



ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGI III. REGIS.

Cap. 2.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers, of Two Acts, passed in the Twenty-sixth Year of His late Majesty, and in the Nineteenth Year of His present Majesty, for repairing the Road from the Borough of *Leicester*, in the County of *Leicester*, to the Town of *Ashby-de-la-Zouch*, in the said County. [10th March 1800.]

WHEREAS an Act was passed, in the Twenty-sixth Year of the Preamble.
Reign of His late Majesty King George the Second, intituled,
An Act for repairing the Road from the Borough of Leicester, in 26 Geo. II, and
the County of Leicester, to the Town of Ashby-de-la-Zouch, in the said
County: And whereas another Act was passed, in the Nineteenth Year of 19 Geo. III,
the Reign of His present Majesty, for enlarging the Term and Powers of recited.
the said Act: And whereas the Trustees appointed in or by virtue of
the said Acts, have proceeded in the Execution of the Powers thereby
vested in them, and have from Time to Time for that Purpose borrowed
several considerable Sums of Money on the Credit of the Tolls thereby
granted, which Money is still owing: And whereas the Money so borrowed
[*Loc. & Per.*] E cannot

Former Acts
continued.

cannot be repaid, nor the said Road be properly amended, kept in Repair, and improved, unless the Term of the said Acts is continued, and the Powers and Provisions thereof, in some Respects, altered and enlarged, and the Tolls varied and increased: 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 herein-before 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, subject nevertheless to the Variations, Alterations, and Additions, herein contained, and which Variations, Alterations, and Additions shall commence upon and take Effect from the passing of this Act, unless otherwise particularly specified or directed; and that this Act, and the Term and Tolls hereby granted, shall be, and are hereby made subject and liable to the Payment of all Monies now due and owing upon the Credit or on 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 or on Account of the said former Acts and this Act, or any or either of them, and of 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.

Trustees.

II. And be it further enacted, That *Samuel Bracebridge Abney, John Adams, Thomas Adnutt Clerk, John Anderson Clerk, John Aspinshaw Clerk, Thomas Babington, John Bankart, Thomas Bankart, Samuel Bankart, John Barratt, John Barratt the younger, Thomas Barratt, William Beavington, Thomas Beavington, James Bishop, William Bishop, Joseph Boulton, Joseph Boulton the younger, Thomas Boulton, Samuel Bradley of Heather, John Brewin Clerk, Robert Brewin, William Cave Brown, William Brown of Hinchley, Henry Brown Clerk, John Brown of the Castle View, William Parkyn Bosville, Joseph Burbidge, Francis Burgess, Joseph Burgess, Gadolphin William Burslem, Thomas Burnaby Clerk, Beaumont Burnaby, Thomas Buxton, Thomas Bentley Buxton, Isaac Buxton, Joseph Spencer Cardale, Anthony Carr, George Carr, Henry Carter, William Casson Clerk, John Cattell, Charles Chambers Clerk, Chapman, Joseph Chamberlin, William Chamberlin, Robert Clarke, Robert Clarke the younger, Samuel Clarke, John Clarke, Joseph Cradock of Gumley, Edward Cheselden, Robert Coleman, Henry Coleman, James Cooper the younger, Richard Cooke, Josias Cochrane, the Honourable Augustus Butler Danvers, Sir Wolstan Dixie Baronet, Willoughby Dixie, Joseph Dalby, Henry Dalby, Edward Dawson of Long Whetton, Edward Dawson of Donington Park, Benjamin Dewes, John Dodd, John Eames, William Ellis, Edward Farnham, Joseph Farmer, Joseph Farnell, William Firmadge, John Fisher of Cossington Clerk, Thomas Fisher Clerk, Thomas Freer, Leonard Fosbrooke, Jonathan Foster, the Right Honourable George Harry Grey commonly called Lord Grey, the Honourable Booth Grey, the Honourable John Grey, the Honourable William Booth Grey, the Honourable Anchtel Grey, the Honourable Grey, Sir Nigel Bowyer Gresley Baronet, John Gregory, Joseph Gregory Clerk, Valentine*

Valentine Green, John Goude, Joshua Grundy, Sir Edmund Cradock Hartopp Baronet, George Harry William Hartopp, Edmund Hartopp, William Edmund Hartopp, William Hall, John Hall, Charles Hastings, Robert Hastings Clerk, William Harrison, William Herrick, John Heyrick, William Heyrick, William Hill, William Hood, Robert Hubbard, John Jackson, Nathaniel Palmer Johnson Clerk, Joseph Johnson, Joseph Johnson the younger, Matthew Ingle, William Ingle, George Anthony Legh Keck, Henry King, John King, Thomas John Kirkland, John Kirkland, Samuel Large, John Lawton, Thomas Leach, Thomas Lee, Thomas Lockwood, George Lockwood, Thomas Lomas, Lambton Loraine Clerk, Lambton Loraine the younger, John Loseby, the Right Honourable Charles Manners commonly called Lord Charles Manners, the Right Honourable Robert Manners commonly called Lord Robert Manners, Sir William Manners Baronet, John Manners, James Mallett, John Mansfield, James Mansfield, Edward Marston, William Mason, John Miles Clerk, Samuel Miles, Michael Miles, John Moore, Joseph Neale, John Nedham, Thomas Standley Nedham, John Nichols, George Nichols, John Nichols the younger, George Noble, Thomas Noel Clerk, Thomas Westley Oldham, John Bass Oliver the younger, Thomas Barfoot Oliver, Thomas Palmer, Thomas Pagett, William Pares Clerk, Thomas Parkinson Surgeon, William Parsons, Edward Parsons, Robert Peach, George Peake Surgeon, Thomas March Phillipps, Charles March Phillipps, Samuel March Phillipps, Edward March Phillipps, William March Phillipps, Henry Granmore March Phillipps, John Piddock Clerk, Leonard Piddock, John Price, John Prior the elder, Clerk, John Prior the younger, Clerk, Charles William Pochin, Thomas Read, John Roberts, Thomas Robinson Clerk, John Dawes Ross Clerk, Walter Ruding, Walter Ruding the younger, Rogers Ruding Clerk, William Ruding, Sir William Charles Farrell Skeffington Baronet, Richard Salisbury, John Saywell, John Slater, Samuel Simpson, Charles Loraine Smith, Loraine Loraine Smith, John Stephens, Richard Stephens, John Stephens the younger, Benjamin Sutton, Thomas Sutton, Edmund Swinfen, the Right Honourable Shirley commonly called Lord Tamworth, William Richardson Tyson Clerk, Robert Throsby Clerk, Samuel Towndrow, John Vaughan Serjeant at Law, Henry Vaughan Doctor in Physick, Charles Richard Vaughan, John Valentine Clerk, William Walker, Robert Walker, John Walker, Thomas Warner, Henry Watchorn, Thomas Watchorn, John Watchorn, William Watts, Benjamin Weston, Samuel Weston, Thomas Willows Clerk, John Willows, Clement Winstanley, Clement Winstanley the younger, James Winstanley, Thomas Winstanley, Thomas Wright, Henry Wood, Thomas Wood, Henry Wood the younger, and Daniel Woodland, shall be, and they are hereby added to and joined with the Trustees appointed by or in pursuance of the said former Acts, for putting the same and this Act in Execution; and the Trustees hereby nominated, and their Successors, (being qualified according to the Directions of the said first-recited Act), are hereby empowered to act in the Execution of the said former Acts and this Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed by the said former Acts, or either of them.

III. And be it further enacted, That so much of the said Act of the Twenty-sixth Year of His late Majesty, as relates to the Appointment of new Trustees, shall be, and the same is hereby declared to be repealed; and that in case any of the Trustees named in or appointed by virtue of the

Power to
choose new
Trustees.

the

the said former Acts and this Act, or either of them, shall die or refuse to act, it shall be lawful for any Seven or more of the surviving or remaining Trustees, by Writing under their Hands, (at any Meeting, whereof at least Ten Days Notice shall have been given upon all the Toll Gates then erected upon the said Road, and in some Newspaper, if any, published in the Town of *Leicester*, specifying that an Appointment of new Trustees is intended to be made at such Meeting), to nominate and appoint some other Person to be a Trustee in the Room of each Trustee so dying or refusing to act as aforesaid; and every Person so nominated and appointed (being qualified as aforesaid) shall have the like Power and Authority to act as a Trustee under the said former Acts and this Act, as the Person had in whose Stead he shall be appointed.

First Meeting
of the Trust-
tees.

IV. And be it further enacted, That the said Trustees, or any Five or more of them, shall meet at the *Three Crowns Inn* in *Leicester*, in the said County of *Leicester*, upon the Second *Monday* after the passing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, or at such other Time and Place as the Clerk or Treasurer to the said Trustees shall appoint, by Notice or Advertisement, in the Manner herein-after prescribed with respect to Meetings on Emergencies, and shall then and there proceed to carry this Act and the said recited Acts into Execution; and shall then, and from Time to Time afterwards, adjourn themselves to meet again at such Place or Places, on or near to any Part of the said Road, as the said Trustees, or the major Part of them present at any such Meeting, shall think proper and appoint, for putting this Act and the said recited Acts into Execution; and that all Acts and Proceedings of any Person or Persons who hath or have acted or shall act as a Trustee or Trustees in the Execution of this Act, or either of the said recited Acts, though not duly qualified as aforesaid, previous to his or their being convicted of having done so, shall be as valid and effectual as if such Person or Persons had been so qualified.

Power to ad-
journ.

V. And be it further enacted, That in case a competent Number of Trustees shall not appear at any Time and Place appointed for a Meeting of the Trustees for putting the said recited Acts and this Act in Execution, either then to act, or to adjourn to any other Time, Two Trustees being hereby declared to be sufficient for the Purpose of Adjournment only, or in case the Trustees at any Time assembled shall omit or neglect to adjourn themselves, then and in either of the said Cases, it shall be lawful for the Clerk or Treasurer to the said Trustees for the Time being, by Notice in Writing affixed on all the Toll Gates erected upon the said Road, or inserted in some Newspaper published in the Town of *Leicester*, if any, at least Seven Days before the next Meeting, to appoint them to meet at the same Place where the last Meeting was held, or was to have been held, on such future Day as shall be specified in such Notice, not exceeding Five Weeks after the Day on which such last Meeting was held, or was to have been held as aforesaid; and in case such Clerk or Treasurer respectively shall refuse or neglect to give Notice, or shall by any Means be prevented from giving Notice as aforesaid, it shall be lawful for any Five of the said Trustees, although not assembled at any Meeting, at any Time or Times after such Refusal, Neglect, or Prevention respectively as aforesaid, by Notice in Writing under their Hands, to be affixed or inserted in Manner aforesaid, to appoint the Trustees to

meet

meet at some House near to the said Road, upon some Day within Three Weeks after the Date of such last-mentioned Notice; and if after any Adjournment of the said Trustees, it shall be thought necessary that they should meet at an earlier Time than the Day appointed by such Adjournment, in that Case the Clerk to the said Trustees, upon an Order, in Writing, signed by Five or more of them, mentioning the Time, Place, and Purpose of such Meeting, shall forthwith give Notice thereof in the Manner before directed, and of the Time and Place which shall be mentioned in such Order, (such Time not being less than Seven Days after such Notice), and such earlier Meeting shall and may be held accordingly, and all the Proceedings of the Trustees at such Meetings as aforesaid, shall be as valid and effectual as they would have been in case such Meetings had been held in pursuance of Adjournment.

Meetings on Emergencies.

VI. And be it further enacted, That, from and immediately after the End of Twenty-one Days next after the passing of this Act, all the Tolls, by the said Act of the Nineteenth Year of His present Majesty's Reign, granted and authorized to be taken upon the said Road, shall cease, determine, and be no longer paid, and are hereby declared to be repealed; and that instead and in lieu thereof the following Tolls shall be demanded and taken (under such Restrictions as in this Act are contained, and under such Powers as are hereby, and by the said former Acts, or either of them, given) at each and every or any of the Toll Gates erected or to be erected upon the said Road, by such Person or Persons as the said Trustees, or any Five or more of them, shall from Time to Time appoint for that Purpose, before any Horse, Cattle, Beast, or Carriage herein-after specified, shall be permitted to pass through the same on any Day of the Week, except *Sunday*; (that is to say),

Former Tolls repealed, and others granted.

For every Horse or Beast of Draught drawing any Coach, Sociable, Berlin, Landau, Chariot, Vis-a-Vis, Chaise, Calash, Chaise Marine, Curricule, Chair, Gig, Whiskey, Carravan; Hearse, Litter, Waggon, Wain, Drug, Cart, or other Carriage, the Sum of Four-pence Half-penny:

Tolls.

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

For every Drug, so constructed as that the Distance between the Axletrees thereof, measured at the Ends, shall be more than Nine Feet, and laden otherwise than with a single Piece or Block of Timber or Stone, the Sum of One Shilling and Sixpence, over and above the Toll or Duty payable for the Horses drawing the same:

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

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

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

And that on every *Sunday* after the Expiration of Twenty-one Days from the passing of this Act, there shall be demanded and taken at the said Toll Gates respectively, by such Person or Persons to be nominated and appointed as aforesaid, before any Horse, Beast, Cattle, or Carriage, shall

Double Toll on Sundays.

[*Loc. & Per.*]

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be

be permitted to pass through the same, double the Tolls above directed to be taken on any other Day in the Week.

Not more than Two full Tolls to be taken between Leicester and Ashby-de-la-Zouch.

VII. Provided always nevertheless, That nothing herein contained shall extend, or be construed to extend, to empower the said Trustees, or any of them, to cause more than Two full Tolls to be demanded or taken for the Passage of the same Cattle, Carriages, Beasts, or other Things, through all the Toll Gates erected or to be erected between the Town of Leicester and the Town of Ashby-de-la-Zouch, on the same Day; the Day to be computed from Twelve of the Clock at Night till Twelve of the Clock the next Night; nor to erect or cause to be erected any Toll Gate across or at the End of any Road, now being a Turnpike Road, leading into or across the Road hereby directed to be kept in Repair.

Regulation of Carriages, etc. going to Coal Pits.

VIII. Provided also, That no Person who shall have duly paid the Toll hereby authorized to be taken for the passing of any Horse or Horses, or other Beast or Beasts, either bearing Panniers or other Things commonly used for the Carriage of Coals, or drawing any Waggon, Cart, or Carriage, through any Toll Gate erected on the said Road, going to any Coal Work unladen, or laden only with necessary Fodder and Provisions for such Horses or other Beasts, during such their Journey, shall be liable to pay any Toll for such Horses or other Beasts returning through the same Toll Gate with such Panniers or other Things, or such Waggon, Cart, or Carriage empty, or laden solely with Coals, notwithstanding such returning shall not be on the same Day on which such Payment shall have been made, but so as such returning shall be not later than the Day next after the Day of such Payment of the said Toll; such Person producing a Note or Ticket denoting such Payment, which Note or Ticket the Collector or Receiver of the said Tolls is hereby required to give gratis on Demand.

Half Toll only from Inhabitants of Packington.

IX. Provided always, and be it further enacted, That no more than One Half of the Tolls hereby authorized to be taken shall be demanded or taken at any Toll Gate erected or continued, or to be erected or continued by virtue of the said recited Acts or this Act, between the Town of Ashby-de-la-Zouch and a Lane called Job's Field Lane, opening into the said Road at the Distance of Four Hundred and Forty Yards, or thereabouts, from the said Town, of any Inhabitant of the Parish of Packington, (through Part of which Parish the said Road leads), for any Horse, Beast, Cattle, or other Thing passing on or using the said Road, between the said Lane and the said Town of Ashby-de-la-Zouch only.

Power to vary all the Tolls.

X. And be it further enacted, That the said Trustees, or any Seven or more of them, at any Meeting to be holden for that Purpose, (whereof at least Twenty Days Notice shall be given in Writing affixed on all the Toll Gates erected on the said Road) may and they are hereby authorized and empowered from Time to Time (in case it shall appear requisite or expedient) to lessen and reduce, and again to raise and advance, the Tolls or Duties hereby authorized to be taken, or any Part or Parts thereof, and to order the same to be taken in such Manner, Parts, and Proportions as they shall think fit, so that the respective Tolls so varied, never exceed the Tolls by this Act authorized to be taken; and so that the Tolls so granted or varied be never lessened until the Money borrowed on the

the Credit thereof, together with the Interest, be repaid, except the Person or Persons entitled to Three-fourths or more of such Money consent thereto; and such Tolls or Duties so varied, and every of them, shall be collected, recovered, and applied in the same Manner as the Tolls or Duties hereby authorized to be taken are directed to be collected, recovered, and applied.

XI. Provided nevertheless, and be it further enacted, That notwithstanding any Thing contained to the contrary in the said former Acts, or either of them, or in this Act, it shall be lawful for the said Trustees, or any Seven or more of them, and they are hereby empowered from Time to Time, either with or without the Consent of the Persons entitled to the Whole, or any Proportion of the Money which shall be borrowed, and then owing on the Credit of the Tolls arising on the said Road, to lessen or reduce the Toll or Duty of Four-pence Halfpenny, hereby authorized to be taken for every Horse or other Beast of Draught drawing any Waggon, Wain, Cart or other Carriage of the like Kind, to any Sum not less than Three-pence for every such Horse or Beast of Draught, and again from Time to Time to raise the same to any Sum not exceeding the Sum of Four-pence Halfpenny.

Power to vary
some of the
Tolls.

XII. And be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse, Cattle, or Beast, through any Toll Gate continued or erected by virtue of this Act, the same Person shall, upon producing a Note or Ticket denoting the Payment thereof on that Day at the same Toll Gate, which Note or Ticket the Collector or Collectors of the said Tolls is and are required to deliver *gratis* on Demand to every Person so paying the same, be permitted to pass Toll-free, with the same Horse, Cattle, or Beast, through the same Toll Gate at any Time or Times during the same Day, to be computed from Twelve of the Clock in the Night to Twelve of the Clock in the next Night.

Toll to be paid
but once a
Day.

XIII. And be it further enacted, That if any Person or Persons, having paid the respective Tolls or Duties by this Act made payable, and having thereupon received a Note or Ticket, Notes or Tickets, denoting such Payment, shall give or dispose of the same to any other Person or Persons, in order to his, her, or their avoiding the Payment of the said Tolls or Duties, every such Person giving, disposing, or offering such Note or Ticket, Notes or Tickets, and every Person so receiving the same, being thereof convicted upon Oath before any One or more Justices of the Peace for the County or Place where the Offence shall be committed, shall forfeit and pay the Sum of Forty Shillings, to be levied, recovered, and disposed of as any other Penalty or Forfeiture is directed to be levied, recovered, and disposed of by this Act.

Penalty on
disposing of
Tickets.

XIV. Provided always, and be it further enacted, That in all Cases where any Waggon, Wain, Drug, Cart, or other Carriage of the like Kind, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards, but of less Breadth than Nine Inches, shall be drawn upon the said Road by Horses or other Beasts of Draught in Pairs, the same Toll or Duty shall be payable and be paid for every such Horse or Beast of Draught as shall for the Time being be payable by virtue of this Act, and the General Act of the Thirteenth Year of His present Ma-

Toll on Wag-
gons with
Wheels of
Six Inches
Breadth or
upwards, but
of less than
Nine Inches,
and drawn by
Horses in
Pairs.

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jefty's Reign relating to Turnpike Roads; for any Horse or other Beast of Draught drawing any such like Carriage, having the Fellies of the Wheels thereof of less Breadth than Six Inches; any Thing in the said last-mentioned Act contained to the contrary notwithstanding.

Trustees may compound for Tolls.

XV. And be it further enacted, That the said Trustees, or any Five or more of them, may, and they are hereby authorized and empowered to compound or agree, by the Year or otherwise, with any Persons using the said Road (Common Carriers and the Proprietors of Stage Coaches only excepted) for any Sum or Sums of Money, which the said Trustees, or any Five or more of them, shall think fit, for and in lieu of Payment of any of the said Tolls or Duties, which Composition shall be instantly paid to the said Trustees, or to such Person or Persons as they or any Five or more of them, shall appoint.

General Exemptions from Toll.

Mails.

Soldiers.

Church, Funerals, &c.

Electors.

Vagrants.

Hay, &c.

Dung, Lime, &c.

Horses, &c. to be employed on Land in any Parish through which the Road goes.

XVI. And be it further enacted, That none of the Tolls hereby authorized to be taken, shall be demanded, taken, or paid, at any of the Toll Gates erected or to be erected or continued upon the said Road, for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning therefrom; nor for the Horses belonging to any Officers or Soldiers upon their March, or on Duty, nor for any Horses, Cattle, or Carriages employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or in carrying any sick, wounded, or disabled Officers, or Soldiers; 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; nor of or from any Person or Persons, going to or returning from his or their Parochial Church, Chapel, or other Place of Religious Worship, on *Sundays*, or any other Day on which Divine Worship is ordered by Authority to be celebrated, or who shall attend the Funeral of any Person or Persons who shall die or be buried in any Parish, Town, Hamlet, or Place, through which the said Road passes; nor for any Horses, Cattle, or Carriages, used or employed for the Purpose only of carrying or conveying Persons to or from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Leicester*, or of a Burgess or Burgesses to serve in Parliament for the Borough of *Leicester*; or of carrying or conveying Vagrants sent by Passes; or of carrying or conveying Hay, Clover, Turnips, or Corn in the Straw, to be laid or stacked up in any Barn or Yard held or used by the Occupier of the Land whereupon the same grew; or of carrying or conveying, at any Time between the First Day of *May* and the First Day of *November*, and at such other Time (if any) during Frost, as the said Trustees, or any Five or more of them, shall order and direct, any Dung, Mould, Lime, or Compost, to be used only for manuring of Land lying in any Parish, Town, Hamlet, or Place through which any Part of the said Road passes; nor for any Horses or Cattle passing in order to be used or employed only upon or for the Occupation of Land in any such Parish, Town, Hamlet, or Place as aforesaid, or drawing any Waggon, Cart, Plough, Harrow, or other Implement of Husbandry, in order to be so used or employed, or to be repaired, unless the Waggon, Cart, or Carriage bearing any such Plough,

Plough, Harrow, or other Implement of Husbandry, be also laden with any other Thing not hereby intended to be exempted from Payment of Toll; nor for any Horses, Cattle, or Sheep passing to or from Pasture, upon any such Land as last mentioned, or to or from Water; and going or passing only from one Parish into the next adjoining Parish, or not more than Two Miles along the said Road; nor for any Horses, Cattle, or Carriages used or employed, or returning unloaded or empty from having been used or employed, for the Purpose only of carrying or conveying Materials for the making or repairing any Highway or publick Road within any such Parish, Town, Hamlet, or Place as aforesaid; nor for any Horses, Cattle, or Carriages which cross the said Road only, or do not pass more than One hundred Yards thereon; and if any Person shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, every Person shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings; and that from and after the End of the said Twenty-one Days next after the passing of this Act, so much, and all such Part of the said recited Acts of the Twenty-sixth Year of His late Majesty, and the Nineteenth Year of His present Majesty's Reign, as gives any Exemption from the Payment of Toll, to any Person or Persons whomsoever, or in respect of any Cattle, Carriages, or Things whatsoever, shall be, and the same is hereby repealed.

Horses, etc.
to or from
Pasture or
Water.

Materials for
repairing
Road.

Crossing the
Road.

XVII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, (at any publick Meeting, whereof Ten Days Notice shall have been given in Writing, affixed upon all the Toll Gates then erected on the said Road, and inserted in some Newspaper, (if any), published in the Town of *Leicester*), from Time to Time, by Writing under their Hands, to let and demise, or agree to let and demise, the Tolls arising by virtue of this Act, or any Part or Parts thereof, for any Term not exceeding Three Years, upon publick Bidding to the highest Bidder, and for the best Price or Prices that can be gotten for the same, payable at such Times, and to such Person or Persons, and under such Conditions and Agreements, and with such Sureties for the Payment thereof, as the said Trustees, or any Seven or more of them, shall think fit; and the Money arising thereby shall be applied in such Manner as the Tolls so leased are directed to be applied; any Thing in any Law or Statute to the contrary notwithstanding.

Trustees may
let the Tolls.

XVIII. And be it further enacted, That it shall be lawful for the said Trustees, or any Seven or more of them, at any such Meeting, after such Notice to let to farm, either with or without the Tolls authorized by this Act to be taken, the additional Toll granted and made payable by virtue of an Act, passed in the Thirteenth Year of the Reign of His present Majesty, intituled, *An Act to explain, amend, and reduce into One Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of Great Britain called England, and for other Purposes*, for every One hundred Weight of One hundred and twelve Pounds to the Hundred, which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh, at any of the Weighing Engines now or hereafter to be erected on the said Road, over and above the Weight allowed by Law, provided that the said additional Tolls be letten in the same Manner as the Tolls arising at the said Toll Gates are by this Act directed or prescribed to be letten.

For letting
Weighing
Engines.

[Loc. & Per.]

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XIX. And

Enabling Trustees to take Possession of Toll Houses, when let to farm.

XIX. And be it further enacted, That in case the Tolls arising from all or any of the said Toll Gates erected or to be erected on the said Road, shall at any Time or Times, during the Continuance of this Act, 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 be respectively 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 shall be in Arrear by the Space of Ten Days next after any of the Days on which the same ought to be paid pursuant to the Agreement for letting the same; then and in either of the said Cases the said Trustees, or any Five or more of them, their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of them, shall be at Liberty, and they are hereby authorized, to enter into and upon the Possession of the Toll House or Toll Houses, with the Buildings, Gates, and Appurtenances thereto belonging, so letten as aforesaid, and to remove and put out such Lessee or Lessees, Farmer and Farmers from the Possession thereof, and from the Collection of the Tolls there payable; and that thereupon 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 or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be void to all Intents and Purposes (save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved) as if such Demise or Agreement had never been made; and it shall and may be lawful for the said Trustees, or any Seven or more of them, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, or cause them to be taken and collected in the same Manner as if no former Contract or Agreement had been entered into relative to the same.

Application of the Tolls.

XX. And be it further enacted, That out of any Money already arisen by virtue of the said former Acts, or out of the Money to arise by virtue thereof and of this Act, the said Trustees, or any Five or more of them shall in the first Place pay the Costs and Charges of procuring and passing this Act, and the Remainder of such Money shall from Time to Time be applied in paying the Principal and Interest of the Monies due on the Credit of the said former Acts and this Act, or any of them, and in repairing, widening, altering, lighting, and improving, the said Road, and carrying the said former Acts and this Act into Execution, in all other Respects.

Five Trustees may appoint temporary Collectors:

Discharge those misbehaving, and appoint others till next Meeting.

XXI. And be it further enacted, That when and as often as any Collector or Receiver of the Tolls shall grossly neglect or be incapable of performing his Duty, or shall abscond or absent himself, any Five or more of the said Trustees, though not assembled at a Meeting of the said Trustees appointed by virtue of this Act, shall and may lawfully discharge such Collector or Receiver so neglecting or being incapable of performing his Duty, or absconding or absenting himself, and in such Case, and also in case any such Collector or Receiver shall die, such Trustees shall and may nominate and appoint a proper Person to be a Collector or Receiver of the said Tolls, to continue until the then next Meeting of the respective Trustees, in the Stead of such Collector or Receiver as shall die or be discharged, and such Person

Person so nominated and appointed shall have the like Power and Authority, and be answerable and accountable in the same Manner, in all Respects, as the Person who shall so die or be discharged would have had or would have been subject to; and that if any Collector or Receiver of the said Tolls, who shall be discharged from his Office by virtue of this Act, or the Wife or Widow, or any of the Children, Family, or other Representative or Representatives of any Collector or Receiver who shall die or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll House or Building erected on the said Road, for the Space of Two Days after Demand thereof made, and Notice in Writing given for that Purpose by any Five or more of the Trustees, although not assembled at a Meeting, or by their Clerk or Clerks, Treasurer or Treasurers for the Time being, then and in any of the said Cases, it shall and may be lawful for any Justice or Justices of the Peace for the County or Place, by Warrant under his or their Hand and Seal, or Hands and Seals, to order any Constable or other Peace Officer, with such Assistance as shall be necessary, to enter such House or Building in the Day Time, and to remove the Person or Persons who shall be found therein, together with his, her, or their Goods, out of the same, and to put the said Trustees, or any Five or more of them, or such new appointed Collector or Receiver, into the Possession thereof.

XXII. And be it further enacted, That in case any Dispute or Litigation shall arise touching any Distress to be taken for Non-payment or Recovery of any of the Tolls payable by virtue of this Act, the 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 at all Times, in all Courts and Places, and before any Judge or Judges, Magistrate or Magistrates, a good and competent Witness, or good and competent Witnesses, to prove the Legality of the Distress, and the Non-payment of such Toll or Tolls, or any Part thereof, or to give any other Proof or Proofs, Testimony, or Evidence, which shall be necessary in such Case.

Collector of
Tolls may be
a Witness.

XXIII. And be it further enacted, That the said Trustees, or any Five or more of them, at their First or any subsequent Meeting, as Occasion shall require, shall and may, by Writing under their Hands, elect and appoint or continue a Clerk or Clerks, and a Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, of such Money as shall be due and payable by virtue of this Act (and take such Security from such Treasurer or Treasurers, Receiver or Receivers, Collector or Collectors, for the due Execution of his or their Office or Offices, as the said Trustees, or any Five or more of them, shall think fit) and also a Surveyor or Surveyors, and all such other Officers as they the said Trustees, or any Five or more of them, shall think proper; and also may remove, from Time to Time, all such Clerks, Treasurers, Collectors, Receivers, Surveyors, and other Officers, or any of them, as they the said Trustees, or any Five or more of them, shall see Occasion; and the said Trustees, or any Five or more of them, shall and may, out of the Money to be raised by virtue of this Act, make such Allowance unto the Clerks, Treasurers, Receivers, Collectors, Surveyors, or other Officers, so appointed or continued, for and in consideration of the Care and Pains respectively taken in the Execution of their respective Offices, and to such other Persons as shall

Trustees to
appoint Of-
ficers.

Officers to
account,or be pu-
nished.

shall be assisting in and about the Execution of this Act, as to them the said Trustees, or any Five or more of them, shall seem proper; and all such Officers and Persons shall, from Time to Time, when thereunto required by the said Trustees, or any Five or more of them, deliver to such Trustees, or to such Person or Persons as they, or any Five or more of them, shall for that Purpose appoint, a true and perfect Account in Writing under their respective Hands, of all Monies which shall have been by them respectively had, collected, or received, and how, and to whom, and for what Purpose, the same, and every Part thereof, hath been disposed of, together with the Vouchers and Receipts for such Payments, and shall verify such Accounts upon Oath, if thereunto required by the said Trustees, or any Five or more of them (which Oath any One of the said Trustees is hereby empowered to administer); and also such Officers and Persons shall and are hereby respectively required, to pay all such Monies as, upon the Balance of such Account or Accounts, shall appear to be in their Hands, to such Person or Persons as the said Trustees, or any Five or more of them, shall appoint to receive the same; and if the said Officers or Persons, or any of them, shall refuse or neglect to render and give such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to verify the Articles thereof upon Oath, or to pay the Balance remaining in their Hands when thereto required, in Manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint, within Ten Days after being thereunto required by the said Trustees, or any Five or more of them, or by such other Person or Persons, all Books, Papers, or Writings in their Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made by the said Trustees, or any Five or more of them, or by any Person or Persons on their Behalf, of any such Neglect or Refusal, to any Justice of the Peace for the County or Place where the Officer or Officers, Person or Persons, so neglecting or refusing, shall live or reside, such Justice may, and he is hereby authorized and required, by Warrant or Warrants, to cause such Officer or Officers, Person or Persons, to be brought before him, and upon his or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in such Manner as the said Trustees, or any Five or more of them, might have done; and if upon the Confession of the Officer or Officers, Person or Persons, against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may, and he is hereby authorized and empowered, upon Non-payment thereof by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Officers, Person or Persons, shall not appear before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to give and deliver to the said Justice an Account or Accounts of Receipts and
Payments

Payments as aforesaid, or to verify the Truth of such Accounts, and of the Articles thereof, on Oath as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Accounts respectively, or to deliver up all such Books, Papers, and Writings as aforesaid, then and in either of the Cases aforesaid the said Justice may and is hereby authorized and required, by a Warrant or Warrants under his Hand and Seal, to commit such Officer or Officers, Person or Persons, to the Gaol or House of Correction of the County or Place where he or they shall live or reside, there to remain, without Bail or Mainprize, until he or they shall have delivered in and settled his or their Accounts, and have verified the same upon Oath, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in his or their respective Hands, and the reasonable Charges of such Distress and Sale as shall in that Respect have been made, or until he or they have compounded with the said Trustees, or any Five or more of them, for the same, and paid the Composition Money to the said Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same (and which Composition the said Trustees, or any Five or more of them, are hereby empowered to make) or until he or they shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees, or any Five or more of them: Provided always, That no Person who shall be committed for Want of a sufficient Distress, shall be detained in Prison for any longer Time than Three Calendar Months.

XXIV. And be it further enacted, That the respective Surveyor or Surveyors for the Time being, of the Highways for the several and respective Parishes, Hamlets, or Places, in which any Part of the said Road lies, and in Cases where no such Surveyor or Surveyors shall be appointed, then the Churchwardens and Overseers of the Poor of such Parishes, Hamlets, or Places respectively, and in Cases where neither Surveyor nor Churchwarden nor Overseer of the Poor shall be appointed, then such other Inhabitant of such Parishes, Hamlets, or Places respectively, as shall be thereto required, by Notice in Manner herein-after mentioned, shall, once in every Year (or oftener if thereunto required by the said Trustees, or any Five or more of them) upon Ten Days Notice at the least in Writing (signed by the Clerk, Treasurer, or Turnpike Surveyor or Surveyors, appointed by the said Trustees for the Time being) for that Purpose given to them, the said Highway Surveyor or Surveyors, or Churchwardens and Overseers of the Poor, or other such Inhabitants respectively, or left at his, her, or their Dwelling House or Houses, or last Place or Places of Abode, or affixed on all the Toll Gates then erected upon the said Road, return and deliver unto the said Trustees, at any Meeting to be by them holden according to such Notice, or unto such other Person or Persons, and at such Time or Times, as in such Notice shall be specified, an exact and perfect List or Account in Writing, verified on Oath, if so required by the said Trustees, or any Five or more of them (which Oath they, or any Two or more of them, are hereby empowered to administer) of the Christian and Surnames of all Persons liable to do or perform Statute Work or Duty, or otherwise to contribute to the Repair of the Highways within their said respective Parishes, Hamlets, or Places, distinguishing which of them do,

[*Loc. & Per.*]

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and

Parish Surveyors to deliver in Lists for Statute Duty.

and which of them do not keep a Team, Draught, or Plough, and containing all other Particulars necessary to shew and compute how much Duty, Work, or Contribution or Composition Money, each and every of them is justly and fairly liable to perform or pay; and if any such Highway Surveyor or Surveyors, or Churchwardens or Overseers of the Poor, or other such Inhabitant so required by Notice, shall neglect or refuse to do as hereby required, or shall neglect or refuse to appear before any Justice or Justices of the Peace (being thereunto required by the said Turnpike Surveyor or Surveyors) for the Purpose of, or shall not, to the utmost of his, her, or their Power, assist in convicting any Inhabitant of, or Occupier of Lands, Tenements, or Hereditaments, in his, her, or their respective Parishes, Hamlets, or Places, who shall make Default in Performance of his, her, or their Statute Duty upon the said Road, every such Highway Surveyor, or Churchwarden or Overseer of the Poor, or other such Inhabitant, so required to supply the Place of such Surveyor, shall forfeit and pay, for every such Neglect or Refusal, any Sum not exceeding Ten Pounds, nor less than Five Pounds.

Penalty on
not perform-
ing Statute
Duty.

XXV. And be it further enacted, That every Person liable by Law to perform Statute Work on the said Road, who shall neglect or refuse to do such Work at such Time and Place and in such Manner as shall be appointed by the said Trustees, or any Five or more of them, or by such Turnpike Surveyor or Surveyors, shall forfeit and pay the respective Sums herein-after mentioned; (that is to say), every Person who shall keep a Team, Draught, or Plough, or by virtue of any Act, Law, or Statute, shall be deemed to keep a Team, Draught or Plough, for every Day's Default of each Team, Draught, or Plough, any Sum not exceeding Twenty Shillings, nor less than Ten Shillings, and if any Person coming according to such Notice with any Team, Draught, or Plough, to work on the said Road, shall be found negligent or idle by the said Turnpike Surveyor or Surveyors where the Work is to be done, such Surveyor or Surveyors may, and is and are hereby required to discharge such Person, and it shall be deemed as if such Person, or such Team, Draught, or Plough, had not come or been sent to do such Work, and every Person, or the Owner of such Team, Draught, or Plough, shall be liable to the respective Forfeitures before-mentioned.

Trustees may
sue and be
sued in the
Name of the
Treasurer.

XXVI. 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 of their Treasurer 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 of their Treasurer, shall abate or be discontinued by the Death or Removal of such Treasurer, nor by the Act of such Treasurer without the Consent of the said Trustees, or any Five or more of them, at a Meeting holden in pursuance of this Act; but that the Treasurer for the Time being to the said Trustees, shall be deemed to be the Plaintiff or Defendant, as the Case may be, in every such Action.

Treasurer to
be reim-
bursed his
Expences.

XXVII. Provided always, That every such Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance

purfuance of this Act, fhall be fully indemnified, reimbursed, and paid; out of the Monies to arife by virtue of this Act, all fuch Cofts, Charges, Damages, and Expences, as by the Event, or in confequence of any fuch Action or Proceeding, he fhall pay, bear, expend; or be put unto, or become chargeable with, by reafon of his being fo made Plaintiff or Defendant as aforefaid.

XXVIII. And be it further enacted, That if any Perfon whomsoever fhall take away any Materials which fhall have been digged, gotten, or gathered for the Repair or Ufe of the faid Road, or fhall raife or carry away any Materials out of any Pit or Quarry which fhall have been made or opened for the Purpose of getting Materials for the faid Road, before the faid Surveyors or their Workmen fhall have difcontinued working therein for the Space of Thirty Days (except the Owner or Occupier of any private Ground, and Perfons authorized by fuch Owner or Occupier to get Materials for his own private Ufe only, and not for Sale) every Perfon fo offending fhall, for every fuch Offence, forfeit and pay a Sum not exceeding Three Pounds, nor lefs than Forty Shillings.

Penalty on taking away Materials raifed by Surveyors.

XXIX. And be it further enacted, That if any Perfon or Perfons fhall wilfully pull up or damage any Direction Poft or Mile Stone erected or fixed, or to be erected or fixed, on the Side of or adjoining to the faid Road, or fhall obliterate or deface any of the Letters, Figures, or Marks infcribed thereon; or if any Perfon fhall ride upon any Footway or Path adjoining to or made on the Side of or upon the faid Road, or fhall drive any Horfe, Cattle, or Swine, or any Carriage thereon, or fhall caufe any Damage to be done to any fuch Footway; or if any Perfon fhall hale or draw, or caufe to be haled or drawn, upon any Part of the faid Road any Tree or Piece of Timber, or any Stone (otherwife than upon wheeled Carriages), or fhall fuffer any Part of any Tree or Piece of Timber or Stone which fhall be carried upon wheeled Carriages, to drag upon any Part of the faid Road, to the Prejudice thereof; or if any Perfon driving any Pigs or Swine upon the faid Road, fhall fuffer the fame to flop on the faid Road, or to root up and damage the fame, or any Part thereof, or the Fences, Hedges, Backings, or Cops, on either Side thereof; or if any Perfon driving any Coach, Chaise, Waggon, Cart, or other Carriage, upon the faid Road, and meeting another Coach, Chaise, Waggon, Cart, or other Carriage, fhall not keep his Carriage on the left Side of the faid Road; or if any Perfon fhall in any Manner wilfully prevent any other Perfon or Perfons from paffing him upon the faid Road, or the Coach, Chaise, Waggon, Cart, or other Carriage under his Care; or if any Perfon fhall make or affift in making any Fire or Fires, commonly called *Bonfires*, or fhall fet fire to, or let off or throw any Squib, Rocket, Serpent, or Firework whatfoever, on any Part or Parts of the faid Road; or if any Perfon fhall leave any Coach, Chaise, Waggon, Wain, Cart, or other Carriage, in, upon, or on the Side of any Part of the faid Road, either with or without any Horfe or Beast of Draught harnessed or yoked thereto; or fhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbifh, or other Matter or Thing whatfoever, on any Part of the faid Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of Perfons travelling thereon, every Perfon fo offending fhall, for every fuch Offence, forfeit

Penalty on defacing Mile Stones.

Riding upon Foot Paths.

Drawing Timber or Stone.

Suffering Pigs to root upon the Roads.

Drivers of Carriages not keeping on the left Side the Road when meeting other Carriages.

Persons preventing others from paffing.

Making Bonfires or letting off Fireworks.

Leaving Carriages.

Or leaving Timber, etc. on the faid Road.

forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings.

Penalty on obstructing any Person in the Execution of the Act.

XXX. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or cause or promote to be assaulted, interrupted, or hindered, any Collector of the Tolls, or any Surveyor or Surveyors, or any other Person or Persons by them or any of them, or by the said Trustees, or any Five or more of them, employed in the Execution of this Act, every such Person shall, for every such Offence, forfeit any Sum not exceeding Ten Pounds, nor less than Forty Shillings.

For securing transient Offenders.

XXXI. And whereas Offences may be committed against the said Acts and this Act by Persons unknown to the Trustees, Collectors, Surveyors, or Officers appointed to put the said Acts and this Act in Execution; be it therefore enacted, That it shall be lawful for any of the said Trustees, Collectors, Surveyors, or other Officers, respectively, and such 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 of the County or Place where the Offence or Offences shall be 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 or for the County, Place, or District, in which 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 required to hear and determine the Matter of the said Complaint 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 Gaol or House of Correction of the said County or Place, there to remain for any Time not exceeding Fourteen 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.

For reinvesting Purchase Monies.

XXXII. And be it further enacted, That in case any Money or Redemption shall be paid for any Lands or Hereditaments which shall be purchased, taken, or used for the Purposes of the said Acts and this Act, to any Corporation, Feme Covert, Lunatick, or Person under any other Disability or Incapacity as aforesaid, such Money 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, Tenements, or Hereditaments, which shall be conveyed and settled upon, and subject to the like Uses, Trusts, and Limitations, as the said Lands, Tenements, or Hereditaments, belonging to such Corporation or other Person as aforesaid, so to be purchased, taken, or used for the Purposes of the said Acts and this Act, were settled, limited, or assured; and in the mean Time and until such Purchase can be had, such Money shall be paid into the Bank of *England*, in the Name and with the Privy of the Accountant General of the High Court of Chancery, to be placed to his Account there

there *ex parte* the said 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 respectively be 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 and Exchequer Bills, shall be deposited in the Bank, in the Name of the said Accountant General, and shall there remain until a proper Purchase or Purchases shall be found and approved of by the said Trustees, or any Seven 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, Tenements, or Hereditaments to be purchased therewith, if the same were purchased and settled) be ordered to be sold by the said Accountant General for 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, Tenements, or Hereditaments, which shall be conveyed to and settled upon, and subject to the like Uses, Trusts, Limitations Remainders, and Contingencies, as the Lands, Tenements, 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 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 Seven 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, Tenements, or Hereditaments so to be purchased, conveyed, and settled by virtue of this Act; but in case any such Money shall be less than the Sum of Twenty Pounds, then the same shall be paid to the Party or Parties entitled thereto, for his, her, or their own Use, or shall be applied and disposed of by the said Trustees, or

[*Loc. & Per.*]

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any

any Five or more of them, for the Benefit and Advantage of such Party or Parties, in such Manner as the said Trustees, or any Five or more of them, shall think proper.

Guarantee
contained in
the *Leicester*
Navigation
Act recited
and conti-
nued.

XXXIII. And whereas, by an Act passed in the Thirty-first Year of the Reign of His present Majesty, for making and maintaining a Navigable Communication between the *Loughborough* Canal and the Town of *Leicester*, and other Communications by Railways or Stone Roads, and Water Levels, in such Act mentioned, reciting or taking Notice of the said Two Acts of Parliament herein-before mentioned, for repairing the Road from *Leicester* to *Ashby-de-la-Zouch*, and that on the Credit of such Acts several Sums of Money had been borrowed and then remained due, amounting in the Whole to the Sum of Three thousand nine hundred and seventy-five Pounds, or thereabouts; and reciting that the making of the said intended Navigation would considerably diminish the annual Amount of the Tolls collected on the said Road, by reason that a great Quantity of Coals, which were at that Time carried along the said Road, would thereafter be conveyed along the said Navigation, Railways, or Stone Roads, and Water Levels, and that it was reasonable some Recompence should be made for the same by the Company of Proprietors of the said Navigation; it was therefore enacted, by the said Act of the Thirty-first Year of His present Majesty, that in each and every Year when the Tolls collected upon the said Road should be let by publick Auction for a less Sum than Three hundred Pounds, the said Company of Proprietors should pay to the Treasurer of the Trustees of the said Road, so much Money as would make the annual Produce of the said Tolls amount to the Sum of Three hundred Pounds, which Sum, if not paid within Thirty Days after the last Day in the Year in which it should become due as aforesaid, might be recovered from the said Company of Proprietors, by Action of Debt in any of His Majesty's Courts of Record at *Westminster*, in the Name of the Treasurer to the said Trustees for the Time being, and the said Sum, when paid or recovered as aforesaid, should be applied by the said Trustees in such Manner as the Tolls authorized to be collected by the said Acts were thereby directed to be applied; be it therefore further enacted, That nothing herein contained shall extend, or be construed to extend, to defeat, impeach, or diminish the Security and Provision granted by the said Act of the Thirty-first Year of His present Majesty's Reign, as abovementioned, but that the same shall be and remain in Force and Effect, during the Continuance of the Term hereby granted, as fully and effectually, to all Intents and Purposes, as when the said Act wherein they are contained was first passed.

Publick Act.

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

Term of the
Act.

XXXV. And be it further enacted, That the Term granted and continued by the said recited Act of the Nineteenth Year of His present Majesty's Reign shall, from and after the passing of this Act, cease and determine; and that the said recited Acts of the Twenty-sixth Year of the Reign of His late Majesty King *George* the Second, and the Nineteenth Year

Year of His present Majesty's Reign (subject to the Variations, Alterations, and Additions 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.

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