Anno tricesimo primo

Georgii II. Regis.

An Act for building a Bridge cross the River *Trent*, at or near a Place called *Wilden Ferry*.



WHEREAS the present Communication between the Counties of Leicester and Derby, and to several Roads which lead to divers other Counties, is very inconvenient, and oftentimes dangerous: And whereas the building a Bridge over the River Trent, at or near a Ferry called Wilden Ferry, in the Parish of Castle Donington, in the County of Leicester, will make a more commodious, useful, and safe Communication between the said Counties; 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 Preamble.

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 Right Honourable George Cavendish Esquire, commonly called Lord George Cavendish; the Right Honourable Frederick Cavendish Esquire, commonly called Lord Frederick Cavendish; Sir Nathaniel Curzon, Sir John Every, Sir Robert Burdet, Sir Matthew Lamb, Sir Henry Harpur, Sir Thomas Palmer, Sir Willoughby Aston, Baronets; Sir John Eardley Wilmot, Sir Robert Wilmot, Knights; Nathaniel Curzon, George Venables Vernon senior, George Venables Vernon junior, James Shuttleworth, William Fitzherbert, Richard Fitzherbert, Wenman Coke, Charles Stanhope, Joseph Ward, Hugo Meynell, Godfrey Meynell of Langley, Godfrey Meynell of Yelderſley, Robert Mead Wilmot, Henry Cope, Edward Wilmot, John Lowe, German Pole, German Pole the younger, Edward Munday, Philip Gell, Wrightson Munday, Joseph Greaves, William Cotton, Esquires; Edward Wilmot M. D. John Rolleston Clerk, Samuel Philips, Richard Chesslyn, Philip Bainbrigge, Edward Smith, James Wigley, George Wright, Esquires; the Mayor and Recorder of Derby now, and for the time being; Thomas Coke, John Gisborne senior, John Gisborne junior, Thomas Revett, Samuel Crompton, Henry Eyre, Richard Bateman, Thomas Bainbrigge, Esquires; shall be, and they and their Successors, to be elected in manner herein after-mentioned, are hereby appointed Trustees for putting this Act in Execution.

Trustees Names.

Times and Places of Trustees Meetings.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall meet together at the George Inn in Derby, on the Fourteenth Day after the Day of passing of this Act, and proceed to the Execution of the Powers hereby granted; and shall then, and from time to time afterwards, adjourn themselves, and meet there, or at any other Place, as often as it shall be necessary for putting this Act in Execution; and if it shall happen that there shall not appear at any Meeting a sufficient Number of Trustees to act, and to adjourn to another Day, in each and every such Case, the Clerk to the said Trustees shall, from time to time, adjourn such Meeting to some other Day, to be held at the same Place, or some other convenient Place, within the Space of Thirty Days from such Adjournment, and shall cause publick Notice to be given in Writing, to be affixed upon the Turnpike-gate or Toll-house Seven Days at the least before the Day appointed for such Meeting; and that the said Trustees shall, at all their Meetings, defray their own Expences; and that no

7 Days Notice to be given of Trustees Meeting.

Trustees to bear their own Expences.

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no Trustee named or appointed, or which shall be named or appointed in or by virtue of this Act, shall act, or be impowered to do any Act in Execution of the Powers hereby given to them, or either of them, except it be at a Meeting to be by them held in pursuance of this Act.

Qualification of Trustees.

Provided always, and be it further enacted by the Authority aforesaid, That no Person shall be qualified or capable of acting as a Trustee in the Execution of this Act, unless, at the Time of acting therein, he shall, in his own Right, or in Right of his Wife, be in the actual Possession and Enjoyment, or Receipt, of the Rents and Profits of a real Estate in Law, or Equity, of the clear yearly Value of One hundred Pounds above Reprizes, or be Heir Apparent of a Person possessed of an Estate in Land of the clear yearly Value of Two hundred Pounds above Reprizes: And if any Person, not qualified as aforesaid, shall nevertheless presume to act, contrary to the true Intent and Meaning of this Act, he shall, for every such Offence, forfeit the Sum of Fifty Pounds, to be recovered by any Person who will sue for the same, in any of his Majesty's Courts of Record at Westminster, by Action of Debt, or on the Case; wherein no Essoin, Protection, Privilege, or Wager of Law, or more than One Imparlance, shall be allowed.

On Death or Removal of Trustees, others to be chosen.

And be it further enacted by the Authority aforesaid, That, from time to time, as often as any Trustee hereby appointed, or hereafter to be elected, shall die, or refuse to act, it shall be lawful for the surviving or remaining Trustees, or any Seven or more of them, by any Writing or Writings under their Hands and Seals, to elect and appoint One other Person, living in the said Counties of Leicester or Derby respectively, as a Trustee; and all Persons so from time to time elected and appointed, shall be and are hereby enabled to act in the Execution of all the Powers herein contained, as fully, to all Intents and Purposes, as if they had been hereby appointed and nominated Trustees.

Trustees to build a Bridge;

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them, shall appoint for that Purpose, shall be and are hereby authorized and impowered to build a Bridge cross the River Trent, at or near a Place called Wilden Ferry, in the Parish of Castle Donington, in the County of Leicester, and to dig and make proper Foundations in the said River, and on the Lands on each Side, for the Piers and Abutments of the said Bridge; and

to cut and level the Banks of the said River, in such Manner as shall be necessary and proper for building the said Bridge; and to cut, remove, and take away, all Trees, Roots of Trees, Beds of Gravel, Sand, Mud, or any other Impediment whatsoever, which may any Ways hinder the erecting and completing the said Bridge; and to erect and make in or over the said River, and the Lands adjoining or near to the same, any Campshots, Trenches, and Landing-places, and to make such Roads and Avenues to and from such Bridge, as may be necessary; and from time to time, and at all Times hereafter, to do all other Matters and Things necessary or convenient for erecting, maintaining, and supporting the said Bridge, and for executing the Purposes of this Act; they the said Trustees, or such Persons as they shall appoint, doing as little Damage as may be, and first making Satisfaction, in Manner as is herein after mentioned, to the respective Owners and Occupiers of such Lands and Grounds as shall be intended to be made use of or altered, or that shall be in any wise prejudiced or damaged by the Execution of any of the Powers of this Act.

and remove all Impediments;

making Satisfaction to the Owners of Lands, &c.

Provided always, That the said Bridge shall consist of such Number of Arches as the said Trustees, or any Five or more of them, shall think proper and necessary; and that the Center Arch thereof shall be Forty Feet wide at the least; and that the said Bridge shall be made Twenty Feet wide in the Clear at the least, for the more convenient passing over the same; and that, when the said Bridge is built, there shall remain a free and open Passage for the Water to flow through the Arches thereof, of One hundred Feet at the least.

Construction of the Bridge.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Seven or more of them, shall be, and are hereby, authorized and impowered, from time to time, to treat, contract, and agree, with the several Owners, Occupiers of, and Persons interested in, any Lands, Tenements, or Hereditaments, for the Purchase thereof, as the said Trustees, or any Seven or more of them, shall think fit; and likewise for the Loss or Damage such Owners, Occupiers, and Persons interested, or any of them, shall or may any ways respectively sustain by or upon account of the Building of the said Bridge, or the Execution of any of the Powers of this Act; and out of the Tolls collected by virtue of this Act, or out of any Money to be borrowed on the Credit thereof, to pay for the Purchase of such Lands, Tenements, and Hereditaments, or for such Loss or Damage, such Sum or Sums of Money as shall be agreed upon between such Owners, Occupiers,

Trustees may contract for the Purchase of Lands, &c.

piers, and Persons interested, as aforesaid, and the said Trustees, or any Seven or more of them; and also the Costs and Charges attending such Agreements and Purchases respectively.

Bodies Politick, or Corporate, &c. impowered to sell Lands, &c.

And be it further enacted by the Authority aforesaid, 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, and Administrators, Guardians, Committees, or other Trustees whatsoever, for and on Behalf of any Infants, Femes Covert, Lunaticks, Ideots, or Cestuique Trusts, and for all and every Person and Persons whomsoever, who are or shall be seised, possessed of, or interested, in any wise, in any Lands, Tenements, or Hereditaments, to treat, contract, and agree, with the said Trustees, or any Seven or more of them, for the Purchase of such Lands, Tenements, and Hereditaments, or any Part thereof, or for their Interest therein, for the Purposes aforesaid; and to sell and convey, or let, the same to the said Trustees, or to such Person or Persons in Trust for them, and in such Manner as the said Trustees, or any Seven or more of them, shall direct, and as Occasion shall require; and all Contracts, Agreements, Sales, and Conveyances, which shall be so made, shall be valid to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding: And all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Trust, Executors, Administrators, Guardians, Committees, 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 refusing to treat, &c. for the Sale of such Lands;

And be it further enacted by the Authority aforesaid, That if any such Owner, Proprietor, Occupier, Trustee or Trustees, Committee or Committees, Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, or any other Person or Persons interested as aforesaid, shall neglect or refuse to treat, or shall not agree, for the Purchase of any such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or for their Interest therein, or, by reason of Absence, shall be prevented from treating; then, and in any such Case, it shall be lawful for the said Trustees, or any Five or more of them, Fourteen Days at the least before any General or Quarter Session of the Peace to be holden for the County of Leicester or Derby respectively, wherein such Lands, Tenements, or Hereditaments, are respectively situate, to give, or cause to be given, to such Owners or Persons interested, Trustees or Committees,

Committees, respectively, or to the principal Officer or Officers of such Bodies Politick, Corporate, or Collegiate, Aggregate or Sole, or leave, or cause to be left, at the House of the Tenant in Possession of any such Lands, Tenements, or Hereditaments, Notice in Writing, denoting or describing the Lands, Tenements, or Hereditaments, so intended to be purchased, and purporting that the Value thereof will be adjusted and settled by a Jury at the said Session; and the Justices at their said Session, upon Proof to them made of such Notice having been so given or left, are hereby authorized and required to charge the Jury which shall attend at such Session, or some other Jury of Twelve honest Men, to be then and there impanelled and returned by the Sheriff of the said County respectively, without Fee or Reward, and cause them to be sworn well and truly, on their Oaths, to assess the Value of the Lands, Tenements, or Hereditaments, comprised in the said Notice, and the Damages and Recompence to be given for the same, or such Part or Parts thereof as shall be intended to be used for the Purposes of this Act, to the respective Owners, Occupiers, and Persons interested, according to their respective Interests therein (which Oath the said Justices are hereby required to administer to such Jury) and to which said Jury the said Trustees, and all Parties interested, shall have their lawful Challenges; and the said Jury being so charged and sworn as aforesaid, and after proper Evidence, on Oath, to them given concerning the Nature, Quantity, and Value, of such Lands, Tenements, and Hereditaments, or such Part or Parts thereof, as aforesaid, shall, by their Verdict, assess the Damages and Recompence to be given for the same, to such respective Owners, Occupiers, and Persons, according to their respective Interests therein; which Verdict of the said Jury, and the Judgement of the said Justices upon the same, shall finally bind and be conclusive to the said Trustees, and to all Persons and Parties interested in the said Lands, Tenements, or Hereditaments.

The Damage and Recompence to be assessed by a Jury.

Jury may be challenged.

Verdict of the Jury to be binding and conclusive.

And be it further enacted by the Authority aforesaid, That all such Sums of Money, Consideration, Recompence, or Satisfaction, as shall be agreed for or assessed, as aforesaid, for the Purchase or Damage done to any Lands, Tenements, or Hereditaments, or any Part thereof, shall be, and is and are hereby, charged and chargeable upon the Tolls by this Act granted and made payable, and shall be paid thereout, or out of the Monies borrowed upon the Credit of the same, to the respective Persons intitled thereto; and that upon the Payment of such Sum or Sums, which shall be so assessed for the Purchase of such Lands, Tenements,

Money allowed for Lands, how to be charged and tendered.

Upon Payment, or Tender of the Purchase Money,

Tenements, and Hereditaments, as aforesaid, or Tender thereof, or in case any Person or Persons, after Ten Days Notice to be given to him, her, or them, or left at the House of the Occupier of the Premisses, shall refuse or neglect to receive the same, then, upon leaving the same in the Hands of the Treasurer or Clerk to the said Trustees, to be paid upon Demand to such Person or Persons, it shall be lawful for the said Trustees, or any Five or more of them, their Workmen or Agents, to enter upon, and take Possession of, such Lands, Tenements, or Hereditaments, as aforesaid, or such Part thereof as they shall think fit for the Purposes of this Act, and to do all and every such Act, Matter, and Thing, with relation thereto, as they the said Trustees, or any Five or more of them, shall, from time to time, think necessary or convenient.

the Trustees may make use of the Lands.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, and they are hereby authorized and impowered to erect or cause to be erected a Turnpike and Toll-house upon or at either End of the said Bridge; and that the following Tolls or Pontage Duty shall and may be demanded and taken by such Person or Persons as the said Trustees, or any Five or more of them, shall, from time to time, appoint for that Purpose, at the said Turnpike, before any Passage over the said Bridge shall be permitted, being the antient and accustomed Tolls usually paid for Passage over the River at the said Ferry; that is to say,

Trustees may erect a Turnpike and Toll-house at either End of the Bridge,

and take the following Tolls thereat.

The Tolls.

For every Coach, Chariot, Landau, Berlin, Chaise, or other such like Carriage, with Four Wheels, Two Shillings and Six Pence.

For every Chaise, Chair, or other such like Carriage, with Two Wheels, One Shilling.

For every Waggon, Wain, Dray, or other such like Carriage, with Four Wheels, One Shilling and Six Pence.

For every Cart, Wain, Dray, or other such like Carriage, with Two Wheels, One Shilling.

For every single Horse, Mule, or Ass, not drawing, One Penny.

For every double Horse, Mule, or Ass, not drawing, Two Pence.

For every Drove of Hogs and Swine, Six Pence per Score; and after that Rate for any greater or less Number.

For every Drove of Sheep or Lambs, Four Pence per Score; and after that Rate for any greater or less Number.

For all Cows and horned Cattle, each One Half-penny.

For every Foot Passenger passing the said Bridge, One Penny.

Which said respective Sums of Money shall be demanded and taken in the Name of and as a Toll; and the Money so to be raised and received is hereby vested in the said Trustees, and shall be applied to and for the several Uses, Intents, and Purposes, and in such Manner as is by this Act directed; and if any Person or Persons, subject to the Payment of any of the said Tolls, shall refuse to pay the same, or any Part thereof, it shall be lawful for the Person or Persons appointed to collect the said Tolls as aforesaid, to seize and distrain any Horse or other Cattle, or any Carriage, or other Matter or Thing upon or in respect whereof any such Toll is by this Act imposed, or the Goods and Chattles of such Person or Persons as ought to pay the same, and to detain such Distress for any Time not exceeding the Space of Four Days; and then, if such Toll, together with the Charges of such Seizure, Distress, and Detainer, shall not be fully paid and satisfied, the Person or Persons so distraining shall and may sell the Cattle or other Goods so distrained; returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Toll, and all reasonable Charges occasioned by such Distresses, shall be deducted.

Tolls vested in the Trustees.

Tolls may be levied by Distress and Sale.

Distress may be sold after 4 Days.

And whereas Sir Matthew Lamb Baronet, Lord of the Manor of Castle Donington, and present Owner and Proprietor of the said Ferry called Wilden Ferry, hath, on Behalf of himself and of his Son Peniston Lamb, an Infant, consented and agreed to the Building of the said Bridge; and that the Profits of the said Ferry, which shall arise and be received from the Fifth Day of April, One thousand seven hundred and fifty eight, shall be paid to the said Trustees; and that such Ferry, and the Tolls and Profits thereof, shall be vested in the said Trustees and their Successors, immediately from and after the passing of this Act; and hath also agreed for himself and his Heirs to be restrained from building any Bridge or Bridges, or using or working the said Ferry, or any other Ferry, cross the said River, within the Liberty of Castle Donington aforesaid, below King's Mills Eastward, in Consideration of the annual Rent or yearly Sum of One hundred and fifty

Pounds

Pounds to be paid for ever by the said Trustees, clear of all Taxes and Deductions, and to be charged on the said Tolls in Manner as is herein after mentioned; and also paying and discharging yearly, for ever, out of the said Tolls, to the Field Reeves or other Officers of the Parish of Castle Donington, an annual Rent or Payment of Three Pounds Six Shillings and Eight Pence, clear of all Taxes and Deductions, which hath been usually and antiently paid to them by the Proprietors and Owners of the said Ferry, for the Use of the said Parish; be it therefore enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall, out of the Tolls hereby granted or authorized to be collected, or out of the Monies to be borrowed on the Credit thereof, from time to time, pay or cause to be paid unto the said Sir Matthew Lamb, his Heirs or Assigns, the annual Rent or yearly Sum of One hundred and fifty Pounds, clear of all Taxes and Deductions whatsoever, by Four equal quarterly Payments, as and for a Recompence and Satisfaction for the Damage and Loss which he or they may sustain by reason of the Building of the said Bridge, and by being restrained from building Bridges over, and working Ferries cross the said River, in Manner before-mentioned; which said annual Rent or yearly Sum of One hundred and fifty Pounds, shall commence and be paid from the Twenty fifth Day of March, One thousand seven hundred and fifty eight, and shall continue to be paid by quarterly Payments for ever.

Recompence to Sir *Matthew Lamb*.

And be it further enacted by the Authority aforesaid, That the said Ferry called Wilden Ferry, shall, from and immediately after the passing of this Act, be, and the same is hereby vested in the said Trustees, until the said Bridge is built; and they the said Trustees, or any Five or more of them, or such Person or Persons as they shall appoint, shall and may, from and after the passing of this Act, enter upon and take, hold, and work, such Ferry, and receive such Tolls for Passage over the same as are herein before granted for Passage over the said intended Bridge; and all the Monies which shall have been collected and received for Passage at the said Ferry from and after the Fifth Day of April, One thousand seven hundred and fifty eight, shall be accounted for, and, after deducting the necessary Charges of working such Ferry, be paid to the said Trustees, or any Five or more of them, or to such Person or Persons as they, or any Five or more of them, shall appoint to receive the same, and shall be applied to and for the same Uses and Purposes as the

Ferry to be vested in the Trustees.

Tolls

Tolls to be taken at the said Ferry and new intended Bridge are directed to be applied by this Act; and the said Sir Matthew Lamb and Peniston Lamb, and all Persons claiming or to claim by, from, or under them, or either of them, shall, from and after the passing of this Act, be, and he, she, and they, is and are hereby divested, for ever, of all Right, Title, Interest, and Property, of, in, and to, the said Ferry, and the Profits arising thereby.

If the Bridge shall not be built in due Time, Ferry may be resumed.

Provided always nevertheless, That if the said Bridge shall not be erected and made passable within the Space of Three Years from the said Fifth Day of April, One thousand seven hundred and fifty eight, and the erecting and making the same passable before the Expiration of the said Term shall not have been retarded or prevented by some unavoidable Difficulty or unforeseen Accident or Accidents, the said Sir Matthew Lamb, or the Person or Persons who would have been intitled to the said Ferry in case this Act had not been made, shall and may, at the End of the said Three Years, enter upon and become possessed again of the said Ferry, and the Tolls and Profits thereof, in such and the same Manner as the said Sir Matthew Lamb was possessed thereof before the making of this Act, freed and discharged and exonerated from the Payment of all or any Sum or Sums of Money which shall have been borrowed by the said Trustees, or any of them, on the Credit thereof, and of the Interest for all such Monies; and also freed and discharged from all Mortgages, Debts, and Incumbrances, made, contracted, or incurred, by the said Trustees, or any of them; and in such Case all the Tolls and Profits that shall have been received from the said Ferry, within the said Three Years, after deducting the Charges of working the said Ferry, and the annual Rent or yearly Sum of One hundred and fifty Pounds, or such Part thereof as shall have been paid within that Time, shall be paid and accounted for unto the said Sir Matthew Lamb, or unto such Person or Persons as shall then be intitled to the said Ferry, to and for his and their own Use and Benefit; any thing herein before contained to the contrary notwithstanding.

No Ferry to be worked.

And be it further enacted by the Authority aforesaid, That neither the said Sir Matthew Lamb, or the said Peniston Lamb, or any other Person or Persons claiming, or to claim, by, from, or under them, or either of them, by virtue of any Estate they, or either of them, now or hereafter shall be Owner of, or intitled to, shall build, or cause to be built, any Bridge or Bridges over the said River,

River, or work or use any Ferry for the Carriage of any Person, Cattle, or Carriages whatsoever for Hire, cross any Part of the said River within the Liberty of Castle Donington aforesaid, below King's Mills Eastward.

Rent to Sir *Matthew Lamb* how to be recovered.

And be it further enacted by the Authority aforesaid, That in case any or either of the said quarterly Payments, or any Part thereof, shall be in Arrear or unpaid by the Space of Thirty Days next after the same shall have become due and payable, and Demand thereof shall have been made, to any Five or more of the Trustees for putting this Act in Execution, or to their Treasurer or Clerk, or by or on Behalf of the said Sir Matthew Lamb, or other Person or Persons who shall be intitled to receive the same; then, and so often as such Case shall so happen, it shall be lawful for the said Sir Matthew Lamb, or such other Person or Persons intitled as aforesaid respectively, to commence and prosecute One or more Action or Actions at Law on the Case, or in Debt, against the Treasurer or Treasurers, or Clerk, to the said Trustees; and shall and may, upon such Action or Actions, recover the Money then due, together with his, her, or their Full Costs of Suit, and have such Remedy for the same as are allowed by Law in other Cases; which said Money and Costs so recovered, when paid, shall be allowed to such Treasurer or Clerk in his Account with the said Trustees, or to and for the said Sir Matthew Lamb, or such other Person or Persons intitled as aforesaid respectively, or his or their Agent or Agents, to enter upon, and take Possession of, the said Ferry, and, after the said Bridge is built, of such Bridge, and of any Turnpike or Turnpikes which shall be placed thereon, or to erect any Turnpike across or at either End of the said Bridge, and to collect the said Tolls; and shall have the like Power for levying such Tolls as is hereby granted for levying the same: And all Persons evading, or attempting to evade, the Payment of such Tolls, shall be subject to the same Penalties as are by this Act inflicted upon Persons evading, or attempting to evade, the Payment of the said Tolls: Or in case, at the Time any such Payment, or any Part thereof, shall be in Arrear as aforesaid, and the said Bridge shall be useless or unsafe, or dangerous for the Passage of Cattle or Carriages, for the Space of Six Days; then and in such Case, the said Sir Matthew Lamb, or the Person or Persons intitled as aforesaid, his, her, or their Agent or Agents, may, and is and are hereby authorized and impowered to work and use the said Ferry called Wilden Ferry, in such Manner as hath been heretofore

heretofore practised for the Conveyance of Persons, Cattle, and Carriages for Hire; and the said Sir Matthew Lamb, or other Person or Persons intitled as aforesaid, his, her, or their Agent or Agents, shall and may, from time to time, continue to collect such Rates or Sums of Money, or to work and use any such Ferry, until all such Arrears, and also all such Monies as, during the Time of such Collection, or the Use of such Ferry, shall have grown due, together with all reasonable Charges occasioned by the Collection of such Rates or Sums of Money, or the Working of such Ferry, shall be thereby fully satisfied, or until the said Trustees, or any Five or more of them, shall have paid and discharged all such Arrears, Monies, and reasonable Charges, as aforesaid, and no longer.

To have a Priority to other Payments.

Provided also, That the said quarterly Payments to the said Sir Matthew Lamb, or the Person or Persons intitled as aforesaid, shall have a Priority to all other Claims, Debts, and Demands whatsoever, which shall arise or become due by virtue or in pursuance of this Act; and the Tolls, Rates, or Sums of Money, which shall be collected by, or on the Behalf of, the said Sir Matthew Lamb, or other Person or Persons intitled as aforesaid, upon or at either End of the said Bridge, or which shall be received at such Ferry, as aforesaid, shall not be subject or liable to the Payment of any Principal or Interest Monies, or any other Debt due or owing upon the Credit of this Act; but such Tolls, Rates, and Sums of Money, shall be, from time to time, received for the sole Use and Benefit of the said Sir Matthew Lamb, or other Person or Persons intitled as aforesaid, until all such Arrears and reasonable Charges shall be, from time to time, fully paid and satisfied.

Rent to *Castle Donington*.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall cause the said annual Rent or yearly Sum of Three Pounds Six Shillings and Eight Pence to be paid out of the said Tolls yearly, for ever, free from all Taxes and Deductions, commencing from the Twenty fifth Day of March, One thousand seven hundred and fifty eight, to the Field Reeves, or other Officers of the said Parish of Castle Donington, for the Use of the said Parish, at such Times, and, in case of Non-payment, to be, from time to time, recovered in such Manner, as the said Rent hath been, or of Right ought to have been paid by, and in case of Non-payment recovered against, the Owners or Proprietors of the said Ferry: And from and after the said Twenty fifth Day of March, One thousand seven hundred

hundred and fifty eight, the said Sir Matthew Lamb, and his Heirs and Assigns, shall be freed and discharged from the Payment of the said annual Rent or yearly Sum, and from all Demands relating thereto.

Proviso. Provided, That if the said Sir Matthew Lamb, his Heirs or Assigns, shall become possessed of the said Ferry, in respect and upon account of the said Bridge not being built within the Term aforesaid, then and in such Case, he, she, or they, shall, from the Time of entering upon, and during such Possession, pay the said annual Rent in such Manner as he the said Sir Matthew Lamb was liable to do before the passing of this Act.

Tolls to be paid but Once a Day. Provided always, and be it further enacted by the Authority aforesaid, That no more than One Toll in any One Day (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night) shall be paid for the Passage of any Coach, or other Wheel Carriage, Horse, Cattle, or Beast, or any Foot Passenger, over the said Ferry, and after the said Bridge shall be built, over such Bridge, or any Ferry which shall be used or worked by virtue of this Act; but that every such Coach, Carriage, Horse, Cattle, or Beast, or Foot Passenger, for and in respect whereof such Tolls shall have been paid, shall be permitted to pass Toll-free, at any Time or Times during such Day, upon a Note or Ticket of such Payment being produced; which Notes or Tickets the Collectors of the said Tolls, are hereby required to give gratis, upon the Receipt of the Toll.

Penalty on Persons giving or receiving of Tickets, &c. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall offer, give to, or receive from, any Person or Persons, except the Collectors of the said Tolls, or shall forge, counterfeit, or alter, any Note or Ticket by this Act directed to be given by the Collectors of the said Tolls, with an Intent to evade the Payment of the said Tolls, or any Part thereof; or shall forcibly or wilfully pass through the said Turnpike without Payment of the Toll, or any Part thereof; or shall interrupt or disturb any Person or Persons employed by the said Trustees, or any Five or more of them, in digging or gathering any Materials for building or repairing the said Bridge, or for making or repairing the Way over the same, or any Road or Avenue leading thereto; every Person so offending in each of the Cases aforesaid, shall, for every such Offence, forfeit the Sum of Twenty Shillings, whereof One Moiety shall be paid to the Informer or Informers, and the other Moiety shall be applied for the Purposes of this Act.

Provided

Exemptions from Tolls.

Provided always, That the Lord of the Manor of Castle Donington for the time being, his Servants, Cattle, and Carriages, and also the Inhabitants of the Vills or Hamlets of Great Wilne and Shardlow, in the Parish of Aston upon Trent, in the said County of Derby, and their Servants, Cattle, and Carriages, shall have free Passage at all Times hereafter over the said Ferry and Bridge, and also over all Ferries which shall be established by virtue of this Act, without being liable to pay any thing for such Passage; and also the Inhabitants of the said Parish of Castle Donington, and their Servants, Cattle, and Carriages (such last-mentioned Inhabitants paying or causing to be paid to the Collectors or Receivers of the Tolls hereby granted, such annual Composition as hath been heretofore paid by them at Christmas annually for their Passage over the said Ferry; that is to say, The Sum of Four Pence for each Farmer, and the Sum of Two Pence for each Cottager) shall have free Passage at all Times hereafter over the said Ferry and Bridge, and also over all Ferries which shall be established by virtue of this Act.

Proviso.

Provided nevertheless, That if any Person shall claim and take the Benefit of any of the Exemptions aforesaid, not being intitled thereto, every such Person shall, for every such Offence, forfeit the Sum of Twenty Shillings.

Application of the Monies.

And be it further enacted by the Authority aforesaid, That out of the Monies arising by the Tolls hereby granted, or out of such Monies as shall be borrowed on the Credit thereof, the said Trustees, or any Five or more of them, shall, in the First Place, pay and discharge all the Expences and Costs of procuring and passing this Act; and all such Tolls and Monies shall be afterwards, from time to time, applied in defraying the Expence of maintaining the said Ferry, and in erecting, building, and supporting the said Bridge, and the said Turnpike and Toll-House, and in making the necessary Roads and Avenues to the said Bridge, and in defraying the necessary Expences attending the same, and for making Satisfaction to all Persons prejudiced thereby, and for Payment of such annual Rents or Sums as aforesaid agreed and directed to be paid, and for executing all other the necessary Purposes of this Act.

Trustees may lessen the Tolls, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Trustees, or any Nine or more of them, at a General Meeting to be called for that Purpose, whereof Fourteen Days publick Notice

Notice shall be given, from time to time to lessen and reduce the Tolls by this Act granted, so as the lessening such Tolls be no Prejudice to the securing and paying the said Rent to the said Sir Matthew Lamb, and his Heirs, and afterwards raise or augment the same again, so as not to exceed the Sums hereby granted; and such Tolls so lessened and reduced, shall and may be collected and levied in such Manner, and applied for such Purposes only, as the Tolls hereby granted are directed to be recovered, levied, and applied. and raise them again.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may cause a certain Ford-way through the said River to to the Westward of the said Ferry, called The Old Ford, to be destroyed; and may cause the Channel of the said River to be dug and made deeper, and the Banks of the said River to be cut, and Posts and Rails, or other Fences, to be erected thereon. Ford may be destroyed.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall use or employ any Boat, Barge, or other Craft, in ferrying or conveying cross the said River within the Liberty of Castle Donington aforesaid, below King's Mills Eastward, any Persons, Cattle, or Carriages, for Hire or Gain, the Owner or Owners of every such Boat, Barge, or other Craft, or the Person or Persons employing or using the same, shall forfeit the Sum of Twenty Shillings for every Person, Horse, Mare, Gelding, Mule, Ass, Beast, Sheep, Swine, Calf, Lamb, and every Coach, Waggon, and every other Carriage whatsoever, which shall be so ferried or conveyed cross the said River. Penalty on Ferrying.

And be it further enacted by the Authority aforesaid, That the Right and Property of the said Ferry, and of the said intended Bridge, and of the said Turnpike and Toll-house, and of the Posts and Rails to be set up by virtue of this Act, and the Materials of which the same shall consist, shall be and are hereby vested in the said Trustees; and they, or any Five or more of them, are hereby impowered to bring Actions, or prefer Indictments, in the Name of their Treasurer or Clerk, against any Person or Persons who shall disturb or injure them in the Possession of the Property thereof. Property of the Ferry, &c. vested in the Trustees.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, from time to time, upon the Credit of the Tolls hereby made payable, or any Part or Parts thereof, to borrow and take up at Interest, Trustees may borrow Money on the Credit of the Tolls.

not exceeding Four Pounds per Centum per Annum, any Sum or Sums of Money as they shall think needful; and may; and they are hereby authorized and impowered to assign over the said Tolls, or any Part or Parts thereof, to any Person or Persons, as a Security or Securities for the several Sums of Money that shall be so borrowed, and the Interest thereof, as aforesaid; Copies of all which Assignments or Securities, or Abstracts thereof, shall be entered in a Book or Books to be kept for that Purpose; and all the Sums of Money so to be borrowed, shall be applied in such manner as the Tolls hereby granted are directed to be applied, and for no other Use or Purpose whatsoever: And that all and every Person and Persons to whom any such Assignment or Assignments shall be made, or who shall be intitled to the Money thereby secured, shall and may, from time to time, by Assignment to be indorsed on the Back of his, her, or their Security, or by any other Writing or Writings under his, her, or their Hand and Seal, or Hands and Seals, to be duly executed in the Presence of Two or more credible Witnesses, assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the Principal and Interest Money thereby secured, or any Part thereof, to any Person or Persons whomsoever; which said Assignment or Transfer shall be produced and notified to the Clerk to be appointed by virtue of this Act, within Three Calendar Months after the Date thereof; who shall cause an Entry or Memorandum to be made of such Assignment, containing the Dates, Parties Names, and Sums of Money therein mentioned to be transferred, in a Book to be kept for that Purpose; for which the said Clerk shall be paid such Sum or Sums of Money as the said Trustees, or any Five or more of them, shall order and direct: And after such Entry made, such Assignment or Transfer shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign and transfer, and so toties quoties.

Assignments may be transferred, and the Manner of doing it.

Entry to be made thereof.

Entries to be made of all Assignments.

Provided always, That no such Assignment shall be deemed good or effectual, unless an Entry or Memorandum thereof shall be made in a Book to be kept for that Purpose by the Clerk to the said Trustees; and such Book may, at all seasonable Times, be inspected by any Person or Persons interested.

14 Days Notice to be given of borrowing Money.

Provided also, and it is hereby declared, That no Money shall be borrowed on the Credit of this Act by the said Trustees after their First Meeting, unless Notice in Writing, under the Hand of the Clerk to the said Trustees,

tees, be, by Order of such Trustees, or any Five or more of them, fixed upon the Ferry-house, or at the Turnpike erected by virtue of this Act, at least Fourteen Days before the borrowing of such Money.

Trustees to appoint Officers,

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, may elect and appoint a Clerk or Clerks, Treasurer or Treasurers, Receiver or Receivers, and Collector or Collectors of the said Tolls, and also a Surveyor or Surveyors, and, from time to time, in case of Misbehaviour, to remove such respective Officers, and appoint new Ones in case of Death or such Removal; and out of the Money arising by virtue of this Act, the said Trustees, or any Five or more of them, shall and may make such Allowances to the said respective Officers for their Care and Pains, and also to such other Persons who shall have been assisting in and about the Execution of any of the Purposes of this Act, as to the said Trustees, or any Five or more of them, shall seem reasonable; and such Surveyor or Surveyors, and also the said Receiver or Receivers, Collector or Collectors, and every of them, shall, from time to time, at any Meeting of the said Trustees (when thereunto required by any Five or more of them) deliver in upon Oath (which Oath any Two or more of the said Trustees are hereby impowered to administer) a true, exact, and perfect Account in Writing, under their respective Hands, of all Monies which he or they, or every or any of them, shall, to such Time, have received and disbursed by virtue of this Act, on account of his or their respective Offices; and in case the said Surveyors, Receivers, or Collectors, or any of them, shall not make and deliver such Account in Manner aforesaid, or shall not pay the Money remaining in his or their Hands unto such Person or Persons as the said Trustees, or any Five or more of them, shall, by Writing under their Hands and Seals, impower to receive the same, that then and in either of the said Cases, any Two or more Justices of the Peace, at any Special Session or other Meeting of them, to be held within the Division in which the said Surveyor or Surveyors, Receiver or Receivers, Collector or Collectors, shall reside, shall make Enquiry of and concerning such Default, in a summary Way, as well by the Confession of the Parties themselves, as by the Testimony of One or more credible Witness or Witnesses, upon Oath (which Oath the said Justices are hereby required and impowered to administer, without Fee or Reward) and if any Person shall be thereof convicted, such

Officers to account upon Oath.

Officers not making Account and Payment,

Justices upon Complaint to enquire into the Default,

and commit the Offender.

Justice

Justice shall commit the Party to the County Gaol, there to remain, without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment as aforesaid, or shall have compounded for the same, and paid such Composition; which Composition the said Trustees, or any Seven or more of them, are hereby impowered to make.

Treasurer, &c. to give Security, &c.

And be it further enacted by the Authority aforesaid, That the said Trustees, or any Five or more of them, shall and may, and are hereby authorized and required to take such Security from the Treasurer or Treasurers, Collectors, and other Officers, who shall be employed or concerned in the Receipt or Expenditure of any of the Monies arising by virtue of this Act, for the due Execution of their respective Offices, as to the said Trustees, or any Five or more of them, shall seem meet.

Surveyors may dig Gravel, &c. in Waste Grounds, &c.

And be it further enacted by the Authority aforesaid, That the said Surveyor or Surveyors, and such other Persons as he or they shall employ or appoint for that Purpose, may, and is and are hereby authorized and impowered to cut, dig, gather, take, and carry away, any Furze, Heath, Gravel, Chalk, Sand, Flints, Ballast, or other Materials proper for building or repairing the said Bridge, or making or repairing the Way over the same, or any Road or Avenue leading thereto, in, upon, out of, or from any Waste Ground or Grounds, River or Brook, in the said Parish of Castle Donington, or in the said Hills or Hamlets of Wilne, and Shardlow, or in any neighbouring Parish or Place, without paying or making any Satisfaction for the same, they the said Surveyor or Surveyors, or other Persons, filling up the Pits and levelling the Ground from which such Materials shall be so taken, or railing or fencing the same, so that such Pits be not dangerous to Passengers or Cattle; and also in, upon, or out of and from, and over the Lands and Grounds of any Person or Persons whatsoever (not being a Yard, Garden, Orchard, Park, Paddock, Wood, Coppice, Nursery, or inclosed Ground planted with any Avenue of Trees for the Ornament of any House) such Surveyor or Surveyors, or other Person or Persons, having an Order from the said Trustees, or any Five or more of them, for so doing, and filling up the Pits and levelling the Ground from which such Materials shall be taken, and paying or offering to pay to the respective Owners or Occupiers of such Lands or Grounds for the Damages they thereby sustain, as the said Trustees, or any Five or more of them, shall adjudge reasonable; and

without paying any thing for the same;

levelling the Pits;

Materials may be taken from private Grounds,

making Satisfaction to the Owners.

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in case of any Difference concerning the same, any Two or more Justices of the Peace of the County or Place where such Materials shall be so cut, digged, gathered, taken, and carried, shall and may, on Ten Days Notice thereof to be given by the said Surveyor or Surveyors to such Owner or Owners, Occupier or Occupiers, or, by him, her, or them, to the said Surveyor or Surveyors, or to be left at their respective Places of Abode, with some or One of their respective Families, hear, settle, and determine, the Matters in Dispute, and ascertain what Damages shall be paid; and the Order and Determination of the said Justices shall be final and conclusive to all Parties. Justices to determine Differences.

And whereas it may happen that the said Bridge may receive such Damage by unforeseen Accidents, that the Passage thereof may, for some Time, become dangerous or impracticable; be it therefore enacted by the Authority aforesaid, That in all such Cases it shall be lawful for such Person or Persons as the said Trustees, or any Five or more of them, shall appoint, from time to time, as often as Occasion shall require, to provide a proper and convenient Ferry or Ferries cross the said River, and as near to the said Bridge as conveniently may be, and there to take for Passage over the said River, by such Ferry or Ferries, such Tolls as are herein before authorized to be collected at the Turnpike or Turnpikes to be erected by virtue of this Act. Ferries may be erected, when Bridge dangerous.

Provided always, That such Ferry or Ferries shall not continue for any longer Time than shall be necessary for repairing or rebuilding the said Bridge, or longer than the Passage over the same shall or may be dangerous or impracticable as aforesaid. Proviso.

And, for preventing wilful and malicious burning, or otherwise damageing or destroying the said Bridge, or any Part thereof, or hindering or interrupting the building the same; be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously burn, blow up, pull down, or otherwise destroy the said Bridge, or any Part thereof, or attempt so to do, or shall wilfully and maliciously, and without Authority from the said Trustees, or any Five or more of them, remove or take away any Works thereunto belonging, or in any wise direct or procure the same to be done, whereby the said Bridge or the Works thereof may be damaged, or the Lives of Passengers endangered, such Offender or Offenders, being lawfully convicted thereof, Punishment of Persons damaging the Bridge.

shall be adjudged guilty of Felony, and shall suffer as a Felon.

Masters of Boats to make Satisfaction for Damage.

And, for preventing Damages and Mischiefs that may be done and committed by evil-minded or disorderly Persons rowing, navigating, or manageing Boats or other Vessels in or upon the said River Trent; and to the end that the Masters and Owners of such Boats, Barges, Lighters, and other Vessels, may be more careful therein, be it further enacted by the Authority aforesaid, That every Master and Masters, Owner and Owners, of any Boat or other Vessel, shall be and is hereby made answerable and responsible for any wilful Damage or Mischief that shall be done by his or their Boat or Vessel, or by any of the Boatmen, Bargemen, or Crew, of or belonging to any such Boat or Vessel, to the said Bridge, or any Part thereof, or to any of the Works which shall be erected or be erecting by virtue of this Act; and the said Master or Masters, Owner or Owners, of every such Boat or Vessel, shall and may be sued for such Trespass and Damage, which shall be so done, in any Court of Record whatsoever.

Bridge how to be rated.

And be it enacted by the Authority aforesaid, That the said Bridge, when built, shall not be rated or assessed for or towards the Payment of any publick or parochial Rate or Tax whatsoever, for any greater Sum, or at any higher Rate or Value, than the said Ferry is or shall be rated or assessed at the Time of passing this Act; nor shall the said Bridge be deemed a County Bridge, so as to subject the Counties of Leicester and Derby, or either of them, to repair or support the same; but shall be deemed and taken to be situate, lying, and being in, and to be Part of, the said County of Leicester.

Commencement.

And be it further enacted by the Authority aforesaid, That all the Powers hereby granted shall commence from the passing of this Act, and that all the Penalties and Forfeitures hereby inflicted (the Manner of levying and Recovery whereof is not otherwise particularly directed) shall, upon Proof of the Offences respectively, before any One or more Justice or Justices of the Peace of the County or Place wherein the respective Offenders shall reside, or the Offence be committed, either by the Confession of such Offenders, or by the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is or are hereby impowered and required to administer, without Fee or Reward) be levied by Distress and Sale of the Goods and Chattles of such Offenders,

Recovery of Penalties.

by

by Warrant or Warrants, under the Hand and Seal or Hands and Seals of such Justice or Justices; which Warrant or Warrants he or they is or are hereby impowered and required to grant; and the Overplus, after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattles; and the Penalties and Forfeitures, when paid or levied, shall be (if not otherwise directed to be applied by this Act) from time to time paid to the said Trustees, or any Five or more of them, or to their Treasurer, and applied in the Execution of the Purposes of this Act: And in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be forthwith paid, it shall be lawful for any such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the common Goal or House of Correction there to remain, without Bail or Mainprize, for any Time not exceeding Three Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

Matters of Fact to make Satisfaction for Damage

Bridge how to be rated

Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any thing done in pursuance of this Act, and for which no particular Method of Relief hath been already appointed, such Person may (except where any Matter to be done by this Act is herein directed to be final) appeal to the Justices of the Peace at any General Quarter Session of the Peace to be held for the County or Place wherein the Cause of Complaint shall arise, within Four Calendar Months after the Cause of such Complaint shall have arisen; such Appellant first giving, or causing to be given, Fourteen Days Notice at the least, in Writing, of his or her Intention to bring such Appeal, and of the Cause or Matter thereof, to the Clerk or Treasurer to the said Trustees, and within Seven Days after such Notice, entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, the said Quarter Session: And the said Justices at the said Session, upon due Proof of such Notice being given, as aforesaid,

Persons aggrieved may appeal to the Quarter Sessions.

Commencement

Recovery of Penalties.

Notice of Appeal to be given.

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aforesaid, and of the entering into such Recognizance, shall hear, and finally determine such Appeal in a summary Way; and, if they see Cause, may, by Order of such Session, mitigate, at their Discretion, all or any of the said Penalties or Forfeitures, or vacate and set aside any Conviction or Convictions, but not for want of Form only, and set the Party at Liberty; or otherwise may ratify and confirm the same, and award such Costs as they shall think proper: And the Determination of such Quarter Session shall be binding and conclusive to all Intents and Purposes, and shall not be liable to be removed by Certiorari, or other Process whatsoever.

Offenders how to be proceeded against.

Provided also, and be it further enacted, That all Persons, for Offences committed by the working or using of any Ferry cross the said River, and all other Offences committed upon the said River, contrary to the true Intent and Meaning of this Act, shall be proceeded against and convicted before any Justice or Justices of the Peace for the County of Leicester, or for the County wherein such Offenders respectively shall reside; and the Penalties and Forfeitures shall and may be levied, on the Offenders committed as aforesaid, in such and the same Manner as if such Offences had been committed within such respective Counties.

Writings to be without Stamps.

Provided always, and be it further enacted by the Authority aforesaid, That no Nomination, Appointment, Information, Order, Judgement, Conviction, Warrant, Mortgage, Assignment, Transfer, or other Security for the Borrowing of Money, or other Writing whatsoever, under the Hand and Seal or Hands and Seals, or only signed by any Trustee or Trustees, 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, or Justice or Justices of the Peace, or any of them, shall be charged or chargeable with any Stamp-duty whatsoever.

Trustees who are in Commission of the Peace, may act as Justices,

And be it further enacted and declared by the Authority aforesaid, That every Trustee, who is or shall be in the Commission of the Peace for the Counties of Leicester or Derby, may act as a Justice of the Peace for putting this Act in Execution, notwithstanding his being a Trustee.

except where interested.

Provided always, That no Person shall be capable of acting as a Trustee in the Execution of this Act

having

during his holding any Place of Profit under this Act, or in any Case where he is particularly concerned in Interest.

And be it further enacted by the Authority aforesaid, That all Orders and Proceedings of the said Trustees shall be entered in a Book or Books to be kept for that Purpose; and, being signed by any Five or more of the said Trustees, or the Clerk to the said Trustees, shall be deemed and taken to be original Orders: And such Book or Books, and also the Entries of all Assignments of the Tolls hereby made payable, and also of the Transfers of such Assignments, shall and may be produced and read in Evidence in all Cases of Appeals, and in any Suits or Actions touching any thing done in pursuance of this Act. Proceedings, &c. to be entered in a Book.

Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to affect, prejudice, alter, or take away, the Right of the said Sir Matthew Lamb, his Heirs or Assigns, to the Fishery in the said River Trent within the Liberty of Castle Donington aforesaid; or to hinder the Use of the Ferry at King's Mills aforesaid; or to affect, prejudice, alter, or take away, any of the Rights, Powers, or Authorities, which, by an Act made in the Tenth and Eleventh Years of the Reign of his late Majesty King William, were granted, for making the said River Trent navigable from the said Ferry to the Town of Burton; except only, that no such Rights, Powers, or Authorities, shall be exercised, so as to prevent or interrupt the Execution of the Purposes of this Act; any thing in this or any former Act contained to the contrary notwithstanding. Reservation of Rights.

And be it further enacted by the Authority aforesaid, That if any Action, Suit, or Indictment, shall be commenced against any Person or Persons for any thing done or to be done in pursuance of this present Act, in every such Case the Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards; and shall be laid in One of the said Counties of Leicester or Derby, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to be done, or that any such Action or Suit Limitation of Actions. General Issue.

shall be brought or commenced after the Time before limited, or shall be laid in any other County or Place, that then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his, her, or their Action or Suit; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Treble Costs.

Publick Act.

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

FINIS.