



ANNO TRICESIMO NONO

GEORGII III. REGIS.

Cap. 47.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and enlarging and altering the Powers, of Two Acts, the One passed in the Thirtieth Year of the Reign of His late Majesty King *George* the Second, and the other in the Second Year of the Reign of His present Majesty, for amending, widening, and keeping in Repair, the Road leading from *Burleigh Bridge*, in the Town of *Loughborough*, to *Ashby-de-la-Zouch*, in the County of *Leicester*; and for repairing and widening the Road, branching out of the said Road at *Coleorton Church*, over *Coleorton Moor*, and through *Worthington* and *Sutton Bonington*, to *Rempston*, in the Counties of *Leicester* and *Nottingham*.
[13th June 1799.]

[*Loc. & Per.*]

7. H

WHEREAS

Preamble.

30 Geo. II,
and2 Geo. III,
recited.Acts further
continued.

WHEREAS an Act was passed, in the Thirtieth Year of the Reign of His late Majesty King George the Second, intituled, *An Act for amending, widening, and keeping in Repair, the Road leading from Burleigh Bridge, in the Town of Loughborough, to Ashby-de-la-Zouch, in the County of Leicester*: And whereas another Act was passed, in the Second Year of the Reign of His present Majesty King George the Third, intituled, *An Act to continue and render more effectual, an Act, passed in the Thirtieth Year of the Reign of His late Majesty, for amending, widening, and keeping in Repair, the Road leading from Burleigh Bridge, in the Town of Loughborough, to Ashby-de-la-Zouch, in the County of Leicester; and for repairing and widening the Road, branching out of the said Road at Coleorton Church, over Coleorton Moor, and through Worthington and Sutton Bonington, to Rempston, in the Counties of Leicester and Nottingham*: And whereas the Trustees, appointed in or by virtue of the said recited Act, have proceeded to put the same in Execution, and considerable Sums of Money have been borrowed for the Purpose of amending and keeping in Repair the said Roads, on the Credit of the Tolls directed to be taken thereon, and great Progress hath been made in repairing, widening, and amending the said Roads; but the same cannot be properly supported, amended, and kept in Repair, nor the Money so borrowed be repaid, unless the Term of the said Acts be continued, and the Powers and Provisions thereof, in some Respects, altered and amended: 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 Acts hereinbefore mentioned, and all and every the Clauses, Powers, Privileges, Exemptions, Provisions, Matters, and Things therein contained, and which are now in Force, (except such Parts thereof as relate to Exemptions from Stamp Duties), shall remain in Force, and be exercised and executed for and during the Term herein-after mentioned, as fully and effectually, to all Intents and Purposes, as if the same were herein particularly repeated and re-enacted, for the Purpose of repairing, widening, and rendering more commodious the said Roads, but subject nevertheless to the Alterations, Additions, and Amendments, herein contained, and which shall commence upon the passing of this Act; and this Act, and the Term hereby granted, shall be, and are hereby made subject to the Payment of all Money now due and owing upon the Credit, or upon Account of the said former Acts, or either of them, or of the Tolls thereby granted, or which shall be hereafter borrowed on the Credit of the said former Acts and this Act, or either or any of them, and the Interest due, and to grow due for all such Money respectively, as fully and effectually, to all Intents and Purposes, as if all such Money and Interest had been borrowed and become due upon the Credit or on Account of the said former Acts and this Act.

For confirm-
ing an Agree-
ment between
the Trustees
of this Act
and the Trus-
tees of the
Tamworth and
Sawley Ferry
Roads.

II. And whereas that Part of the said Roads which lies between *Ashby-de-la-Zouch* and the Gate at the Entrance of *Swarcliffe Lane*, being in Length One thousand seven hundred Yards, has never been properly formed and repaired, the Money arising by virtue of the said Acts not being sufficient for repairing and amending all the said Roads: And whereas it is a Grievance to the Inhabitants of *Ashby-de-la-Zouch*, and to all other Persons having

having Occasion to travel and pass along such Part of the said Roads; that Tolls should be taken at the Entrance of the said *Swarcliffe Lane*, where the Turnpike Road leading therefrom to *Breedon* and *Sawley Ferry* (now *Harrington Bridge*); Part of the Turnpike Road leading from the Borough of *Tamworth* to *Sawley Ferry* aforesaid, communicates with the said Road from *Loughborough* to *Ashby-de-la-Zouch*; and for Remedy of the said Grievance it hath been proposed and agreed between the Trustees of the said Turnpike Road from *Loughborough* to *Ashby-de-la-Zouch*, and the Trustees of the said other Turnpike Road with which the same communicates at the Entrance of *Swarcliffe Lane* as aforesaid, that they the said Trustees of the said last-mentioned Turnpike Road shall from henceforth, during the Continuance of the Term by this Act granted, by and out of the Tolls and Revenues of such last-mentioned Road, form, and well and sufficiently repair and keep in Repair, from Time to Time, the said Part of the said Road between *Ashby-de-la-Zouch* and the Entrance of *Swarcliffe Lane* aforesaid; (they having and taking; and being entitled to have and take, the yearly Statute Duty and Composition for such Part of the same Road as, by the Powers of the said recited Acts and this Act, is and are authorized and required to be done on such Part of the said Road), and in Consideration thereof that the Tolls now taken at the said Gate at the Entrance of *Swarcliffe Lane*, shall from henceforth be reduced to One Half of such Toll; and no more than One Half of the Toll now taken at such Gate shall from henceforth, during the Continuance of the Term by this Act granted, be demanded, collected, and taken, or be recovered or recoverable at such Gate, under any of the Powers and Authorities of the said Acts or this Act; (that is say); For every Team of Four Horses, Mares, Geldings, Mules, Asses, or other Beasts of Draught, drawing in any Carriage laden with Lime or Limestone, the Sum of Four-pence Halfpenny; and so in Proportion for any greater or less Number so drawing: For every such Horse, Mare, Gelding, Mule, or Ass, or other Beast of Draught, drawing in any Carriage not laden with Lime or Limestone, One Penny Halfpenny: For every Pair of Mill Stones, the Sum of One Shilling and Three-pence: For every Horse, Mare, or Gelding, Mule, or Ass, laden or unladen and not drawing, One Halfpenny: For every Drove of Oxen, Cows, or Neat Cattle, Five-pence *per* Score; and so in Proportion for any less Number: And for every Drove of Calves, Hogs, Sheep, or Lambs, Two-pence Halfpenny *per* Score; and so in Proportion for any less Number: Be it therefore enacted, That the Agreement so entered into between the Trustees of the said respective Turnpike Roads shall be and is hereby established, ratified, and confirmed, and that the Trustees acting, or who shall hereafter act, in the Case and Management of the said Turnpike Roads respectively, from Time to Time and at all Times from the passing of this Act; and during the Continuance of the Term hereby granted; shall abide by and perform the said Agreement in all Things, according to the true Meaning and Intent thereof as above recited and mentioned; and as if the same was also enacted in the Body of the Act for amending and repairing the said Turnpike Roads from the Borough of *Tamworth* to *Sawley Ferry* aforesaid; and that the Trustees acting, or who shall hereafter act, for the said last-mentioned Turnpike Road, shall have and are hereby authorized to have and take; from Time to Time, such Powers and Remedies for calling out and enforcing the Performance of the yearly Statute Duty, and Payment of Composition liable by
this

Tolls

this Act to be called for and paid for and in respect of the said Part of Road between the Town of *Ashby-de-la-Zouch* and the Entrance of *Swarcliffe Lane* aforesaid, as are in and by the said Acts and this Act given to the Trustees thereof, as to the other Parts of the Roads between *Loughborough* and *Ashby-de-la-Zouch*; any Thing herein, or the herein recited Acts, or the Act for making and maintaining the said Roads between the Borough of *Tamworth* and *Sawly Ferry*, either or any of them, or any other Law or Statute, contained to the contrary notwithstanding.

No Gate to be erected between *Ashby-de-la-Zouch*, and *Swarcliffe Lane*.

III. Provided always, and be it further enacted, That nothing in the said recited Acts or this Act contained shall authorize or empower the Trustees for executing the same, at any Time during the Term hereby granted, to erect and set up, or cause to be erected or set up, any Toll Gate or Bar, or to cause any Toll to be demanded or taken between the Town of *Ashby-de-la-Zouch* and the Entrance of *Swarcliffe Lane* aforesaid; any Thing in the said Acts or either of them contained to the contrary hereof in anywise notwithstanding.

The Inhabitants of a certain Part of the Parish of *Loughborough* exempted from paying Toll at *Burleigh Field Gate*.

IV. Provided always, and be it further enacted, That no Toll shall be demanded or taken at the Gate called *Burleigh Field Gate*, or at any Gate to be erected in lieu thereof, for any Horse or other Beast, or for any Carriage belonging to any of the Occupiers of any of the Lands or Grounds in the Parish of *Loughborough*, situate on the West Side of the said Gate, such Carriages being employed in the Conveyance of Lime for Manure and other Manure, Hay, Corn, and Straw, and Sheep, such Manure, Hay, Corn, and Straw, and Sheep, being the Produce of such Lands, to or from the said Lands or Grounds respectively, so that the same are not taken or conveyed out of the Parish of *Loughborough* aforesaid; any Thing in the said former Acts or either of them contained to the contrary hereof notwithstanding; and if any Person shall claim or take the Benefit of the Exemption aforesaid, without being entitled thereto, every such Person shall, for every such Offence, forfeit and pay any Sum not exceeding Three Pounds nor less than Forty Shillings.

Trustees may lease the Tolls.

V. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, on giving Notice in Writing, to be fixed on all the Gates or Turnpikes which shall be then erected upon the said Road, of their Intent to let such Tolls, at least Fourteen Days before their Meeting for such Purpose, from Time to Time, by Writing under their Hands and Seals, to demise and lease the Tolls by the said Acts and this Act made payable, or any Part of such Tolls, to any Person or Persons, from Year to Year, or for any Term of Years not exceeding Three Years at any One Time, for the best Price or yearly Rent that can be got for the same, payable at such Times, and under such Covenants, and to such Person or Persons, as they the said Trustees, or any Five or more of them, shall direct or appoint; which Monies so to be paid shall be applied and disposed of as the said Tolls are directed to be applied and disposed of, and to no other Use or Purpose whatsoever.

Meetings may be had on Emergencies

VI. And be it further enacted, That if after any Adjournment of the Trustees for executing the said Acts and this Act, it shall at any Time be thought necessary that an earlier Day should be appointed than the

the Day to which such Meeting shall have been adjourned, the Clerk, by an Order in Writing signed by any Three or more of the said Trustees, mentioning the Time and Place, and Purpose of such Meeting, shall, by Writing to be affixed on all the Turnpikes then erected on the said Roads, or by an Advertisement to be inserted in some one Newspaper published or circulated in the County of *Leicester*, give Notice of the Time and Place which shall be mentioned in the Order of the said Trustees for such Meeting (such Time not being less than Ten Days after such Notice); and all Proceedings of the said Trustees at such Meetings shall be as valid as they would have been in case the Trustees had met in pursuance of Adjournment.

earlier than
the Adjourn-
ment:

VII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of this Act, in the Name or Names of their Clerk or Clerks for the Time being, and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees by virtue of this Act, in the Name or Names of their Clerk or Clerks, shall abate or be discontinued by the Death or Removal of any such Clerk or Clerks, nor by the Act of such Clerk or Clerks, without the Consent of the Trustees, or any Five or more of them, but that the Clerk or Clerks for the Time being to the said Trustees shall be deemed to be Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, in every such Action or Suit.

Trustees may
sue and be
sued in the
Name of their
Clerk.

VIII. And be it further enacted, That in case any Money or Re-compence shall be paid for any Lands, Grounds, or Hereditaments, which shall be purchased, taken, or used, by virtue of the Powers of the said Acts and this Act, for the Purposes thereof, to any Corporation, Feme Covert, Infant, Lunatick, or Person under any other Disability or Incapacity, as in the said Act of the Second Year of His present Majesty's Reign particularly mentioned, shall, in case the same be not less than the Sum of One hundred Pounds, with all convenient Speed be invested in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed and settled upon and subject to the like Uses, Trusts, and Limitations, as the said Lands, Grounds, or Hereditaments belonging to such Corporation or other Person as aforesaid, so to be purchased, taken, or used, were settled, limited, or assured; and in the mean Time and until such Purchase can be made, such Money shall 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 there, *ex parte* the Trustees for executing the said Acts and this Act, pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter the Thirty-second, and the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of King *George* the Second, Chapter the Twenty-fourth, and shall, when so paid in, be laid out in the Purchase of Navy or Victualling Bills, or Exchequer Bills; and the Interest arising from the Money laid out in such Bills, and the Money received for the same, as they shall be respectively paid off by Government, shall be laid out in the Name of the said Accountant General, in the Purchase of other Navy or Victualling Bills, or Exchequer Bills; all which said Navy and Victualling Bills and Exchequer Bills shall be deposited in the Bank, in the Name of the said Accountant

For disposing
of Purchase
Monies.

Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Trustees, or any Five or more of them, and until the same shall, upon a Petition setting forth such Approbation, (to be preferred to the Court of Chancery in a summary Way, by the Person or Persons who would be entitled to the Rents and Profits of any of the Lands, Grounds, or Hereditaments to be purchased therewith, if the same were purchased and settled), be ordered to be sold by the said Accountant General, for the completing such Purchase, in such Manner as the said Court shall think just and direct, and it shall and may be lawful for the said Court to make such Order or Orders in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank, and touching such Navy, Victualling, or Exchequer Bills, and the Interest thereof, in pursuance of the Directions of this Act, as the said Court shall think fit; but in case any such Money shall be less than the Sum of One hundred Pounds, and not less than the Sum of Twenty Pounds, then such Money shall be paid to such Person or Persons as the Party or Parties entitled thereto shall respectively nominate to receive the same, in Trust, with all convenient Speed to be reinvested in the Purchase of other Lands, Grounds, or Hereditaments, which shall be conveyed and settled to, upon, and subject to the like Uses, Trusts, Limitations, Remainders, and Contingencies, as the Lands, Grounds, Hereditaments, and Premises, which shall be purchased from them respectively by the said Trustees, were respectively settled, limited, or assured, to, upon, or subject to, at the Time of purchasing the same, or such of them as at the Time of making such Conveyances and Settlements shall be existing and capable of taking Effect; and in the mean Time and until such Purchase or Purchases shall be made, the said Money shall be placed out by such Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, or other Person or Persons as aforesaid, in some of the publick Funds, or on Government or Real Securities, in the Names of Two or more Persons, to be nominated by the Party or Parties interested therein, and to be approved of by the said Trustees, or any Five or more of them; and the Dividends or Interest arising or to be produced from such Funds or Securities, shall be paid to such Person or Persons respectively as would for the Time being be entitled to the Rents and Profits of such Lands, Grounds, or Hereditaments so to be purchased, conveyed, and settled, by virtue of this Act.

Collectors and other Officers may take Offenders, without a Warrant, before a Justice of the Peace.

IX. And whereas Offences may be committed against this Act, or the said recited Acts, by Persons unknown to the Collectors, Surveyors, or other Officers appointed by the said Trustees; be it therefore enacted, That it shall be lawful for any of the said Collectors, Surveyors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any such Offence or Offences, and take him, her, or them, before any Justice of the Peace for the County, and near to the Place where the Offence or Offences shall have been committed; and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige such Person or Persons so offending to give Security for his, her, or their Appearance at the next Petty Session, to be holden within and for the County in which
such

such Offence or Offences shall have been committed, to answer the said Complaint; and the Justices present at such Petty Session; or any Two or more of them, are hereby authorized and empowered to hear and determine every Complaint for Offences against this Act, or the said recited Acts, or any of them, in a summary Way; and upon Conviction of the Offender or Offenders, either by the Justice before whom he, she, or they shall be first taken, or by the Justices at such Petty Sessions as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her, or them to the House of Correction in the same County, there to remain for any Time not exceeding Twenty Days, unless he, she, or they shall sooner pay the respective Penalties by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

X. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be paid out of any Monies already received by virtue of the said former Acts, or either of them, or out of the first Monies to be received by virtue of the said Acts and this Act, in Preference to all other Payments whatsoever. For paying the Expences of the Act.

XI. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

XII. And be it further enacted, That the Term granted and continued by the said recited Acts, shall, from and after the passing of this Act, cease and determine; and that the said Acts, (subject to the Alterations, Additions, and Amendments herein contained), and this Act, shall from thenceforth 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. Continuance of the Act.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1799.

