Anno ſeptimo

Georgii III. Regis.

An Act for continuing and enlarging the Term and Powers of ſo much of an Act made in the Thirty ſecond Year of the Reign of His late Majeſty King *George* the Second, for repairing and widening the Roads from *Grantham* in the County of *Lincoln*, through *Botteſford* and *Bingham*, to *Nottingham Trent Bridge*, and from *Chappel Bar*, near the Weſt End of the Town of *Nottingham*, to *Saint Mary's Bridge*, in the Town of *Derby*; and from the Guide-poſt in the Pariſh of *Lenton*, to *Sawley Ferry*; as relates to the Road leading from *Grantham* to *Nottingham Trent Bridge*.

WHEREAS by an Act made in the Thirty ſecond Year of the Reign of His late Majeſty King George the Second, intituled, An Act for repairing and widening the Roads from *Grantham* in the County of *Lincoln*, through *Bottesford* and *Bingham*, to *Nottingham Trent Bridge*; and from *Chappel Bar*, near the Weſt End of the Town of *Nottingham*, to *Saint Mary's Bridge*, in the Town of *Derby*; and from the Guide-poſt in the Pariſh of *Lenton*, to *Sawley Ferry*; ſeveral Tolls, Duties, and Powers, were granted to certain Truſtees therein mentioned, which were to continue for and during the Term of Twenty

Preamble. reciting Clauſes in Act 32 *Geo.* II.

one Years, and from thence to the End of the then next Seſſion of Parliament: And whereas, by Virtue and under the Authority of the ſaid Act, the Truſtees have borrowed the Sum of Nine thouſand four hundred and fifty Pounds upon the Credit of the Tolls and Duties ariſing within that Diſtrict of the ſaid Road which leads from Grantham to Nottingham Trent Bridge: And whereas the ſaid Principal Sum has, together with the Tolls and Duties ariſing within the ſaid Diſtrict, been duly applied in Repair of the ſaid Road from Grantham to Nottingham Trent Bridge, and in executing the other Purpoſes of the ſaid Act in relation to the ſaid Diſtrict, but the ſaid Sum ſtill remains due and unſatisfied: And whereas the ſaid Road from Grantham to Nottingham Trent Bridge cannot be effectually amended and kept in good Repair, and the Money now owing repaid, unleſs the Term and Powers of the ſaid Act, ſo far as the ſame relates to the ſaid Diſtrict of Road from Grantham to Nottingham Trent Bridge, are enlarged, and the ſame rendered more effectual: May it 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 former Act, and all and every the Tolls and Duties, Powers and Clauſes, therein contained, ſo far as the ſame relate to the ſaid Road from Grantham to Nottingham Trent Bridge (except ſuch as are hereby varied, altered, or repealed) ſhall be and continue in full Force, and be executed, from and after the Expiration of the Term granted by the ſaid former Act, for and during the further Term of Twenty one Years, and from thence to the End of the then next Seſſion of Parliament, as fully as if the ſame were herein repeated and re-enacted in the Body of this preſent Act; which ſaid additional Term, and the Tolls and Duties, Powers and Clauſes, hereby continued or granted, are hereby declared to be ſubject and liable to the Payment of all Sums of Money now due and owing upon the Credit of the Tolls and Duties, ariſing from the ſaid Road from Grantham to Nottingham Trent Bridge, and of ſuch other Sum and Sums of Money as ſhall be borrowed for the Purpoſes of the ſaid former Act, ſo far as the ſame relates to the ſaid Road from Grantham to Nottingham Trent Bridge, or of this Act, and the Intereſt due and to grow due for the ſame.

The recited Act further continued for 21 Years.

And

And be it further enacted by the Authority aforeſaid, That the Right Honourable George Sutton, commonly called Lord George Sutton; the Right Honourable Vere Bertie, commonly called Lord Vere Bertie; the Right Honourable Brownlow Bertie, commonly called Lord Brownlow Bertie; the Right Honourable Charles Manners, commonly called Lord Roos; the Honourable George Hobart, the Honourable John Monckton, John Allen, the Reverend John Blair Doctor in Divinity, John Brown, Edward Brudenell, George Beaumont, Clerks; Edward Browne, Richard Butler, Henry Buckſtone, Peregrine Cuſt, Brownlow Cuſt, Montague Cholmely, John Calcraft, Thomas Calcraft, the Reverend William Cant, John Cant, Clerks; William Cooper, John Chettle, the Reverend Darwin Clerk, Robert Drake, the Reverend Jeremiah Ellis, William Ellis, Thomas Eaſton, Clerks; Robert Evans, William Gregory, Edward Gregory, Daniel Gregory, James Garnar the elder, John Hopkinſon, the Reverend William Hazledine Doctor in Divinity, the Reverend Theophilus Hill, Joſeph Hall, John Harriſon, Richard Hacket, Thomas Hall, Robert Hall, Clerks; William Hutchinſon, William Howett of Nottingham, William Howett of Carcoulſon, the Reverend George Jollands Clerk, John King, the Reverend Kelk Vicar of Whatton, Joſeph Low, Francis Longden, Edward Manners, George Manners, the Reverend Henry Martin Clerk, the Reverend Morris Clerk, Matthew Needham, George Nidd, the Reverend Richard Peete, the Reverend Richard Radcliffe, Clerks; John Roe, Ephraim Raby, Francis Roe, Arthur Sheppard Doctor of Phyſick, Edmund Strachan, Thomas Smith, the Reverend Bennett Storer, Richard Stoup, Clerks; Chriſtopher Stow, the Reverend John Towne, George Turner, Thomas Twells, Thomas Toddington, Clerks; Thomas Whichcote, Francis Whichcote, William Wynne, William Willerton, William Walters, and Iſaac Wylde, ſhall, from and after the paſſing of this Act, be added to, and joined with, the Truſtees appointed by or in Purſuance of the ſaid former Act, for putting the ſaid former Act, ſo far as the ſame relates to the ſaid Diſtrict of Road from Grantham to Nottingham Trent Bridge, and this preſent Act in Execution; and the Truſtees herein before nominated, and their Succeſſors, are hereby impowered to act in the Execution of ſo much of the ſaid former Act, as relates to the ſaid Road from Grantham to Nottingham Trent Bridge; and alſo of this preſent Act, as fully and effectually, to all Intents and Purpoſes, as if they had been

Additional Truſtees Names.

been appointed Truſtees by the ſaid former Act; and the Truſtees acting by or in Purſuance of the ſaid former Act, or by or in Purſuance of this Act, or any Seven or more of them, ſhall have the ſame Authority for electing new Truſtees, from time to time, inſtead of ſuch of the Truſtees hereby or by the ſaid former Act appointed, and their Succeſſors, who ſhall die, or refuſe to act, as is herein-after directed.

And whereas the Tolls granted by the ſaid former Act will not be ſufficient for the Purpoſes of the ſaid former Act, ſo far as the ſame relates to the Road from Grantham to Nottingham Trent Bridge, and this preſent Act; be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the ſaid Truſtees, or any Five or more of them, ſhall, and they are hereby required forthwith to erect and ſet up, or cauſe to be erected and ſet up, a Gate, Chain, or Turnpike, and Toll-houſe, upon and acroſs the ſaid Road leading from Grantham to Nottingham Trent Bridge, upon the Top of Barrowby Hill, not nearer to the Town of Grantham than the Entrance of the Eaſt End of Barrowby Moor; any thing in the ſaid former Act contained to the contrary notwithſtanding: And that inſtead of the Tolls and Duties granted and made payable by the ſaid former Act, the following Tolls and Duties ſhall be paid at each and every of the Turnpikes or Gates, erected or to be erected by virtue and in purſuance of the ſaid former Act, in the ſaid Diſtrict of Road from Grantham to Nottingham Trent Bridge, or this preſent Act, before any Coach, Chariot, Berlin, Landau, Hearſe, Chaiſe, Chair, Calaſh, Waggon, Wain, Cart, or other Carriage, Horſe, Mare, Gelding, Mule, Aſs, or any Sort of Cattle, ſhall be permitted to paſs through the ſaid Turnpikes or Gates; that is to ſay,

Truſtees may erect Turnpikes and Toll-houſes,

and take Tolls thereat.

The Tolls.

For every Coach, Chariot, Berlin, Landau, Hearſe, Chaiſe, Chair, or Calaſh, drawn by Six or more Horſes, Mules, or Beaſts of Draught, the Sum of One Shilling and Six Pence; and drawn by Four Horſes, Mules, or Beaſts of Draught, the Sum of One Shilling; and drawn by Three or Two Horſes, Mules, or Beaſts of Draught, the Sum of Eight Pence; and drawn by One Horſe, Mule, or Beaſt of Draught, the Sum of Four Pence; and for every Horſe, or other Beaſt, drawing any other Carriage, Two Pence.

For

For every Horſe, Mule, or Aſs, laden or unladen, and not drawing, the Sum of One Penny.

For every Drove of Oxen, or Neat Cattle, the Sum of Ten Pence per Score; and ſo in Proportion for any greater or leſs Number.

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Five Pence per Score; and ſo in Proportion for any greater or leſs Number.

And for every Pair of Mill-ſtones, or Block of Timber, drawn by Five or more Horſes, or Beaſts of Draught, the Sum of Two Shillings, and Six Pence.

And the ſaid Truſtees, or any Five or more of them, or ſuch Perſon or Perſons as they, or any Five or more of them, ſhall authorize and appoint, ſhall have the ſame Powers, Authorities, and Remedies, for demanding, collecting, recovering, levying, aſſigning, transferring, leſſening, raiſing, and compounding for, the Tolls or Duties hereby made payable, as are in and by ſaid former Act, or this preſent Act, to them given and preſcribed: And the ſaid Tolls and Duties, and every Part thereof, ſhall be paid, applied, and diſpoſed of, to and for ſuch Uſes, Intents, and Purpoſes, as are by the ſaid former Act (ſo far as the ſame relates to the Road from Grantham to Nottingham Trent Bridge aforeſaid) and this preſent Act, directed and appointed, and to and for no other Uſe, Intent, or Purpoſe whatſoever.

Limitation of Tolls.

Provided always, That no more than Four Tolls ſhall be demanded or taken from any Perſon or Perſons, for paſſing and repaſſing the ſame Day with the ſame Horſes, Cattle, Beaſts, or Carriages, through all the Toll-gates or Turnpikes erected or to be erected by Virtue of this or the ſaid former Act, ſo far as the ſame relates to the Road from Grantham to Nottingham Trent Bridge aforeſaid; but that all and every Perſon or Perſons having paid Four Tolls, and producing a Note or Ticket, Notes or Tickets, denoting the Payment of ſuch Tolls (which Notes or Tickets the Collectors of the Tolls are hereby required to give gratis on the Receipt of ſuch Tolls) ſhall paſs and repaſs with the ſame Horſes, Cattle, Beaſts, or Carriages, Toll-free, during ſuch Day, through all the Toll-gates or Turnpikes erected or to be erected by Virtue of this or the ſaid former Act, ſo far as the ſame relates to the ſaid Road from Grantham to Nottingham Trent Bridge.

Provided

One Toll only at any One Turnpike between *Grantham* and *Nottingham Trent Bridge.*

Provided alſo, That no more than One Toll ſhall be demanded or taken from any Perſon or Perſons, for paſſing and repaſſing the ſame Day, to be computed from Twelve of the Clock at Night, to Twelve of the Clock in the ſucceeding Night, with the ſame Horſes, Cattle, Beaſts, or Carriages, through any One Toll-gate or Turnpike erected or to be erected between Grantham and Nottingham Trent Bridge, by Virtue of the ſaid former or this preſent Act.

Half a Toll only for certain Inhabitants.

And whereas in and by the ſaid former Act the Inhabitants of the reſpective Townſhips or Hamlets of Hickling, Kinolton, Owthorpe, Colſton Baſſet, Tollerton, Cotgrave, and Clipſton, were exempted from the Payment of any Toll whatſoever, for paſſing through any Turnpike to be erected croſs or on the Side of the Road between the Weſt Side of Gamſton Lane, and the Town of Nottingham, upon Payment of a Compoſition of Ten Shillings yearly for each reſpective Townſhip or Hamlet; be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, each and every of the Inhabitants of the ſaid reſpective Townſhips or Hamlets, ſhall, inſtead of the ſaid annual Compoſition of Ten Shillings, be liable to, and ſhall pay Half a Toll and no more, at any Turnpike or Turnpikes, erected or to be erected, between the Town of Radcliffe and Nottingham Trent Bridge.

Half Toll only at the Side-gate in *Gamſton.*

Provided always, That no more than Half a Toll ſhall be demanded or taken of any Perſon or Perſons whatſoever, for any Carriages, Beaſts, or other Cattle, paſſing through the Side-gate now erected in the Pariſh of Gamſton aforeſaid.

1 *d.* only of certain Inhabitants;

Provided alſo, That no more than One Penny ſhall be demanded or taken at ſuch Side-gate of any of the Inhabitants of the reſpective Townſhips or Hamlets of Hickling, Kinolton, Owthorpe, Colſton-Baſſet, Tollerton, Cotgrave, and Clipſton, for any Horſe or other Beaſt, drawing in any Carriage, belonging to ſuch Inhabitants; any thing in the ſaid former Act to the contrary notwithſtanding.

except, &c.

Provided always, 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.

Truſtees to erect Weighing Engines.

Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Perſons travelling upon the ſaid Road from Grantham to Nottingham Trent Bridge, with Waggons not weighing

ing more than Sixty Hundred (the Waggon included) the Fellies of the Wheels whereof being of leſs Breadth than Nine Inches, to draw the ſame with any Number of Horſes or Beaſts of Draught, not exceeding Six; and with Carts not weighing more than Thirty five Hundred (the Cart included) the Fellies of the Wheels whereof being of leſs Breadth than Nine Inches, with any Number of Horſes or Beaſts of Draught, not exceeding Four; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding: And that it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, and they are hereby authorized and required, with all convenient Speed, to erect, or cauſe to be erected, at the Gate or Turnpike now erected in the Pariſh of Gamſton, and at the Gate or Turnpike now erected in the Pariſh of Bottesford, or to be erected in the Lordſhip of Barrowby, or at ſuch other Two convenient Places, upon the ſaid Road from Grantham to Nottingham Trent Bridge, as the ſaid Truſtees, or any Five or more of them, ſhall think fit, proper Cranes, Machines, or Engines, for weighing of Carts and Waggons which ſhall paſs or repaſs on any Part of the ſaid Road; and, by Writing under the Hands of the ſaid Truſtees, or any Five or more of them, to order and direct all and every or any of ſuch Carts and Waggons which ſhall paſs or repaſs on the ſaid Road, together with the Loading thereof, to be weighed; and for them, or any Five of them, or any Collector of Tolls appointed by them, or any Seven of them, in the Manner directed by the ſaid former Act, to receive and take, over and above the Toll herein before granted, or hereafter to be granted, the Sum of Twenty Shillings a Hundred Weight for every Hundred Weight which every or any ſuch Waggon, together with the Loading thereof, ſhall weigh, over and above the Weight of Sixty Hundred; and for every Hundred Weight which every or any ſuch Cart, together with the Loading thereof, ſhall weigh over and above the Weight of Thirty five Hundred; and that the Money ariſing from ſuch additional Duty of Twenty Shillings the Hundred, ſhall be applied to the Purpoſes of the former Act, ſo far as the ſame relate to the Road from Grantham to Nottingham Trent Bridge, and of this preſent Act: And if any Perſon or Perſons ſhall unload, or cauſe to be unloaded, any Goods or Merchandizes before he, ſhe, or they, ſhall come to any Gate, Turnpike, Machine, or Engine, erected or to be erected by virtue of this Act; or with Force or otherwiſe attempt to prevent, hinder, or obſtruct,

ſtruct, the Weighing of any ſuch Cart or Waggon, with Intent to avoid the Payment of the Sum or Sums of Money directed to be paid, received, and taken, by virtue of this Act, for every ſuch Cart which ſhall weigh more than Thirty five Hundred, or ſuch Waggon which ſhall weigh more than Sixty Hundred as aforeſaid; every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay to the ſaid Truſtees, or their Treaſurer or Treaſurers for the time being, the Sum of Forty Shillings, to be recovered and applied in Manner herein after mentioned.

Exemptions.

Provided always, That nothing in this Act, reſpecting the Weighing of Carts or Waggons, ſhall be deemed or conſtrued to extend to Carts or Waggons employed only about Husbandry, or carrying only Hay, Straw, Corn unthreſhed, or any One Stone, Block of Marble, or Piece of Timber; nor to Caravans, or the covered Carriages of Noblemen and Gentlemen for their private Uſe; or ſuch Timber, Ammunition, or Artillery, as ſhall be for His Majeſty's Service.

Penalties and Forfeitures how to be recovered and applied.

And be it enacted by the Authority aforeſaid, That all Penalties and Forfeitures by the ſaid former Act, ſo far as the ſame relates to the Road from Grantham to Nottingham Trent Bridge, or by this preſent Act impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Juſtice or Juſtices of the Peace for the County, Town, Riding, or Diviſion, wherein the Offence ſhall be committed; which Warrant the ſaid Juſtice or Juſtices is and are hereby impowered and required to grant, upon the Information of any One or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward;) and ſuch Witneſs or Witneſſes ſhall, notwithſtanding his, her, or their, being intitled to any Part of the Penalty or Forfeiture, be, and be deemed, good and ſufficient Witneſs or Witneſſes againſt any of the Offender or Offenders aforeſaid; and the ſaid Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) when demanded, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be paid to the Truſtees, or any Five or more of them, or their Treaſurer or Treaſurers for the time being, and ſhall by them re-

ſpectively be applied (if not otherwiſe directed to be applied by the ſaid former Act, ſo far as the ſame relates to the ſaid Road from Grantham to Nottingham Trent Bridge, or this preſent Act) for and towards the amending the ſaid Road from Grantham to Nottingham Trent Bridge: And in caſe ſufficient Diſtreſs ſhall not be found, and ſuch Penalties or Forfeitures ſhall not be paid, it ſhall and may be lawful for ſuch Juſtice or Juſtices, and he or they is and are hereby authorized and required, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Offender to the Common Gaol of the County, Town, Riding, or Diviſion, wherein ſuch Offence ſhall be committed, for any Time not exceeding Three Months for the Firſt Offence, unleſs ſuch Penalties or Forfeitures, and all reaſonable Charges, ſhall be ſooner paid, or otherwiſe compounded for; which Compoſition the ſaid Truſtees, or any Five or more of them, are hereby impowered to make; and for the Second and every other Offence of the ſame Kind or Nature, for any Time not exceeding Six Months, nor leſs than Three Months, unleſs ſuch Penalties or Forfeitures, and all reaſonable Charges, ſhall be ſooner diſcharged, or otherwiſe compounded for, as aforeſaid.

And whereas the Truſtees acting for the ſaid Road from Grantham to Nottingham Trent Bridge, are in and by the ſaid former Act empowered to ſubdivide themſelves: But whereas, in caſe a ſufficient Number of Truſtees ſhould not appear at ſuch Subdiviſion Meetings to act and adjourn, no Power is given in and by the ſaid former Act to the Clerks or Treaſurers of the ſaid Diſtrict, to appoint any future Subdiviſion Meeting; be it enacted by the Authority aforeſaid, That in caſe a ſufficient Number of Truſtees ſhall not appear at any Subdiviſion Meeting or Meetings, to be held for the ſaid Diſtrict, to act and adjourn; it ſhall and may be lawful to and for the reſpective Clerks or Treaſurers of ſuch Subdiviſion Meetings, from time to time, as often as ſuch Caſe ſhall happen, by Notice in Writing, to be affixed on the Turnpikes erected, or to be erected, on that Part of the ſaid Road, to which ſuch Subdiviſion Meeting or Meetings ſhall relate, at leaſt Six Days before the next Meeting, appoint the ſaid Truſtees to meet at the Place where the laſt Meeting was appointed to be held, or at ſome other convenient Place in the Towns of Grantham or Nottingham reſpectively, within Two Months after the Day on which ſuch laſt Meeting was appointed to be held.

Clerks may appoint Subdiviſion Meetings.

And

New Truſtees may be choſen at Subdiviſion Meetings.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, at any Subdiviſion Meeting or Meetings at Grantham or Nottingham reſpectively, to elect and chuſe, from time to time, One fit Perſon, living in the Counties of Lincoln, Leiceſter, or Nottingham, or in the Town of Nottingham, in the Room of every Truſtee acting for that Part of the ſaid Road, to which ſuch Subdiviſion Meeting relates, who ſhall die or refuſe to act; but Notice in Writing of the Time and Place of Meeting for the Election of all ſuch new Truſtees, ſhall be affixed upon all the Turnpike-gates erected, or to be erected, upon that Part of the ſaid Road, for which the Truſtees ſo met at ſuch Subdiviſion Meetings ſhall act reſpectively, at leaſt Ten Days before the holding of ſuch Meeting or Meetings; and that every ſuch Meeting or Meetings ſhall be held at the ſaid Towns of Grantham or Nottingham, as the Vacancy, by Death or Refuſal to act, of the reſpective Truſtees ſhall happen.

Road to be divided into Two Parts.

And be it further enacted by the Authority aforeſaid, That for the more equal Diviſion and Repair of the ſaid Road, the ſame ſhall be divided into Two Parts in Manner following; that is to ſay, That the Eaſtern Part thereof ſhall extend from Grantham to Whatton Windmill, and the Weſtern Part thereof from Whatton Windmill aforeſaid to Nottingham Trent Bridge; any thing in the ſaid former Act contained to the contrary notwithſtanding.

Truſtees may borrow Money on the Credit of the Tolls.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Truſtees appointed by, or in purſuance of the ſaid former Act, and acting for the ſaid Road from Grantham to Nottingham Trent Bridge, or in and by this Act, or any Seven or more of them, aſſembled at any Meeting or Meetings to be held for that Purpoſe, upon the Credit of the Tolls and Duties to be collected by virtue of the ſaid former Act, ſo far as the ſame relates to the ſaid Road leading from Grantham to Nottingham Trent Bridge, or this Act, to borrow and take up at Intereſt ſuch Sum or Sums of Money as they ſhall judge neceſſary; and, from time to time, under their Hands and Seals, to mortgage or aſſign over the ſaid Tolls and Duties, or any Part thereof (the Charges of ſuch Mortgages or Aſſignments to be paid out of ſuch Tolls and Duties) to any Perſon or Perſons, for any Time or Term, during the Continuance of the ſaid former Act, and of this Act, as a Security or Securities for the

the ſeveral Sums of Money that ſhall be ſo borrowed, and the Intereſt for the ſame; ſuch Intereſt not exceeding the Rate of Four Pounds and Ten Shillings for every One hundred Pounds for a Year; and that Copies of all ſuch Mortgages or Aſſignments ſhall be entered in One or more proper Book or Books, to be kept for that Purpoſe by the reſpective Clerks or Treaſurers to the ſaid Truſtees; any Clauſe in the ſaid former Act, appointing the Number of Truſtees to act for the Purpoſes of borrowing Money, to the contrary notwithſtanding.

Aſſignments may be tranſferred.

And be it enacted by the Authority aforeſaid, That all and every Perſon and Perſons, to whom any ſuch Mortgage or Aſſignment ſhall be made, or who ſhall be intitled to the Money thereby ſecured, ſhall and may, from time to time, by Aſſignment, under his, her, or their Hand or Hands, to be indorſed on the Back of his, her, or their Security or Securities, or by any other Writing or Writings to be executed under his, her, or their Hand and Seal, or Hands and Seals, in the Preſence of Two or more credible Witneſſes, to aſſign or transfer his, her, or their Right to the Principal and Intereſt Money thereby ſecured, or any Part thereof, to any other Perſon or Perſons whomſoever; all which Aſſignments or Transfers ſhall be produced and notified to the ſaid reſpective Clerks or Treaſurers, within Thirty Days after the Date thereof, who ſhall cauſe an Entry or Memorial to be made of ſuch Aſſignments or Transfers, containing the Dates, Names 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 or Aſſignments; for which ſuch Clerk or Treaſurer ſhall be paid the Sum of Two Shillings and Six Pence, and no more; and which ſaid Book or Books ſhall and may, at all reaſonable Times, be peruſed and inſpected without any Fee or Reward; and after ſuch Entry made, ſuch Aſſignment or Transfer ſhall intitle ſuch Aſſignee, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may, in like Manner, aſſign or transfer again, and ſo toties quoties; and it ſhall not be in the Power of any Perſon, who ſhall have made any ſuch Aſſignment or Transfer, to make void, releaſe, or diſcharge the ſame, or any Monies thereon due, or any Part thereof; and all and every Perſon and Perſons, to whom any ſuch Mortgage or Aſſignment ſhall be made as aforeſaid, ſhall be, in Proportion to the Sum

Entries to be made of all Aſſignments.

Clerk's Fee.

All Creditors deemed equal in Degree.

or Sums therein mentioned, Creditors on such Tolls in equal Degree one with another, and shall have no Preference in respect of the Priority of advancing any such Money.

Writings to be without Stamps.

Provided always, and be it enacted by the Authority aforesaid, That no Mortgage, Assignment, Transfer, or other Security, for the borrowing of Money, made by the said Trustees, or any Indorsement thereon, or any Nomination, Information, Contract, Warrant, Judgement, or other Writing whatsoever, under the Hand and Seal or Hands and Seals of, or signed by, any Trustee or Trustees, or Justice or Justices of the Peace, or exhibited before them, relating to the Execution of the said former Act, so far as the same relates to the Road from Grantham to Nottingham Trent Bridge, or this present Act, shall be chargeable with any Stamp Duty whatsoever.

Charges of passing this Act how to be paid.

And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining and passing this Act, shall, in the first Place, be paid out of the Money raised, or to be raised, by virtue of the said former Act, so far as the same relates to the said Road leading from Grantham to Nottingham Trent Bridge, or this present Act.

And whereas the Tolls collected, or to be collected, between Grantham and Nottingham Trent Bridge, and the Monies to be borrowed on the Credit thereof, are, in and by the said former Act, directed to be applied in erecting and maintaining the Turnpikes and Toll-houses, and paying the Collectors of the Tolls, and the Residue thereof, in equal Moieties, in repairing and widening such Parts of the said Road as lead from Grantham to the Top of Elton Hill, and from the Top of Elton Hill to Nottingham Trent Bridge, and in defraying the Expences of putting the said former Act in Execution, in relation to such respective Parts of the said Road: And whereas great Difficulties and Inconveniencies have arisen in the Application and Distribution of the said Tolls; be it enacted by the Authority aforesaid, 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 aforesaid, shall, from time to time, be paid to the Treasurer of the Trustees acting for the Eastern Part of the said Road; and that each of the Treasurers of the said Road shall, in the first Place, apply the Money by them respectively received, for the Tolls collected within each Division of the said Road respectively,

Application of the Money.

ly, in diſcharging the Intereſt of the Principal Money now borrowed and due, or hereafter to be borrowed or grow due, on the Credit of the Tolls ariſing upon the ſaid Road from Grantham to Nottingham Trent Bridge, and in paying the Salaries of the Officers employed in the ſaid Road; and that from and after the paſſing of this Act, the Treaſurers for each Diviſion of the ſaid Road reſpectively, ſhall yearly, and every Year, during the Continuance of the ſaid former Act, and of this Act, on the Thirty firſt Day of May in every Year, or within One Month after, tranſmit to each other a true and juſt Account of the Tolls received by each of them in the preceding Year; and the Truſtees appointed for putting the ſaid former Act, ſo far as the ſame relates to the Road from Grantham to Nottingham Trent Bridge, and this preſent Act, in Execution, or any Five or more of them, ſhall, and they are hereby required, at a Meeting to be had for each of ſuch Diviſions of the ſaid Road from Grantham to Nottingham Trent Bridge reſpectively, within Six Weeks after the Thirty firſt Day of May in every Year, to peruſe and examine ſuch Accounts, and to order and impower ſuch of the ſaid Treaſurers reſpectively as ſhall have received above a Moiety of the whole Tolls collected upon the ſaid Road from Grantham to Nottingham Trent Bridge, forthwith to pay, or cauſe to be paid, to the Treaſurer for the other Part of the ſaid Road, ſuch Surplus.

Surplus Monies how to be applied.

Provided always, That after either of the ſaid reſpective Parts of the Road between Grantham and Nottingham Trent Bridge, ſhall, in the Opinion of the reſpective Truſtees, or any Nine or more of them, at any Meeting to be held for that Purpoſe, Fourteen Days Notice being firſt given of ſuch Meeting upon all the Turnpikes erected, or to be erected, by virtue of this Act, be well and effectually repaired, the Surplus which ſhall remain of the Moiety of the ſaid Tolls, made applicable to ſuch Part of the ſaid Road, ſhall, after defraying the Charges of keeping the ſame in Repair, and of putting this Act in Execution in relation thereto, be, from time to time, applied in repairing the other Part of the Road, which ſhall not be completely and effectually repaired, or in diſcharging Part of the Principal Money borrowed, or to be borrowed, on the Credit of the ſaid Tolls.

Limitation of Actions.

And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done by virtue or in purſuance of this Act, or in relation to the Matters herein

herein contained, the ſame ſhall be commenced within the Space of Six Months next after the Fact committed, and not afterwards; and ſhall be brought, laid, and tried, in the County or Place where ſuch Fact ſhall be committed or done, and not in any other County or Place; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence at any Trial which ſhall be had thereupon; and that the Matter or Thing, for which ſuch Action or Suit ſhall be ſo brought, was done in Purſuance, and by the Authority, of this Act: And if it ſhall appear that ſuch Matter or Thing was ſo done, or that ſuch Action or Suit was commenced after the Time before for that Purpoſe limited, or was laid in any other County or Place than as aforeſaid; then the Jury ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs, in any ſuch Action or Suit, ſhall become Nonſuit, or ſuffer a Diſcontinuance of ſuch his or their Action or Suit; or if, upon any Demurrer in any ſuch Action or Suit, Judgement ſhall be given for the Defendant or Defendants therein; then, and in any of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall and may recover Treble Coſts, and ſhall have ſuch Remedies for recovering the ſame, as any Defendant or Defendants may have for his or their Coſts in other Caſes by Law.

General Iſſue.

Treble Coſts.

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

FINIS.