ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 57.

An Act for enlarging the Term and Powers of an Act of His preſent Majeſty, for repairing the Road from the *Nottingham* and *Mansfield* Turnpike, in the Liberty of *Blidworth*, to the Colliery near *Pinxton Green*, in the County of *Nottingham*.

[27th *May* 1808.]

WHEREAS an Act was paſſed in the Twenty-eighth Year of the Reign of His preſent Majeſty, intituled, *An Act for repairing and widening the Road from the* Nottingham *and* Mansfield *Turnpike, in the Liberty of* Blidworth, *to the Mile Oak in the Pariſh of* Kirkby, *in* Aſhfield, *in the County of* Nottingham, *and from thence through* Pinxton *to* Carter Lane, *in the Pariſh of* South Normanton, *and from* Pinxton *to the Colliery near* Pinxton Green, *in the County of* Derby: And whereas the Truſtees appointed in and by virtue of the ſaid Act, have made great Progreſs in the Execution thereof, and have borrowed conſiderable Sums of Money upon the Credit of the Tolls thereby granted, which ſtill remain due, with conſiderable Arrear of Intereſt; and the Money ſo borrowed cannot be repaid, nor the Road be amended and kept in Repair, unleſs the Term and Powers of the ſaid Act be continued and enlarged; may it therefore pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act of the Twenty-eighth Year of the Reign of His preſent Majeſty, and all and every the Clauſes, Powers, Penalties, Forfeitures, Privileges, Proviſions, Matters, and Things therein contained (except

28 G. 3.

Act further continued.

(except such as relate to Exemption from Stamp Duties, and such as are hereby varied, altered, or repealed) shall be and continue in full Force and Effect, and be executed for and during the Term herein-after mentioned, in as full, ample, and beneficial a Manner to all Intents and Purposes as if the same were repeated and re-enacted in the Body of this Act, but subject nevertheless to the Alterations and Amendments herein contained, and which shall take Effect upon the passing of this Act; which said additional Term, and also the Tolls herein-after granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing upon the Credit or on Account of the said Road, or which shall or may hereafter be borrowed and become due on the Credit or on Account of the same, by virtue of the said recited Act and this Act, and all Interest due and to become due for the same respectively.

Additional Trustees.

II. And be it further enacted, That *Thomas Ainsworth*, *Joseph Bilbie*, *Thomas Bilbie*, *John Bilbie*, *John Musters Chaworth*, *Edward Smith Godfrey*, *Joseph Huston*, *Richard Jenkinson*, *William Jessop*, *George Keyworth*, *Edward Little*, *William Richard Middlemore*, *John Millward* the younger, *Richard Millward* the younger, *Thomas Millward*, *Henry Machin*, *David Mushett*, *Thomas Neale*, *John Nicholson*, *John Parkinson* the younger, *Richard Parkinson*, *Robert Parkin*, *Lancelot Rolleston*, the Honourable and Reverend *John Lumley Savile*, *John Sharpe*, *William Turbutt*, *William Turbutt* the younger, *Richard Burrows Turbutt* Clerk, *Francis Wilmot*, *John Wilmot*, *John Eardley Wilmot*, *John Slater Wilkinson*, *Robert Wood*, *James Wilson*, and *Samuel Wilson*, shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Act, for putting the said recited Act and this Act into Execution; and the Trustees hereby nominated, and their Successors being qualified according to the Directions of the said recited Act, are hereby empowered to act in the Execution of the said Act and of this Act, as fully and effectually to all Intents and Purposes as if they had been appointed Trustees in and by the said recited Act.

Repeal of Clause respecting some of the Tolls.

III. And be it further enacted, That so much of the said recited Act as enacts that no more of the Tolls therein mentioned should be demanded and taken at any Toll Gate to be erected by virtue of the said recited Act upon any Part of the said Road, for any Waggon, Wain, Cart or other Carriage, Horse, Mare, Gelding, Mule, Ass, or other Beast, passing or repassing through the same, having come from or going to *Alfreton*, *Carnfield*, or any other Place in the County of *Derby*, than what should be demanded or taken at any Toll Gate then or which should be erected upon any Part of the Road that lies between *Carter Lane* and the Town of *Alfreton*, shall be and the same is hereby declared to be repealed.

Repeal of Clause respecting other Regulation of Tolls.

IV. And be it further enacted, That so much of the said recited Act as enacts that no more than the Sum of One Penny shall be demanded and taken at any Turnpike for any Horse, Mare, Gelding, Mule, Ass, or other Beasts drawing in any Waggon, Wain, Cart, or other Carriage, travelling no further along the Road than from, through, or by the Way of *Selston* in the County of *Nottingham*, or *Boffit Lane*, in the Parishes of *Selston* and *Pinxton* aforesaid, to the Colliery at or near *Pinxton* aforesaid, shall be and the same is hereby declared to be repealed.

V. And be it further enacted; That so much of the said recited Act as enacts that no Turnpike Gate or Toll Gate shall be erected upon any Part of the Road that lies or is upon or between the Forest of *Sherwood* and the Town of *Kirkby*, nor between the said Town of *Pinxton* and *Carter Lane*, shall be and the same is hereby declared to be repealed. Repeal of Clause as to erecting Gates.

VI. And whereas the Tolls by the said first recited Act authorized to be taken on the said Road, have been found insufficient effectually to maintain and repair the same, and pay the Interest of the Money borrowed on the Credit of the said Tolls; be it therefore further enacted, That the several Tolls now payable by virtue of the said recited Act shall cease, determine, and be no longer payable, and that instead thereof the following Tolls shall be demanded and taken; that is to say, For discontinuing the present Tolls and granting new ones.

New Tolls.

For every Coach, Berlin, Landau, Sociable, Chariot, Curricle, Calash, Hearse, Chaise, Phaeton, Whiskey, or Chair, drawn by One or more Horses or other Beast of Draught, the Sum of Four-pence Halfpenny for each and every Horse or other Beast of Draught, between the First Day of *May* and the Thirty-first Day of *October*; and the Sum of Six-pence for each and every Horse or other Beast of Draught drawing as aforesaid, between the Thirty-first Day of *October* and the First Day of *May*:

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Three-pence, for each and every Horse or other Beast of Draught, drawing as aforesaid, between the First Day of *May* and the Thirty-first Day of *October*; and the Sum of Four-pence Half-penny for each and every Horse or other Beast of Draught, between the Thirty-first Day of *October* and the First Day of *May*:

For every Waggon, Wain, Cart, or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth or Dimensions than Six Inches, the Sum of Four-pence Halfpenny for each and every Horse or other Beast of Draught, between the First Day of *May* and the Thirty-first Day of *October*; and the Sum of Sixpence Half-penny for each and every Horse or other Beast of Draught, between the Thirty-first Day of *October* and the First Day of *May*:

For every Horse, Mule, Ass, or other Beast of Burthen, laden or unladen and not drawing, the Sum of One Penny between the First Day of *May* and the Thirty-first Day of *October*; and the Sum of One Penny Half-penny for each Horse, Mule, Ass, or other Beast of Burthen laden or unladen and not drawing, between the Thirty-first Day of *October* and the First Day of *May*:

For every Drove of Oxen or other neat Cattle, the Sum of One Shilling and Sixpence *per* Score; and so in proportion for any less Number:

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of One Shilling *per* Score; and so in proportion for any less Number; and for every Pair of Mill Stones, Two Shillings and Sixpence.

Double Tolls on Sunday.

And that double the said respective Tolls shall be demanded and taken for all Horses, Cattle, Beasts, and Carriages, upon every *Sunday* in the Year, to be reckoned from Twelve of the Clock in every *Saturday* Night to Twelve of the Clock in the next succeeding *Sunday* Night; which said Tolls shall be and the same are hereby vested in the Trustees for executing the said recited Act and this Act, and the same shall and may be demanded, levied,

levied, recovered, applied, and disposed of in the same Manner and to and for the same Uses, Intents, and Purposes, as in and by the said recited Act is mentioned and declared with respect to the Tolls thereby granted.

Exemptions from Toll.

VII. And whereas several of the Exemptions granted by the said recited Act have been found very detrimental to the said Road; be it therefore enacted, That the said Exemptions shall be and the same are hereby repealed, and that from and after the passing of this Act, no Toll shall be demanded or taken for any Waggon, Wain, Cart, Carriage, or Horses employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel, or other Materials for repairing of the said Road or any of the Roads in the Townships or Parishes in which any Part of such Roads do lie, or Hay, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owners or Occupiers thereof; or for any Corn, Grain, or Grist carrying to or from any Corn Mill being in any of the Hamlets, Townships, or Places through which the said Roads or any Part thereof shall lead; or for any Horses, Cattle, or Carriages returning unloaden, after having carried any such Corn, Grain, or Grist, such Corn, Grain, or Grist being for private Use only and not for Sale; or for any Waggon, Wain, Cart, Carriage, or Horses employed in conveying or carrying or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Plough, Harrow, or Implement of Husbandry, or any Mould, Dung, Compost, or Manure employed in Husbandry for manuring or improving Land; or for any Lime used in the Townships or Places in which the same is burnt, or for any other Thing employed in the Management of any Farm or Lands in any of the Townships or Parishes through which the said Road passes; or for any Horses or Cattle going to or returning from Pasture or Watering Places, or going to or returning from being shoed or farried; or from any Person going to or returning from his proper Parochial Church, Chapel, or other Place of Worship tolerated by Law, on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the Parishes through which the said Road passes; or from any Clergyman going to or returning from visiting any sick Person, or upon other his Parochial or Ministerial Duty on a *Sunday*, or on any other Day on which Divine Service is ordered by Authority to be celebrated; or for any Horse, Cattle, or Carriage of whatever Description, employed or to be employed in conveying the Mail of Letters and Expresses under the Authority of His Majesty's Post-master General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same; or for any Horses, Carts, or Waggons attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horses, Carts, or Waggons employed in the Conveyance of Vagrants sent by legal Passes; or for any Horse, Cattle, or Beast drawing any Coach, Landau, Berlin, Chariot, Calash, Chair, or Passenger on Horseback going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the Counties of *Derby* and *Nottingham*, or for the Borough of *Derby*, or for the Town and County of the Town of

of *Nottingham*, on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; or for any Horse, Mare, or Gelding furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place of Exercise, provided such Persons are in the Uniform of their respective Corps, and have their Arms, Furniture, and Accoutrements according to the Regulations provided for such Corps respectively, at the Time of claiming such Exemption as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied to the Purposes of the said Act and this Act.

Persons having before paid Toll, but going with different Cattle or Carriages on the same Day, shall pay another full Toll.

VIII. And whereas many Carriages travel upon the said Road laden with Coals and other heavy Loading, and pass and repass thereon several Times in the same Day with different Cattle or Carriages, to the injury of the said Road; be it therefore further enacted, That if any Person who shall have paid Toll for the passing of any Carriage or Cattle through any Gate or Turnpike, shall again come to and attempt to pass the same Gate or Turnpike on the same Day, with either a different Carriage or different Cattle, every such Person shall again pay another full Toll for the passing of such new Carriage or Cattle, as if no Toll had been before paid.

Disputes concerning Tolls to be settled by a Justice.

IX. Provided always, and be it further enacted, That if any Dispute shall happen about the Quantity of Toll due or the Charges of keeping any Distress or Distresses, it shall be lawful for the Collector or Person distraining to retain the same, or the Money arising by Sale thereof, as the Case may happen, until the Quantity of Toll due and the Charges of seizing, distraining, keeping, and selling such Distress or Distresses shall be ascertained by some Justice of the Peace for the respective Counties, who, upon Application made to him for that Purpose, shall examine the said Matter on Oath of the Parties or any credible Witness or Witnesses, and determine the Quantity of the Toll due, and assess the Charges of such Seizure, Distress, Keeping, and Sale, and also all the Collector's Attendances for that Purpose on the said Justice; and that all such Sums so determined or assessed shall be paid to the said Collector or other Person before he shall be obliged to return any Distress, or the Overplus Money after the Sale thereof or of any Part thereof.

Collectors of Tolls competent Witnesses.

X. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls or any of them, or to the Recovery of any of the Penalties by the said recited Act or this Act to be laid, or in the Execution of any of the Powers of the said recited Act or this Act, the Person or Persons appointed to collect such Tolls, or any other Person or Persons acting by or under the Authority of the said Trustees, shall not be incompetent to give Evidence in any such Dispute, Suit, or Litigation, on Account of their being so appointed.

Trustees not to erect or remove Toll-gates, &c. without Notice, nor unless Three of the Creditors are consenting.

XI. Provided always nevertheless and be it further enacted, That no Gate, Turnpike, or Toll-house, or Weighing Engine which shall have been erected or set up by virtue of the said recited Act, shall at any Time be removed or taken down, nor shall any new Toll-gate, Turnpike, Toll-house, or Weighing Engine erected or set up in any Part or Parts of the said Road, be taken down or removed to any other Place or Places, unless by Order of the said Trustees or any Five or more of them, nor unless Three out of that Number shall be Mortgagees or Creditors on the Tolls of the said Road, at a public Meeting for that Purpose assembled, whereof Twenty-one Days Notice shall be given in Writing, to be affixed on all the Turnpike-gates which shall then be erected by virtue of the said recited Act and this Act, and also inserted in the *Nottingham* and *Derby* Newspapers, specifying the Purpose of such Meeting, any Thing in the said recited Act contained to the contrary notwithstanding.

Meetings on Emergencies.

XII. And be it further enacted, That if it shall at any Time be thought necessary for the better Execution of the said recited Act and this Act, that the Trustees should meet before the Time to which any Meeting shall be adjourned, or in case an Adjournment shall have been made as directed by the said recited Act or this Act, the Person acting as Clerk to the said Trustees, upon an Order in Writing signed by any Three or more of them, although not assembled at a Meeting (mentioning the Time and Place of such Meeting) shall as soon as may be give Notice thereof by Advertisement in the *Derby* and *Nottingham* Newspapers, and also by Notice in Writing on the Turnpike-gates, and in such Notice appoint a Meeting of the Trustees to be held at such Time and Place as shall be directed by such Order, such Time not being less than Twenty-one Days after Publication of the said Notice, and all the Acts, Orders, and Proceedings of the Trustees at such Meetings shall be as valid and effectual as if such Meetings had been held in pursuance of an Adjournment.

Penalty on Persons interrupting Collectors or Surveyors.

XIII. And be it further enacted, That if any Person or Persons shall assault, interrupt, or hinder, or attempt so to do, or cause or procure to be assaulted, interrupted, or hindered, any Collector or Collectors of the Tolls, or any of the Turnpike Surveyors, or any other Person or Persons by them or any of them, or by the said Trustees or any Five or more of them, employed in the cutting, digging, or carrying away of any Furze, Heath, Gravel, Stone, Chalk, Limestone, Sand, Flint, and other Materials for the widening or repairing the said Road or any Part or Parts thereof, or in topping, lopping, cutting down, or removing any Trees or Bushes, or in digging, cleansing, draining, or scouring any Ditch, Drain, or Watercourse, or in doing any other Act in or for the repairing or widening the said Road or any Part or Parts thereof, or otherwise in and for the Execution of the Powers by the said recited Act or this Act given or either of them, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Form of Conviction.

XIV. And, for the more speedy and easy Conviction of Offenders against the recited Act and this Act, be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against the said recited Act or this Act, shall and may cause the Conviction to be drawn up in the following

lowing Form of Words, or in any other Form of Words, to the like Effect; *videlicet*,

'County of *Nottingham.* } BE it remembered, That on the Day of in the Year of His Majesty's Reign, *A. B.* is convicted before of His Majesty's Justices of the Peace for the County of by virtue of 'an Act made in the Year of the Reign of His Majesty King *George* the Third, intituled, "An Act [*here set forth the Title of the Act, and specifying the Offence, and the Time and Place when and where the same was committed, as the Case shall be*] Given under our Hands and Seals [*or*, my Hand and Seal, *as the Case may be*] the Day and Year first above written.' Oath.

Not to be quashed for want of Form, or removable by Certiorari.

And that no Objection shall be made or Advantage taken for want of Form in any such Conviction by any Person or Persons whomsoever, and that no Proceeding to be had touching the Conviction of any Offender or Offenders against the said recited Act or this Act, shall be quashed or vacated for want of Form, or be removable by *Certiorari*, or any other Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Application of Compensation Money when amounting to 200*l.*

XV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the Trustees for executing the said Act and this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition, to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance or Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name

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in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, by the ſaid recited Act or this Act directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Application where the Compenſation Money is leſs than 200*l.* and more than 20*l.*

XVI. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option, to Two Truſtees to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Truſtees for executing the ſaid recited Act and this Act (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties) in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in any Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is leſs than 20*l.*

XVII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid Act and this Act, in ſuch Manner as the ſaid Truſtees or any Five or more of them ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles,

XVIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments, to be purchaſed by virtue of the ſaid recited Act or this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Truſtees; or in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found; or

if the Perſon or Perſons entitled to ſuch Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to order the ſaid Sum or Sums of Money, ſo awarded as aforeſaid, to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [*deſcribing them*] ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court of Chancery, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Purchaſe Money to be paid into the Bank;

ſubject to the Order of the Court of Chancery on Motion or Petition.

XIX. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of the ſaid recited Act or this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of the ſaid recited Act or this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Reſpecting diſputed Titles.

XX. Provided alſo, and be it further enacted, That where by Reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of the ſaid recited Act or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments,

The Court may order reaſonable Expences of Purchaſes to be paid by the Truſtees.

to be ſettled to the like Uſes, in purſuance of the ſaid recited Act or this Act, it ſhall be lawful for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of the ſaid recited Act or this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Truſtees or any Five or more of them, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Perſons chargeable to Statute Work to continue ſo.

Juſtices to determine Differences touching Statute Work.

XXI. Provided always, and be it further enacted, That all Perſons who by Law are or ſhall be liable to do Statute Work, or are or ſhall be chargeable towards repairing and amending the ſaid Road or any Part thereof, ſhall ſtill remain liable thereto in like Manner as hereſofore; and it ſhall and may be lawful to and for any Two or more Juſtices of the Peace for the ſaid County of *Nottingham*, and they are hereby empowered and required, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, by their Order, yearly to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Road by the Inhabitants of the reſpective Pariſhes or Places in which the ſaid Road lies, and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh or Place, in lieu of or as a Compoſition for ſuch Statute Work as aforeſaid, ſhall be by him, her, or them paid to the ſaid Truſtees, or to their Treaſurer, and in order thereunto it ſhall and may be lawful to and for ſuch Juſtices from Time to Time to ſummon the Surveyor or Surveyors of the Highways for every ſuch Pariſh or Place to bring in Liſts before ſuch Juſtices, at ſome Place to be expreſſed in ſuch Summons (within Five Days after the ſerving of ſuch Summons) of the Names of the ſeveral Perſons who within ſuch Pariſh or Place are by Law ſubject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Compoſition for ſuch Statute Work, diſtinguiſhing the Nature of the Work to be done, whether with Teams or Draughts or otherwiſe, and alſo the Amount of the reſpective Sums to be paid, which Liſts of Names ſhall be made in ſuch Manner and under ſuch Regulations and Reſtrictions as is, are, or may be directed by any Law or Statute in Force and Effect for the Repairs of the public Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint, and order ſuch and ſo many of the Perſons who ſhall appear to be ſubject and liable to Statute Work as aforeſaid, to do ſuch Number of Days Statute Work in every Year upon the ſaid Road as the ſaid Juſtices ſhall think reaſonable; and the ſame ſhall be done on ſuch Days and at ſuch Times (not being Hay-time or Harveſt) and in ſuch Parts of the ſaid Road as the ſaid Truſtees or their Surveyor or Surveyors ſhall from Time to Time order, direct, and appoint; and the ſaid Juſtices ſhall and may alſo order and direct the Perſons who by ſuch Liſts ſhall appear to be ſubject and liable to the Payment of any Money in lieu of or as a Compoſition for Statute Work as aforeſaid, to pay ſuch Proportion thereof as the ſaid Juſtices ſhall think proper, to the ſaid Truſtees or their Treaſurer, at ſuch Time or Times as they the ſaid Juſtices ſhall direct, and in Default of Payment thereof, the ſame ſhall and may be recovered by Diſtreſs and Sale of the Goods and Chattels of the reſpective Perſons liable to the Payment thereof, in like Manner as any Penalty is by the ſaid recited Act authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do

ſuch Stature Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their laſt or uſual Place or Places of Abode for that Purpoſe, by any Surveyor to the ſaid Truſtees, ſhall for every Day of his, her, or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horſe or Horſes, Beaſt or Beaſts, to be provided by him, her, or them, be ſubject and liable to ſuch Pains, Penalties, and Forfeitures, as ſuch Perſon or Perſons may be ſubject or liable to by any Law or Statute in Force and Effect for the Repair of the public Highways; and if any Perſon who ſhall come to work as a Labourer, or ſhall be ſent with any Team or Draught to work on the ſaid Road ſhall be found idle or negligent by any Surveyor to the ſaid Truſtees, ſuch Surveyor is hereby empowered to remove and turn off the Perſon who ſhall be found idle or negligent as aforeſaid, and in that Caſe every ſuch Perſon ſhall be ſubject and liable to the reſpective Forfeitures and Payments aforeſaid as if he had neglected or refuſed to come, or ſuch Team or Draught had not been ſent to work on any Part of the ſaid Road; all which Forfeitures ſhall be paid to the Treaſurer to the ſaid Truſtees, and applied towards the amending the ſaid Road; and in caſe the ſaid Surveyor or Surveyors of the Highways for any of the ſaid Pariſhes or Places ſhall refuſe or wilfully neglect to give in ſuch Liſts as aforeſaid, or ſhall knowingly or wilfully give in falſe or imperfect Liſts, every ſuch Surveyor ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings.

Truſtees may compound for Statute Work.

XXII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to compound and agree with any Perſon or Perſons, Bodies Politic or Corporate, for the Statute Work to be by them done on the ſaid Road or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments, of and in all or any the Pariſhes or Places in which the ſaid Road is ſituate, for a certain Sum of Money by the Year or otherwiſe, as the ſaid Truſtees ſhall think reaſonable, in lieu of the Whole or of any Part of the Statute or other Work to be by all or any of the ſaid Inhabitants and Occupiers done on the ſaid Road; which Compoſition Money ſhall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Pariſh, or by the Perſon or Perſons ſo compounding, to the Treaſurer to the ſaid Truſtees in advance, on or before the Twenty-ninth Day of *September* in each and every Year, or otherwiſe the Inhabitants and Occupiers of ſuch Pariſh or Place ſhall not be permitted to compound for that Year.

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

XXIII. And be it further enacted, That the ſaid Truſtees may ſue and be ſued for or concerning any Thing to be done againſt or by virtue or in purſuance of the ſaid recited Act or this Act, in the Name of either their Clerk or Treaſurer for the Time being, and that no Action or Suit, to be brought or commenced by the Direction of or againſt the ſaid Truſtees, in the Name of their Clerk or Treaſurer, ſhall abate or be diſcontinued by the Death or Removal of ſuch Clerk or Treaſurer, or by any Act of ſuch Clerk or Treaſurer, without the Conſent of the ſaid Truſtees or any Five or more of them, but that the Clerk or Treaſurer for the Time being ſhall be deemed to be Plaintiff or Defendant, as the Caſe may be, in every ſuch Action or Suit; and every ſuch Clerk or Treaſurer, in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall be fully reimburſed out of the firſt Money to ariſe by

by virtue of the ſaid recited Act and this Act, all ſuch Coſts, Charges, Damages, and Expences as by the Event or in conſequence of any ſuch Action or Suit, or any Proceeding had thereon, he ſhall bear, pay, expend, or be put unto, or become chargeable with or liable to, by reaſon of his ſo being made Plaintiff or Defendant as aforeſaid.

For paying the Expences of the Act.

XXIV. And be it further enacted, That the Coſts, Charges, and Expences incident to and attending the paſſing of this Act, ſhall be paid by the ſaid Truſtees or any Five or more of them, as ſoon as may be, out of the Monies received or to be received or borrowed by virtue of the ſaid recited Act, in preference to all other Payments whatſoever; and in caſe any Perſon or Perſons ſhall advance and pay any Money for the Expences of obtaining and paſſing this Act, ſuch Perſon and Perſons ſhall be repaid the ſame, together with lawful Intereſt thereon from the Time of advancing the ſame.

Public Act.

XXV. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

Continuance of the Act.

XXVI. And be it further enacted, That the ſaid recited Act and this Act (ſubject to the Alterations and Amendments herein contained) ſhall continue and be in Force and be executed for and during the Reſidue now to come and unexpired of the Term granted by the ſaid recited Act, and 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.

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