ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

Cap. 90.

An Act for enlarging the Term and Powers of Two Acts, of the Tenth and Thirty-first Years of His present Majesty, for repairing the Road from *Worksop* to the Turnpike Road at *Kelham*, and from *Debdale* Hill to the Great Northern Road at *South Muskham*, in the County of *Nottingham*, and the Road branching out of the said Road at or near *Kneesal* and leading to the Great North Road at or near *Carlton-upon-Trent*, all in the same County. [5th *May* 1812.]

WHEREAS an Act was passed in the Tenth Year of the Reign of His present Majesty, intituled, *An Act for repairing and widening the Road from* Worksop *to the Turnpike Road at* Kelham, *and from* Debdale *Hill to the Great Northern Road at* South Muskham, *in the County of* Nottingham: And whereas another Act was passed in the Thirty-first Year of the Reign of His present Majesty, intituled, *An Act for enlarging the Term and Powers of an Act passed in the Tenth Year of His present Majesty, intituled, An Act for repairing and widening the Road from* Worksop *to the Turnpike Road at* Kelham, *and from* Debdale *Hill to the Great Northern Road at* South Muskham, *in the County of* Nottingham; *and for amending the Road branching out of the said Road at or near* Kneesal, *and leading to the Great North Road at or near* Carlton-upon-Trent, *all in the same County of* Nottingham: And whereas the Trustees appointed in and by virtue of the said

10 G. 3. c. 92.

31 G. 3. c. 132.

Acts, have made great Progress in the Execution thereof, and have borrowed considerable Sums of Money upon the Credit of the Tolls thereby granted, but find that the said Roads cannot be effectually amended, widened, and kept in sufficient Repair, nor the Sums of Money so borrowed as aforesaid be repaid, unless the Term granted by the said Acts be further continued, and the Powers thereof altered 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 Acts, and all and every the Clauses, Powers, Authorities, Provisions, Penalties, Forfeitures, Matters, and Things therein contained, (except such Parts thereof as relate to the Exemption from Stamp Duties, and also such as are hereby varied, altered, or repealed,) shall be and remain in full Force and Effect, and be executed for and during the Term hereinafter mentioned, as fully and effectually, to all Intents and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, Alterations, and Additions herein contained, and that this Act shall commence and take effect upon the passing thereof; and the Term and Powers hereby granted shall be and are hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the said recited Acts, and of such other Sums of Money as shall be borrowed upon the Credit thereof, and of this Act, and all Interest due and to become due thereon respectively.

Former Acts further continued.

For appointing new Trustees.

II. And be it further enacted, That from and after the passing of this Act, *Thomas Adams*, *Robert Hartshorn Barber*, *William Booth* of *Kneesal*, *John Black*, *Thomas Beardshaw*, *Thomas Broom*, *Job Conworth*, *John Cruso*, *William Chaloner*, *William Champion* Junior, *John Dunwell* Junior, the Reverend *Matthew Dixon*, *Clay Hall Detheck*, *John Durham*, *Vincent Henry Eyre*, *Thomas Joseph Eyre*, *William Flower*, *Henry Frogson*, *Thomas Flower*, *Francis Ferrand Foljambe* Junior, *Isaac Flint*, *William Greaves*, *William Gregory*, *William Grafton*, *Timothy Grafton*, *Richard Gregory*, *Henry Gilbert*, *William Glossop*, *Richard Greenwood*, *Bernard Edward Howard*, *Henry Thomas Howard*, *Edward Howard*, *Henry Howard*, the Reverend *Wilfred Huddlestone*, *John Harvey*, *John Hague*, *George Hurt*, *John Hurt*, *David Holt* Junior, *Francis Hoosen*, *John Hounsfield*, *Richard Hannam*, *Bartholomew Hounsfield*, *James Hole*, *John Hawson*, *William Hunt*, *Charles Jackson*, *Samuel Jackson*, *Henry Jackson*, *James Edward Kenworthy*, *Henry Gally Knight*, *John Hoyland Lilley*, *William Lee*, *George Lee*, *William Langley*, *George Martin* Junior, *William Moseley*, *Robert Moseley* Junior, *Richard Milward* Junior, *John Milward* Junior, *Thomas Milward* Junior, *Henry Machin*, *William Munns*, *William Morton*, *Joseph Mills*, *Thomas Morton*, *John Morton*, *Joseph Moore*, *William Nicholson*, *Atkin Ogle*, *Thomas Oldham*, *John Pickin*, *Thomas Pickin*, *Charles Pickin*, *John Parkinson* Junior, *Richard Parkinson*, *William Pinder*, *Thomas Pinder* Junior, *James Parkin*, *Robert Pashley*, *Thomas Pearson*, *John Ryall*, *Richard Roe*, *John Radley*, *William Radley*, *Francis Roe*, *Ralph Rogers*, the Reverend *George Savile*, *William Scorah*, *William Sterland*, *William George Shuttleworth*, *Sutton*, *Sutton*, *James Scott*, *William Skinner*, *John Short*, *Joseph Taylor*, *William Thorpe*, *John Vessey* of *Gateford*, *Richard Charles Ward*, *Christopher Woollhouse*, *John Woombwell*, *George Willcock*, *William Wilson*, *William Whitaker*, *John Whitaker*, *Joseph*

Joseph Whitaker, *William Wright*, *Thomas Wright*, and *Saint John Yates*, shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Acts, for putting the same and this Act into Execution, and the Trustees hereby appointed, and their Successors respectively, being qualified according to the Directions of the said recited Acts, are hereby empowered to act in the Execution of the said Acts and of this Act as fully and effectually to all Intents and Purposes as if they had been appointed Trustees in or by virtue of the said recited Acts.

Allowing the Trustees to elect an additional Number.

III. And be it further enacted, That it shall be lawful to and for the said Trustees, or any Nine or more of them, and they are hereby empowered, at any Time or Times, to elect any Number of additional Trustees not exceeding Ten in the whole, who shall have the same Power and Authority for executing the said recited Acts, and this Act, as if they had been hereby nominated and appointed.

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

IV. And be it further enacted, That all Actions, Suits, Prosecutions, Informations, Appeals, and other Proceedings whatsoever to be had, taken, prosecuted, or defended by or against the said Trustees, shall be had, taken, prosecuted, or defended in the Name of their Treasurer or Clerk; and that no Action, Suit, Prosecution, Information, Appeal, or other Proceeding to be had, taken, prosecuted, or defended by or against the said Trustees, or any of them, by virtue of this or the said recited Acts shall abate or be discontinued by the Death or Removal of any such Treasurer or Clerk, but that the Treasurer or Clerk for the Time being, to the said Trustees, shall always be deemed the Plaintiff, Prosecutor, Informant, Appellant, Defendant, or Respondent in any such Action, Suit, Prosecution, Information, Appeal, or other Proceedings as the Case shall be: Provided always, that such Treasurer or Clerk, in whose Name any such Action, Suit, Prosecution, Information, Appeal, or other Proceeding shall be had, taken, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed and paid out of the Monies arising by virtue of this and the said recited Acts, all such Costs, Charges, Damages, and Expences as by the Event or in Consequence of any such Action, Suit, Prosecution, Information, Appeal, or other Proceeding, he shall pay, bear, sustain, expend, or be put unto or become chargeable with or liable for, or be fairly entitled to by reason of his being so made Plaintiff, Defendant, Informant, Appellant, or Respondent as aforesaid.

Half Tolls payable by certain Persons for Coals.

V. And be it further enacted, That from and after the passing of this Act, no more than One Half of the Tolls payable under and by virtue of the said recited Acts, or either of them, or this Act shall be demanded or taken at the Gate or Bar, called *Wellow* Toll Bar, from any Person or Persons whomsoever, for or in respect of any Waggons, Carts, or Carriages passing through the same Gate or Bar, coming through or from *Mansfield*, in the said County of *Nottingham*, which shall be laden with Coals only for the Use of the Inhabitants of the said Townships of *Wellow*.

Exemptions from Toll.

VI. And be it further enacted, That all Exemptions from Tolls whatsoever, contained in the said recited Acts shall be, and the same are hereby repealed, and that in lieu and instead thereof no Toll shall be demanded or taken at any Gate or Turnpike erected or to be erected by virtue of the said recited

recited Acts or this Act, from any Perſon or Perſons in reſpect of any Hay, Straw, or Corn in the Straw, not ſold or diſpoſed of, but paſſing at any Time of the Year to be laid up in the Houſes, Barns, or Out-houſes, or to be ſet or ſtacked upon any Part of the Lands or Premiſes of the reſpective Inhabitants, Land Owners, or Land Holders, in the ſeveral Townſhips wherein the ſaid Roads by the ſaid recited Acts and this Act directed to be repaired, or any Part thereof do lie, or in reſpect of any Mould, Dung, Compoſt, Lime for the Improvement of Land, or other Manure employed in Huſbandry, for manuring or improving of Lands, or for any Horſe, Cattle, Beaſt, or Carriage which ſhall not travel at leaſt One Hundred Yards upon the ſaid Road, or for any Horſe, Cattle, or Beaſt 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 Road lies, or for any Horſe, Cattle, or Beaſt 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 for any Horſe, Sheep, or other Cattle going to or returning from Paſture or Watering Places, or for any Horſe going to be or returning from being ſhoed or farried, or from any Perſon or Perſons who may hold or occupy any Farm within any Townſhip or Hamlet in which any Toll Gate or Toll Bar ſhall be erected, going to or returning from any Part of his ſaid Farm, or from any Perſon going to or returning from his or her proper Parochial Church, Chapel, or other Place of religious Worſhip tolerated by Law, on a *Sunday*, or upon 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 Townſhips or 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 Horſe, Cattle, or Carriage, of whatever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching or guarding ſuch Mails or Expreſſes, or in returning back from conveying the ſame; or for any Horſe, Cattle, or Beaſt attending any Soldiers upon their March, or on Duty, or drawing any Carriage attending them with their Arms or Baggage; or for any Horſe, Cart, Cattle, or Beaſt employed in the Conveyance of Vagrants ſent by legal Paſſes, or returning therefrom; or for any Waggon, Wain, Cart, or Carriage whatſoever, or the Horſe or Horſes, or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, Commiſſariat, or other public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſe, Cattle, or Beaſt carrying or conveying any Perſon or Perſons going to or returning from any Election of a Knight or Knights of the Shire to ſerve in Parliament for the ſaid County 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; and that no Toll ſhall be demanded or taken 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 that ſuch Perſons ſhall be

be dreſſed 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 for the Purpoſes of this Act.

Exempting Carriages with Stores from over Weight.

VII. And be it further enacted, That no Perſon owning or driving, or cauſing to be driven any Waggon, Wain, Butt, Cart, or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack, Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Butt, Cart, or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Butt, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen, but it ſhall be lawful for any Owner or Driver of every ſuch Waggon, Wain, Butt, Cart, or other Carriage, to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Butt, Cart, or other Carriage, any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithſtanding.

Toll Bar Keepers competent Witneſſes.

VIII. 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 to any other Matter or Thing done in the Execution of this or the ſaid recited Acts, the Perſon or Perſons appointed to collect the ſaid Tolls, or any other Perſon or Perſons acting by or under the Authority of the ſaid Truſtees, ſhall not be incompetent to give Evidence in any ſuch Diſpute, Suit, or Litigation, by reaſon of his, her, or their being ſo appointed to collect the ſaid Tolls, or acting under the Authority of the ſaid Truſtees.

Truſtees may leaſe the Tolls.

IX. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, upon Twenty-one Days' Notice to be given thereof upon all the ſaid Turnpikes, and advertiſing the ſame in ſome weekly Newſpaper uſually circulated in the Neighbourhood of the ſaid Roads, from Time to Time, by Writing under their Hands and Seals, to let or farm the Tolls ariſing by the ſaid recited Acts, or either of them, or any Part thereof, to any Perſon or Perſons who ſhall be willing to take or farm the ſame, from Year to Year, or for any Part of the Term hereby granted, not exceeding Three Years at any one letting, upon public Bidding to the higheſt Bidder, and for the beſt Price ſuch Truſtees can get for the ſame, payable at ſuch Times, and in ſuch Manner, and under ſuch Covenants, and with ſuch Sureties for the Payment thereof as the ſaid Truſtees ſhall think fit; which Money, ſo to be paid, ſhall be applied and diſpoſed of as the Tolls granted by the ſaid recited Acts reſpectively, are directed to be applied and diſpoſed of; and every ſuch Leſſee as aforeſaid ſhall have the ſame Powers, Authorities, Protection and Privileges for collecting and recovering the Tolls let to him as aforeſaid, and otherwiſe carrying this and the ſaid recited Acts into Execution, as any Collector of the ſaid Tolls appointed by the ſaid Truſtees would have had in caſe ſuch Tolls were not let.

Billet Lane to be an Occupation Road only.

X. And whereas there is within the Townſhip of *Wellow* aforeſaid, a certain Road Way or Lane, commonly called *Billet Lane*, leading from the North or North-eaſt Side of the ſaid Turnpike Road, to a Place within the ſame Townſhip, called *Wellow Green*, which is now of little or no Uſe to the Public, but affords Opportunities to Perſons of evading the Toll-Bar at *Wellow* aforeſaid, and divers Differences and Diſputes have ariſen reſpecting the ſame: Be it therefore further enacted, That from and after the paſſing of this Act, the ſaid Road, Way, or Lane, called *Billet-Lane*, ſhall be no longer uſed as a Public Road or Way; but ſhall from thenceforth be uſed only as an Occupation Road for all Occupiers of Lands, Tenements, or Hereditaments within the Pariſh of *Wellow* aforeſaid; and that no Toll ſhall be demanded or taken at the Gate or Toll Bar erected acroſs the ſaid Turnpike Road, commonly called *Wellow* Toll Bar, from any Perſon or Perſons reſiding in the Townſhip of *Wellow* aforeſaid, in reſpect of any Horſes, Cattle, Carts, or Carriages paſſing through the ſame Gate or Toll Bar towards or returning from *Boughton*, in the ſaid County of *Nottingham*, except only for the Carriage of Timber, which ſhall be and remain liable to the Payment of Tolls, in like Manner as before the paſſing of this Act.

Exemptions after the ſtopping up of ſuch Lane.

Power to make Footpaths. Penalties on Perſons riding thereon.

XI. And be it further enacted, That ſo much of the ſaid recited Acts as enacts, that if any Perſon ſhould haul or draw, or cauſed to be hauled or drawn, upon any Part of the ſaid Road, any Tree or Piece of Timber, or any Stone (Mill-Stones excepted), otherwiſe than upon Wheel Carriages, or ſhould ſuffer any Part of any Tree, or Piece of Timber, which ſhall be conveyed upon Wheel Carriages, to drag upon any Part of the ſaid Road to the Prejudice thereof, every ſuch Perſon ſhould for every ſuch Offence forfeit the Sum of Forty Shillings; and that if any Perſon or Perſons ſhould ride or drive any Horſe or other Cattle, or any Carriage whatſoever, on any of the Cauſeways upon either Side of the ſaid Road, or ſhould wilfully deſtroy or damage any of the ſaid Cauſeways, every ſuch Perſon ſhould for every ſuch Offence, forfeit and pay a Sum not exceeding Twenty Shillings, ſhall be, and the ſame are hereby repealed; and that from and after the paſſing of this Act, it ſhall and may be lawful for the ſaid Truſtees, or any Five or more of them, to cauſe Footpaths or Cauſeways to be made on the Sides of the ſaid Road, or any Part or Parts thereof; and if any Perſon or Perſons ſhall ride upon any ſuch Footpath or Cauſeway, or ſhall drive any Horſe, Mule or Aſs, Cattle, Beaſt, Pig or Swine, Cart or other Carriage, or wheel any Wheel-barrow or Hand-cart thereon, or ſhall wilfully cauſe any Damage whatſoever thereto or ſhall lay any Timber, Hay, Straw, Dung, Compoſt or Manure, Aſhes, Rubbiſh, or any Matter or Thing whatſoever upon the ſaid Road, or any Part thereof, or ſhall obſtruct or impede the Paſſage upon the ſaid Road, or any Part thereof, or ſhall turn out any Horſe, Cow, or other Cattle, Mule, Aſs, or Swine upon the ſaid Road, or any Part thereof, or into any Lane or Highway leading into the ſame, without a fit and proper Perſon to tend and take Care thereof (except where the ſaid Road, or any Part thereof, paſſes over any Open Common or Waſte Grounds), or without the Authority of the Truſtees, ſhall dig or break up the Soil or Ground of any Part of the ſaid Road, or the Sides thereof, or ſcrape or carry off any Materials, Gravel, Mud, or Dirt which ſhall be or lie upon the ſaid Road, every ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings; or if any Perſon ſhall haul or draw, or cauſe to be hauled or drawn, upon any Part of the ſaid Road, any Tree or Piece of Timber, or any Stone otherwiſe than upon Wheel Carriages, or ſhall ſuffer any Part of any Tree or Piece of Timber,

Dragging Timber or Stone.

Timber, or Stone, which ſhall be carried upon Wheel Carriages, to drag upon any Part of the ſaid Road, to the Prejudice thereof; or if any Perſon driving any Pigs or Swine upon the ſaid Road, ſhall ſuffer the ſame to root up and damage the ſame Road, or any Part thereof, or the Fences, Hedges, Backing or Copſe on either Side thereof; or if any Perſon driving any Coach, Chaiſe, Waggon, Cart, or other Carriage upon the ſaid Road, and meeting another Coach, Chaiſe, Waggon, Cart or other Carriage, ſhall not keep his Carriage on the left or near Side of the ſaid Road; or if any Perſon ſhall in any Manner wilfully prevent any other Perſon or Perſons from paſſing upon the ſaid Road, or the Coach, Chaiſe, Waggon, Cart or other Carriage under his Care; or if any Perſon ſhall leave any Waggon, Wain, Cart or other Carriage longer than may be neceſſary for loading or unloading the ſame, in, upon or on the Side of any Part of the ſaid Road, either with or without any Horſe or Beaſt of Draught harneſſed or yoked thereto, or ſhall lay any Piece of Timber, or any Stones, Hay, Straw, Dung, Manure, Soil, Rubbiſh, or other Matter or Thing whatſoever, on any Part of the ſaid Road, or on the Side or Sides thereof, ſo as to be a Nuiſance to Perſons travelling thereon, every Perſon ſo offending ſhall, for every or any ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings.

Suffering Pigs to root up the Roads.

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

Perſons preventing others from paſſing.

XII. And be it further enacted, That if any Surveyor, or Perſon or Perſons employed by him, ſhall, by reaſon of ſearching for, digging, or getting any Gravel, Sand, Stones, Chalk, Clay, or other Materials for repairing the ſaid Road, or any Part thereof, make or cauſe to be made any Pit or Hole in any Lands or Grounds, ſuch Surveyor or Perſon or Perſons ſhall cauſe the ſame to be forthwith ſufficiently fenced off, and ſuch Fence to be ſupported and kept in Repair by and out of the Monies ariſing from the ſaid Tolls during ſuch Time as the ſaid Pit or Hole ſhall continue open, and ſhall, within Ten Days after ſuch Pit or Hole ſhall ceaſe to be further uſeful, cauſe the ſame to be forthwith filled up, ſloped down, or levelled as far as the Turf or Clod which was dug out of the ſame will allow, taking care always to preſerve the Top Turf or Clod, and alſo to lay the ſame on the Top of ſuch Pit or Hole ſo filled up, ſloped down, or levelled as aforeſaid.

If Pits or Holes are made in getting Materials, the Surveyor ſhall cauſe them to be filled up or fenced off.

XIII. And whereas ſeveral Owners or Occupiers of Lands and Grounds whoſe Fences adjoin the ſaid Roads, have cut or cauſed to be cut the Sides of their Fence Ditches in a ſtraight or perpendicular Manner, ſo as to be dangerous to Travellers; be it therefore enacted, That all Owners and Occupiers of Lands and Grounds, whoſe Fence Ditches adjoin the Sides of the ſaid Roads, ſhall from Time to Time, and at all Times from and after the paſſing of this Act, ſlope or cauſe to be ſloped that Side of their Fence Ditches next to the ſaid Roads, in ſuch a gradual Slope or Direction as ſhall prevent the ſame from being dangerous or inconvenient to any Perſon or Perſons travelling or paſſing along the ſaid Roads or either of them, and that ſuch Ditches ſhall not be of a greater Depth from the Surface of the Land than Eighteen Inches; and in Default thereof, and in either of the ſaid Caſes, the Owner or Occupier who for the Time being ſhall be in the actual Poſſeſſion of ſuch Lands or Grounds, who ſhall ſo refuſe or neglect ſo to ſlope their ſaid Fence Ditches, after Fourteen Days' Notice given to them for that Purpoſe by the Surveyor of the ſaid Roads for the Time being, ſhall forfeit and pay a Sum not leſs than Forty Shillings.

The Fence Ditches to be ſloped, and of a certain Depth.

XIV. And

Application of Compenſation Money when amounting to or exceeding 200l.

XIV. 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 Acts 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 firſt 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 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 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 the Conveyance and Settlement ſhall be exiſting, undetermined, and capable of taking Effect, and in the Meantime, 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, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the Meantime, 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 the ſaid 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 ſo directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

When leſs than 200l. and exceeding 20l.

XV. 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 any 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 be 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, with the Privity and in the Name of the ſaid Accountant-General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied

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in the Manner hereinbefore 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 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 any Manner hereinbefore directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the ſaid Court of Chancery.

Application where leſs than 20l.

XVI. Provided alſo, and be it further enacted, That when 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 recited Acts 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.

If Perſons cannot be found. Purchaſe Money to be paid into the Bank.

XVII. 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 Acts or this Act, for the Purpoſes of the ſaid Road, 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 and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to order the 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, or 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.

Reſpecting diſputed Titles.

XVIII. 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 Acts or this Act, for the Uſe of the ſaid Road, 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 thereof, 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 the Poſſeſſion of the 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 one, 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.

Court of Chancery to direct the Payment of Expences.

XIX. Provided always, 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 Acts or this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid 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 this Act, it ſhall be lawful for the ſaid Court to order the Expences of all Purchaſes from Time to Time to be made, in purſuance of this or the ſaid recited Acts, 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.

XX. 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 Roads, or any Part thereof, ſhall ſtill remain liable thereto in like Manner as heretofore; 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 required, upon Application made to them by the ſaid Truſtees, or any Five or more of them, or by their Clerk or Surveyor, by their Order reſpectively, to adjudge and determine what Part or Proportion of the Statute Work ſhall every Year be done upon the ſaid Roads by the Inhabitants of the reſpective Pariſhes, Townſhips, or Places in which the ſaid Roads lie; and alſo what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every ſuch Pariſh, Townſhip, 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, Townſhip, or Place, to bring in true and perfect Liſts, in Writing, before ſuch

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, Townſhip 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 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 Repair 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 Roads 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 on ſuch Parts of the ſaid Roads 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 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 Roads, all which Forfeitures ſhall be paid to the Treaſurer for the Time being to the ſaid Truſtees, and applied towards amending the ſaid Roads; 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 Five Pounds.

Truſtees may compound for Statute Work.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to compound and agree by the Year, or otherwiſe, with any Perſon or Perſons, Bodies Politic or Corporate,

Corporate, for the Statute Work to be by them done on the ſaid Roads, or any Part thereof, and alſo with the Inhabitants and Occupiers of Lands, Tenements, or Hereditaments of, and in all, or any of the Pariſhes, Townſhips, or Places in which the ſaid Roads are 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 Roads; 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 of the ſaid Truſtees in Advance, on or before the Twenty-ſecond Day of *November* in each and every Year, or otherwiſe, the Inhabitants and Occupiers of ſuch Pariſh, Townſhip, or Place, ſhall not be permitted to compound for that Year.

For paying the Expences of this Act.

XXII. And be it further enacted, That all the Coſts, Charges, and Expences incident to and attending the obtaining and paſſing of this Act, together with lawful Intereſt from the Time of advancing the ſame, ſhall be paid out of any Money collected or received, or to be collected or received, on account of the Road compriſed in the ſaid recited Act of the Tenth Year of His ſaid preſent Majeſty's Reign, and out of the Money collected or received, or to be collected or received on account of the ſaid Road, branching out of the ſaid firſt-mentioned Road at or near *Kneeſal*, and leading to the Great North Road at or near *Carlton-upon-Trent*, directed to be repaired by the ſaid recited Act of the Thirty-firſt Year of His ſaid Majeſty's Reign, in ſuch Proportions as the Truſtees of the ſaid Roads, or any Five or more of them, ſhall think proper, and at ſome adjourned Public Meeting of the ſaid Truſtees ſhall, under their Hands, order and direct.

Notice of Actions.

XXIII. Provided always, and be it further enacted, That no Action, Suit, Proſecution, Appeal, or other Proceeding ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of the ſaid recited Acts or this Act, until Twenty-one Days after Notice in Writing, (ſtating the Grounds of ſuch Action, Suit, Proſecution, Appeal, or other Proceeding,) ſhall have been given by the Perſon or Perſons aggrieved, to the Perſon or Perſons againſt whom ſuch Action, Suit, Proſecution, Appeal, or other Proceeding ſhall be commenced, and alſo to the Treaſurer and Clerk to the ſaid Truſtees for the Time being.

Public Act.

XXIV. 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.

Commencement and Continuance of this Act.

XXV. And be it further enacted, That this Act ſhall commence on the paſſing thereof, and together with the ſaid recited Acts (ſubject to the Alterations and Amendments herein contained), ſhall continue in Force and be executed for and during the Reſidue now to come and unexpired of the Terms granted by the ſaid recited Acts, and from the Expiration thereof ſhall continue in Force 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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