ANNO UNDECIMO

Georgii III. Regis.

An Act to continue and render more effectual Two Acts passed in the Twelfth Year of the Reign of King *George* the First, and the Nineteenth Year of the Reign of His late Majesty, for repairing the Road from *Market Harborough* to *Loughborough*, in the County of *Leicester*; and for repairing, widening, turning, and altering the Road branching out of the aforesaid Road, at a Place called *Filling Gate* to a Road called the *Foss Road*, and from thence to the Turnpike Road leading from *Melton Mowbray* to the Guide Post in *Saint Margaret's Field*, *Leicester*.



WHEREAS by Two Acts of Parliament passed in the Twelfth Year of the Reign of His Majesty King George the First, and in the Nineteenth Year of the Reign of His late Majesty, for repairing the Road from Market Harborough to Loughborough, in the County of Leicester, several Tolls or Duties and Powers were granted for repairing the said Road, and Preamble.

the Terms of the said Acts were by an Act passed in the Twenty-eighth Year of His said late Majesty further continued for the Term of Five Years: And whereas the Trustees for putting the said Acts in Execution have, from Time to Time, proceeded in the Execution thereof, and several large Sums of Money borrowed upon the Credit of the Tolls and Duties thereby granted still remain due and owing, and the same cannot be repaid, and the said Road kept in Repair, unless the Term granted by the said Acts be further continued, and the Tolls and Powers thereby granted are altered and enlarged: And whereas a publick Highway branching out of the aforesaid Road at a Place called Filling Gate, in the Lordship of Wanlip, to a Ford across the River Soar, called Long Wash, and from thence to the Road leading from Thurmaston to Ratcliff super Wreak, in the said County, called the Foss, and from thence to the Turnpike Road leading from Melton Mowbray to the Guide Post in Saint Margaret's Field, Leicester, is in many Parts in a ruinous Condition, and narrow and inconvenient to Passengers, and by Reason of the low Situation thereof, and the Nature of the Soil, and the Floods upon the said River, is very often impassable, which last Inconvenience cannot be remedied but by building a Bridge over the said River, at or near the said Ford: And whereas it would be more convenient to the Publick, and a nearer Way, if a new Road was opened and made from the said Road called the Foss, through certain Lands and Grounds in nearly a strait Line into the said Turnpike Road leading from Melton Mowbray to the Guide Post aforesaid: And whereas the said Highway cannot be effectually amended and repaired, and rendered safe and commodious to Passengers at all Times, and a Bridge be built over the said River at or near the said Ford called Long Wash, and the said new Road from the said Road called the Foss, in nearly a strait Line to the said Turnpike Road leading from Melton Mowbray to the Guide Post aforesaid, be opened and made, by the ordinary Methods provided by Law; 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 Term granted by the said Acts shall, for all and every the Purposes thereby and by this Act intended, be, and the same is hereby further continued from the Expiration thereof for and during the further Term of Twenty-one Years, and from

thence to the End of the then next Seſſion of Parliament: And that the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Puniſhments, Matters, and Things in this Act contained ſhall, as to the Harborough Diſtrict herein-after mentioned, take place and commence from the paſſing of this Act, inſtead of the Clauſes, Proviſions, Tolls, Powers, Penalties, Forfeitures, Puniſhments, Matters, and Things, contained in the ſaid recited Acts: And as to the Wanlip Diſtrict herein-after mentioned, this Act ſhall take place and commence from the paſſing hereof; and ſhall, as to both Diſtricts, continue in Force until the Expiration of the Term granted by the ſaid recited Acts, and this Act. Commencement of the Powers, &c. of this Act.

And be it further enacted, That the better to anſwer the Purpoſes by this Act intended, the ſaid Roads to be repaired, amended, widened and made as aforeſaid, ſhall be Two ſeparate and diſtinct Diſtricts: And that the ſaid Road leading from Market Harborough to Loughborough aforeſaid, ſhall be and be called the Harborough Diſtrict of Roads; and that Shuckbrugh Aſhby, George Aſhby, Thomas Abney, Richard Abney, William Abney, Samuel Aſhby Clerk, Benjamin Alvey, John Alleyne, John Armſton, Thomas Ayre, John Ayre, John Ayre junior, William Ayre, Thomas Allſopp, Robert Aſtle, William Aſtle, Thomas Arnold, M. D. Charles Allen Clerk, Gerrard Andrews, William Aiſlabie, William Bentley, William Bentley junior, Richard Beale, Richard Beale junior, Joſeph Bunney, Edmund Bunney, Samuel Brown, Robert Bakewell, Charles Skrymſher Boothby, Robert Belton, Robert Belton junior, Samuel Belton, Samuel Belton Clerk, Robert Baſs, William Burleton, Thomas Barwell, John Barwell, Charles Barwell, Joſeph Boyer, Thomas Boyer, James Bickham Clerk, Thomas Babington, William Babington Clerk, Thomas Boothby, Thomas Boothby junior, Andrew Burnaby junior, Clerk, Robert Burnaby Clerk, Henry Baſeley Clerk, Edmund Buckby, William Brown, William Brown Clerk, James Biſhop, William Buckley, John Suffield Brown, John Barratt, Samuel Bankart, Thomas Bentley, Simeon Brewin, Robert Brewin, John Brewin, John Burgeſs, John Burgeſs junior, William Blower, Thomas Blower, John Bracebridge, Birkhead Bracebridge, Richard Barry, Thomas Barry, Robert Beale, John Brown Clerk, George Buckley, Bambridge of Leiceſter, Sir Thomas Cave Baronet, Thomas Cave, Charles Cave, Joſeph Cradock of Leiceſter, Joſeph Cradock of Gumley, Norrice Cradock, Joſeph Chambers, Samuel Chambers Clerk, George Coulton Clerk, Robert Coulton Clerk, William Cooper Apothecary, William Cooper Hoſier, James Cooper, William Cooper Hoſier, Henry Cooper, Nathaniel Cooper, John Cartwright, Roads to be made to be divided into two Diſtricts. *Harborough* Diſtrict. Truſtees Names.

Cartwright, William Cradock, John Creſwell, Hamlet Clark, Henry Cropper, Thomas Clows, William Cooke, John Coleman Chandler, Sampſon Chapman, Lawrence Carter, Iſaac Carter, Henry Coleman, Henry Coleman junior, John Coleman, Robert Coleman, Edmund Carr, John Choyce, John Clayton Clerk, William Clayton Clerk, Richard Clayton, Thomas Cobley, John Coltman, John Coltman, Thomas Chamberlain, Joſeph Chamberlain, William Chamberlain, John Cramant, Thomas Chapman, William Corbett, Jonathan Chettle, George Cooper, William Cotton, Richard Coulton Clerk, Sir Wolſtan Dixie Baronet, Sir John Danvers Baronet, Edward Dawſon, Edward Davie, John Davie, John Dalby, William Dickins, William Dabbs, Edward Daniel, Willoughby Dixie, William Douglaſs, John Davys, John Davys junior, Henry Vere Daſhwood, Richard Denſhire, John Darker, Charles Dickeſon Clerk, Richard Roberts Drake, John Eames, Henry Erpe, Joſeph Erpe, Simeon Erpe, Thomas Eames, Jonathan Collins Foſter, Jonathan Foſter, Thomas Farmer Hoſier, Edward Farnham, John Farnham, William Farnham Clerk, John Fiſher of Leiceſter, John Fiſher of Coſſington, Leonard Foſbrooke, Richard Farrer, Richard Farrer junior, John Farrer, William Fortrey,
French of Harborough, John Fox, William Farmer, the Honourable John Grey, the Honourable Booth Grey, the Honourable John Grey, Joſhua Grundy, Thomas Grace, Jonathan Grundy, Nicholas Grundy, Samuel Gamble, Richard Garle, Thomas Goſſip, John Goode, Edward Gulſon, Henry Gutheridge, John Gamble, Thomas Godfrey, Edward Griffin Clerk, Sir Charles Halford Baronet, Richard Hill, John Hammond, Samuel Heyrick, John Heyrick, Iſaack Harris, John Hungerford, Edward William Hartopp, Thomas Hunt Surgeon, William Herrick junior of Beaumanor, William Herrick of Leiceſter, William Haymes, Robert Haymes, Lebbeus Humfrey, John Hunt Clerk, Theophilus Henry Haſtings Clerk, Maunſell Hill, Theophilus Holmes, William Holmes, Charles Heſilrige, Ralph Heathcote D. D. Richard Hurd D. D. Edward Heathcote Clerk, Edward Hawkins, Clerk, Thomas Haines Clerk, George Villiers Hewitt, William Hodges, Edward Hodges, William Hood, Arthur Heſilridge, Edward Hextall, Thomas Hackett, Robert Hartſhorne, Edward Harris, John Harris, William Hudſon, William Hanbury Clerk, William Hurſt, Joſeph Hooley Clerk, William Holbrooke Surgeon, Green Hodgkin, Hughes Clerk, Thomas Jee, Lawrence Jee, John Jee, John Iliff, Thomas Iliffe, Joſeph Iliff, Daniel Iliff Clerk, Nathaniel Palmer Johnſon, Edmund Johnſon of Knighton, Joſeph Johnſon, Anthony

James Keck, John Kerchival Clerk, John Kirkland, Thomas King, John Kilby, William King, William Ludlam Clerk, Thomas Ludlam Clerk, John Lambert Clerk, Joseph Lobb, Thomas Lockwood, Francis Glen Lowdham, Caleb Lowdham junior, John Lee Clerk, Loyd Clerk, Joseph Cook Lovell, John Langdon, Edmund Ludlam, John Liptrott Clerk, Isaac Liptrott Clerk, the Mayor and Recorder of the Borough of Leicester for the Time being; the Right Honourable Manners, commonly called Marquis of Granby, the Right Honourable William Manners, commonly called Lord William Manners, John Miles, Samuel Miles, William Mason, Hugo Meynell, William Middleton Clerk, Edward Morpott, Charles Morrice, Thomas Manners Clerk, Samuel Matthews, John Moore, John Mason, William Mattock, Thomas Major, William Major Clerk, John Mansfield, the Honourable Thomas Noel, Christopher Noble, Nathaniel North Clerk, Thomas Newton, Francis Nedham, James Nutt, John Noone, Henry Newman Clerk, Rowney Noel, D. D. William Orton, Richard Ogden, James Oldershaw, James Oldershaw junior, Samuel Oliver, Peter Oliver, John Bass Oliver, Thomas Oliver, James Oldham, William Oldham, John Orton Clerk, Sir John Palmer Baronet, Samuel Phillipps, William Pochin, George Pochin, Thomas Pochin M. D. Thomas Pochin junior, Charles James Packe, Thomas Phipps, John Phipps, Robert Peach, John Pocklington, Thomas Pares, Thomas Pares junior, John Pares, Thomas Parkinson Clerk, William Pochin of Loughborough, William Pochin junior, Edward Price, John Parsons, Valentine Pyne, James Pigott Clerk, Henry Palmer, Thomas Poughfer,
Perry D. D. George Pepper, Edward Powers, John Poynton, Stephen Peck, Richard Palmer, Sir George Robinson, Baronet, Rogers Ruding, Walter Ruding, Thomas Richards, Tristram Revell, John Dawes Ross Clerk, John Ragg, Samuel Rouse, Richard Roberts, Samuel Roberts, the Honourable Robert Shirley, Samuel Simpson, John Simpson, William Simpson, Nathaniel Simpson, John Simpson Clerk, Ellis Shipley, James Sismey, Thomas Standley, Benjamin Sutton, Henry Shuttleworth, Benjamin Simons, Nicholas Simons Clerk, William Southwell, William Stephens of Leicester, John Simmons Clerk, John Sisney, William Stephens of Quarndon, John Stone, William Scott, Clement Stretton, John Stephens, Thomas Stephens, Robert Smith, John Sultzer, Benjamin Storer, Charles Boothby Skrymsher, Temple Sutton, William Sutton, Thomas Smart, William Smart, John Slater, Samuel Tuffley, Thomas Tuffley, Nicholas Throsby, Samuel Topp, Thomas Underwood, Harley Vaughan, Thomas Vowe,

Vowe, William Vann, William Vann junior, James Vann, Richard Vann, James Vaughan M. D. John Willows, John Watchorn, Clement Winstanley, Nathan Wrighte James King Wragge Clerk, Richard Walker, Richard Walker junior, John Watkinson, William Wollaston, Christopher Hatton Walker Clerk, Henry Watchorn, William Watts M. D. William Wilson of Keythorpe, William Wartnaby, Thomas Warner Surgeon, Richard Wynne Clerk, Daniel Woodland, Samuel Woodford, George Webb, Pitts Ward, John Walker, John Walker junior, Henry Walker, Daniel Woodruffe, Henry Wood, John Weston, Thomas Wightman, John Wightman, Edward Roe Yeo, and Francis Yeomans, and their Successors, to be appointed as herein after mentioned, shall be, and they are hereby appointed Trustees for putting this Act in Execution, so far as it relates to the said Harborough District of Roads: And that the said Highway, branching from the said last mentioned Road at the said Place called Filling Gate, in the said Lordship of Wanlip, to the said Ford, called Long Wash, and from thence to the said Road leading from Thurmaston to Ratcliff super Wreak, called the Fosse, and from thence to the said Turnpike Road leading from Melton Mowbray to the Guide Post in Saint Margaret's Field, Leicester, shall be, and be called the Wanlip District of Roads; and that the several Persons herein before named and appointed Trustees for putting this Act in Execution, so far as it relates to the said Harborough District of Roads, together with Francis Allsop, William Adcock, William Adcock junior, John Johnson Adcock, John Whattoff Cleever, John Dudley Clerk, William Gutteridge, John Harcourt, Robert Kilby, Welles Orton, Thomas Orton Clerk, Henry Palmer junior, and Joseph Williamson, and their Successors, to be appointed as herein after mentioned, shall be, and they are hereby appointed Trustees for putting this Act into Execution, so far as it relates to the said Wanlip District of Roads.

Wanlip District.

Trustees Names.

And be it further enacted, That as often as any Trustee, by this Act appointed, or their Successors, shall happen to die, or refuse to act, in the Execution of the Powers hereby granted, it shall be lawful for the surviving or remaining Trustees, or any Ten or more of them, within their respective Districts, by Writing or Writings under their Hands, to appoint any Person a Trustee in the Room of the Trustee so dying, or refusing to act, and the Person so appointed shall and may act in the Execution of this Act, as fully as any Trustee hereby appointed is impowered to act.

Trustees how to be appointed.

And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, unless he shall, in his own Right, or in the Right of his Wife, be in the actual Possession or Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements and Hereditaments of the clear yearly Value of Forty Pounds; or shall be Heir-apparent of some Person having such Estate of the clear yearly Value of Eighty Pounds; or possessed of, or intitled unto a personal Estate, to the Amount or Value of Eight hundred Pounds: And if any Person hereby deemed incapable to act, shall presume to act, every such Person shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall inform or sue for the same; to be recovered in any of His Majesty's Courts of Record at Westminster, by Action of Debt or on the Case, wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and the Person so prosecuted shall prove that he is so qualified, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act.

Qualification of Trustees.

Penalty on acting if not qualified.

And be it further enacted, That the said Trustees for the said Harborough District, or any Five or more of them, shall meet together at the Three Crowns Inn in Leicester, on the Monday Three Weeks next after the Day of the passing of this Act; and the said Trustees for the said Wanlip District, or any Five or more of them, shall meet together at the New Inn in Syston, on the Tuesday Three Weeks next after the Day of the passing of this Act, and shall then respectively proceed to the Execution of this Act; and shall then adjourn themselves, and afterwards respectively meet at the same Place, or at any other Place near the said Roads, as the said respective Trustees, or any Five or more of them, shall think convenient, as often as it shall be necessary for the putting this Act in Execution: And if it shall happen that there shall not appear at any Meeting which shall be appointed to be held by the said respective Trustees, a sufficient Number of Trustees to act at such Meeting, or to adjourn to any other Day; then, and in such Case, the Clerk, or the Treasurer to the said respective Trustees, (by Notice in Writing, to be fixed on all the Turnpike-gates which shall then be erected by virtue of the said recited Acts, or this Act, on the Road within the District wherein the same shall happen, at least Ten Days before the next Meeting) shall appoint the said respective

First and General Meeting of Trustees.

Power of Adjournment.

In Default of Trustees Non-attendance, how another Meeting may be called.

Truſtees to meet at the Houſe where the laſt Meeting was appointed to be held, on that Day Three Weeks on which ſuch laſt Meeting was appointed to have been held; and that the ſaid reſpective Truſtees, at all their Meetings, ſhall defray their own Charges and Expences.

Truſtees to defray their own Expences.

Proviſo. Provided always, That Two Truſtees ſhall be ſufficient for the Purpoſe of Adjournment.

Truſtees holding Places of Profit not to act. And be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee under the Authority of this Act, who ſhall hold any Place of Profit ariſing out of the Tolls hereby granted.

Truſtees may act as Juſtices. And be it further enacted, That a Truſtee or Truſtees appointed in or by virtue of this Act, who ſhall be a Juſtice or Juſtices of the Peace, may, and is and are hereby authoriſed and impowered to act as a Juſtice or Juſtices of the Peace, in the Execution of the Powers and Authorities hereby given to any Juſtice or Juſtices of the Peace, notwithſtanding his or their being a Truſtee or Truſtees.

Truſtees for the *Harborough* Diſtrict to continue or erect Toll-gates. And be it further enacted, That the ſaid Truſtees for the ſaid Harborough Diſtrict of Roads, or any Five or more of them, may continue the ſeveral Toll-gates and Toll-houſes now erected upon the ſaid Diſtrict, or may remove the ſaid ſeveral Toll-gates and Toll-houſes, or any of them, to any other Part or Parts of the ſaid Diſtrict; and may alſo cauſe to be erected any other Toll-gates and Toll-houſes upon or acroſs any Part or Parts of the ſaid Road, within their ſaid Diſtrict; and inſtead of the Tolls or Duties granted by the ſaid recited Acts, ſhall and may cauſe to be demanded and taken at each and every the Toll-gates erected, and which ſhall be erected upon or acroſs the ſaid Road laſt mentioned, nevertheleſs under the Reſtriction hereinafter contained, the following Tolls or Duties, before any Carriage, Cattle or Beaſts ſhall be permitted to paſs through the ſame; (that is to ſay) For every Coach, Berlin, Caravan, Chariot, Chaiſe, Chair, Calaſh or Hearſe, drawn by Six or more Horſes, the Sum of One Shilling; and drawn by Five Horſes, the Sum of Ten-pence; and drawn by Four Horſes, the Sum of Eight-pence; and drawn by Three Horſes, the Sum of Seven-pence; and drawn by Two Horſes, the Sum of Sixpence; and drawn by One Horſe, the Sum of Three-pence: For every Waggon, Wain, Cart, or other Carriage, drawn by Four or more Horſes or Beaſts of Draught, the Sum of One Shilling; and drawn by Three Horſes or Beaſts of Draught, the Sum of Four-

The Tolls.

pence; and drawn by Two Horses or Beasts of Draught, the Sum of Two-pence; and drawn by One Horse or Beast of Draught, the Sum of One Penny: For every Horse, 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 Five-pence per Score, and so in proportion for any greater or less Number; and for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Two-pence Halfpenny per Score, and so in proportion for any greater or less Number: Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty, and shall be paid to such Person or Persons as the said Trustees for the said Harborough District, or any Five or more of them shall appoint to receive the same; and the Money so to be raised is hereby vested in the Trustees for the said last-mentioned District, and shall be applied in such Manner as herein-after mentioned.

Tolls not to be taken at more than two Gates between *Leicester* and *Harborough*, nor *Leicester* and *Loughborough*.

Provided always, nevertheless, That nothing herein contained shall extend, or be construed to extend, to impower the said Trustees for the said Harborough District, or any of them, to cause the said Tolls or Duties, or any Part thereof, to be demanded or taken at more than Two Toll-gates for the Passage of the same Cattle, Carriages, or Beasts, between the Town of Leicester and the Town of Harborough on the same Day; nor at more than Two Toll-gates, for the Passage of the same Cattle, Carriage, or Beasts, between the Town of Leicester and the Town of Loughborough on the same Day; to be computed from Twelve of the Clock at Night till Twelve of the Clock the next Night.

Trustees for the *Wanlip* District to erect a Bridge, &c.

And be it further enacted, That the said Trustees for the said Wanlip District of Roads, or any Five or more of them, shall and may erect, or cause to be erected, such a good and substantial Carriage Bridge over the said River Soar, at or near the said Ford, called Long Wash, as they the said Trustees, or any Five or more of them, shall think proper; and also shall and may make and open, or cause to be made and opened, a new Highway or Road from the said Road called the Foss, in nearly a strait Line to the said Turnpike Road leading from Melton Mowbray to the Guide Post in Saint Margaret's Field, Leicester, making Satisfaction to the several Persons interested in the Land which shall be used for the Building such Bridge as aforesaid, except to Henry Palmer Esquire, and to the several Persons interested in the Land for the making such new Highway or Road as aforesaid, in Manner herein-after mentioned; and also,

making Satisfaction to Land-owners.

shall

Toll-gate, &c. to be erected at *Long Wash Lane.*

shall and may erect and set up, or cause to be erected and set up, a Toll-gate and Toll-house in, upon, and across the said District of Roads, at the Upper or West End of the Lane called Long Wash Lane, and adjoining to the Westward Corner of the present Home Close there, belonging to the Mansion-house of the said Henry Palmer, and not elsewhere, without the Consent of him the said Henry Palmer, or the Owner of the said House for the Time being; and shall and may cause to be demanded and taken at such Toll-gate, before any Carriage, Cattle, or Beast shall be permitted to pass through the same, the several Tolls or Duties following; (that is to say) For every Coach, Berlin, Caravan, Chariot, Chaise, Chair, Calash, or Hearse, drawn by Six or more Horses, the Sum of One Shilling; and drawn by Five Horses, the Sum of Ten-pence; and drawn by Four Horses, the Sum of Eight-pence; and drawn by Three Horses, the Sum of Seven-pence; and drawn by Two Horses, the Sum of Sixpence; and drawn by One Horse, the Sum of Three-pence: For every Waggon, Wain, Cart, or other Carriage, drawn by Four or more Horses or Beasts of Draught, the Sum of One Shilling; and drawn by Three Horses or Beasts of Draught, the Sum of Nine-pence; and drawn by Two Horses or Beasts of Draught, the Sum of Sixpence; and drawn by One Horse or Beast of Draught, the Sum of Three-pence: For every Horse, 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 greater or less Number; and for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five-pence per Score; and so in proportion for any greater or less Number: Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty, and shall be paid to such Person or Persons as the said Trustees for the said Wanlip District, or any Five or more of them shall appoint to collect the same; and the Money so to be raised is hereby vested in the Trustees for the said Wanlip District, and shall be applied in such Manner as is herein-after mentioned.

The Tolls.

The present Bridle Road over *Wanlip* Bridge to be shut up.

And be it further enacted, That, in order to prevent the Tolls to be collected in the said Wanlip District from being evaded, it shall and may be lawful for the said Trustees for the said District, or any Five or more of them, to cause the present Horse or Bridle Road leading over a Horse or Bridle Bridge now standing and being across the said River Soar, a little to the South-

ward

ward of the said Ford, called Long Wash, to be shut up and discontinued as a Publick Road, in such Manner as they shall think proper.

How the Materials given by Mr. *Palmer* are to be disposed of.

And whereas the said Henry Palmer, who is Owner of the said House or Bridle Bridge, and of Land adjoining to the said River Soar, near the said Ford, called Long Wash, is willing to give the Materials of the said Bridge towards the building such Carriage Bridge as herein before mentioned; and also to give such Quantity of his said Land as the said Trustees for the said Wanlip District, or any Five or more of them, shall think necessary to be used for the Purpose of building the said Carriage Bridge, and for making a Way or Passage thereto; provided a Road, called Holloway Road, leading through certain Grounds in the Lordship of Wanlip, belonging to him the said Henry Palmer, be stopped up and discontinued as a Carriage Road; be it therefore further enacted, That it shall be lawful for the said Trustees for the said Wanlip District, or any Five or more of them, to cause the said House or Bridle Bridge to be taken down, and the Materials thereof to be used towards building such Carriage Bridge as aforesaid, and to make use of, or cause to be used, so much of the said Land belonging to the said Henry Palmer as they the said Trustees, or any Five or more of them, shall think necessary for the Purpose of building the said Carriage Bridge, and for making a Way or Passage thereto, without paying any Thing to the said Henry Palmer for the said Materials or Land: And that when, and so soon as the Road leading from the said Harborough District of Roads, at the said Place called Filling Gate to the said intended Bridge, shall, in the Judgement of the said Trustees for the said Wanlip District, or any Five or more of them, or of Two or more Justices of the Peace for the County of Leicester, certified under their Hands to the said Trustees, or any Five or more of them, at One of their Meetings to be held in pursuance of this Act, be well and effectually repaired, it shall be lawful for the said Henry Palmer, and the Owners for the Time being of the said Grounds through which the said Holloway Road leads, to shut up the said Holloway Road as a Carriage Road, but not as a Horse or Bridle Way, as the same will be of little or no Use when the said Road from Filling Gate to the said intended Bridge shall be effectually repaired.

Holloway Road to be shut up as a Carriage Way after the Bridge is repaired.

Trustees may erect Toll-gates on the Sides of the Roads.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of

of them, within their respective Districts, to erect a Toll-gate or Toll-gates, and Toll-house or Toll-Houses on the Side or Sides of any Part or Parts of the said Roads, across any Lane or Way leading out of the same, and there to cause to be taken and levied such Tolls as are by this Act made payable at any other Toll-gate to be erected or continued by virtue of this Act within the same District, so that the Tolls so to be taken and levied do not extend to a double Charge upon any Person passing through any other Toll-gate to be erected or continued by virtue of this Act within such District.

No Gate to be erected across *Wanlip* District.

Provided, That it shall not be lawful for the Trustees of the said Harborough District, or of any other Turnpike Road or Roads whatsoever, to erect, or cause to be erected, any Toll-gate at or across either End of the Road in the said Wanlip District.

Tolls how to be levied.

And be it further enacted, That if any Person or Persons subject to the Payment of any of the Tolls or Duties hereby granted shall, after Demand thereof made, neglect or refuse to pay the same, it shall be lawful for the Person or Persons appointed to collect the said Tolls, to seize and distrain any Carriage, Horse, or Horses, or other Cattle or Beast upon which such Toll or Duty is by this Act imposed, or any of the Goods or Chattels of such Person or Persons so neglecting or refusing; and if such Tolls, and the reasonable Charges of such seizing and distraining shall not be paid within the Space of Four Days after such Seizure and Distress, the Person or Persons so seizing and distraining shall and may sell the Carriage, Horses, Cattle, Beasts, or Goods so seized and distrained, returning the Overplus, (if any) upon Demand, to the Owner thereof, after such Tolls or Duties, and all reasonable Charges shall be deducted.

Toll-gates, &c. vested in the Trustees.

And be it further enacted, That the respective Toll-gates and Toll-houses to be erected or continued by virtue of this Act, and the said Bridge to be built over the River Soar, and the Materials of which the said Toll-gates, Toll-houses, and Bridge, shall respectively consist, and all Materals which shall be provided by the said respective Trustees, or by their Surveyor or Surveyors for repairing the said Roads respectively, and all the Mile Stones set up, or to be set up, on the said respective Roads, shall be, and they are hereby vested in the said respective Trustees; and they respectively, or any Five or more of them, are hereby authorised and impowered to bring, or cause any Action or Actions to be brought,

in the Name of their reſpective Treaſurer or Clerk, or to prefer, or order and direct the preferring of Indictments againſt any Perſon or Perſons who ſhall dig up, break up, or pull down, ſteal, take, or carry away, ſpoil, injure, or deſtroy any ſuch Toll-gate or Toll-houſe, or the ſaid Bridge, or any Part or Parts thereof, or any of the Materials of which the ſame ſhall be built or conſiſt, or any of the Materials which ſhall be provided for the repairing of the ſaid reſpective Roads.

Application of the Tolls within the *Harborough* Diſtrict.

And be it further enacted, That all the Money ariſing by the Tolls to be collected by virtue of the ſaid recited Acts, and this Act, upon the Road within the ſaid Harborough Diſtrict, ſhall, in the firſt Place, be ſubject and liable to the Payment of all the Coſts and Charges of procuring and paſſing this preſent Act, (except ſuch Part thereof as ſhall be contributed thereto on account of the ſaid Wanlip Diſtrict) and the Reſidue of ſuch Money ſhall be ſubject and liable to be applied in Payment of the ſeveral principal Sums of Money, amounting together to the Sum of Three thouſand and Two hundred Pounds now due and owing upon the Credit of the ſaid recited Acts, and the Intereſt due and to grow due for the ſame Sums reſpectively, and in repairing, widening, altering, and keeping in repair the Road in the ſaid Harborough Diſtrict, and defraying the neceſſary Coſts, Charges, and Expences attending the ſame, in ſuch and the ſame Manner as the Tolls granted by the ſaid recited Acts would have been ſubject and liable to have been applied, in caſe this Act had not paſſed; and alſo ſhall be ſubject and liable to be applied in defraying the neceſſary Coſts, Charges, and Expences attending the Execution of this Act, ſo far as it relates to the ſaid Harborough Diſtrict, and to no other Uſe, Intent, or Purpoſe whatſoever: And that all the Money ariſing by the Tolls to be collected by virtue of this Act, upon the Roads within the ſaid Wanlip Diſtrict ſhall, in the firſt Place, be ſubject and liable to the Payment and Diſcharge of ſuch Part of the Coſts and Charges of procuring and paſſing this Act, as the ſaid Truſtees for the ſaid Wanlip Diſtrict, or any Five or more of them ſhall think reaſonable, not exceeding One hundred Pounds; and the Remainder of ſuch Money ſhall be applied in building a good and ſubſtantial Carriage Bridge over the River Soar, at or near the ſaid Ford, called Long Waſh, and the Toll-gate or Toll-gates, and Toll-houſe or Toll-houſes to be erected upon, or by the Side of the Roads in the ſaid Wanlip Diſtrict, and in making, repairing,

and within the *Wanlip* Diſtrict.

pairing, widening, turning, altering, and keeping in repair the Roads within the said District, and defraying all the necessary Costs, Charges and Expences attending the same, and the Execution of this Act, so far as it relates to such District, and to no other Use, Intent, or Purpose whatsoever.

Trustees may vary the Tolls.

And be it further enacted, That the said respective Trustees, or any Seven or more of them, at a Meeting to be held for that Purpose, (whereof at least Twenty Days Notice shall be given in Writing, to be affixed on all the Toll-gates which shall be then erected within their respective Districts) may, and they are hereby authorised and impowered, from Time to Time, in case it shall appear requisite and expedient, to lessen and reduce, and again to raise and advance the Tolls or Duties hereby granted and made payable within their respective Districts, 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 respective Tolls granted by this Act; and so that the Tolls so granted or varied never be lessened, until the Money borrowed on the Credit thereof respectively, together with the Interest, be repaid, except the Person or Persons intitled to Five-sixths or more of such Money consent thereto; and such Tolls or Duties so varied, or any of them, shall be collected, recovered, and applied in the same Manner, as the Tolls or Duties hereby granted are directed to be collected, recovered, and applied.

Toll to be paid but once a Day.

And be it further enacted, That if any Person shall have paid the Toll hereby granted for the passing of any Carriage, 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 Toll 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 Carriage, 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; and that if any Person shall have paid the Toll by this Act granted, for the passing through any Toll-gate to be erected by virtue of this Act, upon or across, or on the Side of the said Wanlip District, of any Carriage,

riage, Cattle or Beaſt unladen, and going only for the Purpoſe of fetching Coals, Lime or Slates, the ſame Perſon ſhall be permitted to paſs Toll-free through the ſame Gate, with the ſame Carriage, Cattle, or Beaſts, on their Return laden with Coals, Lime, or Slates, notwithſtanding ſuch Return be not on the ſame Day the ſaid Toll was ſo paid.

Penalty on diſpoſing of Tickets.

And be it further enacted, That if any Perſon or Perſons, having paid the reſpective Tolls or Duties by this Act granted and made payable, and having thereupon delivered to him, her, or them 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 Twenty 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.

Tolls may be lett.

And be it further enacted, That from and after the Second Day of May, One thouſand ſeven hundred and ſeventy two, it ſhall and may be lawful to and for the ſaid reſpective Truſtees, or any Nine or more of them, by Writing under their Hands and Seals, to demiſe, leaſe, and to farm-let the Tolls, or any Part thereof ariſing within their reſpective Diſtricts, to any Perſon or Perſons willing to take or farm the ſame, for any Term not exceeding Three Years, for the beſt Rent or Price which can be got for the ſame, to be paid monthly, or otherwiſe, to the ſaid reſpective Truſtees, or any Five or more of them, or their reſpective Treaſurers; which Money ſo to be paid, ſhall be applied and diſpoſed of as the Tolls granted by this Act are herein before directed to be applied and diſpoſed of, and to no other Uſe or Purpoſe whatſoever.

Truſtees may compound for Tolls.

And be it further enacted, That the ſaid reſpective Truſtees, or any Five or more of them may, and they are hereby authoriſed and impowered to compound or agree by the Year, or otherwiſe, with any Perſons uſing to travel the ſaid Highways or Roads, (common Carriers, and the Proprietors of Stage Coaches only excepted) for any Sum or Sums of Money as the ſaid reſpective 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 reſpective Truſtees, or any Five or more of them, or to their Appointment.

General Exemptions from Tolls.

And be it further enacted, That no Toll or Duty ſhall be demanded or taken at any Toll-gate continued or erected by virtue of this Act, for the paſſing of any Cattle or Carriages laden with, or drawing, Materials for making or repairing any Highway or publick Road; or Dung, Mould, Lime, or Compoſt, for manuring of Land only, in any of the Pariſhes, Towns, Hamlets, or Places in or through which any Part of that Diſtrict where ſuch Toll-gate ſtands ſhall lie; or Hay, or Corn in the Straw, to be laid or ſtacked up in the Barns or Yards of the Occupiers of the Land whereon the ſame grew, or of the Inhabitants of any ſuch Pariſh, Town, Hamlet, or Place as aforeſaid: Nor for the paſſing of any Waggons, Carts, Ploughs, Harrows, or other Implements of Husbandry, in order to the uſing thereof for the Occupancy of Land in any ſuch Pariſh, Town, Hamlet, or Place as aforeſaid, or for repairing the ſame: Nor for any Horſes or Cattle going to or returning from Water, or to or from Paſture, or to be uſed or employed upon any ſuch Land as laſt mentioned: Nor ſhall any Toll or Duty be demanded or taken at any of the ſaid Toll-gates, for Cattle drawing any Coaches or Carriages with Paſſengers, or from any Perſon on Horſeback, going to, or returning from, any Election of a Knight or Knights of the Shire to ſerve in Parliament for the County of Leiceſter; or for any Poſt-horſe or Carriage, carrying or drawing the Mail or Packet: Nor ſhall any Toll or Duty be demanded or taken for the Horſes of any Soldiers paſſing that are upon their March, or for Carts, Carriages, or Waggons attending them; or for Cattle or Carriages travelling with Vagrants, ſent by Paſſes; or for Cattle or Carriages which ſhall croſs any of the ſaid Roads only: Nor ſhall any Toll or Duty be demanded or taken at any ſuch Toll-gate as aforeſaid, from any Inhabitant of the Pariſh where the ſame ſtands, for paſſing or repaſſing on Sunday to or from his or her Pariſh Church, or other uſual Place of religious Worſhip; nor from any Perſon or Perſons when attending the Funeral of any Perſon or Perſons who ſhall die, or be buried in any ſuch Pariſh, or for any Coach, Chaiſe, or Horſe attending ſuch Funeral.

Penalty on Perſons claiming Exemptions unduly.

Provided nevertheleſs, That if any Perſon ſhall claim and take the Benefit of any of the Exemptions aforeſaid, not being intitled to the ſame, ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds,

Pounds; One Moiety whereof shall be paid to the Informer, and the other Moiety shall be applied in repairing the Roads in that District where the Offence shall be committed.

Penalty on opening new Ways, permitting private Passage, taking off Cattle, &c. to avoid Payment of Tolls.

And be it further enacted, That if any Person or Persons, owning or occupying any Land or Ground adjoining, or lying near to any of the said Highways, shall make, or cause to be made, any Way or Passage out of such Land or Ground into such Highway, and shall permit any Person or Persons to pass through such Way or Passage, whereby any of the Tolls hereby granted shall be evaded; or if any Person owning or occupying any Land near to any Toll-gate continued or erected in pursuance of this Act, shall permit or suffer any Person or Persons to pass through any Gate, Passage, or private Way, with any Carriage or Cattle; or if any Person shall, with any Carriage or Cattle, pass through any such Gate, Passage, or private Way; or if any Person shall take off, or cause to be taken off, any Horse or other Beast from any Carriage, on either Side of any Toll-gate, erected or continued by virtue of this Act, in order to avoid the Payment of any of the Tolls hereby granted; or if any Person shall forcibly pass through any such Toll-gate with any Carriage or Cattle, whereby the Payment of any of the Tolls by this Act granted shall be avoided; every Person so offending in each of the Cases aforesaid shall, for every such Offence, forfeit and pay the Sum of Forty Shillings.

Trustees may borrow Money.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, within their respective Districts, or any Seven or more of them, from Time to Time, upon the Credit of the Tolls hereby granted, arising within their respective Districts, to borrow and take up at Interest such Sum or Sums of Money as they, or any Seven or more of them, shall think needful, and they are hereby impowered (yet nevertheless as to the said Tolls arising within the said Harborough District, without Prejudice to any of the Securities for the said several principal Sums, amounting as aforesaid, to Three thousand and Two hundred Pounds) to mortgage or assign over the said Tolls so arising within their respective Districts to any Person or Persons, for any Term or Number of Years, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof; which said Sums of Money so to be borrowed shall be applied in such and the like Manner, and for such and the like Purposes, as the Tolls so to be

be mortgaged or assigned are herein before directed to be applied, and to no other Use or Purpose whatsoever.

No Preference to be given to the Lenders.

And be it further enacted, That no Preference shall be given to any Persons, of whom any Sum or Sums of Money shall be borrowed as aforesaid, upon the Credit of the said respective Tolls hereby granted, in respect to the Priority of advancing the same; but that all such Persons shall be, in proportion to the Sums by them respectively advanced, Creditors on the said respective Tolls, to be to them respectively mortgaged or assigned, in equal Degree one with another.

Mortgages of the Tolls may be transferred;

And be it further enacted, That all and every Person and Persons to whom any Mortgage or Mortgages, Assignment or Assignments of the Tolls granted by the said recited Acts, or either of them, have or hath been made, or to whom any Mortgage or Mortgages, Assignment or Assignments of the said respective Tolls granted by this Act shall be made, or who shall be intitled to the Money thereby secured, and his, her, and their Assignee or Assignees, may and is, and are hereby impowered, from Time to Time, to transfer or assign over such Security or Securities, or any Part or Parts thereof, and all the Monies that shall be due or owing thereon, to any other Person or Persons whomsoever; provided all such Assignments or Transfers be produced or notified to the Clerk or Treasurer for the Time being to the said respective Trustees, within Forty Days after the Date thereof, who shall cause an Entry thereof to be made in a Book or Books to be kept for that Purpose, denoting the Date thereof, the Name and Addition of the Assignee or Transferree, and the Sum or Sums of Money therein mentioned and intended to be thereby secured; for which Entry such respective Clerk or Treasurer shall be paid the Sum of Two Shillings and Sixpence, and no more: And after such Entry made, such Assignment or Transfer shall intitle such Assignee or Transferree, his, her, and their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and it shall not be in the Power of any Person, who shall have made such Assignment or Transfer, to release or discharge the same, or any Monies due thereon.

being entered by the Clerk.

Trustees may appoint Officers,

And be it further enacted, That the said respective Trustees, or any Five or more of them, may appoint such Officers and other Persons as they shall think necessary to employ in the Execution of this Act; and such Officers and other Persons, or any of them may, from Time to Time, remove, and appoint others, in case of Death, or such Removal; and shall and may, out of the respective

respective Tolls or Duties hereby granted, make and pay such Allowances and Salaries to such Officers and other Persons respectively as they the said respective Trustees, or any Five or more of them, shall think proper: And all and every such Officers and other Persons, and all and every the Officers and other Persons who have had, received, or paid, by virtue of the said former Acts, or who shall at any Time or Times hereafter have, receive or pay any Sum or Sums of Money on account of, or relating to the making, repairing, widening, turning, altering, and keeping in Repair the said respective Roads, or the building the said Bridge, shall, from Time to Time, when thereunto required by the said respective Trustees, or any Five or more of them, make and render to the said Trustees respectively, or any Five or more of them, a true, exact, and perfect Account, in Writing, under their respective Hands, upon Oath, to be taken before Five or more of the said respective Trustees, (which Oath any Two of the said Trustees are hereby impowered to administer) of all Monies which he, they, and every of them respectively shall to that Time have received, paid, and disbursed, by virtue of the said recited Acts, or this Act, or by reason of their respective Offices: And in case any Money so received shall remain in their or any of their Hands, the same shall be paid to the said respective Trustees, or any Five or more of them, or to such Person or Persons as they shall respectively appoint to receive the same: And in case any such Officer or other Person shall not make and render, or shall refuse to verify upon Oath such Account, or to make such Payment as aforesaid, then any One or more Justice or Justices of the Peace for the County or Place where such Officer or other Person shall reside, shall make Inquiry concerning such Default in a summary Way, as well by Confession of the Parties themselves as by the Testimony of One or more Witness or Witnesses upon Oath, (which Oath the said Justice or Justices is and are hereby impowered and required to administer); and if any such Officer or other Person shall be convicted of all or any of the Offences aforesaid, such Justice or Justices shall commit the Offender to the common Goal of the County or Place where the Offence shall be committed, there to remain without Bail or Mainprize, until he or they shall make or render a full, true, and perfect Account and Payment as aforesaid, or until he or they shall have compounded and agreed with the said respective Trustees, or any Five or more of them, and shall have paid such Composition to the said respective Trustees, or any Five or more of them, or to such Person or Persons as they shall appoint to receive the same;

who shall account on Oath.

Collector to pay in Money received to Trustees;

and in Default, or not making Account, to be committed.

same; which Composition the said respective Trustees, or any Five or more of them, are hereby impowered to make.

Treasurer to give Security.

And be it further enacted, That the said respective Trustees, or any Five or more of them, shall, and are hereby authorised and required to take such Security from the respective Treasurers, Collectors, or Receivers of the Tolls to be appointed for the Purposes of this Act, for the due Execution of his and their said Office and Offices, as to the said respective Trustees, or any Five or more of them, shall seem meet.

Victuallers not to hold Places of Profit.

And be it further enacted, That no Person keeping an Inn, Alehouse, or other House of publick Entertainment, or who shall sell Ale, Wine, Brandy, or other Spirituous Liquors by Retail, shall be capable of holding any Place of Trust or Profit under this Act.

Surveyors to dig Gravel, &c. in Commons, for the Repairing the Roads without paying for the same.

And be it further enacted, That the Surveyor or Surveyors appointed by the said respective Trustees, or any Five or more of them, or any Person or Persons appointed by such Surveyor or Surveyors, may, and is, and are hereby authorised and impowered to cut, dig, gather, take, and convey away, or cause to be cut, digged, gathered, taken, and carried away, any Materials proper for repairing of Roads in, upon, out of, or from any Waste or Common in any Parish, Town, or Place in, adjoining to, or lying near the Roads aforesaid, to be used in and for the Purpose of making and repairing the said Roads, without paying any Thing for the same; they the said Surveyors, or other Persons filling up the Pits and Holes, and levelling the Ground, or making a sufficient Fence to prevent any Misfortune or Accident happening in the Pits or Holes from whence such Materials shall be taken, or causing the same to be done: And if a Quantity of Materials, sufficient for the Purposes aforesaid, cannot be found in or upon such Waste or Commons, then, and in such Case, to cut, dig, gather, take, and carry away, or cause to be cut, digged, taken, and carried away, any Quantity or Quantities of Materials proper and sufficient for that Purpose, in, upon, or out of, and from any Lands or Grounds of any Person or Persons where the same may be had or found, to be used towards the making and repairing the said Roads, (such Lands and Grounds not being a Yard, Garden, Orchard, Park, Paddock, Avenue, Wood, Coppice, or Nursery) they the said Surveyors, or other Person or Persons paying, or offering to pay to the respective Owners or Occupiers of such Lands or Grounds such Recompence for the Damage of getting and carrying away the said Materials, and for carrying the same over their Grounds,

Levelling the Pits, &c.

For want of proper Materials in Commons, private Grounds may be searched,

making Satisfaction.

Grounds, as the said respective Trustees, or any Five or more of them, shall think reasonable: And in case any Difference shall arise between the said respective Trustees, Surveyors, or Person or Persons by them appointed as aforesaid, and the said Owners or Occupiers, or any or either of them, concerning the said Damages, any Two or more Justices of the Peace for the County or Place where the said Materials shall be so cut, digged, gathered, taken, and carried away, shall and may, on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to the said Owner or Owners, Occupier or Occupiers, or by them the said Owner or Owners, Occupier or Occupiers to the said Surveyor or Surveyors, to be left at their respective Places of Abode with some or One of their respective Families, to hear, settle, and determine the Matters of the said Damages, and the Judgement or Order of the Justices therein shall be final and conclusive to all Parties.

Justices to determine Differences.

And be it further enacted, That the said respective Trustees, or any Five or more of them, or the said Surveyor or Surveyors, or any Person or Persons by them or either of them appointed or employed, may, and is, and are hereby authorised and impowered to make, or cause to be made, Causeways in or along the Sides of any Part or Parts of the said Roads, and to cut, or cause to be cut, any Watercourses in, through, or across any Lands or Grounds, in order to drain or prevent the said Roads, or any Part or Parts thereof from being overflowed, and to erect Bridges over such Drains or Watercourses, if necessary; and also to make, or cause to be made, a Road or Way by, through, or over the adjoining Grounds of any narrow or ruinous Parts of the said Roads hereby intended to be repaired, (not being the Scite of, or Ground whereon any House or Houses stand, or planted Walk, Yard, Park, Paddock, or Avenue of any House) to be made Use of by all Passengers with Carriages and Cattle, or otherwise, as a publick Highway, whilst the old or ruinous Road is repairing, and till such Time as it shall be convenient and safe for Carriages and Cattle to pass the same, making such reasonable Satisfaction to the Owners and Occupiers of such Lands or Grounds for the Damages they shall thereby sustain, as to the said respective Trustees, or any Five or more of them, shall seem reasonable.

While the Road is repairing, Surveyors may make Causeways,

and temporary Roads over adjoining Grounds, &c.

making Satisfaction.

Provided always, That nothing in this Act contained shall extend, or be construed to extend, to give Power to the said respective Trustees, or any of their Surveyors, Servants, Workmen, or Agents, to stop, divert, or dispose

Watercourse, feeding Ponds, &c. not to be diverted till the Water runs waste.

pose of any Watercourse, either in or through any publick or private Ground, that shall contribute towards filling or supplying any publick or private Pond or Ponds, Basons, Canals, or Reservoirs for Water, until all and every such Pond and Ponds, Basons, Canals, or Reservoirs shall be sufficiently supplied and filled, and the Water run waste; and that whenever a Supply of Water shall or may be needful or convenient to any such Pond and Ponds, Basons, Canals, and Reservoirs, or any of them, it shall and may be lawful to and for the Owners and Occupiers thereof, to stop and dam up any such Watercourse as may have been made in pursuance of this Act, by Order of the said respective Trustees or their Surveyors, and to bring back the Water to such Pond or Ponds, Basons, Canals, and Reservoirs, until the same be again sufficiently supplied and filled, and the Water run waste, and so from Time to Time, as often as such Owners or Occupiers shall think fit and convenient.

Surveyors may remove Annoyances,

and cut down Trees, &c.

the Owners neglecting to do it after Notice,

and be reimbursed their Expences by Owners.

And be it further enacted, That it shall and may be lawful for the said Surveyor or Surveyors, and such Person or Persons as he or they shall appoint, to remove all Annoyances on the said respective Roads, and to cut down Trees or Bushes growing in the said Roads, or in the Hedges or Banks adjacent thereto, the Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances for the Space of Ten Days after Notice given in Writing for that Purpose, under the Hand or Hands of the said Surveyor or Surveyors, the Charges whereof shall be reimbursed to the said Surveyor or Surveyors by such Owners or Occupiers neglecting to cut down such Trees or Bushes, or to remove such Annoyances as aforesaid; and in case such Owners or Occupiers shall not, upon Demand, pay and reimburse to the Surveyor or Surveyors such Charges as aforesaid, it shall and may be lawful for such Surveyor or Surveyors, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace for the said County of Leicester, from Time to Time, to levy the Charges thereof upon such Owners or Occupiers by Distress and Sale of his, her, or their Goods and Chattels, rendering the Overplus, if any be, to the Owners thereof, upon Demand, after all Charges paid: And if, after the Removal of any of the said Annoyances, any Person or Persons shall again offend in the like Manner, every such Person so offending, and being thereof convicted upon Oath before Two or more Justices of the Peace for the County or

Penalty on Persons convicted of a second Offence.

Place

Place where the Offence shall be committed, shall for every such Offence forfeit and pay to the said respective Trustees, or any Five or more of them, the Sum of Forty Shillings; to be levied and recovered in Manner aforesaid.

Owners of Watercourses neglecting to scour the same after Notice given for that Purpose,

And be it further enacted, That if any Person or Persons, who of Right ought to scour and cleanse any Ditch, Drain, or Watercourse, which shall adjoin to, or lead into or out of any Part or Parts of the said respective Roads, shall not in a proper Manner cause the same to be scoured and cleansed, within the Space of Ten Days next after Notice in Writing shall for that Purpose be given to him, her, or them respectively, or shall be left at his, her, or their respective Place or Places of Abode by the said Surveyor or Surveyors, then the said Surveyor or Surveyors may cause such Ditches, Drains, and Watercourses to be scoured and cleansed, and pay for scouring and cleansing the same; and if the said Person or Persons shall not repay the Money paid by such Surveyor or Surveyors, upon Demand thereof upon him, her, or them respectively made, either in Person, or by Writing, to be left at his, her, or their respective Place or Places of Abode, the said Money, and every Part thereof, upon the Proof of the cleansing and scouring the said Ditches, Drains, or Watercourses, and Payment of the said Money, and Demand thereof made, and Non-payment thereof as aforesaid, by the Oath of One or more Witness or Witnesses, before any Justice of the Peace for the County or Place where such Person or Persons respectively shall live, shall and may, by Warrant or Warrants under the Hand and Seal of such Justice, be levied by Distress and Sale of the Goods and Chattels of such Person or Persons, rendering the Overplus, (if any be) to the Owner or Owners thereof upon Demand, after all Charges paid.

Surveyors may cleanse them.

Owners refusing to repay Surveyors, the Money may be levied by Distress.

Trustees may purchase Lands to widen, turn, or alter the Roads, &c.

And be it further enacted, That it shall and may be lawful to and for the said Trustees, within their respective Districts, or any Seven or more of them, and they are hereby impowered to treat, contract, and agree with the several Owners, Proprietors, or Occupiers of, and Persons interested in any Lands, Grounds, or Hereditaments, which shall be wanted or necessary for the Purpose of widening, turning, or altering any of the aforesaid Highways, or building such Bridge as aforesaid, or opening and making such new Highway or Road as aforesaid, for the Purchase of any such Lands, Grounds, or Hereditaments, or for the Loss or Damage such Owners, Proprietors, Occupiers, and Persons interested, or any

of them, shall or may any Ways sustain by such widening, turning, or altering any Part of such Highways, or building such Bridge, or making such new Road or Highway as aforesaid; and out of the respective Tolls by this Act granted, or out of any Money to be borrowed on the Credit thereof, to pay for such Lands, Grounds, or Hereditaments, and for such Loss or Damage, (except to the said Henry Palmer, for his Land, to be used for building the said Bridge, and for making a Passage thereto) such Sum or Sums of Money as shall be agreed upon between such Owners, Proprietors, Occupiers, and Persons interested as aforesaid and the said respective Trustees, or any Seven or more of them, and also the Costs and Charges attending such Agreement and Purchase.

Incapacitated Persons may treat.

And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, Husbands, or other Trustees whatsoever, for or on Behalf of any Infants, Femes-covert, or Cestuique Trusts, and for all and every Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in, any such Lands, Grounds, or Hereditaments, to treat, contract, and agree with the said respective Trustees, or any Seven or more of them, for the Purchase of such Lands, Grounds, or Hereditaments, or for their Interest therein for the Purposes aforesaid; and to sell and convey the same as Occasion shall be and require: And all Contracts, Agreements, Sales, and Conveyances which shall be so made, shall be valid to all Intents and Purposes whatsoever, any Law, Statute, Usage, or any other Matter or Thing to the Contrary thereof in any-wise notwithstanding: And all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Trust, Executors, Administrators, Guardians, Husbands, and Trustees, and all other Persons are, and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Persons neglecting to treat for the Sale of Lands,

And be it further enacted, That if any such Owner, Proprietor, Occupier, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees, or other Person or Persons interested in any such Lands, Grounds, or Hereditaments, upon Notice to them given, or left in Writing at the Dwelling House or Houses, or Place or Places of Abode of such Person or Persons, or of the head Officer or Officers of such Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, or at the House of the Tenant in Possession of such Lands,

Lands, Grounds, or Hereditaments so to be taken in and added to the said Roads, or into or through which such Road is to be turned, altered, or made as aforesaid, or whereupon such Bridge shall be built as aforesaid, shall, by the Space of Twenty-one Days after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by reason of Absence shall be prevented from treating; then, and in every or any such Case, the said respective Trustees, or any Seven or more of them, shall cause it to be inquired into, and ascertained by, and upon the Oath of a Jury of Twelve indifferent Men of the County of Leicester, (which Oath any Two or more of the said respective Trustees are hereby impowered and required to administer) what Damages will be sustained by, and what Recompence and Satisfaction shall be made to such Owners, Proprietors, Occupiers, or other Person or Persons interested, for or upon account of the taking such Lands, Grounds, or Hereditaments into the said Roads, or of turning such Road into or through any such Lands, Grounds, or Hereditaments, or building such Bridge as aforesaid, or opening such new Highway or Road as aforesaid; and in order thereto, the said respective Trustees, or any Seven or more of them, are hereby impowered and required, from Time to Time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, all and every Person and Persons whomsoever, who shall be thought necessary or proper to be examined as a Witness or Witnesses, touching or concerning the Premises, (which Oath any Two or more of the said respective Trustees are hereby impowered to administer); and they shall order and cause the said Jury to view the said Places in question, if there be Occasion, and use all lawful Ways and Means, as well for their own as for the Jury's Information in the Premises, as they the said respective Trustees, or any Seven or more of them, shall think fit: And after the said Jury shall have inquired of, ascertained, and settled such Damage and Recompence, they the said respective Trustees, or any Seven or more of them, shall thereupon order, adjudge and determine the said Sum or Sums of Money so assessed by the said Jury to be paid to the said Owners, Proprietors, or Occupiers of, or other Persons interested in the said Lands, Grounds, or Hereditaments, according to such Verdict or Inquisition of the said Jury; which said Verdict or Inquisition, and Judgement, Order, or Determination so had and made, shall be final, binding, and conclusive to all Intents and Purposes, against all Person and Persons

Recompence to be settled by a Jury.

Verdict of the Jury to be final.

Persons whatsoever claiming in Possession, Reversion, Remainder, or otherwise, their Heirs and Successors, as well absent as present, Infants, Femes-covert, and Persons under any other Disability whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, as well as all other Person or Persons whomsoever; and all and every such Owners, Proprietors, and Occupiers, and all and every Person and Persons interested in such Lands, Grounds, or Hereditaments, shall, upon Payment or Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby and from thenceforth, to all Intents and Purposes, divested of all Right, Title, Claim, Interest, and Property of, in, to, or out of the same: And for the summoning and returning such Jury or Juries, the said respective Trustees, or any Seven or more of them, are hereby impowered to issue out their Warrant or Warrants to the Sheriff of the County of Leicester, thereby commanding and requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said respective Trustees, or any Seven or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, summon, and return such Number accordingly; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said respective Trustees, or any Two or more of them, shall swear, or cause to be sworn, Twelve, who shall be the Jury for the Purposes aforesaid: And in Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn: And the said respective Trustees, or any Seven or more of them, acting in the Premises, shall have full Power, from Time to Time, to impose any reasonable Fine or Fines on such Sheriff or Sheriffs, his, or their Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons who shall be summoned and returned on such Jury and shall not appear, or who shall refuse to be sworn on the said Jury, or being so sworn, refusing to give or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the

Trustees to issue their Warrant to Sheriff to summon a Jury.

In Default of such Number, others to be appointed.

Juries may be challenged.

Trustees may impose a Fine on the Sheriff and other making Default.

Persons

Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear, or appearing shall refuse to be sworn and give Evidence; and from Time to Time to levy such Fine or Fines, in the same Manner as any other Forfeiture or Penalty herein-before mentioned is hereby directed to be levied; so that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be applied for such Uses, and in such Manner, as the Tolls granted by this Act are to be applied.

Fine not to exceed 10*l.*

And be it further enacted, That all and every Sum and Sums of Money, so assessed as aforesaid, is hereby charged upon the Money which shall be raised by virtue of this Act, and shall be paid thereout accordingly by the said respective Trustees, or any Seven or more of them, or their respective Treasurer, to the Persons respectively intitled thereto, or to their Agents; and that upon Payment thereof, or Tender thereof, to such Persons or their Agents, and in case of Refusal to accept the same, then upon leaving the same in the Hands of the Treasurer to the said respective Trustees, for the Use of such Persons, such of the said Lands, Grounds, or Hereditaments as shall be wanted for the Purpose of making, widening, turning, or altering any of the said Roads, shall be laid into and made Part of the said Roads, and shall, to all Intents and Purposes whatsoever, become and be, and be deemed and taken to be a publick and common Highway, and be from thenceforth Part of the said respective Roads for ever after, and shall be repaired and kept in Repair by such Ways and Methods, and in all Respects in such Manner as the old Road so widened, altered, or turned was and ought to be kept in Repair: And such of the said Lands, Grounds, or Hereditaments as shall be wanted for the Purpose of building the said Bridge shall for ever remain, and be to and for that Use and Purpose, and no other: And after such new Roads shall be compleated, the Land and Ground comprized in, or constituting the old former Road, except such as shall lead to any other Town or Place than the new Roads shall lead to, shall be vested in the said respective Trustees, and may be stopped up, or left unrepaired, or may be by them, or any Five or more of them, sold and disposed of to such Person or Persons as shall be willing to become the Purchaser or Purchasers thereof, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied and disposed of for the repairing of the said respective Roads, and

Assessments to be charged on the Tolls.

Lands purchased to be made Part of the Road, and kept in Repair as the former Road.

Old Road may be sold.

other the Purpoſes of this Act; and the Sale or Conveyance and Conveyances to be made of ſuch Land or Ground being executed by the ſaid Truſtees, or any Five or more of them, and inrolled with the Clerk of the Peace for the County of Leiceſter, ſhall be good and effectual in the Law to all Intents and Purpoſes whatſoever.

Not to damage any Houſe, &c. in altering the Roads.

And be it further enacted That in making ſuch new Road, or in widening, turning, altering, or diverting any Part or Parts of the ſaid Roads, nothing ſhall be done which ſhall or may in anywiſe injure or damage any Houſe or Building, or any Yard, Garden, Orchard, Park, Plantation, or Nurſery of Trees, or any Walk of Trees, or Avenue to any Houſe, unleſs the Owner or Proprietor thereof ſhall conſent thereto.

Expences of the Jury and Witneſſes by whom to be borne.

And be it further enacted, That in caſe any Jury or Juries to be ſummoned and ſworn purſuant to the Authority of this Act, ſhall give in or deliver a Verdict or Aſſeſſment for more Money, as a Recompence or Satisfor the Right, Intereſt, or Property of any Perſon or Perſons in any ſuch Lands, Grounds, or Hereditaments, or for any ſuch Loſs or Damage than what ſhall have been agreed to and offered by the ſaid reſpective Truſtees, or any Seven or more of them, before the ſummoning or returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property in the ſaid Lands, Grounds, or Hereditaments, or Loſs or Damage as aforeſaid; that then, and in ſuch Caſe, the Coſts and Expences of ſummoning and returning the Jury and Witneſſes concerning the aſcertaining and determining the Value of any ſuch Right, Property, Intereſt, or Damages ſuſtained as aforeſaid, ſhall be borne and paid by the ſaid reſpective Truſtees, or any Seven or more of them, out of the Tolls or Duties hereby granted, or out of any Money to be borrowed upon the Credit thereof; but if any Jury or Juries, ſo to be ſummoned and ſworn as aforeſaid, ſhall give or deliver in a Verdict or Aſſeſſment for no more, or for leſs Money, than ſhall have been agreed to and offered by the ſaid reſpective Truſtees, or any Seven or more of them, before the ſummoning and returning the ſaid Jury, as a Recompence or Satisfaction for any ſuch Right, Intereſt, or Property in any ſuch Lands, Grounds, or Hereditaments, or Loſſes or Damages aforeſaid; then, and in ſuch Caſe, the Coſts and Expences of ſummoning and returning the ſaid Jury and Witneſſes ſhall be borne and paid by the Perſon or Perſons with whom the ſaid reſpective Truſtees ſhall have ſuch Controverſy or Diſpute.

And

And be it further enacted, That all and every Person and Persons, Towns, Parishes, Hamlets, and Places, and the Inhabitants thereof, Bodies Politick and Corporate, who before the making this Act hath or have used, or of Right ought, by reason of the Tenure of any Lands or Hereditaments, or on any other Account or Accounts, to repair any Part or Parts of the Roads hereby intended to be repaired, shall, notwithstanding this Act, be subject and liable to, and charged and chargeable with, the repairing and keeping in Repair the same Parts of the same Roads, in the same Manner as they and every of them hath, or have heretofore usually done, or ought to do: And that the Inhabitants of and Occupiers of Lands, Tenements, or Hereditaments in the several Towns, Parishes, Hamlets, and Places through which the Roads hereby intended to be repaired do lie, who by the Laws and Statutes of this Realm are, or shall be obliged or liable to perform the Work in the Highways for the repairing thereof, commonly called Statute-work, shall still be subject and liable to do and perform the same Work; and shall and are hereby required to do and perform such and so many Days Work, in such Parts of the Roads by this Act directed to be repaired and lying within the said Towns, Parishes, Hamlets, or Places in which such Inhabitants or Persons respectively shall live, or shall occupy such Lands, Tenements, or Hereditaments as the said respective Trustees, or any Five or more of them, shall direct or appoint, and at such Times, and in such Manner, as the Surveyor or Surveyors, by them authorised shall direct or appoint, provided the same do not exceed Three Days of such Work: And that every Inhabitant of and Occupier of Lands, Tenements, and Hereditaments in the said Towns, Parishes, Hamlets, and Places respectively, who shall rent, hold, or occupy any Lands, Tenements, or Hereditaments, at the yearly Value of Fifty Pounds, shall be deemed and taken to keep a Team for every such yearly Value of Fifty Pounds he or they shall so rent, hold, or occupy, and shall do and perform such Work in and towards the repairing the Highways of the several Towns, Parishes, Hamlets, and Places in which they respectively live, as Persons keeping Teams are obliged by Law, and ought to do.

Persons liable to do Statute-work, to continue so.

Inhabitants renting 50 *l. per Annum* deemed to keep a Team.

And, to the End that the said respective Trustees may know the Inhabitants of, and Occupiers of Lands, Tenements, and Hereditaments in all the Towns, Parishes, Hamlets, and Places wherein the Roads by this Act directed to be repaired do lie, who are liable to do Statute-work in their Highways, and what Sort of Duty they ought respectively to do; be it further enacted, That the Surveyors

Surveyors of the Highways to make up Lists, yearly, of Persons liable to do Statute-work.

Surveyors of the Highways of and for every of the said Towns, Parishes, Hamlets, and Places shall, and they are hereby required, at the first Meeting of the said respective Trustees after the Twenty fifth Day of March in every Year, or oftener, if thereunto required by the said respective Trustees, or any Five or more of them, or by their respective Surveyor or Surveyors, during the Continuance of the said former Acts, and this Act, (Ten Days Notice of such Meeting being affixed on the Toll-gate or Toll-gates erected by virtue of this Act, within the District wherein such Work is to be performed) to deliver in to the said respective Trustees true and perfect Lists in Writing, under their respective Hands, of the Names of all the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments in such Towns, Parishes, Hamlets, and Places respectively, who are liable to do their Statute-duties in and upon the said Highways; and shall in such Lists, and every of them, distinguish and set forth which of such Inhabitants or Occupiers shall, and by this Act shall be deemed to keep a Team or Teams, and which of them are Labourers only, or do not, or by this Act are not deemed to keep a Team or Teams.

Penalties on Surveyors not giving in such Lists,

And be it further enacted, That if such Surveyor or Surveyors of the Highways of the said several Towns, Parishes, Hamlets, or Places, shall not deliver in to the said respective Trustees, Lists of the Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments in their said several Towns, Parishes, Hamlets, or Places, at such Times, and in such Manner as by this Act is required and directed to be delivered, such Surveyor or Surveyors, and every of them, shall forfeit and pay for every such Default the Sum of Five Pounds: And if any or either of the Inhabitants of or Occupiers of Lands, Tenements, or Hereditaments in the said several Towns, Parishes, Hamlets, or Places, being obliged or liable by Law to do Statute-work in and upon the said Highways, shall not do such Statute-work in and upon the said Roads, at such Times and Places, and in such Manner as they shall, by the Surveyor or Surveyors appointed by the said respective Trustees, be directed or appointed to do, such Inhabitants and every of them shall, for every such Neglect or Default, forfeit and pay the several Sums herein after mentioned; that is to say, Every such Inhabitant or Person who shall keep, or by virtue of this Act shall be deemed to keep a Team or Teams, for every Day's Work for each Team the Sum of Ten Shillings, and for each Horse the Sum of Three Shillings; and every other Inhabitant or Person

Penalty on Persons not performing Statute-work.

not keeping, and not being by virtue of this Act deemed to keep a Team or Horse, for every Day's Work the Sum of One Shilling and Sixpence: And if any Person or Persons who shall come as a Labourer or Labourers, or be sent with any Team, Draught, or Cart, or Horse, to perform on the said Roads, (for the Repairs thereof) the Work, commonly called Statute-work, is or are found idle or negligent, or shall not properly perform such Statute-work, the Turnpike Surveyor or Surveyors may, and is and are hereby impowered and required to remove or discharge such Person or Persons, and it shall be deemed and taken as if such Person or Persons had not come or sent any Team, Draught, or Cart, or Horse to work on the said Roads; and he, she, or they shall be subject and liable to the respective Forfeitures, as if he, she, or they had neglected or refused to do or perform the said respective Day's Work.

Labourers found idle, to be turned off,

and be liable to Penalties for Neglect of Duty.

And be it further enacted, That the said respective Trustees, or any Five or more of them, may and are hereby authorised and impowered to compound with any Person or Persons, Bodies Politick or Corporate, for the Repairs to be by them done upon the said Roads; and also with the several Inhabitants of and Occupiers of Lands, Tenements, and Hereditaments in the several Towns, Parishes, Hamlets, and Places through which the said Roads, or any Part or Parts thereof do or both lie, for the several Days Statute-work to be by them respectively done upon the said Roads, at and for such Sum or Sums of Money, by the Year or otherwise, as they the said respective Trustees, or any Five or more of them, and such Person or Persons, Bodies Politick or Corporate, or Inhabitants or Occupiers respectively shall agree upon; which said Money shall be forthwith paid to the said respective Trustees, or any Five or more of them, or to their Appointment.

Trustees may compound with Persons and Parishes for Statute-work.

And be it further enacted, That if the Surveyor or Surveyors of the Highways for the Time being, of any of the Towns, Parishes, Hamlets, or Places wherein the said Roads directed by this Act to be repaired do lie, shall think the said respective Trustees have directed or appointed too large a Proportion of the Statute-work in any such Town, Parish, Hamlet, or Place, to be done on the said respective Roads, it shall and may be lawful for such Surveyor or Surveyors of the Highways to appeal to the Quarter-sessions of the Peace to be held for the County of Leicester next after such Direction or Appointment, unless the same shall be made within Ten Days preceding such Quarter-session, and then to the

Justices on Appeal to determine the Proportion of the Statute-work.

Second Quarter-ſeſſion next after ſuch Direction or Appointment; and the Juſtices in their ſaid Quarter-ſeſſion are hereby authoriſed and impowered finally to adjuſt and determine what Proportion of the Statute-work in any Town, Pariſh, Hamlet, or Place, ſhall be done on the Roads by this Act directed to be repaired, ſuch Surveyor or Surveyors of the Highways having firſt given Ten Days Notice of ſuch Appeal to the Surveyor or Surveyors appointed by the ſaid reſpective Truſtees.

Penalty on Perſons defacing Mile-ſtones.

And be it further enacted, That if any Perſon or Perſons wilfully or deſignedly break or pull down, dig up, injure, or deſtroy any or either of the Mile-ſtones ſet up, or to be ſet up, or ſhall eraze, obliterate, or deface any of the Inſcriptions made, or which ſhall be made thereon, or cauſe the ſame to be done, every ſuch Perſon ſo offending ſhall forfeit and pay any Sum not exceeding Five Pounds, nor leſs than Ten Shillings for each Mile-ſtone ſo wilfully or deſignedly broken, obliterated, defaced, or pulled down.

Penalties and Forfeitures how to be recovered.

And be it further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not otherwiſe particularly directed) ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of One or more Juſtice or Juſtices of the Peace for the County or Place wherein the Offence ſhall be committed; which Warrant the ſaid Juſtice or Juſtices is and are hereby impowered and required to grant, upon the Information of any One or more credible Witneſs or Witneſſes upon Oath, (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward); and the Penalties and Forfeitures, when recovered, after rendering the Overplus, (if any be) when demanded, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold, (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be paid to the ſaid reſpective Truſtees, or any Five or more of them, or their reſpective Treaſurer, and ſhall be applied, (if not otherwiſe directed to be applied by this Act) for and towards the amending the ſaid reſpective Roads, and other the Purpoſes of this Act: And in caſe ſufficient Diſtreſs cannot be found, and ſuch Penalties or Forfeitures ſhall not be paid, it ſhall and may be lawful for ſuch Juſtice or Juſticces, and he and they is and are hereby authoriſed and required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit ſuch Offender or Offenders

ders to the common Gaol of the said County or Place for any Time not exceeding Two Months.

Persons aggrieved may appeal to the Quarter-sessions.

And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person or Persons may, within the Space of Six Months next after the Cause of Complaint shall have arisen, Appeal to the Justices of the Peace at any General Quarter-session of the Peace for the County or Place where the Matter or Thing shall be done, for or by reason of which such Complaint shall have arisen, such Appellant first giving, or causing to be given, Ten Days Notice at least in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer of the said Trustees, and within Four Days next after such Notice, entering into a Recognizance before some Justice of the Peace for the said County or Place, with sufficient Sureties, conditioned to try such Appeal, and pay such Costs as shall be awarded by the Justices at such Quarter-session; and the said Justices at their said Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall proceed to hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against, as they the said Justices shall think proper; and the Determination of such Quarter-session shall be binding and conclusive to all Intents and Purposes.

Order of Justices final.

Proceedings not to be quashed for Want of Form, nor removeable by *Certiorari*.

And be it further enacted, That no Order made touching or concerning any of the Matters aforesaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at Westminster; and that where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and

and may recover full Satisfaction for the special Damage in an Action upon the Case.

Proviso. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity as aforesaid, if Tender of Amends hath been made by or on the Behalf of the Party distraining before such Action brought.

Orders and Proceedings to be entered in Books. And be it further enacted, That full, true, and fair Accounts and Entries of all the Monies which shall be collected and received, laid out, expended, and paid, by virtue of this Act, and of all Orders, Acts, Matters, Proceedings, and Things which shall be done by the said respective Trustees, in the Execution of the Powers hereby to them given shall, from Time to Time be duly and regularly entered in Books which shall be kept for those Purposes; and all such Orders, Acts, and Proceedings so entered shall be signed by the said respective Trustees, or any Five or more of them; which said Book or Books, and also the said Book directed to be kept for the Entry of Assignments or Transfers of the Mortgages or Securities on the Tolls, shall and may be produced and read in Evidence in all Courts whatsoever, and shall and may be inspected and perused by any Person or Persons whomsoever, without Fee or Reward: And if the respective Clerks, Treasurers, or Surveyors to the said respective Trustees, or any other Persons who shall have any of the said Books in their Custody, shall refuse or neglect to deliver up the same to the said respective Trustees, or any Five or more of them, within Fourteen Days after being thereunto required by the said respective Trustees, or any Five or more of them, it shall and may be lawful for any One or more Justice or Justices of the Peace for the County or Place where such Clerks, Treasurers, Surveyors, or other Persons respectively shall reside, upon Proof, on Oath, of such Neglect or Refusal, (which Oath such Justice or Justices is and are hereby impowered to administer) by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Clerk, Treasurer, or Surveyor, or other Person, to the common Gaol of such County or Place, there to remain without Bail or Mainprize, until he or they shall deliver, or cause to be delivered to the said respective Trustees, or any Five or more of them, or to their Order, all and every such Book and Books, or until he or they shall give such Satisfaction concerning the same to the said respective Trustees, or any Five or more of them, as they shall think reasonable.

Penalty on Clerks, &c. refusing to deliver up Books, &c.

And

And be it further enacted, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage or Assignment, Transfer, or other Security for the borrowing of Money, or other Writing whatsoever, under the Hand and Seal or Hands and Seals of, or only signed by any Trustee or Trustees for putting this Act in Execution, or by any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any of the Powers or Authorities hereby vested in such Trustee or Trustees, Justice or Justices of the Peace, or any of them, or Transfer or Assignment of any of the Securities aforesaid, made by any Person or Persons, shall be charged or chargeable with any Stamp-duty whatsoever, any Law to the Contrary notwithstanding. Writings to be without Stamps.

And be it further enacted, That no Order made by the said respective Trustees, or any Five or more of them, in, for, or concerning the executing the Trusts, Powers, and and Authorities of this Act, or any of them, shall be revoked, repealed, or set aside by any subsequent Order of the said respective Trustees, unless Nine Trustees, shall be then present and consenting thereto. Orders how to be repealed.

And be it further enacted, That if any Action or Actions, Suit or Suits, shall be brought against any Person or Persons for any Thing done in pursuance of this Act, or in relation to the Matters herein contained, such Actions or Suits, and every of them, shall be commenced within Six Months next after the doing of the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, and not afterwards; and shall be brought, laid, and tried in the County of Leicester, and not elsewhere; and that the Defendant or Defendants in such Actions and Suits, and every of them, may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act: And if the said Matter or Thing shall appear to have been so done, or if any such Action or Suit shall appear not to have been commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein; and if a Verdict or Verdicts should be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuit, or suffer a Discontinuance of such Action or Actions; or if, Limitation of Actions. General Issue.

upon any Demurrer or Demurrers in such Action or Actions, Judgement shall be given for the Defendant or Defendants therein; then, and in either of the Cases aforesaid, such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for the Recovery thereof as any Defendant or Defendants hath or have for his, her, or their Costs in any other Cases by Law.

Treble Costs.

Publick Act.

And be it further enacted, That this Act shall be adjudged, deemed, 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.

FINIS.