ANNO SECUNDO

GULIELMI IV. REGIS.

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whereas another Act was passed in the Fiftieth Year of the Reign of
50G.3.c.102. King *George* the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of Two Acts of His present Majesty, for repairing the Road from the* Alfreton *Turnpike Road near a Place called* Little Robins, *in the Parish of* Mansfield *in the County of* Nottingham, *to the* Nottingham *Turnpike Road near* Tansley *in the County of* Derby, *and from* Woolley Moor *to the* Chesterfield *Turnpike Road at* Kelstridge *in the said County of* Derby: And whereas the Trustees appointed in or by virtue of the said several recited Acts have proceeded to put the same in execution, and considerable Sums of Money have been borrowed on Security of the Tolls authorized to be taken on the said Road by virtue of the said several recited Acts, or some or one of them, which Sums of Money are still due and owing, and cannot be paid off, nor the Interest thereof be discharged; nor can the said Road be sufficiently amended, diverted, widened, improved, and effectually maintained and kept in repair, unless the Term and Powers of the said recited Acts are enlarged, and the Tolls increased or altered: And whereas it would be of Advantage to the Inhabitants of the Neighbourhood and to the Public if Powers were given for altering or diverting a Part of the said Road in the Parishes of *North Wingfield*, *Shirland*, and *Ashover*, or one of them, and for making Turnpike and repairing Part of a certain Road or Lane called *Cock Lane*, from its Junction with the said Road at or near a House called *Dalestorth House*, to the southwardly End of the Lane leading to *Pennyment Houses*, called *Long Hedge Lane*, in the Parish of *Mansfield*, where the same branches off in an eastwardly Direction: And whereas it is expedient that the said recited Acts should be repealed, and that further and other Provisions should be granted and made in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it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 Day of the Commencement of this Act the said recited Acts passed in the Fifth, Twenty-eighth, aud Fiftieth Years of the Reign of King *George* the Third shall be and the same are hereby declared to be repealed.

Recited Acts of 5, 28, and 50 G. 3. repealed.

This Act to be put in execution for the Purposes herein mentioned.

II. And be it further enacted, That this Act shall be put into execution, for and during the Term herein-after mentioned, for the Purpose of more effectually repairing, widening, and otherwise improving the said Road from the *Alfreton* Turnpike Road near a Place called *Little Robins*, in the Parish of *Mansfield* in the County of *Nottingham*, through *Tibshelf* and *Morton*, to the *Nottingham* Turnpike Road near *Tansley* in the County of *Derby*, and from *Woolley Moor* to the *Chesterfield* Turnpike Road at *Kelstridge* in the said County of *Derby*; and for making and maintaining the aforesaid Diversion, commencing from such Turnpike Road at or near a certain Close of Land called *Badger Meadow*, in the Parish of *Ashover* aforesaid, the Property of *William Milnes* Esquire, over the said Close, and from thence over and across certain Lands in the Parish of *North Wingfield* in the said County of *Derby*, respectively belonging to *George Hopkinson*, Mistress *Holland*, and *Thomas Milward*; to, over, and across a certain Lane in the same Parish, called *Range*

Brook Lane, and extending from thence over certain other Lands in the last-mentioned Parish, belonging to *Henry Payne* and the said Mistress *Holland*, to, over, and across a certain other Lane, also in the same Parish, called *Handley Lane*, and extending from thence over certain other Lands in the last-mentioned Parish, belonging to the said *Henry Payne*, *John Taylor*, *Thomas Milward*, and the said Mistress *Holland*, and communicating with the said Turnpike Road at or near to the *Smithy Moor* Toll Bar in the said Parish of *North Wingfield*; and for making Turnpike and maintaining in repair Part of *Cock Lane* aforesaid, from its Junction with the said Road at or near *Dalestorth House* to the southwardly End of a certain Lane leading to *Pennyment Houses*, called *Long Hedge Lane*, in the said Parish of *Mansfield*, where the same branches off in an eastwardly Direction.

Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Nottingham*, and all His Majesty's Justices of the Peace for the Time being acting for the said County of *Derby*, together with the Right Honourable *James Abercrombie*, *Richard Arkwright* the younger, *Peter Arkwright*, *Frederick Arkwright*, *Richard Adlington*, *Richard Adlington* the younger, *William Adlington*, *William Adlington* the younger, *Thomas Bilbie*, *Francis Bagshaw*, *Benjamin Bagshaw*, *John Gorel Barnes*, *William Bilson*, *John Bunting*, *James Bownes*, *John Bright* Doctor of Physic, *William Brodhurst*, *William Brodhurst* the younger, *John Edward Brodhurst*, *Henry Brodhurst*, *Abraham Booth*, *Robert Booth*, *William Booth*, *Thomas Hudson Brock*, *John Coke*, *D'Ewes Coke*, *D'Ewes Coke* the younger, *William Sacheverell Coke*, *Thomas Leeson Cursham* Clerk, Doctor in Divinity, *William Cowpe*, *Robert Collison*, *John Clarke* (*Fulwood*), *Henry Morris Cockshot* Clerk, *John Chambers*, *Benjamin Chambers*, *Benjamin Chambers* the younger, *John Charge*, *George Cawood*, *Josiah Claughton*, *Gilbert Crompton*, *John Wilkinson Clay*, *William Clay*, *Richard Clay*, *John Cottingham*, *Josiah Cocking*, *Job Denham*, *William Drabble*, *John Drabble*, *Kaye Dowland*, *Samuel Dutton*, *John Dodsley*, *William Ellis*, *Dickenson Ellis*, *John Ellis*, *George Flower*, *John Frost*, *Edward Smith Godfrey*, *William Goodacre* Clerk, *Philip Gell*, *Richard Gregory*, *John Garton*, *Charles Dakeyne Gladwin*, *John Gratton*, *Joseph Gratton*, *John Greesham*, Sir *Henry John Joseph Hunloke* Baronet, *James Hunloke*, *Francis Hall*, *Jeffery Hall*, *Thomas Hallowes*, *Henry Hollins*, *Henry Hollins* the younger, *George Hodgkinson*, *Thomas Hodgkinson*, *Thomas Hardwicke*, *John Heath*, *Emanuel Halton*, *Edward Holland*, *Francis Humphreys*, *Charles Hurst*, *James Heygate*, *John Hulme* Doctor of Physic, *Robert Hill*, *Jeremiah Higginbotham*, *Thomas Ince*, *George Johnson*, *William Johnson*, *Charles Henry Jenkins*, *Joshua Jebb Jebb*, *William Jessop*, *John Jessop*, *Bernard Lucas*, *Bernard Maynard Lucas*, *Richard Beeches Leacroft*, *Edward Walter Lowe* Clerk, *William MacLellan*, *James Maltby*, *William Maltby* Clerk, *Edmund Milner*, *William Milnes*, *John Milnes*, *James Milnes*, *Charles Milnes*, *Edmund Gilling Maynard*, *Robert Milward*, *Marmaduke Middleton Middleton*, Major General *Need*, *John Need*, *Samuel William Need*, *George Nuttall*, *Charles Neale*, *Thomas Nixon*, *Joseph Nodder*, *Henry Owen*, *Thomas Oldham*, *Thomas Oldham* the younger, *John Oldham*, *Arthur Oldham*, *William Paulson*, *William Paulson* the younger, *Richard Parsons* (Solicitor), *John Parsons*,

Parsons, George Robinson, Joseph Rolfe, James Rawlins Clerk, *Richard Randall Rawlins, John Rooth, Benjamin Rooth, Thomas Radford, Edward Radford, Edmund Sykes, Samuel Siddon, William Siddall, Charles Stanton, Samuel Stirrup, Edward Sampson, Francis William Sharpe* Clerk, *John Robert Sharpe, James Swetenham, William Sanders, Thomas Simpson, Wotton Byrchinshaw Thomas, William Turbett, Richard Burrow Turbett, John Twigg, Joseph Twigg, William Tatley, Samuel Heathcote Unwin, Samuel Unwin, Edward Unwin,* the Honourable *John Vernon,* Lieutenant Colonel *Wildman, Stephen Wilkinson, Henry Walker, William Wylde, John Charles Wylde, William Woodcock, William Woodcock* the younger, *Thomas Walkden, Francis Wakefield, William Waller, William Ward, Samuel Woolley, Hugh Wood, Robert Wood, John Wood* Clerk, *Williams* Clerk, *Joseph Wilson,* and *Thomas Wilson,* and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be and they are hereby appointed Trustees for amending, diverting, widening, improving, repairing, maintaining, and keeping in repair the said Roads, and for otherwise putting this Act into execution.

Power to appoint additional Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England* (not exceeding Five in the whole, in addition to the Number of Trustees herein named and appointed), to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

Meetings of the Trustees.

V. And be it further enacted, That the said Trustees shall hold their First Meeting at the House known by the Sign of the *White Lion*, in *Ashover* in the County of *Derby*, or at the House known by the Sign of the *Crown*, in *Tibshelf* in the said County of *Derby*, or at the House known by the Sign of the *Swan*, in *Mansfield* aforesaid, or at some other convenient Place on the Line of the said Roads, on the Day of the Commencement of this Act, or as soon after as conveniently may be, and proceed to put this Act into execution, and shall and may then and from Time to Time afterwards adjourn and meet at such Time and Times, and at such Place or Places in the Neighbourhood of the said Roads, as the said Trustees shall think proper and appoint.

Respecting Toll Gates.

VI. And be it further enacted, That the several Toll Gates, Turnpikes, Bars, Chains, Side Bars, and Toll Houses erected and now standing and being in or upon or across the said Road, or on the Sides thereof, shall remain and be continued until removed by any Order or Orders of the said Trustees; and it shall be lawful for the said Trustees to order and cause to be erected and set up or built upon, in, or across the said Road, or any Part thereof, or on the Sides thereof, when, where, and as they shall judge necessary, any Toll Gate or Toll Gates, Bar or Bars, and Chain or Chains, and also from Time to Time to alter and cause to be taken down and removed or altered or discontinued the same present Toll Gates or Turnpikes, or

Bars

Bars or Chains, and such future Toll Gates, Bars, and Chains, or any or either of them, as they the said Trustees shall from Time to Time think proper.

Power to collect Tolls.

VII. And be it further enacted, That it shall be lawful 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, receive, and take the Tolls following, or any Sum or Sums not exceeding the respective Sums or Tolls following, at the several Turnpikes or Toll Gates, Side Bars or Chains, now erected and to be continued, or hereafter to be erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road, from the Commencement thereof near *Mansfield* to *Morton* in the County of *Derby*, or any Part thereof, or on *Cock Lane* aforesaid, and 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; (that is to say,)

Tolls.

For every Horse or other Beast drawing any Coach, Berlin, Landau, Sociable, Chariot, Curricle, Calash, Hearse, Chaise, or Phaeton, Whiskey, Chair, or other such Carriage, the Sum of Sixpence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of Six Inches or upwards in Breadth, the Sum of Four-pence between the First Day of *May* and the Thirty-first Day of *October*, and the Sum of Five-pence between the First Day of *November* and the Thirtieth Day of *April*; but if the Wheels of such Waggon, Wain, Cart, or other Carriage shall have the Nails countersunk and roll a flat or level Surface, then the Sum of Three-pence between the First Day of *May* and the Thirty-first Day of *October*, and the Sum of Four-pence between the First Day of *November* and the Thirtieth Day of *April*:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of Four and a Half Inches and less than Six Inches in Breadth, the Sum of Five-pence between the First Day of *May* and the Thirty-first Day of *October*, and the Sum of Sixpence between the First Day of *November* and the Thirtieth Day of *April*; but if the Wheels of such Waggon, Wain, Cart, or other Carriage shall have the Nails countersunk and roll a flat or level Surface, then the Sum of Four-pence between the First Day of *May* and the Thirty-first Day of *October*, and the Sum of Five-pence between the First Day of *November* and the Thirtieth Day of *April*:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of less than Four and a Half Inches in Breadth, the Sum of Sixpence between the First Day of *May* and the Thirty-first Day of *October*, and the Sum of Seven-pence between the First Day of *November* and the Thirtieth Day of *April*; but if the Wheels of such Waggon, Wain, Cart, or other Carriage shall have the Nails countersunk and roll a flat or level Surface, the Sum of Five-pence between the First Day of *May* and the Thirty-first Day of *October*, and the Sum of Sixpence between the First Day of *November* and the Thirtieth Day of *April*:

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

For every Drove of Oxen, Cows, or Neat Cattle (Calves excepted), the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number:

And for every Drove of Calves, Swine, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number:

For every Horse or other Beast drawing any Carriage with Wheels of Six Inches or upwards in Breadth, loaded with any Millstone or Millstones, Block or Blocks of Stone, Piece or Pieces of Timber, and drawn by not more than Five Horses or other Beasts, the Sum of Sixpence for each Horse or Beast; and if drawn by more than Five Horses or other Beasts, the Sum of One Shilling for each such Horse or Beast:

And for every Horse or other Beast drawing any Carriage with Wheels of less than Six Inches in Breadth, loaded as last aforesaid, and drawn by not more than Five Horses or other Beasts, the Sum of Eight-pence for each Horse or Beast; and if drawn by more than Five Horses or other Beasts, the Sum of One Shilling and Two-pence for each such Horse or Beast:

And for every Carriage impelled or drawn by Machinery, and not by any Horse or other Beast, such Toll as the said Trustees shall appoint, or One Penny *per* Hundred Weight, at the Option of the Conductor or Driver of such Carriage:

And the Tolls following, or any Sum or Sums not exceeding the respective Sums or Tolls following, at the several Turnpikes or Toll Gates, Side Bars or Chains, now erected or to be continued, or hereafter to be erected by virtue of this Act, in, upon, across, or on the Side or Sides of the said Road from *Morton* aforesaid to the several Terminations thereof near *Ashover* and *Kelstridge* aforesaid, or any Part thereof, and on every Day, such Day to be computed as aforesaid; (that is to say,)

For every Horse, Mule, or other Beast drawing any Coach, Berlin, Landau, Sociable, Chariot, Curricle, Calash, Hearse, Chaise, or Phaeton, Whiskey, Caravan, Chair, or other such Carriage, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of Six Inches or upwards in Breadth, the Sum of Four-pence Halfpenny:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of Four and a Half Inches and less than Six Inches in Breadth, the Sum of Six-pence:

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, or other such Carriage, with Wheels of less than Four and a Half Inches in Breadth, the Sum of Seven-pence Halfpenny:

For every Horse, Mule, or other Beast, laden or unladen, and not drawing, the Sum of One Penny Halfpenny:

For every Drove of Oxen, Cows, or Neat Cattle (Calves excepted), the Sum of One Shilling and Three-pence *per* Score, and so in proportion for any less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Seven-pence Halfpenny *per* Score, and so in proportion for any less Number:

For every Horse or other Beast drawing any Carriage with Wheels of Six Inches or upwards in Breadth, loaded with any Millstone or Millstones, Block or Blocks of Stone, Piece or Pieces of Timber, and drawn by not more than Five Horses or other Beasts, the Sum of Sixpence for each Horse or Beast; and if drawn by more than Five Horses or other Beasts, the Sum of One Shilling for each such Horse or Beast:

And for every Horse or other Beast drawing any Carriage with Wheels of less than Six Inches in Breadth, loaded as last aforesaid, and drawn by not more than Five Horses or other Beasts, the Sum of Eight-pence for each Horse or Beast; and if drawn by more than Five Horses or other Beasts, the Sum of One Shilling and Two-pence for each such Horse or Beast:

And for every Carriage impelled or drawn by Machinery, and not by any Horse or other Beast, such Toll as the said Trustees shall appoint, or One Penny *per* Hundred Weight, at the Option of the Conductor or Driver of such Carriage:

Which said respective Tolls or Sums of Money shall be demanded and taken before any Horse, Mule, Ass, or other Beast or Cattle, or Carriage whatsoever, shall be permitted to pass through any Toll Gate or Turnpike, or Side Gate or Side Bar or Chain, which shall be continued, erected, or placed by virtue of this Act in, upon, or across the said Roads, or on the Sides thereof, or any Part thereof; and which said respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

No Toll to be paid on re-passing, but afterwards a further Half Toll.

VIII. Provided always, and be it further enacted, That when the Toll shall have been paid for or in respect of any Horse or Horses or other Beast or Cattle, or Carriage, passing through any Toll Gate or Turnpike, Side Gate or Side Bar or Chain, erected or to be erected on the said Roads respectively, no Toll shall be demanded or taken in respect of such Horse or other Beast, (except Horses or other Beasts drawing any Stage Coach, Diligence, Van or Caravan, or other Carriage, carrying Passengers or Goods for Payment, Hire, or Reward,) Cattle, or Carriage, for once repassing on the same Day through the same Toll Gate or Turnpike, Side Gate or Side Bar or Chain; but in case the same Horse or other Beast, Cattle, or Carriage shall, after such repassing, have again to pass on the same Day through the same Toll Gate or Turnpike, Side Gate or Side Bar or Chain, then One further Half Toll shall be payable and paid in respect of the same respectively; and after Payment of such full Toll and such Half Toll such Horse or other Beast, Cattle, and Carriage shall, on a Ticket being produced denoting such Payment, be permitted to pass and repass through the same Toll Gate or Turnpike, Side Gate or Side Bar or Chain, Toll-free, at all Times during the same Day.

Limiting the Number of Payments on

IX. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand or take in any One Day for

or

the whole Line.

or in respect of the same Horse, Beast, or Cattle, or Carriage, for once passing through all the Gates along the whole Line of the said Road from near *Mansfield* to *Morton* and *Cock Lane* more than Two full Tolls, nor more than Two full Tolls along the whole Line of Road from *Morton* to near *Ashover* and *Kelstridge*.

StageCoaches &c. travelling for Hire to pay every Time of passing;

X. Provided always, and be it further enacted, That the Tolls payable for or in respect of all Carriages carrying Passengers or Goods for Payment, Hire, or Reward, or for or in respect of any Horse or other Beast drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Carriage carrying or conveying any Passengers or Goods for Payment, Hire, or Reward, shall be payable and paid for every Time of passing or repassing along the said Roads: Provided also nevertheless, that no further or additional Toll shall be payable in respect of Horses or Beasts drawing any such Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other such Carriage, on account only of the Horses or Beasts drawing the same having been changed.

Post Chaises on every new Hiring.

XI. Provided also, and be it further enacted, That the Tolls hereby made payable for or in respect of Horses or Beasts let out to Hire for riding, or for drawing any Post Chaise or other Carriage, shall be payable and paid every Time of passing along the said Roads, whenever any new Hiring thereof shall take place.

Application of Money in Hand, and of the Tolls and Money to be borrowed.

XII. And be it further enacted, That all the Monies which shall have been raised or produced by virtue of the said recited Acts hereby repealed, and which shall remain undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls by this Act granted and made payable, together with the Monies which shall have been or shall be borrowed upon the Credit thereof, and all other Monies which shall arise and be produced by virtue thereof, shall be applied to and for the several Uses, Intents, and Purposes, and in the Order and Manner following; (that is to say,) in the first place, in the Payment of all the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relating thereto respectively; secondly, (after Payment of all necessary Expences to be from Time to Time incurred in erecting or repairing Toll Gates and Toll Houses, and for Books, Stationery, Advertisements, Salaries, and other Charges of Officers, and other such current Expences,) in defraying the Expences of repairing, widening, improving, and amending the said Roads, and in making and maintaining the aforesaid Improvements, and executing other the Purposes of this Act; thirdly, in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgage or Securities which have been already made and granted of the Tolls heretofore payable on the same Roads, and of any Mortgages or Securities which shall be hereafter made and granted of the Tolls hereafter to become payable on the said Roads; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been heretofore borrowed for the Purpose of the said recited Acts in respect of the said Roads, and also the several Principal Sums of Money which may be hereafter

after borrowed by the Trustees for executing this Act, and all other Debts and Sums of Money now owing and which may hereafter become due and owing on account of the said Roads.

Enabling Trustees to agree with adjoining Trusts respecting Tolls.

XIII. And whereas an Act was passed in the Fourth Year of the Reign of King *George* the Third, intituled *An Act for repairing, widening, and keeping in repair the high Roads leading from* Alfreton *in the County of* Derby, *through* Carter Lane, *to a certain Place in the Town of* Mansfield *called* Stockwell, *and from the Bridle Gate at the Division of the Liberties of* Blackwell *and* Hucknall, *through the Town of* Sutton-in-Ashfield, *to the* Mansfield *and* Newark *Turnpike at or near* Python Hill *in the Forest of* Sherwood *in the County of* Nottingham: And whereas another Act was passed in the Thirtieth Year of the Reign of King *George* the Third, intituled *An Act to enlarge the Term and Powers of an Act made in the Fourth Year of the Reign of His present Majesty, for repairing, widening, and keeping in repair the high Roads leading from* Alfreton *in the County of* Derby, *through* Carter Lane, *to a certain Place in the Town of* Mansfield *called* Stockwell, *and from the Bridle Gate at the Division of the Liberties of* Blackwell *and* Hucknall, *through the Town of* Sutton-in-Ashfield, *to the* Mansfield *and* Newark *Turnpike at or near* Python Hill *in the Forest of* Sherwood *in the County of* Nottingham: And whereas another Act was passed in the Fifty-second Year of the Reign of King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of Two Acts of His present Majesty, for repairing the Road from* Alfreton *to* Mansfield *in the Counties of* Derby *and* Nottingham, *and other Roads therein mentioned*: And whereas Persons travelling with Horses and Carriages along the Roads comprised in this Act, and going to or coming from the Town of *Mansfield*, must pass along Part of the Line of Road comprised in the said Three last-recited Acts; and it is therefore expedient that the Trustees of this Act should be authorized to contract and agree with the Trustees of the Roads comprised in the said Three Acts, or with any other Trustees or Commissioners who shall have the Care and Management of such Part of the said Line of Road so used as aforesaid, for the Repair of such Part of the said Line of Road so used as aforesaid, or otherwise to compound for such Repairs, upon having Permission granted by such Trustees or Commissioners for such Travellers with Horses and Carriages to pass along such last-mentioned Road free from any additional Toll; be it therefore further enacted, That it shall be lawful for the Trustees acting under this Act, and they are hereby fully authorized and empowered, at any of their Meetings to enter into any Contract, Agreement, or Arrangement with the Trustees of the Roads comprised in the said recited Acts passed in the Fourth, Thirtieth, and Fifty-second Years respectively of the Reign of King *George* the Third, or with any other Trustees or Commissioners who shall have the Care and Management of such Part of the said Line of Road so used as aforesaid, for the Payment of any annual or other Sum or Sums of Money to the said Trustees or Commissioners, or for the Performance of any other Matter or Thing whatsoever, as and by way of Composition, in lieu of and as a Satisfaction for the Tolls which the said Trustees of such other Roads, or such Commissioners, shall or may be entitled to demand and receive of or from any Person or Persons travelling with Horses and Carriages along the Roads comprised in this Act, and going to or coming from the said

4 G. 3. c. 67.

30 G. 3. c. 113.

52 G. 3. c. 7.

Town of *Mansfield*, and passing over or along the said Part of the *Mansfield* and *Alfreton* Roads, and for the Purpose of procuring the Exemption of and exonerating and relieving such last-mentioned Persons from the Payment of the said Tolls on the said Part of the said *Mansfield* and *Alfreton* Roads so used as aforesaid; and it shall also be lawful for the said Trustees acting under this Act, in order to effect a Negotiation with the Trustees of the said *Mansfield* and *Alfreton* Road, or with any other Trustees or Commissioners who shall have the Care and Management of such Part of the said Line of Road so used as aforesaid, to contract and agree, in and by any such Contract, Agreement, or Arrangement as aforesaid, to repair the said Part of the said *Mansfield* and *Alfreton* Roads, in such Manner and Form, and upon such Terms and Conditions, in all respects, as they shall in their Judgment consider most expedient, and to pay the Expences of such Contracts and Repairs out of the Tolls to arise by virtue of this Act.

Expence of Repairs of Branch Roads.

XIV. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Provisions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon, or borrowed on the Credit of the Tolls collected thereon.

No Money to be expended in repairing Streets.

XV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any Money in paving or repairing, lighting or watching, any Street, Highway, or Place in the Towns of *Mansfield* and *Ashover*, or either of them, or to collect any Tolls by virtue of this Act therein.

Power to make Improvements.

XVI. And be it further enacted, That it shall be lawful for the Trustees for executing this Act, and they and their Surveyor and any other Persons acting under their Authority are hereby fully authorized and empowered, to set out, make, and complete the aforesaid Alterations or Diversion of the said Road in, upon, through, or over the Lands or Grounds described and referred to in the Plan and Book of Reference herein-after mentioned.

Plan and Book of Reference deposited with Clerk of the Peace to remain there, and be open to Inspection.

XVII. And whereas a Map or Plan describing the Line of the proposed Alteration or Diversion, 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, have been deposited at the Office of the Clerk of the Peace for the said County of *Derby*; be it therefore enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the said County of *Derby*, 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 Alteration or Diversion shall not deviate more than One hundred Yards from the Line described in such Map or Plan, 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 Plan without Consent.

XVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees to make the proposed Alteration and Diversion into, through, across, and over the Lands and Grounds described in the said Map or Plan, although the Name or Names of the Owners or Occupiers thereof may happen to be omitted or misstated in the said Book of Reference, provided it shall appear to any Two or more Justices of the Peace for the said County of *Derby*, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Misnomers not to prevent the Execution of this Act.

XIX. Provided always, and be it further enacted, That the Powers and Authorities given by this Act for making the said Alteration and Diversion shall not extend or be construed to extend to authorize the said Trustees to take or pull down any Dwelling House or other Buildings, or to take in or make use of any Curtilage, Yard, Garden, Park, Paddock, Lawn, Shrubbery, planted Walk, or Avenue to a House, or any inclosed Grounds planted and set apart as a Nursery for Trees, or any Part thereof respectively, without the Consent in Writing of the Owners or Proprietors thereof or other Persons interested therein first had and obtained.

Trustees restrained from pulling down Dwelling Houses, &c. without the Consent of the Owners.

XX. And be it further enacted, That in all Places throughout the said Roads hereby directed to be repaired or authorized to be made, where any Entrance shall be from such Road to any Field, Garden, Yard, or other Land or Ground, or to any Buildings from such Road or any Part thereof, such Entrance shall be properly covered with Stone, Gravel, or other hard Material, 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 Material 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 the Behalf

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

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, or 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.

Ditches, Drains, &c. by whom to be made and cleansed.

XXI. And be it further enacted, That it shall and may be lawful for the said Trustees, and their Surveyor or Surveyors, or other Person or Persons by them appointed, and they are hereby authorized and empowered, to make such Ditches, Drains, or Watercourses, and of such Depth and Breadth as they shall consider expedient for the Purposes of keeping the said Roads dry, and of conveying the Water from the same, as well on the Side or Sides of the said Roads, as also, where necessary, into or through any Lands or Grounds adjoining or lying near the said Roads, (not being a Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) and also such sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats as shall be requisite or necessary, at the Expence of the said Trustees out of the Monies to be received by virtue of this Act, any Law or Statute to the contrary thereof notwithstanding; and all Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, to be made in pursuance of this Act, when so made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Lands or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass through, in, or under the said Roads shall be repaired and maintained by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads in *England*.

Public Act.

XXII. 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.

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

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