ANNO VICESIMO OCTAVO & VICESIMO NONO

VICTORIÆ REGINÆ.

Cap. ccix.

An Act for the *Mansfield and Worksop* Turnpike Road in the Counties of *Nottingham* and *Derby*.

[5th *July* 1865.]

WHEREAS "The *Mansfield and Worksop* Road Act, 1857," was passed for the Purpose of discharging the Debts specified in the Schedule thereto and the Interest thereon, and for maintaining, repairing, and improving the *Mansfield and Worksop* Turnpike Road from the upper End of *Leeming Lane* in the Town of *Mansfield*, opposite to the End of *Bath Lane*, to the Turnpike Road between *Worksop* and *Kelham* at or near to the Corner of *Worksop Brecks*, all in the County of *Nottingham*: And whereas the Debts specified in the Schedule to the recited Act, so far as they remain undischarged, are specified in the Schedule to this Act annexed, and amount together to Two thousand seven hundred and forty-two Pounds Ten Shillings, and are now secured by Mortgages of the Tolls by the recited Act granted: And whereas a Bill has been promoted in Parliament in the present Session for the making and maintaining a Railway between *Mansfield* and *Worksop*: And whereas the making and maintaining of the Railway would render it expedient, and it would be of public Advantage, that a new

20 & 21 Vict. c. xliv.

Mansfield and Worksop Road Act, 1865.

Portion of Turnpike Road (in this Act called the new Portion of Road), commencing in *Cuckney* near to the Junction of the *Mansfield and Worksop* Turnpike Road with the *Cuckney and Nether Langwith* Road, and terminating by a Junction with the *Chesterfield and Worksop* Road near *Worksop*, should be made and maintained, so as to afford Facilities for Traffic passing to and from any Station on the Railway between *Cuckney* and *Worksop*: And whereas Plans and Sections of the new Portion of Road, showing the Lines and Levels thereof, and Books of Reference to the Plans, containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in which it is to be made, have been deposited with the respective Clerks of the Peace for the Counties of *Nottingham* and *Derby*, and those Plans, Sections, and Books of Reference are in this Act referred to as the deposited Plans, Sections, and Books of Reference: And whereas the making and maintaining of the new Portion of Road would render it expedient that a Portion of the *Mansfield and Worksop* Turnpike Road between the Intersection thereof by the *Cuckney and Nether Langwith* Road and the Intersection thereof by the *Milnthorpe and Carburton* Road should be abandoned as a Turnpike Road, and be left as a public Highway, and a Portion of the *Mansfield and Worksop* Road between the Northern Side thereof at *Milnthorpe* and the Termination thereof at its Junction with the *Worksop and Kelham* Turnpike Road at or near to *Sparken Hill* should be abandoned as a Turnpike Road or Highway, and stopped up: And whereas the new Portion of Road, and the Abandonment of the other Portions of Road, would be of advantage not only to the Public but also to Owners of Lands adjoining or near to the Road, and other Persons, and some of them are willing, in the event of the Abandonment and stopping up being effected, to make the new Portion of Road at their own Expense, and to defray the Expense of obtaining and passing this Act: And whereas it is expedient that the recited Act be repealed, and other Provisions be made instead thereof: And whereas the Objects of this Act cannot be attained without the Authority of 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 Authority of the same, as follows; (that is to say,)

Short Title.

1. This Act may for all Purposes be cited as "*Mansfield and Worksop* Road Act, 1865."

Interpretation of Terms.

2. In this Act the following Words and Expressions have the following Meanings, unless excluded by the Subject or Context; (that is to say,)

The

The Expression "the present Road" means the *Mansfield and Worksop* Turnpike Road maintained under the recited Act:

The Expression "the Road" means the *Mansfield and Worksop* Turnpike Road to be from Time to Time maintained under this Act:

The Expression "the Trustees" means the Trustees from Time to Time acting in the Execution of this Act:

The Word "Toll Gate" means and includes all Toll Gates, Turnpikes, Bars, and Chains from Time to Time set up upon, across, or by the Side of the Road, or across any Highway or other Carriageway or Bridleway communicating therewith:

The Word "Carriage" means and includes all Carriages, Coaches, Stage Coaches, Omnibuses, Vans, Caravans, Barouches, Chariots, Chaises, Curricles, Phaetons, Cars, Gigs, Taxed Carts, and other Vehicles, by whatever Names known, respectively adapted or used for the Conveyance of Persons or light Articles, and also all Hearses and Breaks, and all other Vehicles not comprised in the Word "Cart" as employed in this Act:

The Word "Cart" means and includes all Carts, Waggons, Wains, Vans, Caravans, Drays, Timber Carriages, and other Vehicles, by whatsoever Names known, respectively adapted or used for the Conveyance of heavy Articles:

The Expression "flat Wheel" means a Wheel with a Tire the Measure of which, taken across the Middle of the Axle at the Inside next to the Cart, is equal to or not more than One Twelfth of the Breadth of the Tire greater or less than the Measure of the Tire taken across the Middle of the Axle at the Outside, and the Tire Nails (if any) countersunk, and no Tire Nail Head standing above the Face of the Tire, and which Wheel, when rolling on a flat Surface, bears equally thereon throughout the whole Breadth of the Tire.

Commencement and Term of Act.

3. This Act shall commence with the First Day of *November* One thousand eight hundred and sixty-five, and shall continue for the Term of Thirteen Years from that Day inclusive, and thenceforth to the End of the then next Session of Parliament.

Act to be put into execution for Purposes herein named.

4. This Act shall be put into execution for the Purposes of discharging the several Mortgage Debts specified in the Schedule to this Act annexed, and the Interest thereon, and of maintaining, repairing, and improving the Road which, in accordance with the Provisions of this Act, is from Time to Time "The *Mansfield and Worksop* Turnpike Road."

Trustees.

5. All Her Majesty's Justices of the Peace from Time to Time acting for the Counties of *Nottingham* and *Derby* respectively, together with

with *James Appleton* Clerk, *William Ashton*, *Robert Hartshorn Barber*, *John Beeley*, *Edwin Bennett*, *Joseph Beard*, *William Brodhurst*, *Alfred Brodhurst*, *Lucas Brodhurst*, *Henry Brodhurst*, *Henry Beevor*, *John Bowett*, *Thomas Bowett*, *Evelyn Bootby* Clerk, *Edward Bunting*, *William Champion*, *Thomas Cursham* Clerk, *John Champion*, *Edward Chaloner*, *Thomas Clarkson Spink*, *John Eddison*, *Benjamin Eddison*, *George Saville Foljambe*, *George William Fosberry* Clerk, *Sir William Fitzherbert* Baronet, *Richard Henry Fitzherbert*, *George Glossop*, *Richard Fleming Hartley* Clerk, *Edward Hawley* Clerk, *John Horncastle*, *Henry Heming*, *Richard Hodgkinson*, *Edward Hodgkinson*, *William Hodgkinson*, *George Hudson* Clerk, *Henry Hollins*, *Edward Lamb* Clerk, *George Rock Lucas*, *John Miller*, *William Martin Kilton*, *Charles Neale*, *Robert Outram* senior, *Robert Outram* junior, *Henry Outram*, *Richard Parsons*, *William Peck*, *Thomas John Pearson*, *Charles Robinson*, *John Robert Ramsden*, *John Stacye* Clerk, *Charles James Whittaker Smith* Clerk, *James Salmond*, *Robert Smith*, *Henry Simpson*, *Thomas Walker*, *Buchan Warren Wright* Clerk, *Charles Tylden Wright*, *William Wilkinson*, *George Wilson*, *Thomas Wright Watson*, *Henry Edward Watson*, *Bernard Edward Watkins* Clerk, *George Webster*, *Thomas Wollaston White* junior, and their Successors, being respectively duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for executing this Act.

Recited Act repealed.

6. On the Commencement of this Act the *Mansfield and Worksop* Road Act, 1857, is by this Act repealed.

Property held under recited Act vested in the Trustees.

7. All Lands, Buildings, Toll Gates, Materials, Tolls, Apparatus, Books, Accounts, Deeds, Papers, Writings, and other Things, and all Choses in Action, respectively vested in or belonging to the Trustees under the recited Act, and all Monies due and to become due to them, are, on the Commencement of this Act, vested in and shall belong to the Trustees.

General Saving of Rights under recited Act.

8. Notwithstanding the Repeal of the recited Act, and except only as is by this Act otherwise expressly provided, everything before the Commencement of this Act done, suffered, and confirmed respectively under or by the recited Act shall be as valid as if the Repeal had not happened, and the Repeal and this Act respectively shall accordingly be subject and without Prejudice to everything so done, suffered, and confirmed respectively, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the Repeal had not happened, would be incident to or consequent on any and every thing so done, suffered, and confirmed respectively; and with respect to all such Things so done, suffered, and confirmed respectively, and all such Rights, Liabilities, Claims, and Demands, the Trustees shall

shall to all Intents represent the Trustees under the recited Act; provided that the Generality of this Provision shall not be restricted by any other of the Sections and Provisions of this Act.

Actions not to abate, &c.

9. Notwithstanding the Repeal of the recited Act, any Action, Suit, Prosecution, or other Proceeding commenced either by or against the Trustees under the recited Act before the Commencement of this Act shall not abate or be discontinued or prejudicially affected by the Repeal, but, on the contrary, shall continue and take effect, both in favour of and against the Trustees, in the same Manner to all Intents as if the Repeal had not happened, save only that the Trustees shall be substituted therein for the Trustees under the recited Act.

Contracts, &c. preserved.

10. Notwithstanding the Repeal of the recited Act, but subject to the Provisions of this Act, all Purchases, Sales, Conveyances, Leases, Mortgages, Securities, and Contracts before the Commencement of this Act made under the recited Act, or with reference to the Purposes thereof, or kept in force by the recited Act, shall be as effectual to all Intents for, against, and with respect to the Trustees as if the same had been made by, to, or with respect to the Trustees instead of the Trustees under the recited Act, or their Predecessors in the Trust, and may be proceeded on and enforced in like Manner to all Intents as if the Trustees had been party or privy thereto, or referred to therein, instead of the Party actually party or privy thereto, or referred to therein.

Debts, &c. to be paid.

11. Notwithstanding the Repeal of the recited Act, all Persons who immediately before the Commencement of this Act owed any Money to the Trustees under the recited Act, or to any Person on their Behalf, shall pay the same, with all Interest (if any) due and payable or accruing for the same, to the Trustees; and all Monies which, immediately before the Commencement of this Act, were owing by or recoverable from the Trustees under the recited Act, or for the Payment of which they were or but for this Act would be liable, shall be paid, with all Interest (if any) due and payable or accruing for the same, by or be recoverable from the Trustees.

Books, &c. continue Evidence.

12. Notwithstanding the Repeal of the recited Act, all Documents, Books, and Writings by the recited Act directed or authorized to be kept, or continued receivable in Evidence, and which, if the Repeal had not happened, would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

Officers continued.

13. Notwithstanding the Repeal of the recited Act, every Officer and Servant appointed by virtue of or acting under the recited Act shall hold and enjoy his Office and Employment, and be deemed an Officer and Servant of the Trustees, until he be removed from the Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Regulations, Pains, and Penalties, as if he were appointed under this Act.

First and other Meetings of Trustees.

14. The Trustees shall hold their First Meeting under this Act at the *Red Lion* Inn in *Worksop*, or at some other convenient Place in the Neighbourhood of the Road, on the Third *Monday* after the Commencement of this Act, and shall then and from Time to Time thereafter adjourn to and meet at such Places in the Neighbourhood of the Road and at such Times as they think proper.

New Portion of Road to be accepted by Trustees.

15. When and so soon within Three Years after the Commencement of this Act as the new Portion of Road, (that is to say,)

A Portion of Road commencing at a Point in the Parish of *Cuckney* in the County of *Nottingham* Sixty-six Yards Southward of the Junction of the present Road with the Highway leading from *Cuckney* to *Nether Langwith* in the Parish of *Cuckney*, passing in a Northerly Direction through the Parishes or Places of *Cuckney*, *South Car*, *Norton*, *Holbeck*, *Holbeck Woodhouse*, *Woodhouse Hall*, *Welbeck*, *Worksop*, *Worksop* Manor, all in the County of *Nottingham*, and *Whitwell* and *Belph* (otherwise *Belk*) in the County of *Derby*, and terminating in the Parish of *Worksop* by a Junction with the *Chesterfield and Worksop* Turnpike Road at or near to the Western End of the Stone Wall which separates *Westwood*, Part of the *Worksop* Manor Estate, from that Turnpike Road,

is completed in the Lands shown on the deposited Plans, and specified in the deposited Books of Reference, and in accordance with the Lines and Levels shown on the deposited Plans and Sections, or with any vertical Deviations from the deposited Sections not exceeding Three Feet in any One Place, and is so completed with all proper and sufficient Footways, Fences, Ditches, Drains, and other Works and Conveniences, to the Satisfaction of the Trustees, to be declared by them at any General Meeting, they may, on a Conveyance to them of the new Portion of Road with the Appurtenances being made, accept the same as a Part of the Road to be maintained, repaired, and improved under this Act.

New Portion of Road to be Part of Road to be

16. On the new Portion of Road being accepted by the Trustees in accordance with this Act, it shall become and shall thenceforth during the Continuance of this Act be a Portion of the *Mansfield and Worksop*

Worksop Turnpike Road, and may and shall be maintained, repaired, and improved under this Act accordingly. maintained under Act.

17. Forthwith after the new Portion of Road is accepted by the Trustees in accordance with this Act, they shall abandon and discontinue as a Turnpike Road, and convert into or leave as a Highway, the following Portion of Road; (that is to say,) Portion of Road to be abandoned by Trustees, and left as a Highway.

That Part of the present Road which lies between a Point in the Parish of *Cuckney* Sixty-six Yards Southward of the Junction of the present Road with the Highway leading from *Cuckney* to *Nether Langwith*, and that Point on the present Road in the Township of *Norton* and Parish of *Cuckney*, on the Southern Side of the Highway leading from *Milnthorpe* to *Carburton* Toll Gate, where that Highway is intersected by the present Road:

And thereupon that Portion of the present Road shall cease to be Part of the *Mansfield and Worksop* Turnpike Road, and shall not be improved, repaired, or maintained under this Act, but shall remain a Highway.

18. Forthwith after the new Portion of Road is accepted by the Trustees in accordance with this Act, they shall discontinue and stop up as a Turnpike Road, Highway, and public Thoroughfare the following Portion of Road; (that is to say,) Portion of Road to be abandoned by Trustees and discontinued as a Highway.

So much of the present Road as lies between the Northern Side of the Highway leading from *Milnthorpe* to *Carburton* at *Milnthorpe*, and the Termination of the present Road at its Junction with the *Worksop and Kelham* Turnpike Road, at or near to *Sparken Hill* in the Parish of *Worksop*:

And thereupon that Portion of the present Road shall cease to be Part of the *Mansfield and Worksop* Turnpike Road, and shall not be improved, repaired, or maintained under this Act, and the Site thereof shall be for ever freed and discharged from all public Rights of Way over or affecting the same.

19. The several Toll Gates which on the Commencement of this Act are upon, across, or at the Side of the present Road, or across any Highway or other Carriageway or Bridleway communicating therewith, shall be continued until removed by Order of the Trustees, and the Trustees from Time to Time, in accordance with the General Turnpike Acts from Time to Time in force, may place upon, across, or on the Side of the Road, or across any Highway or other Carriageway or Bridleway communicating therewith, such Toll Gates as the Trustees determine: Provided that when, in accordance with this Act, the Trustees abandon any Portion of the present Road, they shall take down and remove all Toll Gates upon, across, or on the Side of the same, or across any Way communicating therewith. Existing and new Toll Gates.

20. Not-

Tolls under recited Act to be taken till the End of 1865.

20. Notwithstanding the Repeal of the recited Act, the several Tolls thereby granted and made payable shall be paid at the Toll Gates belonging to the Trustees until the End of the Year One thousand eight hundred and sixty-five.

Tolls.

21. On and after the First Day of *January* One thousand eight hundred and sixty-six the Trustees may demand and take, at their several Toll Gates from Time to Time continued or provided under this Act upon, across, or by the Side of the Road, or across any Highway or other Carriageway or Bridleway communicating with the Road, such ordinary Tolls as the Trustees at their Meetings from Time to Time determine, not exceeding the Sums following; (that is to say,)

For every Horse, Mule, or other Beast, except an Ass, drawing any Carriage, Sixpence:

For every Horse, Mule, or other Beast, except an Ass, drawing any Cart (other than a Timber Carriage or Timber Drag), if all the Wheels are flat Wheels,—

If the Tire of any Wheel is in any Part of less Breadth than Four Inches and a Half, Sixpence:

If the Tire of every Wheel is throughout of the Breadth of Four Inches and a Half or upwards, Fourpence:

If all or any of the Wheels be of any other Sort, Eightpence:

For every Ass drawing any Carriage or Cart, One Half of the Tolls made payable for a Horse so drawing:

For every Horse, Mule, or other Beast drawing any Timber Carriage or Timber Drag, if all the Wheels are flat Wheels,—

If the Tire of any Wheel is in any Part of less Breadth than Four Inches and a Half, One Shilling:

If the Tire of every Wheel is throughout of the Breadth of Four Inches and a Half or upwards, Ninepence:

If all or any of the Wheels be of any other Sort, One Shilling and Threepence:

For every Beast of Draught or Burden, laden or unladen, but not drawing, Three Halfpence:

For every Head of Oxen, Cows, or Cattle, One Halfpenny:

For every Head of Calves, Swine, Sheep, or Lambs, One Farthing.

24 & 25 Vict. c. 70. to apply.

22. The Provisions of "The Locomotive Act, 1861," with reference to Tolls and otherwise, shall extend to this Act.

Limitation of Number of ordinary Tolls.

23. Except as is by this Act otherwise expressly provided, not more than Two full ordinary Tolls shall be demanded or taken for the passing and repassing on the same Day of the same Beast, Carriage, or Cart along the whole of the Road.

24. In

Additional Toll.

24. In the following Case the Trustees may likewise demand and take as an additional Toll, besides the ordinary Tolls, any Sum not exceeding the following; (that is to say,)

Where a Carriage or a Cart passes more than once in a Day through the same Toll Gate with a fresh Load exceeding Three Hundredweight, for every Time of so passing after the first, One Half of the Amount of the ordinary Toll, but not in the whole (including the ordinary Toll for the First Time of passing) more than twice the Amount of the ordinary Toll.

Fraction of One Halfpenny in Tolls.

25. Provided that where the Toll is a fractional Part of a Halfpenny the Sum to be demanded and taken shall be One Halfpenny instead of the fractional Part.

Tolls payable only once a Day.

26. Where any Person pays the Toll for the passing of any Beast, Carriage, or Cart through any Toll Gate, the same Beast drawing the same Carriage or Cart, or, as the Case may be, the same Carriage or Cart, shall (except as is by this Act otherwise provided), on the Ticket denoting the Payment of the Toll being produced, be permitted at all Times during the same Day to pass Toll-free through the same Toll Gate, and also through every other Toll Gate, if any, which the Ticket frees.

Tolls payable more than once a Day.

27. Provided that in the following Cases the Toll shall be payable for every Time of passing during the same Day:

Where the same Beast draws a different Carriage or Cart from the Carriage or Cart which it drew when the Toll was paid before on the same Day:

Where the Carriage or Cart is a Stage Coach, Van, Caravan, Stage Wággon, or other Stage Carriage or Stage Cart, carrying Passengers or Articles for Hire or Pay:

And in the following Case the Tolls shall be payable for every Time of passing during the same Day under a new Hiring:

Where the Carriage is a Postchaise, Gig, or other Carriage let out for Hire or Pay.

Trustees may accept Contributions, and apply same for Expenses of obtaining Act.

28. The Trustees may accept from any Persons willing to make the same any Contributions of Money for any of the Purposes of this Act; and the Trustees, out of Monies so contributed, but not out of any other Monies, may pay all or Part of the Costs, Charges, and Expenses of and incident to the applying for, obtaining, and passing of this Act.

Trustees not to pay Cost of making new Portion of Road or stopping up Road, &c.

29. The Trustees shall not, out of any Monies at their Disposal, pay any Sum in or towards defraying the Cost of or incident to the making, in the first instance, of the new Portion of Road, or the stopping up under this Act of any Portion of Road or Highway, or of removing any Toll Gate by this Act required to be removed.

Trustees not to borrow.

30. The Trustees shall not borrow any Money on the Security of the Tolls by this Act granted.

Application of Monies.

31. All Monies which come to the Hands of the Trustees by virtue of this Act shall be applied as follows; (that is to say,)

First, in paying Salaries of Officers, and in defraying the necessary Expenses of repairing, altering, and lighting Toll Gates, and the necessary Expenses of Management of the Road, but such Expenses together not to exceed Eighty Pounds a Year, exclusive of the Salaries of Toll Collectors, and Expenses of erecting Toll Gates, and Expenses with respect to Actions at Law, Suits, Indictments, or Proceedings before Magistrates:

Secondly, in paying Interest at the Rate of Four Pounds *per Centum per Annum* upon the several Principal Sums amounting together to Two thousand seven hundred and forty-two Pounds Ten Shillings respectively specified in the Schedule to this Act annexed, or upon so much thereof as is from Time to Time owing in respect of Money borrowed on the Credit of the Tolls:

Thirdly, in paying the Expenses of maintaining and repairing the Road, but those Expenses not to exceed One hundred and eighty Pounds a Year:

Fourthly, in paying off, as is by this Act provided, the Principal Sums specified in the Schedule to this Act annexed:

Fifthly, in paying the Expenses of further maintaining, repairing, and improving the Road.

Mortgagees to take possession for Payment of Arrears only.

32. Whenever and so long as the Interest at the Rate by this Act authorized on the Mortgage Debts specified in the Schedule to this Act annexed is duly paid within Three Months after the same becomes due, no Mortgagee of the Tolls on the Road shall enter into possession of the Toll Gates, or into the Receipt of the Tolls, or of the Rent payable upon any letting of the Tolls, or until Twenty-eight Days after Demand in Writing made by the Mortgagee on the Clerk to the Trustees for Payment of the Interest, and Default made in Payment accordingly.

Duties of Mortgagee in possession.

33. If any Mortgagee of the Tolls enter into the Possession or Receipt he shall pay the Interest from Time to Time due and payable on all the Mortgages of the Tolls, without any Preference, and may reimburse himself his lawful Costs; and the Mortgagee so in Possession or Receipt shall, within Twenty-one Days after every Thirty-first Day of *December*, render to the Clerk to the Trustees a full and true Account of his Receipts and Expenditure while in the Possession or Receipt, with proper Vouchers.

34. If

Delivery up of Possession by Mortgagee.

34. If it appear by any such Account that the Interest due on his Mortgage up to the then last Thirty-first Day of *December*, and all such Costs, are fully paid, then the Mortgagee shall, when thereunto required by the Trustees, pay over to their Treasurer the Balance (if any) in his Hands, and deliver up the Possession and Receipt to the Trustees or to any Person appointed by them to receive the same.

Mode of discharging Debt.

35. Whenever the Sum applicable towards the Discharge of the Mortgage Debt amounts to One hundred Pounds, the Trustees shall, at any General Annual or other Meeting, apply the Sum in Payment of a Part of the Mortgage Debt to some Person entitled thereto, and shall, Twenty-eight Days at least before the Meeting, give Notice of the Meeting, and of the Purposes thereof, so far as the same relate to the Application of the Sum, by Letter transmitted through the General Post Office to every Creditor, addressed to his usual Place of Residence; and at the Meeting the Trustees shall apply the Sum, or (as the Case requires) a Portion thereof, towards the Discharge of a Part of the Mortgage Debt to the Creditor who, by Proposal in Writing transmitted to the Clerk of the Trustees before the Meeting, offered to accept the lowest Composition in respect of his Portion of the Mortgage Debt, and after Payment to that Creditor shall apply the Surplus (if any) of the Sum, or (as the Case requires) a Portion thereof, in or towards the Discharge of a further Part of the Mortgage Debt due to the Creditor who, by like Proposal, has offered to accept the next lowest Composition in respect of his Portion of the Mortgage Debt, and so on until the Sum be exhausted; and whenever Two or more Creditors, by like Proposal, shall have offered to accept an equal Rate of Composition the Trustees may determine by Lot the Preference between those Creditors, or may pay the Composition rateably between them, as the Trustees think fit; and if there be not any such Proposal, or if there be any Surplus of the Sum after applying the same, so far as is necessary, in or towards the Discharge of the Monies to which any such Proposals relate, the Trustees may, as they think fit, apply the Sum, or (as the Case may be) the Surplus thereof, rateably amongst the Creditors, or may pay the same to such of them as the Trustees determine by Lot.

Road not exempt from Provisions of General Acts.

36. Nothing in this Act contained shall exempt the Road from the Provisions of any General Act relating to the Consolidation or other improved Arrangement of Turnpike Roads which may pass during the present or any future Session of Parliament, or from the Provisions of any such Act now in force, except so far as any Provisions thereof are expressly varied by this Act or are inconsistent therewith.

The

The SCHEDULE.

MORTGAGE DEBT ON THE TOLLS.

Mortgagees.	Principal Sums.		
	£	s.	d.
Butler, Reverend William Joseph - - -	301	10	0
Foljambe, George Savile - - - -	483	10	0
Maltby and Bingley - - - -	108	10	0
Portland, Duke of - - - - -	193	10	0
Scott, James - - - - -	541	0	0
Strutt, George Henry - - - -	325	0	0
Wagstaff, Mary Elizabeth - - - -	228	0	0
Waring's Trustees - - - - -	561	10	0
£	2,742	10	0

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