamb*, *John Manby*, *William Munton*, *William Munton* the younger, *John Mawby*, *Thomas Mills*, Sir *William Manners* Baronet, the Reverend *John Myers*, *John Manners*, *James M'Guffog*, *John George De Merveilleux*, the Honourable *John Monckton*, *Francis Mawby*, Sir *Gerard Noel Noel* Baronet, *Charles Noel*, *Thomas Noel*, *William Noel*, *Robert Nickolls* of *Toft*, *Robert Nickolls* of *Stamford*, the Reverend *Henry Neville*, *Christopher Neville Noel*, *Richard Newcomb*, *Richard Norris*, *Stafford O'Brien*, *Donatus O'Brien*, *William Ostler*, *John Osborn*, *William Osborn*, *James Osborn*, the Honourable *Charles Anderson Pelham*, the Reverend *Thomas Parke*, the Reverend *William Pochen*, *Michael Pierrepont*, *Joseph Phillips*, *John Presgrave*, *Charles Roberts*, *Thomas Birch Reynardson*, *Thomas Rawnsley*, *William Reeve*, *James Rowe*, *John Roberts*, *William Stevenson*, *Nicholas Clarke Stevenson*, *Singleton*, *Thomas Syson*, the Reverend *John Serocold*, the Reverend *Charles Swan*, *Benjamin Smith*, *Valentine Stapleton*, *Leonard Stevenson*, *Thomas Simpson*, *Francis Simpson*, Sir *John Trollope* Baronet, *Thomas Tryon*, *Edmund Turner*, the Reverend *Richard Twopeny*, *Cotton Thompson*, *Richard Tumill*, *James Torkington*, *William Thorpe*, Sir *Thomas Whichcote*

Whichcote Baronet, *John Wingfield*, *John Muxloe Wingfield*, the Reverend *Thomas Wingfield*, Sir *William Earl Welby* Baronet, *John Willis* M.D., *Thomas Woodroffe*, the Reverend *William Wing*, the Reverend *William Thomas Waters*, *John Whatmuff*, *Edward Wherry*, *James Whatson*, the Reverend *William Wing*, and *Henry Park West*, and their Successors, together with such other Persons, not exceeding Five in the whole, as the said Trustees shall at their First or any subsequent Meeting nominate and appoint, shall be and are hereby appointed Trustees for amending, widening, altering, improving, and keeping in repair the Roads hereinbefore described, and for otherwise carrying this Act into Execution.

First Meeting of Trustees.

VI. And be it further enacted, That the said Trustees shall meet at the *George and Angel Inn*, or at some other convenient Place in *Stamford* aforesaid, on the Day of the Commencement of this Act, or as soon after as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Two in the Afternoon, and shall then and there proceed to the Execution of this Act, and adjourn themselves afterwards to meet there, or at any other Place or Places as to them shall seem convenient, and at such Time or Times as the said Trustees shall appoint; and for the Purpose of doing, performing, and transacting any Business, Matter, or Thing, relative to the *Bourn* District of Road, it shall be lawful for the Trustees to adjourn themselves to and hold a Meeting at the *Bull Inn* in the said Town of *Bourn*, or at some other convenient Place or Places in or near to the said Town of *Bourn*, Twice in every Year at the least, Half-yearly, or at such other Periods as they shall think proper.

Oath of Trustees.

VII. And be it further enacted, That no Person hereby appointed, or who shall hereafter be chosen or appointed a Trustee, shall be qualified or capable of becoming and acting as a Trustee in the Execution of this Act, until he shall have taken and subscribed the Oath (or being one of the People called *Quakers*, the Affirmation) following, before any One or more of the said Trustees, who are hereby authorized and empowered to administer the same, in the Words or to the Effect following; that is to say,

'I do swear, [*or, being one of the People called Quakers*, do solemnly affirm], That I will truly, faithfully, and impartially act in the Execution of the Trusts and Powers reposed in me by virtue of an Act of Parliament passed in the Fourth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of the Act.*] So help me GOD.'

'[*Or, being a Quaker, omit the Words*, 'So help me God.']

And if any Person shall act (except as aforesaid) before he shall have taken and subscribed the said Oath or Affirmation, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, by Action of Debt or on the Case, or by Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*: Provided always, that no Act or Proceeding touching the Execution of the said recited Act of the Third Year of the Reign of His present Majesty, or this Act, which shall have been done or performed by any such Person who shall have omitted or neglected to take and subscribe

scribe the Oath or Affirmation by this Act prescribed, shall be thereby impeached or rendered nugatory; but all such Proceedings shall be as valid and effectual as if such Person had taken and subscribed such Oath or Affirmation previously to his having acted as such Trustee as aforesaid.

Old Officers to continue until new Ones appointed.

VIII. And be it further enacted, That every Clerk, Collector of the Tolls, and other Officer or Officers (other than the Treasurer), nominated and appointed under and by virtue of the said Act hereby repealed, shall hold and enjoy their several and respective Offices and Employments, until he, she, 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 this Act into Execution, and shall be subject and liable to the like Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations, in all respects whatsoever, as if he, she, or they had been nominated or appointed under or by virtue of this Act.

Prohibiting the same Person from acting as Clerk and Treasurer.

IX. 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 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 Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, 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 Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall hold or accept any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person 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 of Law, nor more than one Imparlance shall be allowed.

Trustees may appoint Officers.

X. And be it further enacted, That it shall be lawful for the said Trustees at any Meeting, whereof Notice in Writing signed by Three or more of the said Trustees shall be affixed on all the said Turnpike Gates then erected upon the said Roads, Twenty-one Days at least before such Meeting, by Writing under their Hands, to elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors of the Tolls, and also a Surveyor or Surveyors, and all such other Officers as the said Trustees shall think necessary, and also may remove from Time to Time all or any such Clerks, Treasurers, Collectors, Receivers, Surveyors, or other Officers, as the said Trustees shall see occasion; and upon the Death, Resignation, or Removal of such Officers, or any of them, the said Trustees may appoint others in their stead, and

out of the Monies arising by virtue of this Act, the said Trustees shall make such Allowances to their respective Officers, and to such other Persons as shall be assisting in and about the Execution of this Act, as to the said Trustees shall seem reasonable and proper.

Power to erect Turnpikes, &c.

XI. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think proper, to continue or remove all and every or any of the Turnpikes or Toll Gates and Toll Houses now standing and being in and upon or across the said Roads or on the Sides thereof, and to erect and set up, or build or cause to be erected, set up, and built, upon, in, or across the said Roads or any Part thereof, or upon or across the Entrance to any Road, Lane, or Way leading into the same or any Part thereof, such and so many Toll Gates, Turnpikes, Side Bars, Chains, and Weighing Machines, with Toll Houses, Outbuildings, Lamps, and other Conveniences thereto, and to inclose on the Sides of the said Roads suitable Garden Spots for such respective Toll Houses (not exceeding One-eighth Part of a Statute Acre to each Toll House) as the said Trustees shall think necessary, and from Time to Time to take down and remove, or to alter and discontinue the same, or any of them, as the said Trustees shall think proper, and direct or appoint.

Power to sell the present Toll Houses.

XII. And be it further enacted, That it shall be lawful for the said Trustees absolutely to sell and dispose of any Toll House or Toll Houses erected by virtue of the said Act hereby repealed, on the said Roads to be improved and repaired by virtue of this Act, or hereafter to be erected by virtue of this Act, and the Ground whereon the same may stand, with the Outhouses, Gardens, and Appurtenances thereunto belonging, where they shall be considered by the said Trustees useless and unnecessary for the Purposes of this Act, to any Person or Persons whomsoever, either by public Auction or private Sale, at or for such Price or Prices, as they the said Trustees can obtain for the same, and in case of Sale, to convey the said Toll Houses, Gardens, and Appurtenances to the Person or Persons who shall purchase the same, as an Estate or Estates of Inheritance in Fee Simple; and the Person or Persons who shall purchase the same, his, her, or their Heirs or Assigns, shall, upon Payment of his, her, or their Purchase Money to the said Trustees or to their Treasurer or Treasurers for the Time being, hold and enjoy the Premises by him, her, or them so purchased, discharged from all Trust, and free from all Incumbrances whatsoever, and shall not be obliged to see to the Application of his, her, or their Purchase Money, nor be answerable for the Misapplication or Nonapplication thereof: Provided always, that such Preference of purchasing shall be given to the Owner or Owners of the adjoining Land, as is by the said last recited Act directed to be given, where any Piece or Pieces of Ground or old Road, not wanted for the Purposes of any Turnpike Road, is authorized to be sold and disposed of.

Tolls to be taken.

XIII. And be it further enacted, That the several Tolls herein-after particularly mentioned shall be demanded and taken at each and every of the Toll Gates or Turnpikes which shall be continued, erected, or provided in pursuance of this Act upon each of the said Districts of Road, or on the Side or Sides thereof respectively, or in, upon, or across any Lane or Bye Way leading into or out of the same or either of them (except as herein-after is expressly directed or provided to the contrary) before

before any Horse, Cattle, Carriage, or other Thing upon which any Toll is by this Act imposed, shall be permitted to pass through the same; (that is to say),

For every Horse or other Beast of Draught drawing any Coach, Berlin, Landau, Chariot, Chaise, Curricle, Calash, Hearse, Chaise Marine, Chair, Gig, Whiskey, Taxed Cart, or other Carriage of the like kind, the Sum of Sixpence:

For every Horse or other Beast of Draught drawing any Waggon, Wain, Cart, or other Carriage of the like kind, having the Wheels of the Breadth of Six or more Inches, the Sum of Three-pence:

For every Horse or other Beast of Draught, drawing any Waggon, Wain, Cart, or other Carriage of the like kind, having the Wheels thereof of a less Breadth than Six Inches, the Sum of Sixpence:

For every Four-wheeled Carriage in any Manner fixed to any Waggon, Wain, Cart, or other Carriage, if empty, Sixpence; but if in any manner laden, or having any Person therein, One Shilling:

For every Two-wheeled Carriage, having any Person therein, or being laden, in any manner fixed to any Waggon, Wain, Cart, or other Carriage, the Sum of Sixpence; and unladen or empty, the Sum of Three-pence:

For every Pair of Mill Stones, or Block or Blocks of Timber, drawn by Five or more Horses, or other Beasts of Draught, the Sum of Two Shillings and Sixpence;

For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of Three Halfpence:

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

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

Tolls not to be again paid on repassing Toll Gates.

XIV. Provided always, and be it further enacted, That no Person or Persons who shall have paid the Tolls or Duty for passing through any of the said Turnpikes or Toll Gates, on either of the said Districts of Road respectively, shall be liable to pay any Toll or Duty for re-passing through the same Turnpikes or Toll Gates, or any of them, on the same District on which such Toll has been paid, with the same Horses, Cattle, Beasts, and Carriages, on the same Day, to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the succeeding Night, such Person or Persons producing a Ticket denoting the Payment of such Toll; but that all and every Person and Persons, who shall have passed and re-passed once in the same Day, through the same Turnpikes or Toll Gates as aforesaid, on either of the said Districts of Road respectively, shall afterwards be subject and liable to the Payment of the like Toll or Duty for every subsequent Time such Horses, Cattle, Beasts, or Carriages shall pass, or pass and repass through the same Turnpike or Toll Gate, during the same Day; any thing herein contained to the contrary notwithstanding.

Number of Tolls to be taken.

XV. Provided always, and be it further enacted, That no more than the several Tolls herein-after mentioned shall be demanded or taken from any Person or Persons, for passing or repassing once the same Day, with the

the same Horse or Horses, Cattle, Beast or Beasts, or Carriage or Carriages, through all the Toll Gates or Turnpikes erected or to be erected upon or on the Sides of the said Roads; that is to say, no more than Three Tolls within the said *Wansford* District, and no more than Three Tolls within the said *Bourn* District.

Table of Tolls to be put up.

XVI. And be it further enacted, That the said Trustees shall, and they are hereby required to put up, or cause to be put up, and afterwards to be continued at every Toll Gate erected or continued by virtue of this Act, a Table, painted in distinct and legible Black Letters, on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Tolls payable at every such Gate, distinguishing the several Tolls, and the different Sorts of Carriages for which they are to be paid, where there shall be any Variation therein, and also a List of the several Gates which shall be wholly or partially cleared by the Payment of Toll at the Toll Gate or Bar where such Table of Tolls shall be affixed; and the said Trustees shall also provide Tickets denoting the Payment of Toll, and on such several Tickets shall be specified the Name of the Gate at which the same respectively shall be delivered, and also the Names of the several Gates freed by such Payment, One of which Tickets shall be delivered *gratis* to the Person paying the Toll, and on the Production of such Ticket at any Gate or Gates therein mentioned as being cleared as aforesaid, by the Payment of the Toll at the Gate where such Ticket was delivered, the Person producing the same shall pass through the Gate or Gates therein mentioned, without paying any further or additional Toll.

Stage Coaches and Post Chaises to pay every Time.

XVII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for and in respect of all Horses or other Cattle drawing any Stage Coach, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, every Time of passing or repassing along the said Roads; and also for and in respect of all Horses or Beasts of Draught let out to Hire, and drawing any Post Chaise or other Carriage every Time of passing along the said Roads, whenever a new Hiring thereof shall be made.

Application of the Money upon the Wansford District.

XVIII. 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 upon the said District of Road called the *Wansford* District, and which shall be undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable upon the said District, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act upon the same District, and not herein otherwise appropriated or directed to be applied, shall be vested in the said Trustees for the Time being, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; that is to say, in the first Place in Payment of the Costs, Charges, and Expences incident to or attending the obtaining and passing of this Act and in discharging the Balances (if any) which shall be due to the Treasurer or Treasurers of the same District, or other Person or Persons as aforesaid, with lawful

Interest

Interest for the same during the Forbearance thereof; in the second Place, in paying the Interest accruing upon the several Principal Sums of Money which shall from Time to Time be due and owing on Mortgage or Security of the Tolls granted by this Act upon the said District; in the third Place, in defraying the Expences of erecting and providing Turnpikes, Toll House, and other Buildings, and of repairing the same, and of altering, widening, turning, repairing, and improving the same District of Road, and purchasing Lands for those Purposes, and of executing the several other Powers, Purposes, and Trusts of this Act; and lastly, in reducing, paying off, and discharging such several Principal Sums as aforesaid; and it shall be lawful for the said Trustees from Time to Time to ascertain the Order and Priority in which the same several Principal Sums shall be reduced or paid off, and discharged by Ballot, or in such other Way and Manner as they shall think fit.

Application of the Money upon Bourn District.

XIX. And be it further enacted, That all Monies which before the Day of the Commencement of this Act shall have been raised and produced upon the said District of Road called the *Bourn* District, and which shall be undisposed of on the Day of the Commencement of this Act; and also all the Monies which shall arise and be produced by or from the Tolls by this Act granted or made payable upon the said District, together with the Monies which shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue of this Act, upon the same District, and not herein otherwise appropriated or directed to be applied, shall be vested in the said Trustees for the Time being, and be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; that is to say, in the first Place, in discharging the Balance, if any, which shall be due to the Treasurer or Treasurers of the same District, or other Person or Persons as aforesaid, with lawful Interest for the same during the Forbearance thereof; in the second Place, in paying the Interest accruing upon the several Principal Sums of Money which shall from Time to Time be due and owing on Mortgage or Security of the Tolls granted by this Act upon the same District; in the third Place, in defraying the Expences of erecting and providing Turnpikes, Toll Houses, and other Buildings, and repairing the same, and of altering, widening, turning, repairing, and improving the said District of Road, and purchasing Lands for those Purposes, and of executing the several other Powers, Purposes, and Trusts of this Act; and lastly, in reducing, paying off, and discharging such several Principal Sums as aforesaid; and it shall be lawful for the said Trustees from Time to Time to ascertain the Order and Priority in which the same Principal Sums shall be reduced or paid off and discharged by Ballot, or in such other Way or Manner as they shall think fit.

Trustees restrained from pulling down Houses.

XX. And be it further enacted, That nothing in this Act contained shall authorize or empower the said Trustees, in repairing, widening, and improving the said Roads, or either of them, to take or pull down any Dwelling House or other Building, or any Part thereof, or to take in or make use of any Curtilage, Garden, Orchard, Yard, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Ground, planted and set apart, or any Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owner or Proprietor thereof, first had and obtained for that Purpose.

Statute Labour.

XXI. 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 the repairing and amending the said Roads, shall be and remain liable thereto, in like manner in every respect as they now are or have heretofore been; and it shall be lawful for any Two or more Justices of the Peace in and for the said Counties of *Northampton*, *Lincoln*, and *Rutland*, and the Liberty of *Peterborough* and Borough of *Stamford*, within their respective Jurisdictions, and they are hereby required and empowered, upon Application made to them by the Treasurer, Clerk, or Surveyor of the said Roads, 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, Hamlets, and Places in or through which the said Roads do or shall lie, lead, or pass; and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish, Hamlet, 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 their Treasurer or Treasurers; and in order thereunto it shall be lawful for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish, Hamlet, or Place, to bring in a List before the said 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, Hamlet, 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 are or may be directed by any Law or Statute in force or effect for the Repairs of the Public Highways; and out of such List the said 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 in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees or their Surveyor or Surveyors shall from Time to Time order, direct, or appoint; and the said Justices shall and may order and direct the Surveyor or Surveyors of such Parishes, Hamlets, and Places respectively, to pay over to the said Trustees, or their Treasurer, such Proportion of the Composition for Statute Work as aforesaid, as they the said Justices shall think proper, and at such Time or Times as the said Justices shall direct; and each and every Person who shall neglect or refuse to do 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 by any Surveyor to the Trustees, shall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts, to be provided by him, her, or them, be subject and liable to such Fines, Penalties, and Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute now in force or effect for Repairs of the Public Highways; and if any Person who shall come to work as a Labourer, or shall be sent with a Team or Draught to work on any Part of the said Roads, shall be found idle

idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and dismiss the Person who shall be found idle and 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 of the said Trustees, and applied towards amending the said Roads; and in case the Surveyor or Surveyors of the Highways for any of the said Parishes, Hamlets, or Places, shall refuse or wilfully neglect to give in any such Lists as aforesaid, or shall knowingly or wilfully give in false and imperfect Lists, or shall refuse or neglect to collect or pay over such Composition Money, or any Part thereof, in Manner aforesaid, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds; and such Composition Money shall and may be recovered from such Surveyor or Surveyors of the Highways by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hands and Seals of any Two Justices of the Peace for the Counties of *Northampton*, *Lincoln*, and *Rutland*, and the Liberty of *Peterborough* and Borough of *Stamford*, within their respective Jurisdictions, on Complaint made to such Justices by the Surveyor to the Trustees.

In case of Nonpayment of Compensation for Materials, Damages, or Injury done by the said Trustees, &c. the same to be levied by Distress on the Goods of such Trustees or their Treasurers.

XXII. Provided always, and be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice or Justices of the Peace in pursuance of the Directions of the said recited Act of the Third Year of the Reign of His present Majesty or this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Trustees to the Party or Parties entitled to receive the same, within Ten Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Trustees or their Treasurer or Treasurers, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose, by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Trustees or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall receive in pursuance of the said last recited Act or this Act,

Act, all such Sums, Costs, Charges, and Expences as he shall pay or be put unto by virtue of any such Order as aforesaid.

Public Act.

XXIII. 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.

XXIV. And be it further enacted, That this Act shall commence and take place from the passing thereof, and shall continue and be in force 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. 1823.