ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

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consiederable Sums of Money on the Credit of the Tolls authorized to be taken on the said last-mentioned Road, which Money still remains due and owing, together with a considerable Arrear of Interest, and cannot be paid off, nor can the said last-mentioned Road be effectually amended, widened, improved, and kept in Repair, unless the Term of the said Acts, so far as the same relates to the said Road leading from *Grantham* to *Nottingham Trent Bridge*, is further continued, and some of the Powers and Provisions thereof altered, amended, and enlarged; and it is necessary that the Tolls authorized by the last-mentioned Act, to be taken on the said last-mentioned Road should be increased: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Acts passed in the Thirty-second Year of the Reign of His said late Majesty, and in the Seventh Year of the Reign of His present Majesty, and all and every the Powers, Authorities, Privileges, Provisions, Clauses, Matters, and things therein contained, so far as the same respectively relate to the said Road leading from *Grantham* to *Nottingham Trent Bridge* (except such as relate to Exemptions from Stamp Duties, and such as are hereby varied, altered, or repealed) shall be and continue in full force and effect, and shall be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents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 Amendments, Variations, Alterations, and Additions, herein contained, and which shall commence and take Effect upon the passing of this Act; and this Act, and the additional Term and Tolls hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all the respective Sum and Sums of Money now due and owing on the Credit of the Tolls now payable at the several Gates or Turnpikes on the said Road leading from *Grantham* to *Nottingham Trent Bridge*, and also of such other Sum and Sums of Money as shall or may be borrowed for the Purposes of the said Acts or this Act, and of all Interest now due and to grow due for the same respectively.

Acts further continued.

Additional Trustees Names.

II. And be it further enacted, That the Right Honourable *Charles Manners*, commonly called *Lord Charles Manners*, the Right Honourable *Robert Manners*, commonly called *Lord Robert Manners*, *George Almond*, *George Almond* the younger, *Thomas Antill*, *James Amys*, *Samuel Aslabie*, *Robert Almond*, *William Bissel* Clerk, *Nickolas Brown* Clerk, *William Butcher* Clerk, *Robert Burton*, *Jonas Bettison*, *Thomas Burbidge*, *John Burnside*, *John Barnes*, *Thomas Bolton*, *John Barston*, *Charles Bloomar*, *Richard Barnam*, *Samuel Beardsley*, *Posthumus Bullivant*, *Francis Braithwaite*, *John Bell*, *Jonas Bradley*, *Thomas Beaumont* Clerk, *James Bardsley*, *George Burbage*, *Eleazer Barwick*, *Joseph Boultbee*, *Charles Edward Badger*, *Matthew Brown* Clerk, *John Blanchard* Clerk, the Honourable *John Cust*, *Montague Cholmely*, *John Cholmely* Clerk, *Robert Cholmely*, *Charles Lucas Calcraft*, —— *Chapple*, Sir *Gervas Clifton* Baronet, *John Corrie* Clerk, *Daniel Parker Coke*, *George Crabb* Clerk, *Henry Coape*, *James Catlett*, *John Chamberlin*, *William Todkill Catlett*, *John Chamberlin* the younger, *Thomas Cossens*, *Leonard Chapman* Clerk, *George Coward*, *Edward Chatteris*, the Honourable *Henry Cust*, *Richard Cole*, *Joseph Cooper*, *William Cocks*, *William Clarke* Clerk, *John Cramond*, *Thomas Charlton*, *George Charlton*, *William Charlton*, *Samuel Cullen*, *William Clarke*, *John*

John Clayton, *John Crabtree*, *John Darwin* Clerk, *John Dore*, *John Derr*, *James Dorr*, *Thomas Donnithorne* Clerk, *Henry Dodwell* Clerk, *Thomas Dufty*, *William Dodwell* Clerk, *Benjamin Deverill*, *William Hooton Deverill*, *Owen Dinsdale* Clerk, *William Elliott Elliott*, *John Elliott*, *Thomas Webb Edge*, *John Emerton*, *Westcomb Emerton*, *Thomas Evison*, *Elias Benjamin De La Fountain*, *Joseph Ferguson*, *George Fillingham*, *Daniel Freeth*, *Samuel Freeth*, *John Firth*, *John Falkner*, *John Fellows*, *Henry Flower*, *William Flower*, *Alexander Foxcroft*, *Joseph Foxcroft*, *Richard Dodsley Flamstead* Clerk, *George de Ligne Gregory*, *Edward Gregory* Clerk, *Charles Gray*, *Edmund Goodall*, *George Gordon* Clerk, *Henry Garton*, *William Gould*, *John Grey*, *John Gill*, *Francis Gawthern*, *Thomas Gelsthorpe*, *John Garnar* the younger, *George Gibson*, *John Garnar*, *Alexander Green*, *James Garnar*, *Thomas Green*, *Edward Grundy*, *Thomas Gozna*, Sir *Gilbert Heathcote* Baronet, *Benjamin Harrington*, *George Hopkinson*, *Samuel Herbert* Doctor in Divinity, Sir *Robert Heron* Baronet, *Robert Heron* Clerk, *John Hopkinson*, *Samuel Hurst*, *Samuel Hulse*, *Richard Holt*, *James Hooley*, *Samuel Hand*, *Joseph Heath*, *Thomas Hough*, *Tempest Haines*, *John Hand*, *Richard Hooton*, *Alexander Hadden*, *John Hadden*, *Thomas Hall*, *Matthew Hall*, *Matthew Hall* the younger, *William Hutchinson*, *William Hill*, *William Hornbuckle*, *Thomas Hunt*, *Roger Hunt*, *Joseph Jackson* Doctor in Divinity, *William Jamson*, *Christopher Jowitt*, *Thomas l'Anson*, *John Thomas Gordan* Clerk, *Edward Jones*, *Joseph Ibberson*, *Neville King*, *Jonas Kewney*, *Jonathan Kindall* Clerk, *Richard Kilshaw* Clerk, *William King*, *Cornelius Launder*, *Joseph Lawrence*, *John Longden*, *Beaumont Leeson*, *Samuel Lawson*, *Beaumont Leeson* the younger, *Charles Lacey*, *John Rowland Litchfield* Clerk, *James Lees*, *David Lely*, *Francis Lambert*, *Thomas Lyne*, *William Lowe*, *John Lowe*, Sir *William Manners* Baronet, *Edward Miller Mundy*, *John Musters*, *John Musters* the younger, *William Marsden* Doctor of Physick, *Thomas Maltby*, *James Maltby*, *John Manners*, *John Ball Mason*, *Charles Manners*, *Benjamin Maddock*, *John Manners* of *Grantham*, *Gildon Manton*, *William Mitlin*, *John Myers* Clerk, *William Richard Middlemore*, *John Myers* the younger, Clerk, *John Mills*, *John Merrifield*, *Robert Metcalf*, *John Maydwell* Clerk, *William Marriott*, *John Marriott*, *Pendock Neale*, *John Newton*, *Pendock Barry Neale*, *Pendock Neale* Clerk, *Charles Nixon* Clerk, *John Nixon*, *James Nixon*, *Matthew Needham*, *Langford Neville*, *John Need*, *George Need*, *Thomas Norris* Clerk, *Edward Neale*, *Thomas Oldknow* the younger, *Isaac Orme*, *Joseph Oliver*, *Thomas Offer*, *Thomas Oliver*, the Honourable *Henry Pierrepoint*, the Honourable *Charles Herbert Pierrepoint*, the Honourable *Edward Percival*, Sir *Thomas Parkyns* Baronet, *Robert Padley*, *Robert Wilkinson Padley*, *Alfred Padley*, *Thomas Pepper*, *John Pepper*, *John Parker* (Hosier), *William Pidcock*, *Charles Pearson*, *Richard Price*, *Daniel Paulet*, *Philip Palmer*, *John Parr*, *Cleveas Parr*, *George Pickering*, *William Petty*, *William Pennyman*, *Richard Palmer*, *William Peters* Clerk, *Edward Porter*, *James Robinson*, *John Robinson*, *Martin Rae*, *William Reeve*, *Thomas Jekyll Rawson*, *Charles Raley*, the Honourable *Henry Sedley*, Sir *Thomas Manners Sutton* Knight, *William Stebbeare*, *John Manners Sutton*, *Samuel Smith*, *George Sedley*, *Thomas Smith*, *William Smith*, *William Smith* (Grocer), *John Smith*, *Robert Sykes*, *William Smelt* Clerk, *Thomas Burton Shaw*, *Philip Smelt*, *Evelyn Sutton* Clerk, *Charles Smelt*, *John Storey* Clerk, *John Storer* Doctor of Physick, *Edward Swann*, *Christopher Swann*, *Nathaniel Stubbins*, *George Stretton*, *John Stanley*, *Francis Stanley*, *Richard Storks*, *Richard Gregory Storks*, *Edward Sterland*, *William Sanday*, *Charles Seawell*, *Alexander Straban*, *William Smart*, *John Simpson*, *Samuel Statham*, *Edward Bowyer Sparke*

Sparke Clerk, *John Strong*, *John Scott* Clerk, *John Sterland*, *Edmund Stevens*, *Thomas Stanley* Clerk, *Philip Story* Clerk, *John Topott*, *William Taylor* (Draper), *Edmund Turner*, *William Taylor*, *Edmund Turner* the Younger, *James Taylor*, *Thomas Thoroton*, *David Taylor*, *Charles Ross Thoroton* Clerk, *Thomas Tollinton*, *John Hayford Thorold*, *Samuel Tupman*, *William Thorold*, *William Timm*, *George Thorold* Clerk, *Peter Thoroton* Clerk, *Henry Thorold*, *William Trentham*, *Michael Thorold* Clerk, *James Tebbutt*, *Burgoyne Tomkins*, *Robert Turner*, Sir *William Earle Welby* Baronet, Sir *John Borlase Warren* Baronet, Sir *Thomas Whitbcote* Baronet, *John Walter* Clerk, *Samuel Wright*, *John Wright*, *Thomas Earle Welby*, *William Gregory Williams*, *Ichabod Wright*, *John Smith Wright*, *Thomas Wright*, *Hugh Wood*, *Charles Wylde* Doctor in Divinity, *Edmund Wright*, *William Wilson*, *Gill Wilson*, *Richard Webster*, *Samuel Wyer*, *Francis Wakefield*, *James Williamson* Clerk, *William Williams*, *Samuel Walker*, *Jones Bettison Warrick*, *Montague Welby* Clerk, *Charles Cope Earle Welby*, *Thomas Wilson* Doctor of Physick, *Stephen White* Doctor of Laws, *Joseph Wright* Clerk, *George White*, *Richard Winter*, *William Earle Welby*, and the Aldermen, Recorder, Deputy Recorder, Town Clerk, Common Burgesses, commonly called *the First Company*, and Burgesses commonly called *the Second Company* of the Town or Borough of *Grantham* for the Time being, shall be and are hereby added to and joined with the Trustees appointed by or in pursuance of the said Acts for putting the same (so far as they relate to the Road leading from *Grantham* to *Nottingham Trent Bridge* aforesaid) and this Act in Execution; and the Trustees herein-before nominated and appointed, and their Successors, being qualified according to the Directions of the said first recited Act, together with the Trustees appointed by or in pursuance of the said Acts, or either of them, shall be and are hereby authorized and empowered to act in the Execution of so much of the said Acts as relate to the said Road leading from *Grantham* to *Nottingham Trent Bridge*, and this Act, as fully and effectually, to all Intents and Purposes, as if they had been nominated or appointed Trustees by or in pursuance of the said Acts or either of them.

For lessening the Quorum of Trustees in certain Cases.

III. And whereas the Quorum of Trustees appointed by the said Acts has been found inconvenient, be it therefore further enacted, That all Acts, Matters, and Things which by the said recited Acts are authorized, directed, and required to be done, executed, performed, and determined by the Number of Trustees therein mentioned, shall and may from Time to Time hereafter be done, executed, performed, and determined by the said Trustees, or any Five or more of them; and the same when so done shall be as valid and effectual as if such Acts, Matters, and Things had been done, executed, performed, and determined by the Number of Trustees therein particularly mentioned; the said Acts or any Thing therein contained to the contrary thereof in anywise notwithstanding.

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

IV. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done by virtue or in pursuance of the said Acts or this Act, in the Name or Names of their Clerk or Clerks, Treasurer or Treasurers, 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 or Names of their Clerk or Clerks, Treasurer or Treasurers, shall abate or be discontinued by the Death or Removal of any

any such Clerk or Clerks, Treasurer or Treasurers, nor by the Act of such Clerk or Clerks, Treasurer or Treasurers, without the Consent of the said Trustees; but that the Clerk or Clerks, Treasurer or Treasurers, for the Time being to the said Trustees, shall be deemed to be Plaintiff or Plaintiffs, Defendant or Defendants, as the Case may be, in every such Action.

Clerks to be reimbursed their Expences.

V. Provided always, That every such Clerk or Clerks, Treasurer or Treasurers, in whose Name or Names any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of the said Acts or this Act, shall be fully reimbursed and paid, out of the Money to arise by virtue thereof respectively, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding he or they shall pay, bear, expend, or be put unto, or become chargeable with, by reason of his or their being so made Plaintiff or Plaintiffs, Defendant or Defendants, as aforesaid.

Mortgagees may act.

VI. Provided always, and be it further enacted, That any Mortgagee, or Assignee of any Mortgage, or other Security, or any Lender of Money upon the Credit of any of the Tolls granted by the said Acts or this Act, or receiving Interest thereout for the same, shall not on that Account be deemed unqualified to act as a Trustee; and that such of the said Trustees as are or shall be in the Commission of the Peace for the said Counties, may nevertheless act as Justices of the Peace in the Execution of this Act, except only in such Cases where they shall be personally interested.

Former Tolls to cease.

VII. And be it further enacted, That, from and immediately after the Second *Monday* next after the passing of this Act, all the Tolls granted by the said Act of the Seventh Year of His present Majesty's Reign shall cease, determine, and be no longer paid or payable; and that instead and in lieu thereof the following Tolls shall (notwithstanding any Thing in the said Acts or either of them contained) be demanded and paid at each and every of the Turnpikes erected or to be erected by virtue and in pursuance of the said Acts or this Act, on the said Road leading from *Grantham* to *Nottingham Trent Bridge*, before any Cattle or Carriage shall be permitted to pass through the same; (that is to say),

Tolls.

For every Horse, Ox, or other Beast drawing any Coach, Berlin, Landau, Chariot, Chaise, Calash, Hearse, Chaise-marine, Curricle, Chair, Gig, Whiskey, or other Four or Two-wheeled Carriage of the like Kind, the Sum of Sixpence:

For every Horse, Ox, or other Beast drawing any Waggon, Wain, Cart, or other Carriage of the like Kind, having the Fellies of the Wheels of less Breath than Six Inches, the Sum of Four Pence Halfpenny:

For every Horse, Ox, or other Beast drawing any Waggon, Wain, Cart, or other Carriage, having the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Three Pence:

For any Four-wheeled Carrige in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawing the same, the Sum of One Shilling:

For every Two-wheeled Carriage, having any Person therein, or being laden in any Manner fixed to any Waggon, Wain, Cart, or other Carriage drawing the same, the Sum of One Shilling:

For the ſame, if unladen or empty, Sixpence:
For every Pair of Millſtones drawn by Five or more Horſes, or Oxen or other Beaſts, the Sum of Three Shillings and Sixpence:
For every Drug ſo conſtructed as that the Diſtance between the Axle-trees thereof, meaſured at the Ends, ſhall be more than Nine Feet, and laden otherwiſe than with a ſingle Piece of Timber, the Sum of One Shilling and Sixpence, over and above the Toll or Duty payable for the Horſes drawing the ſame:
For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:
For every Drove of Oxen or Neat Cattle, the Sum of One Shilling and Three Pence *per* Score, and ſo in Proportion for a leſs Number:
And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Eight Pence *per* Score, and ſo in Proportion for a leſs Number.

Double Toll on Sundays.

VIII. And be it further enacted, That it ſhall be lawful for the ſeveral and reſpective Toll Gatherers and Collectors on the ſaid Road, and they are hereby authorized and required, on each and every *Sunday* during the Continuance of the ſaid Acts and this Act, to be computed from Twelve of the Clock on *Saturday* Night, to Twelve of the Clock on *Sunday* Night, in each and every Year, to demand and take for every Horſe, Mare, Gelding, Mule, Aſs, or other Beaſt, drawing or not drawing, and for every Drove of Oxen, Cows, Neat Cattle, Calves, Sheep, Lambs, Hogs, or Swine, double the Tolls or Sums of Money which may be demanded or taken for the ſame reſpectively on any other Day by virtue of this Act.

Tolls veſted in the Truſtees.

IX. And be it further enacted, That the ſeveral and reſpective Tolls hereinbefore authorized to be demanded and taken, and every Part thereof, ſhall be veſted in the ſaid Truſtees, and ſhall be applied and diſpoſed of for ſuch Uſes, Intents, and Purpoſes, as are by the ſaid Acts (ſo far as the ſame relate to the Road leading from *Grantham* to *Nottingham Trent Bridge* aforeſaid) and this Act directed and appointed, and to and for no other Uſe, Intent, or Purpoſe whatſoever; and the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall authorize and appoint, ſhall have the ſame Powers, Authorities, and Remedies for demanding, collecting, levying, aſſeſſing, and transferring, leaſing and compounding for the Tolls hereby made payable, as are in and by the ſaid Acts given and preſcribed with reſpect to the Tolls thereby granted.

For ſettling Diſputes concerning Tolls.

X. And be it further enacted, That if any Diſpute ſhall happen concerning any Tolls due, or the Charges occaſioned by any Diſtreſs to be taken by virtue of the ſaid Acts, any or either of them, or this Act, it ſhall be lawful for the Perſon or Perſons ſo diſtraining to retain ſuch Diſtreſs, or the Money ariſing from the Sale thereof, till the Amount of the Tolls and the Charges of ſuch Diſtreſs ſhall be aſcertained by ſome Juſtice of the Peace for the Parts of *Keſteven* or Soke of *Grantham* in the County of *Lincoln*, or for the Counties of *Leiceſter* and *Nottingham*, or the Town and County of the Town of *Nottingham*, as the Caſe may be, who, upon Application made to him for that Purpoſe, ſhall examine upon the Oath of the Parties, or of a Witneſs or Witneſſes, and ſhall determine the Toll due, and aſſeſs the Charges of ſuch Diſtreſs, and of the Collector's Attendance upon ſuch Juſtice for that Purpoſe; all which Sums

Sums so determined and assessed, shall be paid to the said Collector before he or she shall be obliged to return the Cattle and Goods so distrained, or the Overplus or any Part thereof respectively.

Collectors declared competent Witnesses.

XI. And be it further enacted, That in case any Dispute, Suit, or Litigation shall arise, touching or in anywise relating to the said Tolls, the Person or Persons appointed to collect the same, or any other Person or Persons acting under the Authority of the said Trustees, shall not be incompetent to give Evidence therein by reason of his or their being appointed to collect the said Tolls.

Preventing Frauds to exempt from Toll.

XII. And whereas it is in and by the said first recited Act enacted, that no Occupier of Land in, or Inhabitant of the Townships or Hamlets of *Holmepierrepont*, *Adbolton*, *Gamston*, or *Bassingfield*, should be liable to the Payment of any Tolls whatsoever, for the Passage of their Horses, Beasts, Cattle, and Carriages, between the Town of *Ratcliffe* and *Nottingham Trent Bridge*: And whereas the said Exemption was intended to extend to the Occupiers of Dwelling Houses situate in such Parishes or Townships, and their Families, and to Occupiers of Lands there only, for the Occupation of such Land, and not for the Occupation of Land situate elsewhere: Be it therefore enacted and declared, That no Person shall hereafter claim any such Exemption, except such Persons as are Residents in the said Parishes or Townships, and Occupiers of Land situate therein, solely for the Occupation of such Land.

Repealing Clause prohibiting any Toll Gate between Gamston and Nottingham.

XIII. And whereas it is in and by the said first recited Act enacted, that no Turnpike shall be erected nearer to the Town of *Nottingham* than the West Side of *Gamston Lane*: And whereas such Restriction hath been found inconvenient: Be it therefore enacted, That the said Restriction shall be and the same is hereby repealed.

Clause repealing Exemptions at Gamston Gate.

XIV. And whereas it is in and by the said last recited Act enacted, that no more than One Penny shall be demanded or taken at the Side Gate now erected in the Parish of *Gamston*, of any of the Inhabitants of the respective Townships or Hamlets of *Hickling*, *Kinnolton*, *Owthorp*, *Colston Basset*, *Tollerton*, *Cotgrave*, and *Clipston*, for any Horse or other Beast drawing in any Carriage belonging to such Inhabitants, and that no Toll shall be taken of any of the Inhabitants of the said respective Townships or Hamlets, for any Horses or Carriages employed in carrying Boon Loads of Coal, or other Things for the Use of their respective Landlords: And whereas the same have been found inconvenient: Be it therefore enacted, That the said Clauses shall be and the same are hereby wholly repealed.

Half Toll at Gamston Side Gate.

XV. Provided always, and be it further enacted, That no more than Half the Toll hereby granted shall be demanded or taken of any Person for passing through *Gamston* Side Gate..

General Exemptions.

XVI. And be it further enacted, That no Toll shall be demanded or taken for any Waggons, Wains, Carts, Carriages, 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 Mate-

Materials, for repairing of the ſaid Road leading from *Grantham* to *Nottingham Trent Bridge*, or any of the Roads in the Townſhips or Pariſhes in which any Part of ſuch Road doth 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 thereof; or for any Waggons, Wains, Carts, Carriages, or Horſes employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Huſbandry; or any Mould, Dung, Compoſt, or Manure employed in Huſbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands; or for any Horſes or Cattle going to or returning from Paſture or Watering Places, or going to be or returning from being ſhod or carried; or from any Perſon going to or returning from his proper Parochial Church, Chapel, or other Place of Religious 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 ſaid Pariſhes; 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 Horſes, Cattle, or Carriages, of whatever Deſcription, employed or to be employed in conveying the Mails of Letrers and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding ſuch Mails or Expreſſes, or in returning 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 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 appointed for and on the Days of Exerciſe; provided always, that 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; or for 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 ſaid County of *Lincoln*, *Leiceſter*, or *Nottingham*, or of a Burgeis or Burgeſſes to ſerve in Parliament for the Town of *Nottingham*, or the Borough or Soke of *Grantham*, on the Day or Days of ſuch Election, or on the Day before or Day after ſuch Election ſhall begin or be concluded; 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 this Act.

Clauſe empowering Surveyors to get Materials.

XVII. And whereas the Proviſions by the ſaid Acts for getting Materials for repairing the ſaid Road have been found inconvenient, be it therefore enacted, That the Surveyor or Surveyors of the ſaid Road, or any

any Part thereof, and ſuch Perſons as ſhall be employed by him or them, or by the ſaid Truſtees, are hereby empowered to cut, dig, gather, take and carry away any Furze, Heath, Stones, Gravel, Sand, or other Materials proper for the making or amending the ſaid Road, out of or from any Common or Waſte Ground, River or Brook, without paying any Thing for the ſame, ſuch Surveyors or other Perſons filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle, or where there is not ſufficient Quantity of any ſuch Materials to be procured in any Common or Waſte Ground, River or Brook, near to ſuch Part or Parts of the Road which want mending, or where any new Road is to be made, the ſaid Surveyor or Surveyors, or other Perſons as aforeſaid, may, by Order of the ſaid Truſtees, ſearch for, cut, dig, gather, take, and carry away all ſuch Materials as aforeſaid, in, upon, or out of, from, and over the Lands or Grounds not lying or being within the ſeveral Pariſhes and Townſhips of *Woolſthorpe*, *Belvoir*, *Knipton*, *Braunſton*, *Holmepierrepont*, *Adbolton*, *Gamſton*, or *Baſſingfield*, not being a Yard, Garden, Park, Wood, planted Walk or Avenue to any Houſe of any Perſon or Perſons whomſoever, in any Pariſh or Place whatſoever, paying or tendering Payment for the Damage done to the Owners and Occupiers reſpectively of the Grounds where and from whence the ſame ſhall be cut, dug, gathered, taken, or carried away, or upon, over, or through which the ſame or any other Materials ſo cut, dug, and gathered as aforeſaid, ſhall be conveyed, ſuch Equivalent in Money as the ſaid Truſtees ſhall judge reaſonable; and in caſe of any Difference between the ſaid Truſtees, Surveyor, or Surveyors, or other Perſons appointed and employed as aforeſaid, and the Owners and Occupiers of private Lands, or any of them, concerning ſuch Payments and Damages as aforeſaid, the Juſtices of the Peace, at the next General or Quarter Seſſions, or at the Second General or Quarter Seſſions at the fartheſt, to be holden for any County, Diviſion, or Diſtrict in which any ſuch Difference may happen to be, on Ten Days Notice thereof being given in Writing by either Party to the other, ſhall hear, ſettle, and determine the Matter of ſuch Payment and Damages, and the Judgement or Order of the ſaid Juſtices therein ſhall be final and concluſive to all Parties; any Act, Matter, or Thing in the ſaid Acts or either of them contained to the contrary in anywiſe notwithſtanding.

For puniſhing Perſons taking away Materials got for the Uſe of the Roads.

XVII. And be it further enacted, That if any Perſon ſhall take away any Materials which ſhall have been dug or gathered in any Lands, Fields, Waſtes, or Grounds, River or Brook, for the Purpoſe of repairing, amending, or improving the ſaid Road leading from *Grantham* to *Nottingham Trent Bridge*, or ſhall get or take away any Materials out of any Pit or Quarry which ſhall have been made for the Purpoſe of getting Materials for the ſaid Road, before the Surveyor or his Workmen ſhall have diſcontinued working therein for the Space of Twenty-one Days, except the Owner or Occupier of any private Ground, and Perſon and Perſons authorized by ſuch Owner or Occupier to get Materials therein for his or their own private Uſe only, and not for ſale, every ſuch Perſon ſo offending ſhall forfeit for every ſuch Offence any Sum not exceeding Forty Shillings, nor leſs than Ten Shillings.

Truſtees may chooſe a temporary Collector.

XVIII. And be it further enacted, That as often as any Collector ſhall die or be incapable of performing his Duty, it ſhall be lawful for any Three or more of the ſaid Truſtees, although not aſſembled at a Meeting purſuant to this Act, by Writing under their Hands, to appoint another Perſon to collect the Tolls, who ſhall continue in ſuch Office until the Truſtees ſhall, at a Meeting held in purſuance of this Act, appoint a Collector of ſuch Tolls, any Thing herein-before contained to the contrary notwithſtanding; and that if any Toll Gatherer or Gate Keeper, who ſhall be diſcharged from his Office by the Truſtees authorized for that Purpoſe, ſhall refuſe to deliver up the Poſſeſſion of the Houſe, Buildings, and Appurtenances which he enjoyed in Right of his Appointment to that Office, within Two Days after Notice of his Diſcharge ſhall be given to him, or left at his Houſe, or if the Wife or Family of any ſuch Toll Gatherer or Gate Keeper, who ſhall die as aforeſaid, ſhall refuſe to deliver up the Poſſeſſion of ſuch Houſe, Buildings, and Appurtenances, within Four Days after ſuch new Appointment ſo made as aforeſaid, then and in either of the ſaid Caſes it ſhall be lawful for any Juſtice of the Peace for the Limit where ſuch Turnpike Houſe ſhall be, by Warrant under his Hand and Seal, to order the Conſtable or other Officer, with ſuch Aſſiſtance as ſhall be neceſſary, to enter ſuch Houſe and Premiſes in the Day-time, and to remove the Perſons who ſhall be found therein, together with the Goods out of ſuch Houſe, and to put the new appointed Officer in the Poſſeſſion thereof.

Statute Work.

XIX. 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 leading from *Grantham* to *Nottingham Trent Bridge*, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; and it ſhall be lawful for any Two or more Juſtices of the Peace for the ſaid County of *Lincoln*, *Leiceſter*, or *Nottingham*, or of the Borough or Soke of *Grantham*, (as the Caſe may be), and they are hereby required and empowered, upon Application made to them by the ſaid Truſtees, or by their Clerk or Surveyor, or 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 doth lie, 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 their Treaſurer or Treaſurers; and in order thereunto, it ſhall be lawful 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 Ten 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 are or may be directed by any Law or Statute in Force and Effect for the Repairs of the Publick Highways; and out of ſuch Liſts the ſaid Juſtices ſhall and may allot, appoint,

appoint, and order ſuch and ſo many of the Perſons, who ſhall appear 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 at 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 Acts authorized or directed to be recovered; and each and every Perſon who ſhall neglect or refuſe to do ſuch Statute Work as aforeſaid, after Notice in Writing given to or left for him, her, or them, at his, her, or their uſual Place or Places of Abode for that Purpoſe, by any Surveyor of 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 or Effect for the Repair of the Publick 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 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 and 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.

XX. And be it further enacted, That it ſhall be lawful for the Surveyor or Surveyors of the Highways of any Pariſh, Townſhip, Place, or Diviſion, or the Inhabitants or Occupiers of Lands, Tenements, or Hereditaments within the ſame reſpectively, to compound and agree with the ſaid Truſtees, or any Five or more of them, for the Statute Work to be by them or any of them done on the ſaid Road, provided that ſuch Compoſition Money be paid by the Surveyor or Surveyors, or other Officers of the Pariſh, or reſpective Perſon ſo compounding, to the Treaſurer or Treaſurers of the ſaid Truſtees, on or before the Twenty-ninth Day of *September* in each Year, or within One Calendar Month after Notice for that Purpoſe given him, her, or them reſpectively.

XXI. And

Application of Compensation, if amounting to 200 l.

XXI. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Acts and this Act, for the Purposes thereof, which shall belong to any Body Politick, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever such Money shall, in case the same shall amount to 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 there *ex parte* the Trustees for executing the said recited Acts 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 or Redemption of the Land Tax, or 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, 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 and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Monies shall, by Order of the said Court upon Application thereto, be invested by the said Accountant General, in his Name, 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 said Lands, Tenements, and Hereditaments to be purchased by virtue of the said recited Acts and this Act, in case such Purchase or Settlement were made.

Application of Compensation if less than 200 l. and exceeding 20 l.

XXII. Provided always, and be it 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 any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons

ſons 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, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General, 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 Three or more of the Truſtees for executing the ſaid Acts 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 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 of Compenſation, if leſs than 20 *l.*

XXIII. 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 this Act, in ſuch Manner as the ſaid Truſtees ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid 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;

or if Perſons cannot be found, Purchaſe Money to be paid into the Bank;

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

XXIV. 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 Acts and 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 the Perſon or Perſons to whom any 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 be lawful for the ſaid Truſtees 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, which ſaid Court, 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 Publick 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

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.

Where any Question shall arise touching the Title to Money to be paid to the Person who shall be in Possession of the Land, &c. at the Time of such Purchase, shall be deemed entitled thereto according to such Possession, unless, &c.

XXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money 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 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 Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or 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.

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

XXVI. 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 Acts and 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 to be settled to the like Uses in pursuance of the said Acts and this Act, it shall and may be lawful to and 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 Acts and this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Trustees out of the Monies to be received by virtue of the said Acts and this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Penalty on assaulting Persons, &c.

XXVII. And be it further enacted, That if any Person or Persons shall assault, interrupt, hinder, or disturb, or cause, promote, or encourage the assaulting, interrupting, hindering, or disturbing the Collectors of the Tolls, or any or either of them, or the Turnpike Surveyor or Surveyors, or any Person or Persons employed by him or the said Trustees in the Execution of the said Acts and this Act, every such Person or Persons shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds nor less than Ten Shillings.

Trustees may contract for repairing the Roads.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time to contract and agree with any Person or Persons for the repairing, widening, altering, turning, amending, or improving the said Road leading

ing from *Grantham* to *Nottingham Trent Bridge*, or any Part or Parts thereof, in such Manner, and for such Sum or Sums of Money as they the said Trustees shall think proper; and all Contracts and Agreements in Writing, entered into pursuant to an Order made at any Meeting of the said Trustees, shall be binding upon all Parties who shall sign the same, his, her, or their Executors and Administrators, and that Actions and Suits may be maintained thereon, and Damages and Costs recovered against the Party or Parties failing in the Execution of such Contracts or Agreements.

Transient Offenders may be apprehended.

XXIX. And whereas Persons guilty of Offences against this Act, may be transient Persons unknown to the Collectors, Surveyors, or other Officers or Persons employed under the said Acts and this Act; be it therefore further enacted, That it shall be lawful for the said Collectors, Surveyors, or other Officers, or other Persons respectively, to seize and detain such unknown Person or Persons so guilty as aforesaid, and to convey him, her, or them before One or more Justice or Justices of the Peace for the County or Place where any Offence against this Act shall be committed, without any Warrant or other Authority than this Act for so doing; and such Justice or Justices of the Peace respectively, are hereby empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders, or to oblige such Person or Persons so offending to give Security for his, her, or their appearing at the next General or Petty Sessions to be holden for the Division or Place where such Offence or Offences shall be committed; and on such Conviction, or for want of sufficient Security, to commit the Person or Persons so offending to the Common Gaol for the County of Place where the Offence shall be committed, there to remain until he, she, or they shall pay the respective Penalties by him, her, or them incurred, for such respective Offence or Offences, or shall give Security in Manner aforesaid.

Trustees may borrow Money.

XXX. And be it further enacted, That the said Trustees, at any Meeting or Meetings to be holden for that Purpose, whereof Fourteen Days Notice in Writing shall be given by the Clerk or Clerks, Treasurer or Treasurers, to be affixed on all the Turnpikes or Toll Gates then erected and set up upon the said Road leading from *Grantham* to *Nottingham Trent Bridge*, and inserted in some publick Newspaper circulating in the Neighbourhood of the said Road, may and are hereby empowered from Time to Time, by any Writing or Instrument under their Hands and Seals, to assign over or mortgage all or any of the Tolls to be collected and arising by virtue of this Act, (the Charges of assigning or mortgaging the same to be paid out of such Tolls), for any Term during the Continuance of this Act, as a Security for any Sum or Sums of Money to be borrowed by the said Trustees upon the Credit of such Tolls, to such Person or Persons, his, her, or their Executors, Administrators, or Assigns, or his, her, or their Trustee or Trustees, who shall advance or lend the same, to secure the Repayment thereof, with such legal Interest as the said Trustees shall think proper; which said Money so to be borrowed, shall be applied and disposed of as in this Act mentioned, and to no other Use or Purpose whatsoever; and that such Mortgage or Mortgages, Assignment or Assignments, may be in the Form following, or such other Form as the Trustees making the same shall think proper: (that is to say),

BY

Form of Mortgage.

'BY virtue and in pursuance of an Act, passed in the Forty-fifth Year of 'the Reign of His Majesty King *George* the Third, intituled [*here in-*
'*sert the Title of this Act*) in Consideration of the Sum of to
'*A. B.* the Treasurer appointed by the Trustees for putting the said
'Act and the Acts therein mentioned in Execution, having been this Day
'paid by *C. D.* of we whose Names are
'hereunto subscribed and Seals affixed, being Five of the said Trustees,
'do grant and assign unto the *C. D.* his Executors, Administrators, and As-
'signs, such Proportion of the Tolls arising upon the Road, as the said
'Sum of doth or shall bear to the whole Sum due
'and owing on the Credit of the same Tolls, or charged thereupon for
'the Term of the said Act, to have, hold, receive, and take such Propor-
'tion of the said Tolls, unto the said *C. D.* his Executors, Administrators,
'and Assigns, for the Residue and Remainder now to come of the Term
'of Twenty-one Years, for which the said Tolls are granted by the said
'Act, subject to the Proviso following; that is to say: Provided always,
'that if the said Sum of shall be repaid to the said
'*C. D.* his Executors, Administrators, or Assigns, together with Interest
'for the same, after the Rate of *per Centum per An-*
'*num*, without any Deduction whatsoever, on or before the
'Day of now next ensuing, then this Assignment shall be
'void, or else shall remain in full force. In witness whereof we have
'hereunto set our Hands and Seals this Day of
'One thousand eight hundred and

Copies to be entered.

Copies of all which Mortgages or Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk or Clerks, Treasurer or Treasurers, to the said Trustees; and all and every Person or Persons to whom any such Mortgage or Assignment shall be made as aforesaid, or who shall be entitled to the same, or the Money thereby secured, is and are hereby empowered from Time to Time, by Writing under his, her, or their Hand and Seal or Hands and Seals, to be indorsed upon 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, before One credible Witness, to assign over or transfer his, her, or their Right to the Principal and Interest Money thereby secured, to any Person or Persons whomsoever, in the following Words, or Words to the like Effect: (that is to say,)

Form of Transfer.

'I do hereby transfer and assign this Mortgage [*or*, a certain Mortgage,
'*&c. as the Case may be*] with all my Right and Title to the Principal
'Money thereby secured, and all Interest now due on the same, unto
'Executors, Administrators, and Assigns. In Wit-
'ness whereof I have hereunto set my Hand and Seal, the
'Day of in the Year of our Lord One thousand eight
'hundred and

All which Assignments and Transfers shall be produced and notified to the Clerk or Clerks, Treasurer or Treasurers, to the said Trustees, within Sixty Days next after the Date thereof, who shall cause an Entry to be made of such Assignments or Transfers, containing the Dates, Names, and Additions of the Parties, and Sums of Money therein mentioned to be assigned or transferred, in the said Book or Books to be kept for entering the said original Mortgages and Assignments, for which the Clerk or Clerks, Treasurer,

ſurer or Treaſurers, ſhall be paid the Sum of Five Shillings, and no more; and which ſaid Book or Books ſhall and may, at all reaſonable Times, be peruſed and inſpected without Fee or Reward; and after ſuch Entry made and not otherwiſe, ſuch Aſſignment or Transfer ſhall entitle ſuch Aſſignee or Aſſignees, his, her, and their Executors, Adminiſtrators, and Aſſigns, to ſuch Mortgage or Aſſignment, and the Monies thereby ſecured, and ſo aſſigned and transferred, and to the Benefit thereof and Payment thereon; and ſuch Aſſignee or Aſſignees, and his, her, or their Executors or Adminiſtrators, ſhall and may in like Manner aſſign or transfer the ſame again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon or Perſons who ſhall have made any ſuch Aſſignment or Transfer, to make void, releaſe, or diſcharge the ſame, or any Monies due thereon.

For increaſing the Rate of Intereſt.

XXXI. And whereas it is proper that the ſaid Truſtees ſhould for the future be empowered to allow a greater Rate of Intereſt for the Money borrowed or to be borrowed than they are authorized to do by the ſaid firſt recited Act; be it therefore enacted, That ſo much of the ſaid firſt recited Act as limits the Rate of Intereſt of any Money which ſhall be borrowed by the ſaid Truſtees ſhall be and is hereby repealed; and that it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to allow and pay to any Perſon or Perſons who now have or may hereafter have any Money ſecured on the Credit of the Tolls authorized to be collected by virtue of the ſaid recited Acts, or this Act, ſuch Rate of Intereſt for all ſuch Money as aforeſaid, as the ſaid Truſtees or any Five or more of them ſhall from Time to Time think proper, not exceeding the Rate of Five Pounds *per Centum per Annum*.

Form of Conviction.

XXXII. And be it further enacted, That for the more ſpeedy Conviction of Offenders againſt the ſaid Acts and this Act, all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt the ſaid Acts or this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words (as the Caſe ſhall happen) or in any other Form of Words to the ſame Effect:

County of } 'BE it remembered, That on the Day
to wit. } of in the Year of His
'Majeſty's Reign, *A. B.* is convicted before me, One of His
'Majeſty's Juſtices of the Peace for the County of [*ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe may be.*] Given under my Hand and Seal [*or*, our Hands and Seals] the Day and Year aforeſaid.'

Againſt haling Stones or Timber otherwiſe than upon Wheel Carriages.

XXXIII. And be it further enacted, That if any Perſon or Perſons ſhall hale or draw, or cauſe to be haled or drawn, upon any Part of the ſaid Road leading from *Grantham* to *Nottingham Trent Bridge*, any Tree or Piece of Timber, or any Stones (Millſtones excepted) otherwiſe than upon Wheel Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber, which ſhall be conveyed upon any Wheel Carriage to drag upon any Part of ſuch Road, or ſhall draw any Plough upon or acroſs the ſaid Road, or any Part thereof, whereby the ſaid Road ſhall or may be prejudiced, every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings nor leſs than Ten Shillings.

 XXXIV. And

Application of the Money.

XXXIV. And whereas great Difficulties and Inconveniences have arisen notwithstanding the Provisions of the said Act of the Seventh Year of the Reign of His present Majesty) arisen, in the Application and Distribution of the said Tolls; be it therefore further enacted, That from and after the passing of this Act, the said Trustees shall and they are hereby required to hold a General Meeting at *Bingham*, in the said County of *Nottingham*, on the First *Monday* in *July* in every Year during the Continuance of the said Acts and this Act, of which Meeting Ten Days Notice shall be given in the *Lincoln* and *Nottingham* Newspapers, for the Purpose of appointing new Trustees, auditing the Accounts of the Surveyors, Treasurers, and other Officers, and consolidating the same into one Account, and the net Receipts into one Fund, at which Annual Meeting the Accounts of both the Treasurers shall be allowed, and not elsewhere; and that the said Trustees shall at such Annual Meeting, order and direct the Interest of the whole Principal Monies now borrowed and due, or hereafter to be borrowed or grow due, upon the Credit of the said Tolls arising upon the said Road from *Grantham* to *Nottingham Trent Bridge*, as well now in Arrear as hereafter to grow due, to be paid to all the respective Creditors equally and without Preference in the first Place, and before any other Payment shall be made whatever (except the Costs and Charges of passing this Act); and after Payment thereof, and of the Officers Salaries, shall order and direct in what Proportions the Monies remaining in the Hands of the respective Treasurers, after the Payment of the Interest and Officers Salaries as aforesaid, shall be applied in the Repairs of the Road in such Division of the District, according to the State of the Road, and the existing Circumstances of the same, and of the Concern in general; and that the said Trustees at such Annual General Meetings, shall or may make such Orders and Resolutions for carrying the former Acts and this Act into Execution, as to them shall seem meet, not postponing the Payment of the Annual Interest, by ordering the Money to be expended in any other Manner; and that the Trustees in each Division of the said District, shall have Power to hold Subdivision Meetings, for the Purpose of carrying into Execution the Orders and Resolutions to be made at such General or Annual Meetings; and that in case of Emergency, either of the Clerks or Treasurers of each Subdivision Meetings, shall have Power to call a Special Meeting of the Trustees, to be holden at *Bingham* aforesaid, giving the like Notice as of the Annual Meeting, and specifying the Purpose for which such Special General Meeting shall be held.

Directing the Tolls at Bingham to be paid to the Eastern Treasurer.

XXXV. Provided always, and be it enacted, That from and after the passing of this Act, all the Tolls to be collected at the Turnpike at or near *Thorobridge* otherwise *Granby Lane*, in the Parish of *Bingham*, shall from Time to Time be paid to the Treasurer of the Trustees acting for the Eastern Part of the said Road, and that the same shall be subject to the Orders and Directions of the Trustees acting for the Eastern Part of the said Road, at their Subdivision Meetings, either with respect to the letting the said Tolls to farm, or to the appointing or removing any Collector or Collectors thereof.

Limitation of Actions.

XXXVI. And be it further enacted, That if any Action or Suit shall be brought or prosecuted against any Person or Persons for any Thing done in pursuance of the said Acts or this Act, or any or either of them, the same shall be commenced within Six Calendar Months next after the Fact committed

committed, and not afterwards, and ſhall be laid or brought in the County or Place where ſuch Cauſe of Action or Suit in Iſſue ariſe, 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 Authority of the ſaid Acts and of this Act, or any or either of them; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, then the Jury ſhall find for the Defendant or Defendants; and upon a Verdict for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall be nonſuited or ſuffer any Diſcontinuance of his, her or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts of Suit, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſe by Law.

For paying the Expences of this Act.

XXXVII. And be it further enacted, That all Charges and Expences of, or incident to the obtaining and paſſing of this Act, ſhall be paid by the ſaid Truſtees, out of any Money already raiſed by virtue of the ſaid Acts or either of them, or out of the firſt Money to ariſe by virtue of the ſaid Acts and this Act, in preference to all other Payments whatſoever.

Declaring the Act publick.

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

Fixing the Term and Continuance of the Act.

XXXIX. And be it further enacted, That the Term granted and continued by the ſaid Acts, ſhall, upon the paſſing of this Act, ceaſe and determine; and that the ſaid Acts and this Act ſhall from thenceforth continue and be in force, and be executed for and during the Term of Twenty-one Years, and from thence to the End of the then next Seſſion of Parliament.

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