ANNO NONO

GEORGII IV. REGIS.

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Cap. xxiii.

An Act for more effectually repairing, widening, and otherwise improving the Road from the South End of *Milton Street* in the Town of *Nottingham* to the West End of *Blind Lane* in the Town of *Mansfield* in the County of *Nottingham*.

[18th *April* 1828.]

WHEREAS an Act was passed in the Twenty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, widening, and keeping in repair the Road leading from the Town of* Nottingham *to the Town of* Mansfield *in the County of* Nottingham: And whereas another Act was passed in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act for continuing and amending an Act passed in the Twenty-seventh Year of the Reign of His said late Majesty, for repairing the Road from the Town of* Nottingham *to the Town of* Mansfield *in the County of* Nottingham: And whereas the Trustees for executing the said several recited Acts have made great Progress in repairing and improving the said Road, and have for that Purpose borrowed several considerable Sums of Money upon the Credit of the Tolls authorized to be taken upon the said Road, which Sums still

27 G. 3. c. 76.

48 G. 3. c. 59.

still remain due, and the same cannot be discharged, nor can the said Road be effectually repaired, amended, widened, improved, and kept in repair, unless further and other Tolls, Powers, and Provisions are granted and made for those Purposes, for a further Term: And whereas an Act was passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fourth Year of the Reign of His said present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of His present Majesty, to amend the General Laws now in being for regulating Turnpike Roads in that Part of* Great Britain *called* England: And whereas an Act was passed in the Fifth Year of the Reign of His said present Majesty, intituled *An Act to enable Justices of the Peace for Ridings, Divisions, or Sokes, to act as Trustees for repairing and maintaining Turnpike Roads:* And whereas an Act was passed in the Seventh and Eighth Years of the Reign of His said present Majesty, intituled *An Act to amend the Acts for regulating Turnpike Roads in* England: And whereas the said Road is in some Places narrow and incommodious, and it would be of great Public Convenience and Advantage if the same were widened and altered in such Places as shall be deemed necessary: And whereas it would be convenient if the said recited Acts of the Twenty-seventh and Forty-eighth Years of the Reign of His late Majesty King *George* the Third were repealed, and further and more effectual Powers and Provisions granted and made for repairing, amending, widening, improving, and maintaining the said Road; but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That upon the Third *Monday* next after the passing of this Act the said recited Acts passed in the Twenty-seventh and Forty-eighth Years of the Reign of His late Majesty King *George* the Third shall be and the same are hereby severally declared to be repealed; and instead thereof this Act shall be put in execution for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, diverting, altering, and from Time to Time improving and keeping in repair the Road commencing at the South End of *Milton Street*, lately called *Boot Lane*, in the Town of *Nottingham*, and terminating at the West End of *Blind Lane* in the Town of *Mansfield* in the County of *Nottingham*.

3 G. 4. c. 126.

4 G. 4. c. 95.

5 G. 4. c. 69.

7 & 8 G. 4. c. 24.

Recited Acts 27 & 48 G. 3. repealed, and this Act to take effect.

Powers of General Turnpike Acts extended to this Act.

II. And be it further enacted, That the said recited Act passed in the Third Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fourth Year of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts

thereof as are varied, altered, or repealed,) and also the said recited Act passed in the Fifth Year of the Reign of His present Majesty, and also the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, (save and except such Parts thereof as are varied, altered, or repealed,) shall respectively be as good, valid, and effectual, for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

New Term and Tolls liable to former Debts.

III. And be it further enacted, That this Act, and the Term and Tolls hereby granted, shall be and they are hereby charged with and made subject and liable to the Payment of all Monies which have been borrowed and which are now due and owing upon the Credit or on account of the said former Acts or either of them, and also of all and every other Sum or Sums of Money as may be borrowed by virtue of or become due on the Credit of this Act, and of all Interest due and to grow due thereon respectively, as fully and effectually to all Intents and Purposes as if all such Monies had been borrowed or become due on the Credit of this Act, or of the Tolls hereby authorized to be collected.

Debts, &c. under former Acts, vested in the Trustees under this Act.

IV. And be it further enacted, That all Arrears of Tolls or Rents, or other Monies due to, and all Property, Real or Personal, and all Choses in and Rights of Action, either at Law or in Equity, vested in the Trustees under the said recited Acts hereby repealed, or either of them, shall immediately on the Commencement of this Act be vested in the Trustees for executing this Act, who shall be and they are hereby enabled to sue for and recover the same, and for that Purpose to cause to be commenced and prosecuted all Actions and Suits at Law or in Equity, and to act in respect thereof as effectually as if the same had become due to or had been vested in them under and by virtue of this Act.

Books to be Evidence.

V. And be it further enacted, That all and every the Books and Book of Proceedings which have been kept by the Trustees acting in the Execution of the said recited Acts hereby repealed, or by their Treasurer or Clerk under their Direction, according to the Provisions of such Acts, and made Evidence thereby, and also the Book or Books to be kept for the Purposes of this Act, shall and may be admitted in Evidence in all Courts, and by all Judges, Justices, and others.

Bonds, Contracts, &c. under former Acts, to be in force.

VI. And be it further enacted, That all Bonds, Conveyances, Covenants, Agreements, Contracts, Leases, Mortgages, and Securities made to or entered into by any Person or Persons to or with the Trustees for executing the said recited Acts hereby repealed, or to or with their Clerk or Treasurer, or any other Person or Persons on behalf of the said Trustees, shall remain in full Force and Effect, and be and continue available in all Courts of Law and Equity, until the same be fully satisfied and performed on account of the Trusts under this Act; and all Bargains, Contracts, Agreements, or Notices,

Notices, made, entered into, or given by the Trustees for executing the said recited Acts hereby repealed, or by any of their Officers by their Order or Direction, or either of them, with or to any Person or Persons, for any Purpose relating to the said Road, or to the Execution of the said Acts or either of them, so far as the same are not altered or varied by this Act, shall remain in full Force and Effect, and be observed and kept by the Trustees under this Act, and by the other respective Parties to such Contracts, Agreements, or Notices, according to the Terms and Stipulations thereof, and the true and equitable Intent and Meaning thereof, notwithstanding the Repeal of the said Acts.

Officers under the former Acts to account and deliver over Books, &c. to Trustees under this Act.

VII. And be it further enacted, That all Persons who are or have been employed, or who have received any Tolls or other Money by virtue and in pursuance of the said Acts hereby repealed, or on account of the said Road, or who have or shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or other Things relating to the same, shall account for and pay and deliver over the same, and every Part thereof, to the Trustees for executing this Act, in like Manner and under the like Penalties as are by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty imposed in respect to the several Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of the said Acts and this Act.

Appointment of Trustees.

VIII. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Nottingham*, together with *John Allen*, *Robert White Almond* Clerk, *John Attenburrow*, *John Balguy*, *Thomas Francis Phillip Hutchinson Barber*, *Thomas Barber*, *John Houseman Barber*, *Richard Gresham Barber*, *John Bigsby* M.D., *John Bourne*, *John Gervas Hutchinson Bourne*, *George Bradley*, *John Bradley*, *George Bunting*, *Robert Burgess*, *William Stanford Burnside*, *John Burnside* Clerk, *William Joseph Butler* Clerk, *Leonard Chapman* Clerk, *William Chrishop*, *James Dale*, *Henry Enfield*, *Alfred Fellows*, *Andrew Gideon Fisher*, *Samuel Fox*, *Alexander Foxcroft*, *Francis Gawthern*, *Francis Secker Abson Gawthern*, *John Gill*, *Edward Smith Godfrey*, *Alexander Hadden*, *John Hadden*, *Francis Hardwick*, *Francis Hart*, *James Heygate*, *James Hooley*, *Robert Holden* the younger, *Richard Hopper*, *Luke Jackson* Clerk, *Gibson Jalland*, *William Jamson*, *Robert Leeson*, *Lewis Allsopp Lowdham*, *Thomas Maltby*, *James Maltby*, *Alexander Manson* M.D., *William Marsden* M.D., *William Melville*, *John Mills*, *Thomas Moore*, *Richard Morley*, *Samuel Need*, *William Need*, *Thomas Need*, *Walter Need*, *George Need*, *Matthew Needham*, *Charles Nixon* Clerk, *James Nixon*, *Thomas Nixon*, *Henry Oldknow*, *Alfred Padley* Clerk, *Robert Wilkinson Padley*, *John Parker*, *John Pearson*, *Henry Percy*, *Edmund Percy*, *Henry Percy* the younger, *John Edwards Piercy*, the Right Honourable Lord *Rancliff*, *William George Richardson*, *Frederick Robinson*, *George Robinson*, *Martin Roe*, *Samuel Sanders*, General Sir *JohnCoape Sherbrooke*, *John Sherwin Sherwin*, *William Simes*, *Thomas Simpson*, *John Simpson*, *Henry Sleight*, *Thomas Carpenter Smith*, *George Smith*, *Henry Smith*, *John Smith*, *Charles Stanton*, *Edward Staveley*, *John Storer* Clerk, *George Stretton*, *Christopher*

topher Swann, William Taylor, John Theaker, the Most Honourable the Marquis of *Tichfield, Francis Wakefield, Thomas Wakefield, Thomas Walker, William Watson, Thomas Wildman, William Williams* M. D., *John Calthorp Williams* M. D., *William Wilson, William Wilson* the younger, *John Wilson, John Wood, William Woodcock, John Wright, Ichabod Wright, Ichabod Charles Wright, James Wright,* and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for putting this Act into Execution.

Power to appoint additional Trustees.

IX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at their First and Second Meetings, or either of them, to be holden by virtue of this Act, to elect, nominate, and appoint any Number of fit and proper Persons, not exceeding Three in the whole, to be Trustees for the Purposes of this Act and the said recited Acts of the Third, Fourth, Fifth, and Seventh and Eighth Years of the Reign of His said present Majesty, in addition to the Trustees hereby nominated and appointed; and such Trustees, when so elected and appointed, and being qualified according to the Directions of the said Acts, shall be and they are hereby invested with the same Powers for executing the said Acts and this Act as if they had been named and appointed in and by this Act.

Meetings of Trustees.

X. And be it further enacted, That the said Trustees shall meet at some convenient House or Place on or near the said Road, on the Third *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then and there proceed to carry this Act into Execution, and shall and may then and from Time to Time afterwards adjourn to and meet at such Times, and such Place or Places either upon or near to the said Road, as the said Trustees, or the major Part of them, present at any such Meetings, shall think proper and appoint.

General Meetings to be held.

XI. And be it further enacted, That the said Trustees shall and they are hereby required to hold a General Meeting at *Redhill,* in the Parish of *Arnold,* in the County of *Nottingham,* on the First *Monday* in *July* in every Year, during the Continuance of this Act, of which Meeting Twenty-one Days Notice shall be given in the *Nottingham Journal,* or some other Newspaper or Newspapers usually circulated in the County of *Nottingham,* which said Meeting shall be called or known as "The General Annual Meeting of the Trustees;" and at such Meeting the Trustees assembled shall elect a Chairman for the Purposes thereof, and shall also audit their Accounts, and report the State of the said Road.

Former Officers to continue.

XII. And be it further enacted, That each and every Treasurer who shall have been appointed consistently with the Provisions of the said recited Act passed in the Seventh and Eighth Years of the Reign of His present Majesty, and not contrary to the Provi-

sions and Directions of this Act, and each and every Clerk or Clerks, Receiver, Collector, Surveyor, and other Officer and Officers, nominated and appointed under and by virtue of the said recited Acts hereby repealed, or either of them, shall hold and enjoy such their several and respective Offices and Employments until they shall respectively be removed therefrom by the Trustees for executing this Act; and each and every such Treasurer, Clerk or Clerks, Receiver, Collector, Surveyor, or other Officer or Officers, shall have the like Powers and Authorities for the Purposes of this Act, and for carrying the same into Execution, and shall be subject and liable to such Pains and Penalties, and to the like Powers of Removal, and to the like Rules and Regulations in all respects whatsoever, as if they had been respectively nominated and appointed under or by virtue of this Act.

Power to continue, alter, or erect Toll Gates, Toll Houses, &c.

XIII. And be it further enacted, That it shall be lawful for the said Trustees either to continue or remove all or any of the Turnpikes and Toll Gates, Bars, Chains, Toll Houses, and Weighing Machines, which now stand upon, across, or on the Sides of the said Road, and also from Time to Time to erect and set up, in addition thereto respectively, or in lieu thereof, One or more Turnpike or Turnpikes, Toll Gate or Toll Gates, Bar or Bars, Chain or Chains, and Weighing Machine or Weighing Machines, in, upon, across, or on the Sides of any Part of the said Road, when, where, and as the Trustees shall judge necessary and expedient, and also to erect and provide, or cause to be erected and provided, proper Toll Houses, with suitable Outbuildings thereto, and also to inclose from any Grounds adjoining thereto such Garden Plots for the said Toll Houses respectively, not exceeding One Eighth Part of a Statute Acre for each Toll House, as the said Trustees may judge proper, for the Use and Convenience of the Occupiers of the said Toll Houses and Weighing Machines respectively; and also from Time to Time to cause all or any of such Turnpikes or Toll Gates, Bars, Chains, Weighing Machines, Toll Houses, and Gardens, to be taken down and removed, or altered or discontinued, and to be removed or altered, and placed in such other Situations upon, across, or on the Sides of the said Road, as they the said Trustees shall judge proper and expedient.

Power to take Tolls.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Person or Persons to be appointed or continued Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take, at the several and respective Turnpikes, Toll Gates, or Toll Houses, or Side Bars or Side Gates or Chains, which by virtue of this Act shall be continued or erected in, upon, across, or on the Side or Sides of the said Road, on every Day, such Day to be computed from Twelve of the Clock at Night to Twelve of the Clock on the next succeeding Night, before any Horse, Cattle, Beast, or Carriage shall be permitted to pass through the same, the several Tolls following; (that is to say,)

Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Berlin, Landau, Vis-a-vis, Sociable, Chariot, Cartee, Caravan, Curricle, Calash,

Calash, Hearse, Chaise, Phaeton, Marine, Whiskey, Van, Litter, Break, Gig, Chair, Tax Cart, or other such Carriage, any Sum not exceeding Sixpence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Dray, Cart, Drag, Bone Mill, Thrashing Machine, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottoms or Soles thereof, any Sum not exceeding Sixpence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Dray, Cart, Drag, Bone Mill, Thrashing Machine, or other such like Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Six Inches, and not less than Four Inches and a Half, any Sum not exceeding Seven-pence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Dray, Cart, Drag, Bone Mill, Thrashing Machine, or other such like Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Four Inches and a Half, any Sum not exceeding Nine-pence:

For every empty Carriage with Four Wheels fastened to or behind any Waggon, Wain, Drag, Cart, or other Carriage, the Sum of Three-pence; and for every empty Carriage with Two Wheels so fastened, the Sum of One Penny Halfpenny; and if loaded, Double such Sum:

For every Horse, Mule, or Ass, laden or unladen, and not drawing, any Sum not exceeding Two-pence:

For every Drove of Oxen, Cows, or Neat Cattle, any Sum not exceeding One Shilling and Eight-pence *per* Score, and so in proportion for any greater or less Number;

For every Drove of Calves, Swine, Sheep, Lambs, or Hogs, any Sum not exceeding Ten-pence *per* Score, and so in proportion for any greater or less Number:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage, laden with a Mill Stone or Mill Stones, Block or Blocks of Stone or Timber, any Sum not exceeding One Shilling: And,

For every Horse or other Beast drawing any Drag so constructed as that the Distance between the Axletrees thereof, measured at the Ends, shall be more than Nine Feet, and laden otherwise than with a single Piece of Timber, the Sum of Two Shillings and Six-pence:

Tolls vested in the Trustees.

Which said respective Tolls or Sums of Money shall be and the same are hereby vested in the said Trustees, and the same and every Part thereof shall be collected, paid, applied, and disposed of in Manner herein-after directed; provided that not more than One Half of the said respective Tolls hereby authorized to be collected upon the whole Extent of the said Road shall be demanded or taken at any One of the said Turnpikes or Toll Bars, or for passing or travelling upon a less Distance than Six Miles of the said Road.

Tolls to be taken but Once for pass-

XV. And be it further enacted, That if any Person shall have paid the Toll hereby authorized to be taken for the passing of any Horse,

ing and repassing on the same Day.

Horse, Cattle, Beast, or Carriage, through any Toll Gate or Turnpike to be continued or erected by virtue of this Act, such Horse, Cattle, Beast, or Carriage shall (upon a Ticket being produced denoting such Payment) be permitted to pass Toll-free through the same Toll Gate or Turnpike, and also through such other Gate or Gates as the Ticket for such Payment shall free, at any Time during the same Day (except as herein-after mentioned).

No more than Two full Tolls to be paid for the same Horses, &c. passing through all the Gates.

XVI. And be it further enacted, That no more than Two full Tolls shall be demanded or taken on the same Day for or in respect of the same Horses, Cattle, Beasts, or Carriages (except as herein-after mentioned), for passing and repassing through all the Turnpikes or Toll Gates continued or erected by virtue of this Act; but all and every Person and Persons, after having paid such Two full Tolls as aforesaid, and producing a Note or Ticket, or Notes or Tickets, denoting the Payment of such Tolls, shall afterwards pass with the same Horses, Beasts, and Carriages, Toll-free, during such Day, through all and every such Gate and Gates, Turnpike and Turnpikes (except as herein-after mentioned); and all the respective Collectors of the Tolls are hereby required to deliver such Notes or Tickets *gratis*, on Receipt of the Toll in manner aforesaid.

Stage Coaches and Post Chaises, &c. to pay each Time of passing.

XVII. Provided always, and be it further enacted, That the Tolls hereby made payable shall be paid for or in respect of all Horses or other Beasts drawing any Stage Coach, or any Stage Waggon, Van, Caravan, or other Stage Carriage, carrying or conveying Passengers or Goods for Payment, Hire, or Reward, for every Time of passing or repassing along the said Road; and also for and in respect of all Horses or other Beasts drawing any Post Chaise or other Carriage travelling for Hire, for every Time of passing or repassing along the said Road, whenever a new Hiring of such Post Chaise or other Carriage shall have taken place.

Wheels deviating from a flat Surface to pay an additional Toll.

XVIII. Provided always, and be it further enacted, That all Waggons, Carts, or other such Carriages, which shall travel on the said Road, having at the Time of the using thereof Wheels which shall deviate more than One Quarter of an Inch from a flat Surface, or shall not have the Nails thereof countersunk, so as to form a level Surface, shall be deemed liable and subject to the Payment of the same Toll as Carriages with Wheels of less than Four Inches and a Half in Breadth on the Soles thereof.

Fractional Part of a Halfpenny in Tolls.

XIX. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls hereby granted and authorized, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

One Horse Carts may be weighed.

XX. And whereas it frequently happens that Carts drawn by One Horse or other Beast, passing along the said Road, carry a greater Weight than is by Law allowed for Carts drawn by Two Horses; be it therefore further enacted, That any Cart or Carts passing along the said Road, drawn by One Horse or other Beast only, shall and may

may be weighed at any Weighing Machine now erected or to be erected on the said Road, and the like additional Tolls demanded and received and recovered, for the Overweight thereof, as are by Law payable in respect of the Overweight of Carts drawn by Two Horses; and all the Powers, Regulations, and Penalties now in force relating to the weighing of Waggons, Carts, and other Carriages drawn by more than One Horse, shall be applicable to any Cart or Carts passing on the said Road drawn by One Horse or other Beast only, and to the Drivers, Masters, and Owners thereof respectively.

Application of Tolls and Money borrowed.

XXI. And be it further enacted, That the Money already received by virtue of the said recited Acts hereby repealed, and now in the Hands of the Treasurer or Treasurers for the said Road, and all Tolls and other Monies which may be collected or received under the Powers and Authorities of this Act or otherwise, and the Monies hereafter to be borrowed on the Credit of the Tolls by this Act granted, shall be applied, in the first place, in paying the Costs, Charges, and Expences relative to the obtaining and passing of this Act, and in the next place, in paying and defraying the Interest of the Principal Money now due and owing on the Credit of the Tolls arising on the said Road hereby directed to be kept in repair, and which may be borrowed upon the Credit of this Act respectively, and in paying Salaries and Allowances to the Treasurer, Clerks, Collectors, Surveyors, and other Officers and Persons for the Time being employed by the said Trustees, and in defraying the Expences of erecting, removing, and keeping in repair the Turnpikes, Toll Houses, Side Gates, Side Bars, Chains, and Weighing Machines, and in amending, making, altering, widening, and improving the said Road, and keeping the same in repair (except as next herein-after provided), and in otherwise putting this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty into Execution; and from and after the said Road shall be well and effectually amended, altered, widened, improved, and repaired, the Surplus of the said Monies which shall remain, after defraying the several Charges and Payments aforesaid, shall from Time to Time be applied in repaying the Principal Monies for the Time being due and owing on the Credit of the Tolls by this Act granted, and to and for no other Use or Purpose whatsoever.

No Money to be expended in repairing the Road in the Towns of Nottingham or Mansfield.

XXII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Trustees to lay out, expend, or appropriate any of the Monies which shall come to their Hands, or be collected or received, by virtue of this Act, in paving, lighting, watching, repairing, or improving any Part of the said Road which lies between the South End of the said Street called *Milton Street*, and the North End of *York Street*, in the said Town of *Nottingham*, or between the West End of the said Lane called *Blind Lane*, and *Bullshead Lane*, in the said Town of *Mansfield*, (except for the Purpose of purchasing and taking and pulling down the several Houses, Buildings, Yards, inclosed Grounds, Hereditaments, and Premises comprised and mentioned in the Schedule to this Act annexed, and

for widening that Part of the said Road in the Town of *Nottingham* called *Milton Street*); and that when and as soon as the said several Houses, Buildings, Hereditaments, and Premises shall have been taken down, and the Sites thereof laid into the said Road, and sufficiently made, the same and every Part thereof shall cease to be under the Care and Management of the said Trustees.

Trustees may borrow Money at a less Rate of Interest to pay off existing Securities.

XXIII. And be it further enacted, That if at any Time any Person or Persons shall offer or be willing to advance any Sum or Sums of Money on the Security of the Tolls by this Act granted, at a lower Rate of Interest than shall for the Time being be paid or payable to the Holder or Holders of the then existing Securities, the said Trustees shall and may, and they are hereby authorized and empowered to cancel such Securities so carrying a higher Rate of Interest, to the Amount of the Sum or Sums offered or ready to be advanced, paying to the Holder or Holders the full Amount of such Security or Securities, and grant new ones bearing a lower Rate of Interest, unless the Holder or Holders of such existing Securities shall consent to accept such a lower Rate of Interest.

Entrances to Fields, &c. to be made with hard Materials.

XXIV. And be it further enacted, That in all Places throughout the said Road hereby directed to be repaired, where any Entrance shall be from the said Road to any Field, Garden, Yard, or other Land or Ground, or to any Buildings, from the said Road or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Materials, and a proper Culvert or Drain made, by or at the Expence of the Proprietor or Occupier of such Field, Garden, Yard, Land, Ground, or Building, so that such Road may not be injured by the stoppage or running of Water, or by Carriages or Horses passing to or from the same by such Entrance; and in case such Proprietor or Occupier shall neglect to cover with proper Materials such Entrance, or to make such Culvert or Drain, or to put and keep the same respectively in proper Order, for the Space of One Calendar Month after Notice in Writing given to such Proprietor or Occupier, or left for him or her at his or her usual or last Place of Residence, by the Surveyor or Surveyors to the said Trustees, or other Person or Persons appointed by them, requiring such Proprietor or Occupier so to make or repair the same, then it shall be lawful for the said Trustees, or their Surveyor or Surveyors, or any other Person or Persons acting by or under their Authority, to cover such Entrance with Stone, Gravel, or other hard Materials, and to make such Culvert or Drain, or to repair the same respectively, as the Case may be, and the Expences thereof shall be reimbursed and paid to the said Trustees by such Proprietor or Occupier, as the Case may be; and in case of Nonpayment of such Expences within Fourteen Days after the same shall have been demanded by or on behalf of the said Trustees, then such Expences shall and may be recovered, together with the Costs and Charges attending the recovering the same, by Distress and Sale of the Goods and Chattels of such Proprietor or Occupier, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the County, Borough, or separate Jurisdiction within which such Default in Payment shall be made, or for the County, Borough, or separate

Jurisdiction within which the Goods and Chattels of such Proprietor or Occupier shall be or be situate, and which Warrant of Distress any such Justice or Justices is or are hereby authorized and empowered to grant, on Proof made before him or them, on Oath, of such Expence having been incurred, and of such Notice having been given as aforesaid; and any Overplus shall be returned, on Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

Trustees may make Footpaths.

XXV. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Trustees to continue or make, or cause to be made, such Causeways or Footpaths on the Side or Sides of the said Road, or any Part or Parts thereof respectively, as they shall think proper, and to place Posts, Rails, and Stones, or any or either of them, upon or by the Side or Sides thereof.

Leases and Lettings of Tolls may be vacated.

XXVI. And be it further enacted, That all Demises, Leases, and Agreements for Lease or Leases, or Letting or Lettings of the Tolls on the said Road, heretofore granted, shall, on such Day as the said Trustees shall at their First Meeting appoint, cease, determine, and become void, in the same Manner as if such Demises, Leases, or Agreements had expired by Effluxion of Time, (save as to the Obligations, Covenants, and Agreements for Payment of Rent and Performance of the Covenants in such Demises, Leases, or Agreements contained, on the respective Lessee's or Obligee's Part to be observed and performed, which shall continue in force until actually and fully performed), in case Notice in Writing shall be given for such Purpose by the Clerk or Clerks to the said Trustees, to, or left at the Toll House or Toll Houses for the Lessee or Lessees, Farmer or Farmers of the said Tolls, or by such Lessee or Lessees, Farmer or Farmers, to the said Clerk or Clerks, Fourteen Days before the Time which shall be appointed for that Purpose; and in case any Lessee or Lessees, Farmer or Farmers of such Tolls, or any other Person or Persons, shall, on the Vacation or Avoidance of such Demises, Leases, or Agreements, or Lettings, refuse or neglect to quit and deliver up the Possession of any Toll House, Toll Gate, Bar, Chain, or Weighing Machine, or the Buildings and Appurtenances and Garden and Ground thereto belonging, to the said Trustees, or to any Person or Persons acting under their Authority, after Demand thereof made, then it shall be lawful for the said Trustees to remove such Lessee or Lessees, Farmer or Farmers, or Person or Persons, from the Possession thereof, in such Manner as is by Law directed with respect to the Removal of the Lessee or Lessees, Farmer or Farmers of the Tolls to arise and be made payable under this Act, whose Lease or Leases, Contract or Contracts, shall become avoided or vacated, or shall have expired: Provided always, that the said Trustees shall, on or before the Day or respective Days specified in such Notice or Notices respectively, as herein-before mentioned, and they are hereby authorized, directed, and required to make or tender a fair and just Compensation or Satisfaction to the Lessee or Lessees of such Tolls whose Leases or Agreements shall be intended to be so vacated as aforesaid, for the Loss or Damage which they, he, or she may or might thereby sustain,

But Satisfaction to be made to Lessees.

sustain, (such Loss or Damage being calculated according to the Amount of the Tolls which were payable at the Time of such Leases or Contracts being entered into, and not according to the Amount of the Tolls hereby made payable;) and in case any such Lessees or Lessee, Farmers or Farmer, shall be dissatisfied with the Amount of such Compensation, then and in such Case such Lessees or Lessee, Farmer or Farmers, shall and may recover Compensation for the Loss or Damage sustained by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, and also (in case the Sum recovered shall be more than the Sum tendered by or on behalf of the said Trustees) shall have and recover their full Costs of Suit: Provided also, that in case the said Trustees and the present Lessee or Lessees of the said Tolls, or any of them, shall be desirous that such Demises, Leases, or Agreements, or Lettings, shall continue in force for the Remainder of the respective Terms for which the same or any of them shall have been granted or made, then and in such Case such Lessee or Lessees shall pay such Sum or Sums of Money, or such additional Rent, to the said Trustees, as such Trustees shall think fit, as a Consideration for the continuing of such Lease or Leases or Lettings; and in case of any Difference or Dispute respecting the Amount of such Sum or Sums or Rent, such Differences or Disputes shall be settled by any Two Justices of the Peace for the County or Place where the Toll House or Toll Houses shall be situate, which such Justices are hereby empowered to do, on Application being made to them for that Purpose by such Lessee or Lessees, and on Proof of Fourteen Days Notice of the Intention of such Lessee or Lessees having been given, in Writing, by such Lessee or Lessees to, or left at the Office or Offices of the Clerk or Clerks of the said Trustees.

Trustees and Lessees may agree to continue existing Leases.

Penalty for hanging out Clothes, &c. on Fences adjoining the Road.

XXVII. And be it further enacted, That if any Person or Persons shall hang or put or place out any Linen or other Clothes on any Line, Bank, Rail, or Fence adjoining the said Road, or shall hang or put or place any Hook or Hooks, or other Thing or Things, to, from, or in any House, Shop, or Place adjoining or being near to the said Road, so as to project into the said Road, or be an Annoyance to any Persons or Cattle passing thereon, or prevent the free and safe Use of the whole Breadth of the said Road, every Person offending in any of the Cases aforesaid shall pay a Sum not exceeding Forty Shillings for every Offence; and such Penalty shall be levied and recovered (together with the necessary Costs and Charges of levying the same) by the same Ways and Means as any Penalty or Forfeiture for any Nuisance committed in or upon any Turnpike Road may by Law be levied or recovered; and one Moiety of such Penalty shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer to the said Trustees, and be applied and disposed of for the Purposes of this Act.

Power to make Improvements.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby fully authorized and empowered, to set out, make, and complete the several Alterations and Improvements of the said Road described and referred to in the Plan herein-after mentioned, in such Manner, and within the Limits herein-after

after mentioned, as they shall think proper for the Convenience and Benefit of the Public.

Plan and Book of Reference deposited with Clerk of the Peace to remain there.

XXIX. And whereas a Map or Plan describing the Line of the proposed Alterations and Improvements of the said Road, and the Lands through which the same is intended to be carried, together with a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers of such Lands, hath been deposited at the Office of the Clerk of the Peace for the said Town of *Nottingham*, and also at the Office of the Clerk of the Peace for the County of *Nottingham*; be it therefore enacted, That the said Maps or Plans, and Books of Reference respectively, shall remain in the Custody of the said Clerk of the Peace for the said Town of *Nottingham* and County of *Nottingham*, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and to take Copies or Extracts therefrom, at their Will and Pleasure, paying to the Clerk of the Peace the Sum of One Shilling for every such Inspection, and at the Rate of Sixpence for every One hundred Words of such Copies or Extracts from the said Map or Plan and Book of Reference; and the said Trustees, in making the said Alterations and Improvements, shall not deviate more than One hundred Yards from the Line described in such Maps or Plans, without the Consent in Writing of the Person or Persons, Bodies Politic, Corporate, or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Trustees not to deviate from the Line marked in the Plan.

Misnomer not to prevent the Execution of this Act.

XXX. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the proposed Alterations and Improvements of the said Road into, through, across, and over the Lands and other Hereditaments described in the said Maps or Plans, although the Name or Names of the Owners or Occupiers thereof may happen to be omitted or mis-stated in the said Books of Reference, provided it shall appear to any Two or more Justices of the Peace for the County, Town, Borough, or Place wherein such Lands or other Hereditaments shall be situated, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake, or that the Owners or Occupiers of such Lands or other Hereditaments had Notice that the same would be wanted for the Purposes of this Act.

Power to take down and use the Buildings, &c. comprized in the Schedule.

XXXI. And be it further enacted, That nothing in the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or either of them, shall prevent or hinder the said Trustees from taking and pulling down, or entering upon, taking in, and using, for the several Purposes of this Act, all or any of the Houses, Buildings, Yards, inclosed Grounds, Hereditaments, and Premises comprised and mentioned in the Schedule to this Act annexed; but the said Trustees shall and may, and they are hereby empowered and authorized to enter upon, take Possession of, and use all and every or any of the said Houses, Buildings, Yards, inclosed Grounds, Hereditaments, and Premises, for the Purposes of this Act, at such Time or Times, within the Space of Five Years, to be computed from the passing of this Act, as they may think proper,

proper, tendering or making Satisfaction to the Owners thereof and Persons interested therein for the Loss or Damage they may thereby sustain, and subject to the Regulations contained in the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, or either of them, in Cases where the Parties neglect or refuse to treat, or by reason of Absence are or may be prevented from treating, or cannot agree in the Premises.

Power of purchasing limited to Five Years.

XXXII. Provided always, That if the said Trustees shall not, within the Space of Five Years after the passing of this Act, agree for, or cause to be valued and paid for, in manner directed by the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, the several Houses or other Buildings, Hereditaments, and Premises which they are by this Act empowered to purchase, take, and use, or so much thereof as they shall respectively deem necessary or proper for the Purposes of this Act, then and from thenceforth the Powers hereby given them for such Purpose shall cease, determine, and be utterly void, except with the Consent of the Owners and Occupiers thereof respectively.

Public Act.

XXXIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Term of Act.

XXXIV. And be it further enacted, That this Act shall commence and take effect upon the Third *Monday* next after the passing thereof, and shall continue and be in force for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament.

The

The SCHEDULE to which the foregoing Act refers.

No. on the Plan.	Owners or reputed Owners.	Description of Property.	Parish.	County.	Occupiers.
1.	William Williams	Unicorn Public House and Offices	Saint Mary	Town and County of the Town of Nottingham	William Pailthorpe.
2.	Do.	House	Do.	Do.	William Breedon.
3.	Do.	Do.	Do.	Do.	William Mather.
4.	John Stones	Do.	Do.	Do.	George Otter.
5.	Do.	Do.	Do.	Do.	Unoccupied.
6.	Do.	Do. and open Warehouses	Do.	Do.	Thomas Clarke.
7.	Reid and Company	House	Do.	Do.	John Massey.
8.	Do.	Shops and Warehouses underneath	Do.	Do.	Do. and William Wright.
9.	Mayor and Burgesses of Nottingham.	House	Do.	Do.	Ann Clayton.
10.	Do.	Do.	Do.	Do.	John Halford.
11.	Do.	Stable	Do.	Do.	Samuel Dixon.
12.	Gervas Thorpe	Do.	Do.	Do.	Gervas Thorpe.
13.	Do.	Rooms over the Stable	Do.	Do.	Martha Manderfield and Mary Johnson.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1828.