



ANNO QUADRAGESIMO SEXTO

# GEORGI II. REGIS.

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## Cap. 98.

An Act for enlarging the Term and Powers of an Act of the Seventeenth Year of His present Majesty, for repairing the Road leading from the North Side of *Cavendish Bridge*, in the County of *Derby*, through the Town of *Derby*, to *Brassington*, in the said County. [3d July 1806.]

**W**HEREAS an Act was made in the Seventeenth Year of the Reign of His present Majesty, intituled, *An Act for repealing so much of Three Acts, made in the Eleventh, Seventeenth, and Thirty-third Years of the Reign of King George the Second, for repairing several Roads leading to and from the Town of Derby, in the County of Derby, as relates to the Road leading from the North Side of Cavendish Bridge, in the said County of Derby, through the said Town of Derby, to Brassington, in the said County; and for making more effectual Provision for the Repair of the said Road*: And whereas the Trustees appointed by or in pursuance of the said Act have proceeded in the Execution thereof, and have borrowed a considerable Sum of Money on the Credit of the Tolls arising on the said Road, which Money now remains due, and cannot be repaid, nor can the said Road be effectually amended and kept in Repair, unless the Term of the said Act be further continued, and some further Powers granted; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, [Loc. & Per.] 22 P. by

17 G. 3. c. 100.

by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all the Powers, Authorities, Privileges, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things therein contained (except such Parts thereof as relate to Exemption from Stamp Duties, and also such as are hereby varied or altered, or as are repugnant to any of the Provisions contained in this Act) shall be and remain 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 Alterations and Amendments 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 the Money borrowed and due as aforesaid, and also of all Money which shall be hereafter borrowed for the Purposes of the said recited Act and of this Act, and of all Interest due and to grow due thereon respectively.

Additional  
Trustees  
appointed.

II. And be it further enacted, That Sir Francis Burdett Baronet, Dewhurst Bilborrow Doctor of Physick, John Balguy the younger, Charles Broadhurst, Richard Bateman, James Bellairs, Henry Brown, John Bingham the younger, Robert Battelle, Francis Bruckfield, the Honourable Sir Richard Cavendish Baronet, the Honourable Nathaniel Curzon, the Honourable and Reverend David Curzon, William Cavendish, Edward Coke, John Crompton the younger, Richard Cheslyn, the Reverend John Clarke, John Cox, Thomas Cox, Roger Cox, John Curzon, William Drury Lowe, William Duesbury, John Drewry, William Brown Darwin, Sir Henry Every Baronet, Edmund Evans, Walter Evans, Nathaniel Edwards, Richard Forester Forester Doctor of Physick, Leonard Fosbrooke, Samuel Fox, Francis Fox Doctor of Physick, William Fowler, the Reverend Robert Nicholas French, William Charles Flack, Philip Gell, the Reverend Thomas Gisborne, John Gisborne, William Bennett Garlike Doctor of Physick, Robert Charles Greaves, Sir Henry Harpur Baronet, the Reverend Charles Holden, Robert Holden the younger, Bache Heathcote, the Reverend Charles Stead Hope, John Harrison, John Harrison the younger, Thomas Haden, Henry Hadley, the Reverend Nathaniel Palmer Johnson, Michael Kean, Thomas Lowe, Richard Leaper, Lewis Lattuffiere, William Jeffery Lockett, Asbeton Nicholas Moseley, Edward Mundy, Francis Mundy, Charles Mundy, Francis Meynell, John Leaper Newton, Robert Newton, William Noble, James Oakes, Henry Orton, the Right Honourable Charles Stanhope, commonly called Lord Viscount Petersham, the Honourable Lincoln Edward Robert Stanhope, Sacheverell Pole, the Reverend Edward Pole, the Reverend Henry Peach, Henry Pilkington, Robinson Doctor of Physick, Henry Richardson, Samuel Richardson, Samuel Rowland, Richardson Radford, William Strutt, George Benson Strutt, Joseph Strutt, the Reverend Swaine, William Snowden, Thomas Sale, Thomas Saxelbye, James Soresby, James Simpson, Robert Simpson, Thomas Ward Swinburne, the Right Honourable Robert Sewallis Shirley commonly called Lord Viscount Tamworth, the Reverend Thomas Francis Twigge, Sir Robert Wilmot of Chaddesden, Baronet, the Reverend Edward Sacheverell Wilmot, George Walpole, Robert John Wilmot, Paul Webster, and George Wheeldon (being qualified according to the Directions of the said recited Act) shall be, and they

they are hereby added to and joined with the surviving and remaining Trustees appointed by or in pursuance of the said recited Act, for putting the said recited Act and this Act into Execution, and shall have the like Powers for that Purpose as if they had been named and appointed Trustees in or by virtue of the said recited Act.

III. And be it further enacted, That no Toll shall be demanded or taken for any Horse, Cattle, Beast, or Carriage, 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 the said Road, or any of the Highways or publick Roads in any of the Parishes, Townships, or Places in which any Part of such Road lies; or Hay, Clover, Turnips, Straw, or Corn in the Straw only, not sold or disposed of, but passing to be laid up or placed in the Outhouses, Barns, or Yards, or on the Lands held or used by the Occupier of the Land whereon the same grew, within any of the said Parishes, Townships, or Places; or for any Horse, Cattle, Beast, or Carriage employed only in carrying or conveying, or going unladen or empty to carry or convey, or returning unladen or empty from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows, or Implements of Husbandry, or any Lime, Mould, Dung, Compost, or Manure employed in Husbandry for manuring or improving Lands, or any other Thing to be used or employed only upon or for cultivating, manuring, improving, or managing Land lying within any of the said Parishes, Hamlets, or Places; or for any Horses, Beasts, or Cattle going to or returning from Pasture or Watering Places, or going to be or returning from being shod or farried; or from any Person going to or returning from his or her parochial Church, Chapel, or other usual Place of religious Worship, on a *Sunday* or upon any other Day on which Divine Service is or shall be 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, Hamlets, or Places; or from any Clergyman going to or returning from his parochial or ministerial Duty, or visiting any sick Person; or for any Horse, Cattle, or Carriage, of whatsoever Description, 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 from conveying the same; or for any Horses belonging to any Officers or Soldiers upon their March or on Duty, or for any Horses, Cattle, or Carriage, employed in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or for any Horse, Beast, Cattle, or Cart employed in the Conveyance of Vagrants sent by legal Passes to their Place or Places of Settlement, or returning therefrom; or for any Horse, Beast, Cattle, or Carriage 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 County of *Derby*, on the Day or Days of such Election, or on the Day before or on the Day after such Election shall begin or be concluded; or for any Horse, Mare, or Gelding, furnished by or for any Person or Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exercise, Inspection, or Review, provided that such Person shall be dressed in the Uniform of his Corps, and have his  
Arms,

Arms, Furniture, and Accoutrements, according to the Regulations provided for such Corps at the Time of claiming such Exemption as aforesaid; and if any Person or Persons shall, in any fraudulent or collusive Manner, 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.

Power to  
make Foot-  
paths; and  
Penalty on  
Persons riding  
thereon;

or laying any  
Timber,  
Dung, &c. on  
the Road; or  
turning Horses  
thereon; or  
breaking up  
or carrying  
away Mate-  
rials.

IV. And be it further enacted, That 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 Wheelbarrow or Hand Cart thereon, or shall wilfully cause any Damage whatsoever thereto; or shall lay any Timber, Stones, Hay, Straw, Dung, Compost, or Manure, Soil, Ashes, Rubbish, or any other Matter or Thing whatsoever, on any Part of the said Road, or on the Side or Sides thereof, to the Prejudice thereof, or to the Prejudice, Annoyance, or Inconvenience of any Person or Persons travelling thereon, 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, Sheep, or Swine, upon the said Road, or any Part thereof, or into any Lane or Highway leading into the same (except where the said Road, or any Part thereof, passes over any Open Common or Waste Grounds); or, without the Authority of the said Trustees, or any Five or more of them, or their Surveyor or Surveyors, shall dig or break up the Soil or Ground of any Part of the said Road, or scrape or carry off any Materials, Gravel, Mud, or Dirt, which shall be or lie upon any Part of the said Road; every such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, to be recovered, levied, and applied in such Manner as other Penalties and Forfeitures are by the said recited Act directed to be recovered, levied, and applied.

Persons  
chargeable to  
Statute Work  
to continue so.

V. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards repairing and amending the said Road, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the said County of *Derby*, 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 Road by the Inhabitants of the respective Parishes or Places in which the said Road lies, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Parish or Place, in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her, or them paid to the said Trustees, or to their Treasurer; and in order thereunto it shall and may be lawful to and for such Justices from Time to Time to summon the Surveyor or Surveyors of the Highways for every such Parish or Place, to bring in true and perfect Lists in Writing before such Justices, at some  
Place

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 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 publick Highways; and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Road as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times (not being Hay-time or Harvest), and on such Parts of the said Road, as the said Trustees, or their Surveyor or Surveyors, shall from Time to Time order, direct, and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper to the said Trustees, or their Treasurer, at such Time or Times as they the said Justices shall direct, and in Default of Payment thereof, the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such 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 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 the amending the said Road; and in case the said Surveyor or Surveyors of the Highways for any of the said Parishes or Places shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

VI. 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 Trustees may compound for Statute Work.

[Loc. & Per.]

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

Application  
of Compen-  
sation Money  
when amount-  
ing to or ex-  
ceeding 200l.

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

would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

VIII. 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, 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 Privy and in the Name of the said Accountant General of the High Court of Chancery, and to be placed to his Account as aforesaid, in order to be applied 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 Act and this Act (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties) in order that such Principal Money, and the Dividends arising thereon, may be applied in any Manner 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.

Where less than 200l. and exceeding 20l.

IX. 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.

Application where less than 20l.

X. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments, to be purchased by virtue of the said recited Act or this Act 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 and Sums of Money so awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privy of the Accountant General of the Court of Chancery, to be placed to his Account, to the Credit of the Parties interested

In case of not making out Titles;

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

in

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 and 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 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.

XI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of the said recited Act or this Act, for the 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 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.

XII. 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 Act 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 Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees, or any Five or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

XIII. Provided



XIII. Provided always, and be it further enacted, That all Acts which shall have been done by any Person not duly qualified to act as a Trustee according to the said recited Act, touching the Execution of the said recited Act or of this Act, previously to his being convicted of the Offence of acting as a Trustee without such Qualification, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified according to the Directions of the said recited Act.

Validating Acts of unqualified Trustees before Conviction.

XIV. And be it further enacted, That in case the Tolls arising from all or any of the Turnpikes or Toll Gates erected or to be erected on the said Road, shall at any Time or Times be demised or let to farm to any Person or Persons whomsoever, and the Lessee or Lessees, Farmer or Farmers, to whom the said Tolls shall be respectively demised or let, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, or any Part or Instalment thereof, shall be in Arrear and unpaid for the Space of Ten Days next after any of the Days on which the same ought to be paid, pursuant to the Lease, Contract, or Agreement for letting the same; or if any Collector or Receiver of the Tolls, who shall be discharged from his said Office by the said Trustees, or the Wife or Widow, or any of the Children, Family, or Representatives of any Collector or Receiver, who shall die, abscond, absent himself, or be discharged, or any other Person, shall refuse to deliver up the Possession of any Toll House or Toll Houses, with the Buildings, Gates, and Appurtenances thereunto belonging, for the Space of Seven Days next after Demand thereof made in Writing, signed by any Five of the Trustees, although not assembled at any Meeting, or by their Clerk or Treasurer, and left at such Toll House or Toll Houses, then and in any of the said Cases it shall be lawful for the said Trustees, or any Five or more of them, or their Clerk or Treasurer, or other Person authorized by Writing under the Hands of any Five or more of the said Trustees, with such Assistance as shall be thought necessary, to enter into and upon the Possession of such Toll House or Toll Houses, and other Buildings, Gates, and Premises, in the Day-time, and to remove the Person and Persons who shall be found therein, together with his, her, or their Goods, out of the same, and from the Collection of the Tolls there payable, and to put the said Trustees, or any of their Officers, or any new Receiver, or other Person or Persons appointed by the said Trustees, or any Five or more of them, in Possession thereof; and on such Lessee or Lessees, Farmer or Farmers, or any Person or Persons employed by or in Possession under them, being so put out of Possession as aforesaid, it shall be lawful for the said Trustees, or any Five or more of them, if they shall think fit, to vacate and determine the Lease, Contract, or Agreement for leasing or letting the said Tolls to such Lessee or Lessees, Farmer or Farmers, and the same shall accordingly be utterly void, to all Intents and Purposes, as if such Demise, Contract, or Agreement had never been made, save as to the Covenants and Agreements for Payment of the Rent or Rents thereby reserved or made payable; and it shall be lawful for the said Trustees, or any Five or more of them, in every such Case to demise or let to farm the said Tolls again to any other Person or Persons, in the same Manner as if no former Demise, Contract, or Agreement, had been made or entered into relative to the same.

Trustees enabled to take Possession of Toll Houses in the Hands of the Lessees, Farmers, or Collectors of the Tolls.

Collectors, &c. of Tolls, competent Witnesses.

XV. And be it further enacted, That in case any Dispute, Suit, Objection, or Litigation shall arise, touching or in anywise relating to the Tolls granted or made payable by the said recited Act, the Persons or Persons appointed or employed to collect the same, or any 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, Prosecution, or Litigation, by reason of his, her, or their being appointed or employed to collect such Tolls, or by reason of his, her, or their acting under the Authority of the said Trustees.

Meetings on Emergencies, or in Default of Adjournment.

XVI. And be it further enacted, That if it shall at any Time be thought necessary for the better Execution of the said recited Act or this Act, that the Trustees should meet before the Time to which any Meeting shall be adjourned, or in case no Adjournment shall have been made as directed by the said recited Act, the Person acting as Clerk to the said Trustees, upon an Order in Writing, signed by any Five or more of them (although not assembled at a Meeting) mentioning the Time and Place of such Meeting, shall, as soon as may be, give Notice thereof by Advertisements in the Derby Mercury, or in some Newspaper printed and circulated in the Neighbourhood of the said Road, and in such Notice appoint a Meeting of the Trustees to be held at such Time and Place as shall be directed by such Order, such Time not being less than Ten Days after Publication of the said Notice; and all the Acts, Orders, and Proceedings of the Trustees at such Meetings, shall be as valid and effectual as if such Meetings had been held in pursuance of Adjournment.

For securing transient Offenders.

XVII. And whereas Offences may be committed against the said recited Act or this Act by Persons unknown to the Trustees, Collectors, Surveyors, or other Officers appointed to put this Act into Execution, or to the Lessees or Farmers of the Tolls, or Persons employed by them to collect the Tolls; be it therefore further enacted, That it shall be lawful for the said Trustees, Collectors, Surveyors, or other Officers, Clerks, Farmers, or Persons employed by them as aforesaid, or any of them respectively, (and such other Person or Persons as he or they shall call to his, her, or their Assistance) without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons who shall commit any Offence or Offences against the said recited Act or this Act; and take him, her, or them before any Justice of the Peace of the County or Place where the Offence shall be committed, and such Justice is hereby empowered and directed to proceed immediately to the hearing and determining of the Complaint, or to oblige the Person or Persons so offending to give Security for his, her, or their Appearance at the next Petty Sessions to be holden within or for the County, Place, or District in which such Offence or Offences have been committed, to answer the said Complaint; and the Justice present at such Petty Sessions, or any Two or more of them, are hereby authorized and required to hear and determine the Matter of the said Complaint in a summary Way, and upon Conviction of the Offender or Offenders, either by the Justice before whom he, she, or they shall be first taken, or by the Justice at such Petty Sessions as aforesaid, it shall be lawful for such Justice or Justices respectively to commit him, her, or them to the Gaol or House of Correction of the said County or Place, there to remain for any Time not exceeding One Calendar Month, unless he, she, or they shall sooner pay the respective

tive Penalties by him, her, or them incurred for such Offence or Offences, together with the Costs and Charges attending the Conviction and Commitment.

XVIII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any Thing to be done against or by virtue or in pursuance of the said recited Act and this Act, or either of them, in the Name either of their Clerk or Treasurer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, or by any Act of any such Clerk or Treasurer, without the Consent of the said Trustees, or any Five or more of them; but that the Clerk and Treasurer for the Time being to the said Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action or Suit; and every such Clerk or Treasurer, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall be fully reimbursed out of the first Money to arise by virtue of the said recited Act and this Act, and in preference to all other Payments, all such Costs, Charges, Damages, and Expences as by the Event or in consequence of any such Action or Suit, or any Proceeding had thereon, he shall bear, pay, expend, or be put unto, or become chargeable with or liable to, by reason of his so being made Plaintiff or Defendant as aforesaid.

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

who is to be reimbursed his Expences.

XIX. 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 for the same from the passing thereof, shall be paid out of any Money now remaining in the Hands of the Treasurer to the said Trustees, or out of the first Monies to arise by virtue of the said recited Act and this Act, in preference to all other Payments whatsoever.

For paying the Expences of the Act.

XX. 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.

Publick Act

XXI. And be it further enacted, That the said recited Act (subject to the Alterations, Additions, and Amendments in this Act contained) and this Act, shall continue and be in force, and be executed for and during the Residue now to come of the Term granted and continued by the said recited Act, and from the Expiration thereof for and during the further Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

Term and Continuance of the Act.

REPORT ON THE PROGRESS OF THE WORK

The first part of the work was devoted to the study of the history of the institution. It was found that the institution was founded in 1785 by the Hon. Mr. Justice Blackstone. The object of the institution was to provide a place where the children of the poor could receive a liberal education. The institution was at first a simple school, but it gradually grew into a large and flourishing college. The progress of the work has been very satisfactory, and it is hoped that it will continue to be so in the future.

STATEMENT OF THE FINANCIAL POSITION

The following table shows the financial position of the institution at the end of the year. The total amount of the fund is £100,000. The amount expended during the year is £10,000. The balance at the end of the year is £90,000.

The following table shows the number of students who have attended the institution since its foundation. The total number of students is 10,000. The number of students who have been educated at the institution is 8,000. The number of students who have been educated at other institutions is 2,000.

The following table shows the number of students who have been educated at the institution in each year. The number of students who have been educated in the year 1785 is 10. The number of students who have been educated in the year 1800 is 100. The number of students who have been educated in the year 1815 is 1,000. The number of students who have been educated in the year 1830 is 10,000.

The following table shows the number of students who have been educated at the institution in each country. The number of students who have been educated in England is 8,000. The number of students who have been educated in Scotland is 2,000. The number of students who have been educated in Ireland is 1,000. The number of students who have been educated in France is 500. The number of students who have been educated in Germany is 200. The number of students who have been educated in Italy is 100. The number of students who have been educated in Spain is 50. The number of students who have been educated in Portugal is 20. The number of students who have been educated in the East Indies is 10.