



ANNO SECUNDO & TERTIO

# VICTORIÆ REGINÆ.

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## Cap. lxvi.

An Act for forming a Canal and other Works within and near certain Lands called the *West Croft*, in the Parish of *Saint Mary* in the Town and County of the Town of *Nottingham*. [4th July 1839.]

**W**HEREAS by an Act passed in the present Session of Parliament, intituled *An Act for inclosing certain Lands* <sup>2 & 3 Vict.</sup> *called the West Croft and Burton Leys, in the Parish of* <sup>c. 28.</sup> *Saint Mary in the Town and County of the Town of Nottingham*, certain Lands are directed to be set out by the Commissioners therein named, or thereby authorized to be appointed, for the Purpose of making a Branch Canal from the *Nottingham* Canal, with the Banks and Hauling Path thereto, and other Works connected therewith: And whereas by the said Act certain Parts of the Lands thereby authorized to be inclosed are directed to be set out and allotted unto the Mayor, Aldermen, and Burgesses of the Town of *Nottingham*: And whereas it would improve the said Meadows, and be of great Advantage to the Inhabitants of the said Town, if such Branch Canal were made through the said Meadow called the *West Croft*, and if a Street were formed commencing at or near the Streets called *Canal Street* and *Carrington Street*, and passing, by means of a Bridge over the *Nottingham* Canal, into the same Meadows; but the same cannot be effected without the Aid and Authority of

[Local.] 19 X Parlia-

Corporation  
empowered  
to make  
the Canal and  
other Works.

Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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 it shall be lawful for the Mayor, Aldermen, and Burgesses of the Town of *Nottingham*, and they are hereby authorized and empowered, to make and form, in the Line or Course set out by the said Commissioners appointed under and by virtue of the said recited Act, a Branch Canal, with proper Viaducts, Bridges, and other Works connected therewith, commencing from and out of the *Nottingham* Canal at or near the North-west End of the Meadow called the *West Croft*, in the Parish of *Saint Mary* in the said Town and County of the Town of *Nottingham*, and terminating by a Junction with the said *Nottingham* Canal on the East Side of the Turnpike Road from *Nottingham* to *London*, called the *Flood Road*, in the said Parish, and also to construct a Bridge over the said *Nottingham* Canal, and a Street Fifty Feet wide from the said Bridge to the Street called *Canal Street*, in a Line with the Street called *Carrington Street*, in the Course delineated on the Map or Plan herein-after mentioned or referred to.

Corporation  
may mort-  
gage the  
Allotment  
made to  
them by the  
recited Act.

II. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, and they are hereby fully authorized and empowered, by Mortgage of the Lands allotted to them under the said recited Act, or of a sufficient Part thereof, to raise such Sum or Sums of Money as they shall think fit, and thereout to pay such Sum and Sums as the said Mayor, Aldermen, and Burgesses shall think fit to expend in the making the Bridge and Street from *Carrington Street*, herein-before mentioned, and in defraying the Expences of applying for, obtaining, and passing this Act, or any other Expences herein mentioned or referred to.

The Corpo-  
ration may  
sell or lease  
their Allot-  
ments.

III. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, and they are hereby fully authorized and empowered, immediately after the making the Award under the said recited Act, or so soon thereafter as they shall think fit, to make Sale and absolutely dispose of the said several Lands which by virtue of the said Act shall become vested in or be allotted to them, or any Part or Parts thereof, and the Fee Simple and Inheritance thereof, to any Person or Persons willing to purchase the same, or to let the same, or any Part or Parts thereof, for any Term or Terms of Years, or otherwise to dispose of the said several Lands or any of them, in such Lots, at such Prices, upon such Terms, and in such Way as to them shall seem most advantageous; and it shall be lawful for the said Mayor, Aldermen, and Burgesses to apply the Proceeds arising from such Sale or Sales or Lettings of such Lands or Grounds which shall have been made to them absolutely and as Part of their Chamber Estate, and the Rents, Interest, and Income thereof respectively, in paying off any Sum or Sums of Money which shall be borrowed on Mortgage under the Powers herein-before contained, and the Interest thereof, and also in the making and completing the Bridge and Street from *Carrington Street*, herein-after mentioned, and by this Act authorized to be made and executed, and

all other Works which they shall think fit to make and execute in and about the said Lands by the said recited Act authorized to be inclosed, or the same Street, or the Approaches thereto, and in paying the Costs and Expences attending the said Sales, and to apply all the remaining Proceeds of the said Sales and Lettings, and of the said Rents, Interest, and Income, in discharging all or Part of the Principal of the Debt which shall then be owing on the Chamber Estate of the said Mayor, Aldermen, and Burgesses, and for such other Purposes as the Income of the said Chamber Estate is now by Law applicable, and to hold and apply the Monies arising from such Sales or Lettings of the Allotment to be made to them as acting Trustees of the Bridge Estate, and the Rents, Interest, and Income thereof, upon such Trusts as the other Parts of the said Bridge Estate are now subject to or held upon.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to enable the Mayor, Aldermen, and Burgesses of the Town of *Nottingham* to take, appropriate, use, sell, demise, mortgage, or alienate, for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, any Messuages, Lands, Tenements, or Hereditaments which they could not have taken, appropriated, used, sold, demised, mortgaged, or alienated, without such Approbation, before the passing of this Act; any thing in this Act to the contrary notwithstanding.

Not to mortgage, sell, or appropriate Lands without Consent of Lords of the Treasury.

V. And be it further enacted, That the said Mayor, Aldermen, and Burgesses, in making the said Branch Canal, shall and they are hereby required to cause the same, in its Junction with the said *Nottingham* Canal at the North-west End, and also at the South-east End, in case the same shall be continued through the said *Flood Road*, to be carried, and formed and faced with Stone, for the Length of Twenty Yards on each Side of the said respective Junctions, to the Satisfaction of the said *Nottingham* Canal Company; or in such Manner as the respective Surveyors for the Time being of the said Mayor, Aldermen, and Burgesses, and the said *Nottingham* Canal Company, or in case they do not agree, then as some indifferent Person appointed by the said Two Surveyors as their Umpire, shall agree or decide upon; and the said Mayor, Aldermen, and Burgesses shall also build, across and over the North-west End or Entrance of the said Branch Canal, in such Manner as the said last-mentioned Surveyors or their said Umpire shall agree on, a good, firm, and substantial Bridge of Brick, Iron, Stone, or Wood, with good and sufficient Parapet Walls, in a Line with and in continuation of the present Towing Path of the said *Nottingham* Canal, or as near thereto and parallel therewith as conveniently may be, and as shall be approved of by the said *Nottingham Canal* Company or their Agent or Surveyor, with proper Approaches thereto, and with a Roadway over the same of not less Width than Ten Feet; and it shall be lawful for the said Mayor, Aldermen, and Burgesses to use the Water of the said Canal, for the said Branch Canal provided it be upon the same Level, but not without erecting Stop Planks therein, if required by the said *Nottingham Canal* Company; but if the said Water

Regulating the Junction of the Branch Canal with the *Nottingham* Canal.

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be suffered to run to waste by the said Mayor, Aldermen, and Burgesses, or any other Person or Persons, they the said Mayor, Aldermen, and Burgesses, or other the Person or Persons suffering the same to run to waste, shall be subject to the same Penalty or Penalties in reference thereto as is or are imposed or inflicted by the Act passed in the Thirty-second Year of the Reign of His Majesty King *George* the Third, relating to the said Canal, for flushing or drawing off the Water from any Part of the said Canal or collateral Cuts, or as shall or may be inflicted or imposed by the said Act, or by any Rule, Order, or Bye Law, Rules, Orders, or Bye Laws, made or to be made in pursuance thereof in reference to the Water of the said Canal being suffered to run waste as aforesaid; and such Penalty or Penalties shall be levied and recovered in like Manner as other Penalties are by the said Act to be levied and recovered; and the said Branch Canal shall be formed and completed in a good, sound, and workmanlike Manner, and shall be and remain the Property of and be for ever thereafter kept and maintained in good Order and Repair by and at the Expence of the said Mayor, Aldermen, and Burgesses; and the said Branch Canal, when formed, shall for ever be open for the free Passage of Barges and Boats to and from any Wharfs, Warehouses, and other Premises formed or built in or upon the said *West Croft*; and the said Mayor, Aldermen, and Burgesses shall not be entitled to take any Tolls or Dues for or upon any Barges or Boats, whether loaded or unloaded, so going to or returning from any such Wharfs, Warehouses, or other Premises.

Nottingham  
Canal Navigation not  
to be ob-  
structed.

VI. And be it further enacted, That during the Progress of constructing all or any of the Bridges herein empowered to be made over the said *Nottingham* Canal and Branch Canal, or either of them, and of the necessary Repairs or Renewal thereof, no Obstruction shall be occasioned to the Boats, Barges, or other Vessels passing along the said *Nottingham* Canal, or to the Horses towing or drawing the same, or otherwise, but an open navigable Waterway in the said *Nottingham* Canal of not less than Seventeen Feet, and a Towing Path of Five Feet, shall be maintained and kept by the said Mayor, Aldermen, and Burgesses, and such Contraction of the said Waterway shall not be continued for more than Two Calendar Months for the Construction of the Bridge across the said *Nottingham* Canal, and the present Towing Path or Paths shall in every Case remain undisturbed until the new Towing Path or Paths, and the Wall or Walls of the same, be erected, and the Ground made good and perfectly gravelled and open for the Passage of Horses.

Compensa-  
tion for  
obstructing  
Nottingham  
Canal Navigation.

VII. And be it further enacted, That if by reason or in execution of any of the Works by this Act authorized to be made, or if by any Act or Neglect of the said Mayor, Aldermen, and Burgesses, or of any of their Agents, Surveyors, or Workmen, the said *Nottingham* Canal Navigation, or the Towing Path thereof respectively, in their present State, or any altered State under the Authority of this Act, shall be so obstructed as that Boats, Barges, or other Vessels, or the Horses towing or drawing the same, shall be impeded in their Passage, or shall not be able to pass along the same, and as often as the free Navigation of the same Canal shall be so obstructed by  
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the said Mayor, Aldermen, and Burgesses, or any of their Agents, Servants, or Workmen, except as before excepted, or in case an open navigable Waterway in the said Canal of not less than Seventeen Feet, and a Towing Path of Five Feet, shall not be maintained and kept during the Erection of Bridges or otherwise as aforesaid, then and in any or either of the said Cases the said Mayor, Aldermen, and Burgesses shall pay to the said *Nottingham* Canal Company, as or by way of ascertained Damages, the Sum of Five Pounds for every Hour during which such Obstruction or Contraction shall continue; and in default of Payment of the said Sum or Sums, on Demand made of the Treasurer or Town Clerk of the said Town, the said *Nottingham* Canal Company may sue for and recover the same, together with full Costs of Suit, against the said Mayor, Aldermen, and Burgesses, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*: Provided always, that the Recovery by or Payment to the said *Nottingham* Canal Company of such Sum or Sums of Money as last aforesaid shall not in any way prejudice, lessen, or affect the Right of any other Body or Bodies Corporate, or Person or Persons, to sue for and recover any Damages they or any of them may sustain in any or either of the Cases aforesaid.

VIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the said *Nottingham* Canal Company in and by the Act of Parliament relating to the said *Nottingham* Canal, or the Rights, Privileges, Powers, or Authorities of any other Body or Bodies Corporate, or Person or Persons, under the same Act, but saving and reserving to the said *Nottingham* Canal Company, and every such Body Corporate and Person as aforesaid, all the Rights, Privileges, Powers, Authorities, and Provisoes in the said last-mentioned Act contained, as if this Act had not been passed, save and except as is herein provided for,

Saving the  
Nottingham  
Canal  
Company's  
Rights.

IX. Provided also, and be it further enacted, That nothing herein contained shall extend to prevent the said *Nottingham* Canal Company from recovering against the said Mayor, Aldermen, and Burgesses any special Damage not herein provided for that may be sustained by them on account of any Acts or Defaults of the said Mayor, Aldermen, and Burgesses, or any of their Agents, Servants, or Workmen, but the said *Nottingham* Canal Company are hereby authorized to sue for and recover such special Damage accordingly.

Nottingham  
Canal Com-  
pany may  
recover spe-  
cial Damages.

X. Provided also, and be it further enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the Company of Proprietors of the *Nottingham* old Waterworks in and by the Act relating to the said Waterworks, but saving and reserving to the said Proprietors of the said Waterworks all the Rights, Privileges, Powers, Authorities, and Provisions in the said last-men-

Saving the  
Rights of  
the Proprie-  
tors of the  
Nottingham  
old Water-  
works Com-  
pany.

tioned Act contained; as if this Act had not been passed, save and except as is herein provided for.

Construction  
of the Bridge  
over the  
Canal oppo-  
site to Car-  
rington  
Street.

XI. And be it further enacted, That the Bridge herein-before authorized to be built over the said *Nottingham* Canal shall be constructed to the Satisfaction of the respective Surveyors of the said *Nottingham* Canal Company, and the said Mayor, Aldermen, and Burgesses, or the Umpire appointed by such Surveyors; and such Bridge shall be built in a good, firm, and substantial Manner, of Brick, Stone, or Iron, with good and sufficient Parapet Walls, over the said *Nottingham* Canal, with proper Approaches thereto, and the Western of the said Walls to be in a direct Line with the Western Side of *Carrington Street* aforesaid, and the said Bridge to be of the following Dimensions; (that is to say,) the Opening or Span of the Arch of the said Bridge (which shall include the Towing Path of Ten Feet in Width) shall not be less than Seventy Feet between the Walls or Abutments thereof; the Springing of the Arch shall commence at a Point not being less than Six Feet Nine Inches above the Surface of the Water, according to the usual Water Level thereof, and the Soffit or under Side of the said Arch shall not be less than Eleven Feet Six Inches clear above the said Surface of the Water; and the Roadway of the said Bridge shall not be of less Width than Fifty Feet; and that within the Southern Abutment of the said Bridge there shall be constructed and made a Tunnel or Archway of not less Breadth than Six Feet Six Inches, and not less than Seven Feet in Height, the Situation of which Tunnel or Archway shall be determined by the said *Nottingham* Canal Company, or their Agent or Surveyor, but the Crown of the Arch of such Tunnel shall in nowise interfere with or influence the Surface or Level of the Roadway of the said Bridge: Provided always, that until such last-mentioned Bridge, and the Street from the same to *Carrington Street* aforesaid, herein-before empowered to be made, shall be erected and opened, the Powers of the Midland Counties Railway Company to make and maintain a Road Thirty Feet wide along the said *West Croft* Meadow, from the Eastern Commencement of the said Railway to the said *Flood Road*, shall remain in full Force, except that the said Mayor, Aldermen, and Burgesses, their Successors and Assigns, shall have Power, at their Expence, to make Basins or Cuts through or under the said Thirty Feet Road, they the said Mayor, Aldermen, and Burgesses making, at their Cost, a good and sufficient Bridge or Bridges of Brick or Stone over such Cut or Cuts, where the said Road shall cross the same, and making and preserving, at their own Costs, a good and uninterrupted Roadway along the Line of the said Thirty Feet Road, or within Twenty Yards thereof, so that the said last-mentioned Road may, so long as the same subsists, be a good and sufficient Road, and be used accordingly.

Saving Mid-  
land Coun-  
ties Railway  
Company's  
Rights.

XII. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the said Midland Counties Railway Company in and by the Act of Parliament relating to the said Railway, or the Rights,  
Privileges,

Privileges, Powers, or Authorities of any other Corporations or Persons under the same Act; but saving and reserving to the said Midland Counties Railway Company, and all and every such Corporations and Persons as aforesaid, all the Rights, Privileges, Powers, Authorities, and Provisoos in the said last-mentioned Act contained, as if this Act had not been passed, save and except as is herein provided for.

XIII. Provided also, and be it further enacted, That nothing herein contained shall extend to prevent the said Midland Counties Railway Company from recovering against the said Mayor, Aldermen, and Burgesses any special Damage not herein provided for that may be sustained by them on account of any Acts or Defaults of the said Mayor, Aldermen, and Burgesses, or any of their Agents, Servants, or Workmen, but the said Midland Counties Railway Company are hereby authorized to sue for and recover such special Damage accordingly.

Midland Counties Railway Company may recover special Damages for Default.

XIV. Provided always, and be it further enacted, That the Ascent to the said Bridge to be made over the said Canal, and to every Bridge to be made over the said Branch Canal under or by virtue of the Powers of this Act, for the Purpose of a public Road, shall not be more than One Foot in Thirty Feet; and the Fence on each Side of every such Bridge shall not be less than Four Feet above the Surface of every such Bridge.

Regulating Ascent to Bridges.

XV. And be it further enacted, That the said Mayor, Aldermen, and Burgesses, their Successors and Assigns, shall at all Times for ever after the said Bridge or Bridges hereby authorized to be made shall be erected, keep the same, and any future Bridge or Bridges to be erected in lieu thereof, in good and complete Repair; and in case of any Want of Repair to the said Bridge or Bridges, and Notice thereof being given by any Agent of the said *Nottingham* Canal Company to the said Mayor, Aldermen, and Burgesses, if the said Mayor, Aldermen, and Burgesses shall not, for the Space of Seven Days after such Notice, commence such Repairs, and proceed therein with all reasonable Expedition until the same shall be completed, it shall be lawful for the said *Nottingham* Canal Company from Time to Time to make all such Repairs to the said Bridge or Bridges as they may think necessary, and all the Expences thereof shall be paid by the said Mayor, Aldermen, and Burgesses to the said *Nottingham* Canal Company, upon Demand made by or on their Behalf; and in default of such Payment any Two or more of Her Majesty's Justices of the Peace for the said Town and County of the Town of *Nottingham*, or for the County of *Nottingham*, shall and they are hereby required, on Application by the said *Nottingham* Canal Company, or their Clerk, or other Persons authorized by them, by Warrant under the Hands and Seals of the said Justices, to cause the Amount of such Expences, which shall be first settled and allowed by such Justices, to be levied by Distress and Sale of the Goods and Chattels to the said Mayor, Aldermen, and Burgesses, and to be paid to the said *Nottingham* Canal Company, their Agent or Clerk, rendering the Overplus, if any, upon Demand, after deducting

Corporation to keep the Bridges repairs.

ducting the reasonable Charges of making and keeping such Distress and of the Sale thereof, to the said Mayor, Aldermen, and Burgesses; or otherwise the said *Nottingham* Canal Company shall and may sue for and recover the said Expences of all such Repairs, together with full Costs of Suit, against the said Mayor, Aldermen, and Burgesses, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Westminster*.

Canal Company not to be prevented from raising their Water Level.

XVI. And be it further enacted, That nothing herein contained shall hinder or prevent the said *Nottingham* Canal Company at any Time or Times hereafter from raising the usual Surface Level of the Water of the said Canal, and from maintaining and keeping the same at a higher Level than it now is, or than the usual Surface Level thereof shall be, at such Time or Times as the said *Nottingham* Canal Company shall require to raise the same; and that what shall be or be considered as the present Surface Level, as well as the Level to which it may at any Time or Times hereafter be raised, shall be determined by the said *Nottingham* Canal Company, or the Committee, Agent, or Surveyor for the Time being of the said Company.

Power to extend the Canal under the Flood Road, and to build a Bridge thereon.

XVII. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, in case they determine to continue the said Branch Canal through the said *Flood Road*, and for their Agents and Workmen, and all other Persons by them authorized, and they are hereby empowered, within the Space of Two Years from the passing of this Act (but not afterwards, without the Consent of the Trustees of the said *Flood Road*), upon giving Three Calendar Months previous Notice of their Intention so to do to the Clerk or Surveyor of the Trustees of the said *Flood Road*, being the Turnpike Road leading from the North End of the old *Trent Bridge* to the West End of *Saint Mary's* Churchyard in the said Town, to enter into and upon the said Road, and, with the Concurrence of the said Surveyor, to set out a Part of such Road, not exceeding in Length Forty Yards, and within such Part of the said Road so set out to bore, dig, and cut, and remove or lay, and also to use and work, any Stone, Iron, Earth, Gravel, or other Materials of the said Road so set out as aforesaid, and likewise to take down and remove the present Walls and other Fences, for the Purpose of continuing and extending the said Branch Canal under the said Road, in order to join and unite the same with that Portion of the said *Nottingham* Canal which runs on the East Side of the said *Flood Road*, and between such Road and a certain open Meadow called the *East Croft*, and to build, make, and construct, over that Part of the said Branch Canal which shall pass under the said Road, a good, firm, and substantial Bridge of Brick, Stone, or Iron, with the Approbation and to the Satisfaction of the Surveyor or Agent of the said Trustees of the said Road, and of such Height as not to alter or raise the present Level of the said Road: Provided always, that they the said Mayor, Aldermen, and Burgesses shall complete the said Works through or under the said *Flood Road*, and rebuild the Fence Walls, and restore the other Fences by them removed, damaged, or destroyed, within the Space of Three Calendar Months from the  
Commencement



Commencement of such Works, and shall at all Times during the Progress of such Works set out, fence off, maintain, and preserve a clear, free, open, and uninterrupted Way along the said Road, of the Width of Twenty Feet at the least, in every Part thereof, for Carriages, Horses, Cattle, and Foot Passengers, and shall also, on the Completion of the said Works, restore the said Road, and the Walls and other Fences on both Sides thereof, to the same State in every respect, or as near thereto as Circumstances will allow, as the same were in before the Commencement of such Works, and to the Satisfaction of the Surveyor or Agent of the said Trustees; and the said last-mentioned new Bridge shall, at all Times after the making thereof, be maintained and kept in good and sufficient Repair by and at the Expence of the said Mayor, Aldermen, and Burgesses, to the Satisfaction of the said Trustees of the said Road; and in case of any Want of such Repairs, and Notice thereof being given, by or on behalf of the said Trustees of the said Road, to the said Mayor, Aldermen, and Burgesses, or the Town Clerk for the Time being of the said Town and County, if the said Mayor, Aldermen, and Burgesses shall not, within Seven Days after the Service of such Notice, commence and proceed to complete such Repairs, it shall be lawful for the said Trustees to make the same; and all the Costs, Charges, and Expences incurred by the said Trustees in and about such Repairs shall be paid by the said Mayor, Aldermen, and Burgesses to the said Trustees, upon Demand; and in default of such Payment, any Two or more of Her Majesty's Justices of the Peace for the said Town and County of the Town of *Nottingham*, or for the County of *Nottingham*, may, on Application by or on behalf of the said Trustees, by Warrant under the Hands and Seals of the said Justices, cause the Amount of such Expences (which shall be first settled and allowed by such Justices), together with the Costs and Expences of the Proceedings before such Justices, to be levied by Distress and Sale of the Goods and Chattels of the said Mayor, Aldermen, and Burgesses, and to be paid to the said Trustees of the *Flood Road*, their Agent or Clerk, rendering the Overplus (if any), upon Demand, after deducting the reasonable Charges of making such Distress and Sale, to the said Mayor, Aldermen, and Burgesses; or otherwise the said Trustees shall and may sue for and recover the said Expences of all such Repairs, together with full Costs of Suit, against the said Mayor, Aldermen, and Burgesses, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Westminster*.

XVIII. And be it further enacted, That in case the said Mayor, Aldermen, and Burgesses shall not in manner aforesaid set out, maintain, and preserve, during the making of the said Bridge, such clear Way of Twenty Feet in Width as aforesaid, or in case the said Mayor, Aldermen, and Burgesses shall not, within Four Calendar Months from the Commencement of the said Works, restore the said Road, and the Walls and other Fences on both Sides thereof, in manner hereinbefore mentioned, then and in either of such Cases the said Mayor, Aldermen, and Burgesses shall forfeit and pay to the said *Flood Road* Trustees, as or by way of ascertained Damages, the Sum of Forty Shillings for every Hour during which such clear Way shall not be set out, fenced off, maintained, and preserved as aforesaid, or during

The Flood Road not to be obstructed.

[*Local.*]

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which such Road shall not be restored after the Expiration of the said Four Calendar Months; and in default of Payment of the said Sum or Sums, on Demand made on the Treasurer or Town Clerk of the said Town of *Nottingham*, the said Trustees of the said Road may sue for and recover the same, together with full Costs of Suit, against the said Mayor, Aldermen, and Burgesses, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Regulating  
the Construc-  
tion of Cul-  
verts under  
the Flood  
Road.

XIX. And be it further enacted, That if by reason of the Formation of any Works in the said *West Croft* the free Passage of the Waters in Times of Flood shall be impeded, so as to injure, damage, or endanger the said *Flood Road*, it shall and may be lawful for any Justice of the Peace acting for the County of *Nottingham*, upon Application to him made by or on behalf of the Trustees of the said Road, to issue a Summons, and cause the same to be served upon or left at the Office of the Town Clerk, for the Appearance of the said Mayor, Aldermen, and Burgesses at the Shire or County Hall in *Nottingham* aforesaid, before any Two Justices of the Peace acting for the said County, at a Day to be therein mentioned, to which Summons the said Mayor, Aldermen, and Burgesses, by their said Town Clerk, Counsel, or Solicitor, shall appear; and it shall and may be lawful to and for the said Justices on such Summons to order and direct (subject however to the Power of Appeal herein-after contained) the said Mayor, Aldermen, and Burgesses forthwith to construct and make under the said Road such Culverts, of the like Dimensions and Materials with the present Culverts situated between the Bridges respectively called "*The Chain Pool Bridge*" and "*The Seven Arches*," as they the said Justices shall order upon the Hearing of the Parties, or, in case either Party shall make default in appearing to the said Summons, such Culverts as the said Justices shall order upon hearing the Party who shall so appear; and all such Culverts so to be made as aforesaid shall, from Time to Time and at all Times thereafter, be supported, maintained, and kept in sufficient Repair and Condition by the said Mayor, Aldermen, and Burgesses; and for the Purpose of enabling the said Mayor, Aldermen, and Burgesses to make such Culverts, and from Time to Time to make and support the same, the said Mayor, Aldermen, and Burgesses, their Agents and Workmen, are hereby authorized, upon giving Ten Days previous Notice of their Intention so to do, to the Clerk or Surveyor to the Trustees of the said Turnpike Road, to enter upon the said Road, and to bore, dig, and cut, remove and lay aside, the Gravel, Soil, or Materials of the said Road which shall be taken out of the Excavation to be made for the said Culverts, and, so soon as the said Culverts shall be completed, to relay and spread the same Gravel, Soil, or Materials in continuation of the said Road over the said Culverts, and restore the said Road to the same State in every respect, or as near thereto as Circumstances will allow, as the same was in previous to the Commencement of such Culverts, and during the Execution of such Works shall keep One Half Part of the said Road fenced off, guarded, and lighted, and in a State fit and safe for Waggon, Carts, Coaches, and other Carriages, and Travellers, to pass and repass over the same; and in case the said Mayor, Aldermen, and Burgesses shall refuse or neglect to make such Culverts as hereinbefore directed, or afterwards to maintain or support the same, for the

Space of Thirty Days next after the Time to be appointed for those Purposes respectively by such Justices, then and in every such Case it shall be lawful for the said Trustees of the said Road to make such Culverts as the said Justices shall have before directed or appointed to be made, and to maintain, repair, and support the same; and all the reasonable Costs and Charges thereof, to be settled and allowed by the said Justices in case of Dispute, shall be repaid to the said Trustees by the said Mayor, Aldermen, and Burgesses, within the Space of Fourteen Days next after the same shall have been so settled and allowed, and an Account and Demand in Writing shall have been delivered and made to, and from the said Mayor, Aldermen, and Burgesses; and in default of Payment of the said Costs and Charges within the Time aforesaid, the said Justices shall and they are hereby required, by Warrant under their Hands and Seals, to levy the said Costs and Charges by Distress and Sale of any of the Goods and Chattels of the said Mayor, Aldermen, and Burgesses, for the Use of the said Trustees, rendering to the said Mayor, Aldermen, and Burgesses the Overplus (if any), after deducting the reasonable Charges of making such Distress and Sale, to be settled by the said Justices; or the said Trustees, upon Refusal or Neglect by the said Mayor, Aldermen, and Burgesses to pay the said Costs and Charges as aforesaid, shall and may sue for and recover the same, with full Costs of Suit, against the said Mayor, Aldermen, and Burgesses, by Action of Debt or on the Case, in any of Her Majesty's Courts of Record at *Westminster*.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in the said Trustees of the said *Flood Road* in and by the Act of Parliament relating to the said *Flood Road*, or the Rights, Privileges, Powers, or Authorities of any other Body, Bodies Corporate, or Person or Persons under the same Act, but saving and reserving to the said Trustees of the said *Flood Road*, and all and every such Body, Bodies Corporate, and Person or Persons as aforesaid, all the Rights, Privileges, Powers, Authorities, and Provisoes in and by the said last-mentioned Act contained, as if this Act had not been passed, save and except as is herein-before provided for.

Saving the Nottingham Flood Road Trustees' Rights.

XXI. Provided also, and be it further enacted, That nothing herein contained shall extend to prevent the said Trustees of the said *Flood Road* from recovering against the said Mayor, Aldermen, and Burgesses any special Damage not herein provided for that may be sustained by them on account of any Acts or Defaults of the said Mayor, Aldermen, and Burgesses, or any of their Agents, Servants, or Workmen, but the said Trustees of the said *Flood Road* are hereby authorized to sue for and recover such special Damage accordingly.

Flood Road Trustees may recover special Damages for Default.

XXII. And whereas an Act was passed in the Seventh Year of the Reign of His Majesty King George the Fourth, intituled *An Act for the better supplying with Water the Inhabitants of the Town of Nottingham and its Vicinity*, and certain Proprietors therein mentioned were incorporated by the Name of "The Nottingham Trent Waterworks Com-

For preventing Injury to the Gas and Water Pipes. 7 G. 4. c. 111.

Com-

Company :” And whereas by virtue of the Powers contained in the said Act the said Company hath laid down certain Mains, Pipes, Aqueducts, and other Works, in, through, over, and upon the said Road called “ *The Nottingham Flood Road*,” by which the Water is conveyed from a Reservoir and Works of the said Waterworks Company into the said Town of *Nottingham* ; and the said Trustees of the said *Flood Road* have, at their own Charge, laid down certain Mains, Pipes, and other Works in, through, over, and upon the said Road, by which Gas is conveyed, to and for the Use of the said Trustees, from the Gasometers of the *Nottingham Gas Light and Coke Company* ; be it therefore further enacted, That it shall not be lawful for any Person or Persons by virtue of this Act to remove or disturb, or in any way to damage or injure, any of the said Mains, Pipes, Aqueducts, or other Works, or obstruct the Communication of Water or Gas in or through the same, unless with the respective Consent and Approbation of the said Company or their Committee of Management, or the said Trustees or their Committee, first had and obtained ; and in case of such Consent all the Works, Matters, and Things necessary or expedient to be done or performed in removing, altering, or protecting the said Mains, Pipes, Aqueducts, or other Works shall be done by and under the respective Direction of the said Company and Trustees ; and the Expences in consequence incurred, together with all Losses which may be sustained in the Supply of Water or Gas, or in any other Way whatsoever, shall be paid and made good to the respective Company and Trustees by the said Mayor, Aldermen, and Burgesses, and the Amount thereof, when ascertained by the said Company and Trustees respectively, shall, within Fourteen Days after Demand, be paid into the Hands of their Treasurer or other duly authorized Officer.

Plans, &c.  
to remain in  
the Custody  
of the Clerk  
of the Peace.

XXIII. And whereas a Map or Plan describing the Line or Situation of the said Branch Canal, and the Works connected therewith, and the Bridge across the said *Nottingham Canal*, and the said Street to *Canal Street* and *Carrington Street*, and the Lands in and through which the same respectively, and the Works connected therewith, are intended to be carried or made, has been deposited in the Office of the Clerk of the Peace for the Town and County of the Town of *Nottingham* ; be it therefore enacted, That the said Map or Plan so deposited shall remain with and be kept by the said Clerk of the Peace, and all Persons interested in any Manner shall at all seasonable Times have Liberty to inspect and to make Extracts from or Copies of the said Map or Plan, paying to the Clerk of the Peace having the Custody thereof the Sum of One Shilling for every such Inspection, unless such Inspection shall continue for more than One Hour, and then the further Sum of One Shilling for every Hour such Inspection shall continue, and for Copies or Extracts therefrom the Sum of Sixpence for every One hundred Words ; and the said Map or Plan, or a true Copy thereof, certified by the said Clerk of the Peace, shall be and is hereby declared to be good Evidence in all Courts of Law or elsewhere.

Power to  
purchase  
Lands.

XXIV. And be it further enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to contract  
and

and agree with any Corporation, Tenant in Fee Simple, or for Life or Years, or in Fee Tail, General or Special, or with any Feoffees in Trust for charitable or other Purposes, Husbands, Guardians, Committees, or Idiots or Lunatics, Executors or Administrators, or other Trustees whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Idiots, Lunatics, Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any other Persons, the Owners or Proprietors for the Time being of all or any of the Lands or Hereditaments mentioned and specified in the Schedule to this Act annexed, or any Part thereof, or of any Estate, Right, or Interest therein respectively, for the absolute Purchase of such several Premises, or of any of them, or any Part thereof, or of any Estate, Right, or Interest therein respectively, which shall be necessary to be purchased for any of the Purposes herein-before mentioned.

XXV. And be it further enacted, That if any of the Lands or Hereditaments which are mentioned or described in the Schedule to this Act annexed, or any of the Owners or Lessees thereof, or of the Persons in whose Occupation or Possession the same or any Part thereof are or is stated or described to be, shall happen to be misnamed or incorrectly described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and conveyed, disposed of and applied, to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said Schedule, provided it should appear to any Two Justices of the Peace of the said Town and County, in Petty Sessions assembled, and be certified in Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake only.

Misnomer in describing the Premises not to retard the Execution of this Act.

XXVI. And be it further enacted, That it shall be lawful for all Corporations, Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable or other Purposes, Committees, Executors, and Administrators, and all Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of all Persons entitled in Reversion, Remainder, or Expectancy, and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Powers of this Act if sole and of full Age and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and to and for all Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in, and for all other Persons whomsoever seised or possessed of or interested in, any Lands or other Hereditaments mentioned and

Persons under legal Disability empowered to sell and convey Lands.

specified in the Schedule to this Act annexed, to contract for, sell, and convey the same or any Part thereof, or any Estate or Interest therein, or in any Part thereof, unto the said Mayor, Aldermen, and Burgesses, their Successors and Assigns; and all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances which shall be so made as aforesaid shall, without Enrolment, be good and valid in the Law, to all Intents, not only to convey the Estate and Interest of the Corporation or Persons conveying, but also to convey all the Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of the Persons entitled in Remainder, Reversion, or Expectancy after them, and of all such Wives, Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Cestuique Trusts, and other Persons as aforesaid, and the same shall be deemed and considered to bar all Estates in and Rights and Titles to Dower, and all Estates Tail, and other Estates, in Possession, Reversion, or Expectancy, and the Issue of such Person and Persons claiming under them, as effectually as the same might be barred and extinguished by a Conveyance for that Purpose made under or by virtue of the Statute passed for the Abolition of Fines and Recoveries, and for the Substitution of more simple Modes of Assurance, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and every such Corporation, Tenant for Life or in Tail, or Person having a qualified or partial Estate or Interest, and all such Husbands, Guardians, Feoffees, Trustees, Committees, and all other Persons, is and are and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Conveyance to be made to the Corporation in the following Form.

XXVII. And be it further enacted, That all Conveyances, Assignments, Surrenders, and Assurances of any Lands or other Hereditaments, or any Estate or Interest therein, to be made to the said Mayor, Aldermen, and Burgesses, may be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say,)

‘ I in consideration of the Sum of to me  
 ‘ paid by the Mayor, Aldermen, and Burgesses of the Town of  
 ‘ *Nottingham*, empowered thereto under and by virtue of an Act  
 ‘ passed in the Year of the Reign of Her Majesty  
 ‘ Queen *Victoria*, intituled [*here insert the Title of this Act*], do hereby  
 ‘ grant and convey to the said Mayor, Aldermen, and Burgesses all  
 ‘ [*here describe the Premises to be conveyed*], and all my Estate, Right,  
 ‘ Title, Term, and Interest to and in the same and every Part thereof,  
 ‘ to hold to the said Mayor, Aldermen, and Burgesses, their Succes-  
 ‘ sors and Assigns, from henceforth for ever. In witness whereof  
 ‘ I have hereunto set my Hand and Seal this Day of  
 ‘ in the Year of our Lord

And every such Sale, Conveyance, Assignment, Surrender, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Lands bought of any Corporation or Person under

XXVIII. Provided always, and be it further enacted, That the Consideration Money to be paid for any Lands or Hereditaments to be purchased from or conveyed by any Corporation, or any Person under

under any Disability or Incapacity as in this Act is mentioned, or not having Power to sell except under the Provisions herein contained, shall in no Case be less than such Sum as the same shall be estimated at by the Verdict of a Jury, or by Two able practical Surveyors, one of whom shall be nominated by the said Mayor, Aldermen, and Burgesses, and the other by the Corporation or Person contracting or agreeing to sell the same, and if such Two Surveyors shall not agree in the Valuation thereof, then by such Third Surveyor as any Two Justices acting for the said Town and County shall for that Purpose nominate; and each of the said Two Surveyors, if they shall agree in and make their Valuation, or if not, then the Surveyor so to be nominated by the Justices as aforesaid, shall annex to their or his Survey or Estimate or Valuation, when completed, a Declaration of the Correctness thereof.

any Disability to be valued by Two Surveyors or their Umpire.

XXIX. And be it further enacted, That every Person or Corporation who shall have any Mortgage on such Lands or Hereditaments which may be required for the Purposes of this Act (not being in Possession of the said Premises by virtue of such Mortgage) shall, on Tender of the Mortgage Money, and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money, by the said Mayor, Aldermen, and Burgesses, immediately convey, assign, and transfer such Mortgage to the said Mayor, Aldermen, and Burgesses, or in case such Mortgagee shall have Notice in Writing from the said Mayor, Aldermen, and Burgesses, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage, such Mortgagee shall convey, assign, and transfer the said Mortgage, and his Interest in the Premises, to the said Mayor, Aldermen, and Burgesses; but in case such Mortgagee shall refuse to convey or assign on such Tender or Payment as aforesaid, then, upon Payment of the Principal Money, and Six Calendar Months Interest, into the Bank of *England* in manner herein-after directed, all Interest on every such Mortgage shall from the Time of such Payment cease and determine: Provided always, that in case the Sum due upon any such Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Lands or Hereditaments, or the Part thereof which shall be taken for the Purposes of this Act, then the said Mayor, Aldermen, and Burgesses shall not be liable to pay the Mortgagee any more than the real Value of such Premises, which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury, in like Manner as the Value of any Property wanted for the Purposes of this Act is herein-after directed to be ascertained and settled.

Mortgagees not in possession to assign Mortgages.

XXX. Provided always, and be it further enacted, That if any such Corporation, Tenant in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, Feoffee, Husband, Guardian, Committee, Executor, or Administrator, Trustee, or other Person whomsoever, in anywise interested in such Lands or Hereditaments hereby authorized to be purchased, and in the Schedule to this Act particularly

On Persons refusing to treat or to sell, a Jury to be summoned to assess the Value.

larly mentioned and described, or any Lessee or Occupier thereof, sustaining any Loss, Injury, or Damage, shall (upon Notice given to or left in Writing at the Dwelling House of such Person, or of the Principal or Head Officer of such Corporation), for the Space of One Calendar Month next after such Notice given or left as aforesaid, neglect or refuse to treat and agree or shall not agree for the Sale of the said Premises, or the Interest they respectively have therein or are hereby capacitated to convey, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in possession of, or the Interest they claim therein, to the Satisfaction of the said Mayor, Aldermen, and Burgesses, then and in every such Case it shall be lawful for the said Mayor, Aldermen, and Burgesses to issue a Warrant, under the Common Seal of the said Mayor, Aldermen, and Burgesses, to the Sheriff of the said Town and County of the Town of *Nottingham*, or in case the said Sheriff or his Under Sheriff shall be in anywise interested in the Matter in question, then to any of the Coroners of the said Town and County not interested as aforesaid, or if all the Coroners shall be so interested, then to some Person so living in the said Town and County who shall have filled the Office of Sheriff or Coroner therein, and be free from personal Disability and uninterested as aforesaid, (a Person having more recently served either Office being always preferred,) commanding such Sheriff, Coroner, or other Person to impanel, summon, and return, and the said Sheriff, Coroner, or other Person is hereby accordingly empowered and required to impanel, summon, and return, a Jury of at least Twenty-four sufficient and indifferent Men, qualified according to the Laws of this Realm to be returned for Trials of Issues in Her Majesty's Courts of Record at *Westminster*, to appear before the said Sheriff, Under Sheriff, Coroner, or other Person at such Time and Place as in such Warrant shall be appointed; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, a Jury of Twelve Men shall be drawn by the said Sheriff, Under Sheriff, Coroner, or other Person, or by some Person to be by them respectively appointed, in such Manner as Juries for Trials of Issues joined in Her Majesty's Courts of Record at *Westminster* are by Law directed to be drawn; and in default of a sufficient Number of Jurymen the said Sheriff, Under Sheriff, Coroner, or other Persons shall return other honest and indifferent Men of the Standers-by, or that can be speedily procured to attend that Service, to make up such Jury to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriff, Under Sheriff, Coroner, or other Person is hereby also required and empowered, from Time to Time as Occasion shall be and require, to summon and call before the said Jury, and examine upon Oath, every Person who shall be thought necessary and proper to be examined as a Witness touching or concerning the Premises; and the said Sheriff, Under Sheriff, Coroner, or other Person shall order and cause the said Jury to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for his own as for the Jury's better Information in the Premises, as the said Sheriff, Under Sheriff, Coroner, or  
other



other Person shall think fit ; and the said Jury, upon their Oaths, or, being Quakers, solemn Affirmations, (which Oaths or Affirmations, as well as the Oaths or Affirmations of all Persons called upon to give Evidence, the said Sheriff, Under Sheriff, Coroner, or other Person is hereby empowered and required to administer,) shall assess the Purchase Money or Recompence for Damages to be given for the said Lands or Hereditaments, according to the respective Interests therein, and shall give in their Verdict thereupon ; and the said Sheriff, Under Sheriff, Coroner, or other Person shall accordingly give Judgment for such Purchase Money or Recompence as shall be assessed by such Jury : Provided always, that not less than Twenty-one Days Notice in Writing of the Time and Place at which such Jury are so required to be returned shall be given by the said Mayor, Aldermen, and Burgesses to the Party with whom any such Controversy shall arise, by serving such Notice personally, or leaving such Notice at the Dwelling House of the Person, or the Clerk or Agent or principal Officer of the Corporation interested in the Premises intended to be valued, or respecting which, or any Damage to which, any such Question shall arise : Provided also, that in all such Cases the Party claiming such Compensation shall be treated as the Plaintiff, and shall be entitled to all such Advantages and Privileges as Plaintiffs are in Actions tried in any of Her Majesty's Courts of Record at *Westminster* by Law entitled.

XXXI. And be it further enacted, That the said Verdict and Judgment, being first signed by the said Sheriff, Under Sheriff, Coroner, or other Person presiding at the taking of such Verdict and pronouncing of such Judgment respectively, shall be kept by the Clerk of the Peace for the said Town and County amongst the Records of the Quarter Sessions for the said Town and County, and shall be deemed Records to all Intents and Purposes, and the same, or true Copies thereof, shall be allowed to be good Evidence in all Courts whatsoever ; and all Persons shall have Liberty to inspect the same, paying to such Clerks of the Peace for such Inspection the Sum of One Shilling, and shall be entitled to be furnished with Copies thereof, paying to the said Clerk of the Peace for every Copy after the Rate of Sixpence for every One hundred Words.

Verdicts to be recorded by the Clerk of the Peace.

XXXII. And be it further enacted, That if any such Sheriff, or his Under Sheriff, or any Coroner or other Person herein-before authorized and directed to act in the Stead of such Sheriff, shall make default in the Premises, he shall for every such Offence forfeit and pay, for the Benefit of the Party by whom such Jury shall be required to be summoned, the Sum of Fifty Pounds, to be recovered by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster* ; and if any Person so summoned and returned upon any such Jury as aforesaid shall not appear, or appearing shall refuse to be sworn, or being a Quaker to make his solemn Affirmation, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence as aforesaid shall not appear, on being paid or tendered a reasonable Sum for his Costs and Expences, or appearing shall refuse to be sworn, or being a Quaker

Penalty on Sheriff or his Substitute, or Jurors or Witnesses, making default.

[*Local.*]

20 B

affirmed,

affirmed, or to give Evidence, every Person so offending, having no reasonable Excuse (such Excuse to be judged of and determined by the said Sheriff, Under Sheriff, Coroner, or other Person), shall forfeit and pay for every such Offence, for the Benefit of the Party for whom or on whose Account such Jury or Witness shall have been summoned, any Sum not exceeding Ten Pounds; which said last-mentioned Penalty shall and may be levied, by virtue of a Warrant under the Hand and Seal of any Justice of the Peace for the said Town and County, by Distress and Sale of the Goods and Chattels of the Person so offending, rendering to him, on Demand, the Overplus of the Money thereby produced (if any), after such Penalty, and the Charges and Expences of such Distress and Sale, shall have been deducted.

Jurors to be under same Regulations as in Superior Courts. False Swearing, Perjury.

XXXIII. And be it further enacted, That every such Jury and Juryman as aforesaid shall, in addition to the Penalty hereby inflicted, also be subject to the same Regulations, Pains, and Penalties as if such Jury and Juryman had been returned for the Trial of any Issue joined in any of Her Majesty's Courts of Record at *Westminster*; and all Persons who, in any Examination to be taken by virtue of this Act, upon their Oaths, or being Quakers upon their solemn Affirmations, shall wilfully and corruptly give false Evidence before any such Jury, Sheriff, Under Sheriff, Coroner, or other Person, shall and may be prosecuted for the same, and upon Conviction thereof shall be liable to the Pains and Penalties to which Persons guilty of wilful Perjury shall or may by Law be subject or liable.

Expences of Jury and Witnesses how to be paid.

XXXIV. And be it further enacted, That in every Case in which the Verdict of a Jury shall be given for the same or a greater Sum than shall have been previously offered by the said Mayor, Aldermen, and Burgesses for the Purchase of any Lands or Hereditaments to be used or taken by them for the Purposes of this Act, or as Compensation for any Damage occasioned by the Execution of any of the Powers of this Act, all the Costs, Charges, and Expences incurred in summoning, impannelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incident to the said Inquisition, and the Expences of the Bond to be given as herein-after mentioned, and the reasonable Fees which may have been paid to One Counsel for attending the Inquiry before such Jury by the Party requiring the Jury to be summoned, shall be borne by the said Mayor, Aldermen, and Burgesses, and such Costs, Charges, and Expences shall be settled and determined by the said Sheriff, Under Sheriff, Coroner, or other Person as aforesaid; and in case such Costs, Charges, and Expences shall not be paid to the Party entitled to receive the same within Seven Days after the same shall have been demanded, the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels of the said Mayor, Aldermen, or Burgesses, under a Warrant to be issued for that Purpose by any Justice of the Peace acting within his Jurisdiction, and not interested in the Matter in question, which Warrant such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by any Party entitled to receive such Costs, Charges, and Expences; but if the Verdict of the

the Jury shall be given for a less Sum than shall have been previously offered by or on the Behalf of the said Mayor, Aldermen, and Burgesses, one Moiety of the said Costs, Charges, and Expences, to be settled and determined as aforesaid, shall be defrayed by the Party with whom the said Mayor, Aldermen, and Burgesses shall have such Controversy or Dispute, and the remaining Moiety shall be defrayed by the said Mayor, Aldermen, and Burgesses; and the former Moiety of such Costs, Charges, and Expences, having been ascertained and settled in manner herein-before mentioned, shall and may be deducted out of the Money awarded to be paid to such Party as aforesaid, as so much Money advanced to and for his Use, and the Payment or Tender of the Remainder of such Money shall be deemed and taken to all Intents and Purposes to be a good Payment or Tender and Satisfaction of the whole thereof.

XXXV. And be it further enacted, That all Parties with whom the said Mayor, Aldermen, and Burgesses shall have any Dispute respecting Damages, and who shall require a Jury to be summoned as aforesaid, shall, before the said Mayor, Aldermen, and Burgesses shall be obliged to issue their Warrant for summoning such Jury, enter into a Bond to the said Mayor, Aldermen, and Burgesses, in a Penalty of One hundred Pounds, to prosecute their Complaint, and to bear and pay their Proportion of the Costs and Expences of summoning, impannelling, and returning such Jury, taking such Inquisition, and of the Attendance of Witnesses, and recording the Verdict or Judgment thereon, and otherwise incidental to such Inquisition, in case any Part of such Costs and Expences shall fall upon them.

Persons requesting Juries to enter into Bond to prosecute their Complaints and pay Expences.

XXXVI. And be it further enacted, That in any Case where the Amount of the Compensation for any Damage done or occasioned by the said Mayor, Aldermen, and Burgesses, in the Exercise of any of the Powers herein contained, shall be disputed, and be alleged by the Parties claiming the Compensation to amount to any Sum under Twenty Pounds, then the Amount of the Compensation for such Damage shall or may be ascertained and settled by any Two Justices of the Peace acting for the said Town of *Nottingham* or for the County of *Nottingham*, and shall and may be levied and recovered, by Warrant under the Hands and Seals of such Justices, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justices, by Distress and Sale of the Goods of the Treasurer of the said Mayor, Aldermen, and Burgesses, unless such Treasurer shall pay and discharge the same, which he is hereby authorized to do, out of any Monies received or to be received by him as such Treasurer.

When Compensation under 20*l.* to be determined by Justices.

XXXVII. And be it further enacted, That upon Payment or legal Tender of such Sum of Money as shall have been contracted or agreed for between the Parties, or assessed by such Jury, or ascertained by such Justices, for the Purchase of such Land or Hereditaments, as herein mentioned, to the Person entitled to receive such Money, or his Agent, within Three Calendar Months after the same shall have been so agreed for, assessed, or ascertained, or on the same being deposited in the Bank of *England* in manner by this Act

On Payment of Money, the Property to vest in the Corporation.

Act directed (as the Case may be), it shall be lawful for the said Mayor, Aldermen, and Burgesses, and their Agents, Workmen, and Servants, thereupon, and not before, to enter upon and take and use such Land and Hereditaments respectively, and then and thereupon all the Estate, Use, Trust, and Interest of and in such Lands and other Hereditaments as shall have been purchased by such Payment as aforesaid, together with the yearly Profits thereof, shall from thenceforth be absolutely vested in the said Mayor, Aldermen, and Burgesses, whether such Conveyance as aforesaid shall or shall not be made; and such Payment, Tender, or Deposit shall not only bar all Right, Title, Interest, Claim, and Demand of the Person by whom the same Conveyance shall or ought to have been made, but also shall extend to and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates, Rights, Titles, and Interests of all other Persons whomsoever therein.

Application  
of Compen-  
sation Money  
amounting to  
200*l*.

XXXVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of any Land or Hereditaments to be taken or used by virtue of the Powers of this Act, or of any Interest therein, which any Corporation, Tenant in Tail or for Life, Husband, Guardian, Trustee, or Feoffee in Trust, Committee, Executor, or Administrator, Feme Covert, or any Person whomsoever, for or on behalf of any Wife, Ward, Lunatic, Idiot, or Cestuique Trust, whether Infants, Issue unborn, Femes Covert, or any Person whomsoever, whose Lands are limited in strict or other Settlement, or any Person under any Disability or Incapacity, shall be entitled unto or interested in, 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 Court of Exchequer, to be placed to his Account there, *ex parte* "The Mayor, Aldermen, and Burgesses of the Town of *Nottingham*," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court made in a summary Way upon Petition to be presented to the said Court by the Party who would have been entitled to the Rents and Profits of the said Lands and Hereditaments, be applied either in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or other Incumbrance affecting the said Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, and Purposes, as the said Court of Exchequer shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or until the same shall, upon the like Application, be laid out, by Order of the said Court, made in a summary Way as aforesaid, in the Purchase of other Lands or Hereditaments, which shall be conveyed, limited, and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same

1 G. 4. c. 35.

same Manner, as the Lands or Hereditaments which shall be so purchased, taken, or used as aforesaid, or in respect of which such Compensation or Satisfaction shall be paid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined or capable of taking effect; and in the meantime and until such Purchase can be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Rents and Profits of such Lands or Hereditaments so to be purchased and settled.

XXXIX. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid as last herein-before is mentioned shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, with the Approbation of the said Mayor, Aldermen, and Burgesses, signified in Writing under their Common Seal, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, upon the Requests of the respective Parties for the Time being entitled to the Rents and Profits of the Lands or Hereditaments so taken or used, or of such Interest therein, or of their respective Husbands and Guardians or Committees, in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, and with the like Approbation, to Two Trustees, to be nominated by the respective Parties exercising such Option (such Nomination to be approved of by the said Mayor, Aldermen, and Burgesses, and such Nomination and Approbation to be signified in Writing under the Hands of the nominating Parties, and under the Common Seal of the said Mayor, Aldermen, and Burgesses); and the Money so paid to such Trustees, and the Dividends and Produce so arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England* in the Name of the Accountant General of the Court of Exchequer, but without being required to obtain any Order of the said Court touching the Application thereof.

When under  
200l. and  
exceeding  
20l.

XL. Provided also, and be it further enacted, That when any Money so agreed or awarded to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Rents and Profits of the Lands or Hereditaments so taken or used for the Purposes of this Act, or in respect of which such Compensation or Satisfaction shall be paid, for

When under  
20l.

[Local.]

20 C

their

their own Use and Benefit; or in case of Coverture, Infancy, Idiocy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

In case of not making out Titles, &c. the Money to be paid into the Bank.

XLI. And be it further enacted, That in case any Party to whom any Money shall be agreed or awarded to be paid for the Purchase of any Lands or other Hereditaments to be taken or used under or by virtue of the Powers of this Act, or for any Interest therein, or for Compensation as aforesaid, shall refuse or neglect to accept the same, or cannot be conveniently found, or shall be absent from *England*, or shall refuse, neglect, or be unable to make a Title to such Lands, or to such Interest in the Premises, to the Satisfaction of the said Mayor, Aldermen, and Burgesses, for the Purposes of this Act, or if the Party entitled unto or required by the said Mayor, Aldermen, and Burgesses to convey or join in conveying such Lands or such Interest therein shall not be known, or be not shown to the Satisfaction of the said Mayor, Aldermen, and Burgesses to be such Party, or shall refuse to convey or join in conveying the same, then and in every such Case, where not otherwise provided by this Act, it shall be lawful for the said Mayor, Aldermen, and Burgesses to order the Money so agreed, offered, intended to be offered, or awarded as aforesaid, to be paid in the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands (describing them, so far as the said Mayor, Aldermen, and Burgesses can so do), subject to the Control or Disposition of the said Court; which said Court, on the Application of any Party making claim to such Money, or to any Part thereof, by Petition, is hereby empowered, in a summary Way of proceeding, or otherwise, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the Estate, Title, or Interest of the Party making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem proper; and the Cashier of the said Bank of *England* who shall receive such Money is hereby required to give to the said Mayor, Aldermen, and Burgesses, or to any Party paying any Money into the Bank of *England*, under or pursuant to this Act, a Receipt for such Money, mentioning and specifying therein for what and for whose Use (described as aforesaid) the same is received, and in respect of what Purchase the same was so paid in.

In case of disputed Title, the Persons in Possession to be deemed presumptively entitled.

XLII. And be it further enacted, That where any Question shall arise in reference to the Provisions aforesaid, or otherwise upon this Act, touching the Title of any Party to any Lands and Hereditaments, or to any Interest in the same, or to any Compensation in respect of any Damage done thereunto, or to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, or to any Annuities or Securities to be purchased with any such Money, or to the Dividends or Interest

of any such Annuities or Securities, the Parties respectively who shall have been in Possession or Receipt of the Rents or Profits of such Lands at the Time of taking or using the same, and all Corporations or Persons claiming under such Parties, or under or consistently with the Possession of such Parties, shall be deemed to have been lawfully entitled to such Lands and Hereditaments, or to such Interest therein, or to such Money as aforesaid, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court, and the Dividends or Interest of the Annuities or Securities to be purchased with such Money, and also the Capital of such Annuities or Securities, shall be paid, applied, and disposed of accordingly.

XLIII. And be it further enacted, That where by reason of any Disability or Incapacity of any Person or Corporation entitled to any Lands or Hereditaments to be purchased, taken, or used under the Authority of this Act, or from any other Cause except the wilful Refusal of such Person or Corporation to convey the said Lands and Hereditaments, or to accept the Purchase or Compensation Money herein mentioned, the Purchase Money for the same, or any Money to be paid by way of Recompence or Compensation for any Damage or Injury done to the same, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court of Exchequer to order the reasonable Costs, Charges, and Expences attending any such Purchase, or which may be incurred in consequence thereof, and also all the Costs, Charges, and Expences of the Investment of such Purchase or Compensation Money in Government or Real Securities, and of the Reinvestment of the same, or the Government or Real Securities purchased therewith, in the Purchase of other Lands and Hereditaments, together with the necessary Costs, Charges, and Expences of obtaining the proper Orders, and of all other Proceedings for such Purposes, except such as may be occasioned by Litigation between Claimants, and for the Payment of the Dividends and Interest of the Government or Real Securities upon which such Purchase or Compensation Money may be invested, and for the Payment out of Court of the Principal of such Purchase or Compensation Money, or of the Government or Real Securities aforesaid, to be paid by the said Mayor, Aldermen, and Burgesses, and the said Mayor, Aldermen, and Burgesses shall from Time to Time pay such Sums of Money for the Costs, Charges, and Expences herein-before mentioned as the said Court shall direct.

Court of Exchequer may order reasonable Expences of Purchases and Costs to be paid by the Corporation.

XLIV. And be it further enacted, That all the Costs, Charges, and Expences, on the Part as well of the Seller as the Purchaser, of all Conveyances and Assurances of any Land and Hereditaments which shall be purchased or taken by the said Mayor, Aldermen, and Burgesses for the Purposes of this Act, and of deducing, evidencing, and verifying such Title as the said Mayor, Aldermen, and Burgesses may require, and of making out and furnishing such Abstract and such attested Copies as the said Mayor, Aldermen, and Burgesses may require, and all Expences whatsoever incident to the Investigation, Deduction, and Verification of such Title, shall be exclusively borne and paid by the said Mayor, Aldermen, and Burgesses ;

Costs and Expences of making out Titles to be paid by the Corporation.

Burgesses; and the said Mayor, Aldermen, and Burgesses, before entering into possession of the Premises so purchased or taken, shall pay the Amount of such Costs, Charges, and Expences, or, in case there shall be any Dispute about the same, shall obtain such Order as herein-after mentioned, and shall deposit, for the Purpose of paying the same, in such Manner as herein-after mentioned, the Amount of the Costs, Charges, and Expences claimed by the Party from whom the Premises shall be purchased or taken: Provided always, that the said Mayor, Aldermen, and Burgesses shall not be prevented from entering into possession of the said Premises so purchased by reason of the Nonpayment of the said Costs, Charges, and Expences, or by reason of the Order herein-before mentioned not having been obtained, or the Deposit herein mentioned not having been made, unless the Party from whom such Lands shall have been purchased shall, within Seven Days after Notice in Writing for that Purpose shall have been given to him by the said Mayor, Aldermen, and Burgesses, deliver a Bill of his said Costs, Charges, and Expences to the said Mayor, Aldermen, and Burgesses: Provided also, that in case the said Mayor, Aldermen, and Burgesses shall not require the making out or furnishing such Abstract of Title as aforesaid, but shall be satisfied with an Inspection of the Title Deeds of the Seller of the Property purchased or taken, such Seller shall be bound, at the Expence of the said Mayor, Aldermen, and Burgesses, to produce or cause the Production of the Title Deeds relating to the said Lands and Hereditaments, when required by the said Mayor, Aldermen, and Burgesses so to do; without furnishing any Abstract of his Title.

How such  
Costs and Ex-  
pences are to  
be ascer-  
tained.

XLV. And be it further enacted, That if the said Mayor, Aldermen, and Burgesses, and the Party aforesaid, cannot agree as to the Amount of such Costs, Charges, and Expences, the same shall be ascertained by the said Court of Exchequer; and it shall be lawful for the said Court, on Petition to be presented by the said Mayor, Aldermen, and Burgesses, to order and direct that such Costs, Charges, and Expences shall be referred to one of the Masters of the said Court, to be taxed in the usual Manner, and such Order shall be served on the Party aforesaid, who shall be at liberty to proceed under the same; and after Taxation thereof it shall be lawful for the said Court to order and direct the Amount of such Costs, Charges, and Expences so taxed, together with the Costs, Charges, and Expences attending the Taxation, thereof, or so much of the same as shall be payable by the said Mayor, Aldermen, and Burgesses to the Party from whom the Premises shall have been purchased or taken, to be paid to the Party aforesaid: Provided always, that the said Mayor, Aldermen, and Burgesses shall not be at liberty to enter into possession of the Premises so purchased or taken until an Order shall have been made for the Taxation of the said Costs, Charges, and Expences, and the said Mayor, Aldermen, and Burgesses shall have deposited the Sum claimed in respect of the same in the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there, *ex parte* the Mayor, Aldermen, and Burgesses of the Town of *Nottingham*, pursuant to the Method prescribed by the herein-before mentioned



mentioned Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, which Sum shall be applied, under the Order of the said Court, in Payment of the said Costs, Charges, and Expences: Provided always, that the Expence of determining such Costs, Charges, and Expences aforesaid, and of obtaining the Order or Orders referring the same to be taxed; shall be paid and borne by the said Mayor, Aldermen, and Burgesses, unless the Sixth of the said Costs, Charges, and Expences shall be disallowed, in which Case the said Expence shall be paid and borne by the Party from whom the said Premises were purchased or taken, and the Amount thereof may then be paid to the said Mayor, Aldermen, and Burgesses out of the said Sum so deposited by them as aforesaid.

XLVI. And be it further enacted, That every Tenant at Will, or from Year to Year, and every other Person in Possession of any Lands or other Hereditaments which shall be purchased or taken by virtue and for the Purposes of this Act, who shall have a less Interest than as Tenant from Year to Year, shall deliver up the Possession of such Premises to the said Mayor, Aldermen, and Burgesses, or to such Person as they shall appoint to take possession of the same, upon having Six Calendar Months Notice from the said Mayor, Aldermen, and Burgesses, or their Town Clerk, to quit the same, at such Time or Times as shall be required by such Notice, they the said Mayor, Aldermen, and Burgesses having first made a reasonable and proper Compensation to every such Tenant or other Person as aforesaid; and in case any Dispute or Difference shall arise touching or concerning the same, such Compensation shall be ascertained and settled by a Jury, in such and the like Manner as the Compensation to be made by the said Mayor, Aldermen, and Burgesses for the Purchase of any Lands or Hereditaments is herein-before directed to be ascertained and settled in case of any Dispute or Difference about the same; and such Tenant or other Person aforesaid in Possession shall, on Payment of such Compensation as shall be agreed upon between the Parties, or shall be awarded as herein-before mentioned, and at such Time as he shall be required by the said Mayor, Aldermen, and Burgesses, peaceably and quietly deliver up the Possession of the said Premises to the said Mayor, Aldermen, and Burgesses, or to the Person authorized by them to take possession thereof; and if any such Tenant or other Person aforesaid, so in Possession as aforesaid, shall refuse or neglect to deliver up such Possession, then and in every such Case it shall be lawful for the said Mayor, Aldermen, and Burgesses to issue their Precept to the said Sheriff to deliver Possession of the said Premises to such Person as shall in such Precept be nominated to receive the same, and the said Sheriff is hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept on the Person refusing to deliver up Possession as aforesaid, by Distress and Sale of his Goods and Chattels.

Tenants at Will to deliver Possession on Six Months Notice.

XLVII. And be it further enacted, That in case any Land or other Hereditaments which the said Mayor, Aldermen, and Burgesses shall require to take for making the said intended Street and Bridge

[*Local.*]

20 D

opposite

If Land not purchased in Three Years the Powers here-

by given to  
cease.

Works to be  
completed in  
Seven Years.

Persons ag-  
grieved may  
appeal to the  
Sessions.

Meaning of  
certain Words  
in this Act.

opposite the South End of *Carrington Street* aforesaid shall not be taken and paid for within the Space of Three Years from the passing of this Act, all the Powers and Authorities given by this Act for making the same Street shall cease and determine, except as to so much (if any) of the said Land or other Hereditaments as shall have been so paid for; and in case the said Branch Canal, Bridge, Street, and other Works hereby authorized to be made and constructed shall not have been completed and made (unless prevented by inevitable Accidents) within the Space of Seven Years, to be computed from the passing of this Act, then from and after the Expiration of the said Term of Seven Years all the Powers, Authorities, and Privileges given by this Act for the making and constructing the said Branch Canal, Bridge, Street, and other Works shall cease and determine, save only and except as to so much (if any) of the same respectively as shall have been completed within the said Term of Seven Years.

XLVIII. And be it further enacted, That the said Mayor, Aldermen, and Burgesses, and all other Corporations and Persons, who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice or Justices of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Judgment or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the said County of *Nottingham*, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Person or Corporation against whom such Appeal is intended to be made, and forthwith after such Notice, in the Case of an Individual appealing, entering into a Recognizance before some Justice of the Peace, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or (if they think proper) may adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for the said County; and the said Justices may make such Order in the Premises as to them may seem meet, if they see Cause, and may also order any further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid by either Party as they shall think reasonable.

XLIX. And be it further enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons, Matters, or Things, as well as one Person, Matter, or Thing; and every Word importing the Plural Number shall extend and be applied to one Person, Matter, or Thing, as well as several Persons, Matters, or Things; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "Corporation" shall extend to any Body Politic, Corporate, or Collegiate, Municipal, Civil or Ecclesiastical, Aggregate or Sole; and the  
Word

Word "Lands" shall extend to Messuages, Lands, Tenements, Land covered with Water, and any other Hereditaments and Premises, of any Tenure; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

L. And be it further enacted, That this Act shall be deemed Public Act. and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

## The SCHEDULE to which the foregoing Act refers.

Description of Property.	Owners or reputed Owners.	Lessees.	Occupiers.
Saw Mill, Building, Wharf, and Timber Yard.	Mayor, Aldermen, and Burgesses of the Town of Nottingham.	Nathaniel Barnsdall.	Nathaniel Barnsdall and Company.
Basin - - -	Ditto - - -	Ditto - - -	Ditto, and Samuel Thorpe.
Wharf - - -	Ditto - - -	Nottingham Canal Company.	Samuel Thorpe.
Plaster-kiln and Stables.	Ditto - - -	Ditto - - -	Ditto.

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