ANNO SEXTO

GEORGII IV. REGIS.

Cap. cxlvi.

An Act for amending, repairing, and maintaining the Road from *Worksop* in the County of *Nottingham* to the North-east End of *Attercliffe* in the County of *York*. [10th *June* 1825.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from* Worksop *in the County of* Nottingham, *through the Towns of* Gateforth, Anston, Aston, Handsworth, *and* Darnall, *to the North-east End of* Attercliffe *in the County of* York, *where the same joins the Turnpike from* Bawtry *to* Sheffield: And whereas another Act was also passed in the Twenty-sixth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of an Act made in the Fourth Year of the Reign of His present Majesty King* George *the Third, for repairing and widening the Road from* Worksop *in the County of* Nottingham, *through the Towns of* Gateforth, Anston, Aston, Handsworth, *and* Darnall, *to the North-east End of* Attercliffe *in the County of* York, *where the same joins the Turnpike Road from* Bawtry *to* Sheffield: And whereas another Act was also passed in the Forty-eighth Year of the Reign of His said late Majesty, intituled *An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from* Worksop *in the County of* Nottingham *to* Attercliffe *in the County of* York: And whereas the Trustees appointed in or acting under or by virtue of the said recited Acts have borrowed several considerable Sums of Money on the Credit of the Tolls by the said

4 G. 3. c. 52.

26 G. 3. c. 125.

48 G. 3. c. 58.

said Acts granted, which Money still remains due, with a considerable Arrear of Interest, and cannot be paid off, nor can the said Road be sufficiently amended, improved, and kept in Repair, unless the Term and Powers of the said Acts be further continued and enlarged; and it is expedient that the said Three recited Acts should be repealed, and further Provisions made for the Repair of the said Road: And whereas an Act was passed in the Third Year of the Reign of His present Ma-
3 G. 4. c. 126. jesty, 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
4 G. 4. c. 95. present Majesty, intituled *An Act to explain and amend an Act passed in the Third Year of the Reign 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
5 G. 4. c. 69. 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:* 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 the said Three several recited Acts passed in the Fourth, Twenty-sixth, and Forty-eighth Years of the Reign of His late Majesty King *George* the Third shall be and remain in full force and virtue until the Second Day of *January* next, and that upon that Day the same are hereby declared to be and shall be repealed, and null and void, to all Intents and Purposes whatsoever, and that this Act shall then commence and take Effect, and shall then and from thenceforth be put in Execution for and during the Term herein-after mentioned, for the Purpose of amending, widening, improving, and keeping in Repair the said Road from *Worksop* in the County of *Nottingham*, through the Towns of *Gateforth*, *Anston*, *Aston*, *Handsworth*, and *Darnall*, to the North-east End of *Attercliffe* in the County of *York*, where the same joins the Turnpike Road from *Bawtry* to *Sheffield*.

Recited Acts of 4, 26, and 48 G. 3. repealed, and this Act to take Effect.

Tolls of this Act to be subject to the Payment of Arrears of former Acts.

II. And be it further enacted, That this Act, and the Term and Tolls hereby granted on the said Road, shall be and the same are hereby made subject and liable to the Payment of all Monies which are now due and owing on the Credit of the Tolls authorized to be taken by the said recited Acts, and of all Interest due and to grow due thereon, as fully and effectually, to all Intents and Purposes, as if such Monies had been borrowed and become due on the Credit of this Act, or of the Tolls hereby authorized to be collected; subject nevertheless to the Powers and Provisions herein contained, enabling the said Trustees to pay off and compound with the Mortgagees of the said Road on the Terms and in Manner herein mentioned; and that all and every Persons and Person owing any Sum or Sums of Money on account of the said Road to the Trustees for executing the said first Three recited Acts, shall be liable to the Payment thereof to the Trustees appointed or directed to be appointed for executing this Act, as the Case may be.

Powers of recited Acts 3, 4, & 5 G. 4. extended to this Act.

III. 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,

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

Bonds and Securities entered into under the former Acts to remain in force until satisfied and paid.

IV. And be it further enacted, That all Bonds, Deeds, Covenants, Agreements, and Securities made or entered into by any Person or Persons to or with any of the Trustees for executing the said first Three recited Acts, according to the Provisions and Directions thereof respectively, shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity, until the same are fully satisfied and performed; and all Contracts, Agreements, Demises, Mortgages, and Securities made or entered into by the Trustees for executing the said Acts hereby repealed, to or with any Person or Persons, shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act and the said recited Acts passed in the Third and Fourth Years of the Reign of His said present Majesty, and be observed and kept by them according to the Terms and Stipulations and Tenor thereof respectively, until the same shall have been performed, determined, satisfied, or discharged; except so far as such Bonds, Deeds, Covenants, Contracts, Agreements, Demises, Mortgages, and Securities, or the Terms thereof respectively, are or are intended to be altered, varied, abridged, or affected by the Provisions of this Act.

Certain Books kept under former Acts to be Evidence.

V. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the Trustees for executing the said recited Acts hereby repealed, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Acts had not been made.

Trustees appointed.

VI. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Nottingham*, or for the West Riding of the County of *York*, together with the Right Honourable *Henry Charles Howard* commonly called the Earl of *Surrey*, *Jonathan Alderson* Clerk, *William Alderson* Clerk, *Christopher Alderson*, *John Carver Althorpe*, *William Booth*, *Henry Bowdon*, *Mordecai Binney*, *Robert Brightmore*, *John Booth*, *George Beardsall*, *John Billam* junior, *Thomas Butler*, *William Birks*, *William Ball*, *Thomas Badger*, *Edward Blount*, *Robert Hartshorn Barber*, *Thomas Booth*, *Edward Barker*, *Samuel Bailey*, *Peter Brownell*, *John Champion*, *Charles Champion*, *John Clarke*, *James Camm*, *Job Conworth*, *Peter Cadman*, *Peter Cadman* junior, *William Champion* junior, *Samuel Dethick*, *John Durham*, *William Downs* Clerk, *John Dixon* Clerk, *William Doncaster*, *Vincent Henry Eyre*, *Benjamin Eddison*,

Eddison, *Francis Offley Edmunds*, *Benjamin Eddison* junior, *Michael Ellison* (*Sheffield*), the Honourable and Reverend *Thomas Erskine*, *John Eddison*, *Francis Fenton*, *George Fox*, *John Froggatt*, *Francis Foxlow* Clerk, *Henry Savile Foljambe*, *John Forster*, *George Savile Foljambe*, *George Fox* junior, *John Bernard Furniss*, *George Bustard Greaves*, *John Greaves*, *Richard Girdler*, *John Gorton*, *William Gregory*, *William Greaves*, *William Grafton*, *William Hodgkinson*, *Samuel Hodgkinson*, *Richard Hannam*, *Richard Hodgkinson*, *Wilfred Huddlestone* Clerk, *Bartholomew Hounsfield*, *Francis Hooson*, *Charles Hodson*, *Rowland Hibbert* (*Lamb Hill*), *John Horncastle*, *Benjamin Handley* junior, *Rowland Hibbard* (*Woodhouse*), *Joseph Hibbard*, *William Hoyle*, *William Hoyle* junior, *Francis Huntsman*, *William Holland*, *Henry Hartop*, *George Justice*, *John Jubb*, *Richard Inman* Clerk, *William Jeffcock*, *Henry Jubb*, *Henry Gally Knight*, *Arnold Knight* M.D., *Samuel Lucas*, *Gamaliel Milner*, *Robert Morton*, *Thomas Mawe*, *Henry Machin*, *Jonathan Mills*, *Thomas Mountain* Clerk, *John Milner*, *Francis Moss*, *William Newbold*, *Thomas Newbold*, *George Naylor*, *Francis Oxley*, *Francis Owtram*, *Hugh Parker*, *William Polter* (*Beighton*), *Thomas Parker*, *George Pegge*, *Thomas Pearson*, *William Potter*, *George Potter*, *Robert Pashley*, *John Potter*, *John Parker* (*Woodthorpe*), *Samuel Parker* (*Woodthorpe*), *Francis Parker*, *Robert Ramsden*, *John Read*, *Peter Reaston* Clerk, *John Roe*, *Thomas Rawson*, *Samuel Roberts*, *John Roberts*, *Richard Roe*, *Cornelius Heathcote Reaston* Clerk, *Charles Read*, *Joseph Read*, *Samuel Revill*, *Francis Roe*, the Honourable and Reverend *John Lumley Savile*, *Thomas Stacye* Clerk, *Thomas Staniforth*, the Honourable *John Simpson*, *John Smith*, *Richard Swallow*, *William George Shuttleworth*, *John Shirt*, *Benjamin Sayle*, *John Staniforth*, *Richard Stanley*, *John Staniforth* (*Beighton*), *George Savile* Clerk, *John Shergold*, *John Sorby*, *John Shore* junior, *John Shaw* junior (*Attercliffe*), Sir *George Sitwell* Baronet, *Townend Smelter*, *Tuke Smelter*, *Offley Shore*, *John Sorby* junior, *Henry Sorby*, *Thomas Sorby*, *William Smith*, *John Shaw*, *John Stacye*, *Henry Sykes*, *James Sorby*, *John Sanderson*, *Robert Taylor*, *John Unwin*, *Harry Verelst*, *Arthur Charles Verelst* Clerk, *Benjamin Vickers*, *William Vickers*, *Josias Verelst*, *William Verelst*, *William Vickers* (*Aston*), *Robert Wright*, *Jeremiah Whitehead*, *William Wright*, *Thomas Walker*, *Richard Wilson*, *George Whitehead* Clerk, *John Wright* (*Waleswood*), *George Wright*, *William Woodcock*, *Thomas Wright*, *Joseph Wheatley*, *Samuel Broomhead Ward*, *Joseph Whitaker*, *Henry Brown Woodcock*, *Thomas Weldon*, *Samuel Walker*, *Jonathan Walker* junior, *Henry Walker*, *James Stewart Wortley*, *Thomas Ward*, *William Wragg* (*Brookhouse*), *John Wright*, *James Wheat*, *William Wagstaff*, *John Whitehead* (*Whiston*), *Robert Wright* junior, *Charles Wright* junior, *Henry Stephen Wake*, Sir *Thomas Woollaston White* Baronet, *William Weldon*, *Samuel Watkins*, *John Watson*, *John Wilson*, *Henry Wheat*, *Taylor White* junior, *George Young*, *William Young* M.D., and their Successors, being duly qualified according to the Provisions and Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and they are hereby appointed Trustees for carrying into Execution this Act, and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Power to appoint additional Trustees.

VII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, at any of their Meetings to be holden in pursuance of this Act, to elect any Number of Persons, not exceeding Five in the whole, to be Trustees for the Pur-

poses of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, in addition to the Trustees hereby appointed; and such Trustees so elected, and being qualified according to the Directions of the said recited Acts passed in the Third, Fourth, and Fifth Years of the Reign of His present Majesty, shall be and are hereby invested with the same Power and Authorities for executing this Act and the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, as if they had been nominated and appointed Trustees in and by this Act.

First Meeting of Trustees.

VIII. And be it further enacted, That the said Trustees shall meet at the *Bull and Oak Inn* at *Aston* in the said County of *York*, or at some other convenient House or Place on or near the said Road, on the Second Day of *January* after the passing of this Act, or as soon after as may be convenient, and shall and may then and from Time to Time after adjourn to and meet at such Times, and at such Place or Places in the Neighbourhood of the said Road, as they shall think proper.

Old Officers to continue until others are appointed.

IX. Provided always, and be it further enacted, That the Treasurer, if appointed consistently with the Provisions of the said recited Acts passed in the Third and Fourth Years of the Reign of His present Majesty, and not contrary to the Provisions or Directions of this Act, and the Clerk, Collector of the Tolls, Surveyor, and other Officers nominated and appointed under and by virtue of the said first Three recited Acts hereby repealed, or either of them, shall hold and enjoy their several and respective Offices and Employments until he or they shall be removed therefrom respectively by the said Trustees; and every such Treasurer, Clerk, Collector, Surveyor, and other Officers shall have the like Powers and Authorities for carrying this Act 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 he or they had been nominated or appointed under or by virtue of this Act.

Clerk not to act as Treasurer, and *vice versâ*.

X. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act; or to continue or appoint any Person or Persons who is or may be appointed Treasurer or Treasurers, or the Partner or Partners of such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, the Clerk or Clerks to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, every such Person so

offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Officers under the former Acts to account to the Trustees for executing this Act.

XI. Provided also, and be it further enacted, That all Persons who have been employed or who shall have received any Tolls or other Money by virtue or in pursuance of the said first Three recited Acts, or either of them, or who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, or Things relating to the said Road, shall account, pay, and deliver over the same to the said Trustees, 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, and this Act, or any of them, inflicted in respect of 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.

Power to erect Toll Gates, Turnpikes, Side Gates, Weighing Machines, &c.

XII. And be it further enacted, That it shall be lawful for the said Trustees, if they think proper, to continue or remove, take down or alter the Situation of all and every or any of the Toll Gates or Turnpikes, and Toll Houses and Weighing Machines now standing and being in or upon or across the said Road, or on the Sides thereof; and also to erect and set up or build, or cause to be erected, set up, and built, upon, in, or across the said Road or the Sides thereof, when and as they shall judge necessary, any Gate or Gates, Turnpike or Turnpikes, Side Gate or Side Gates, Side Bar or Side Bars, Chain or Chains, Weighing Machine or Weighing Machines, and also One or more Toll House or Toll Houses, with Outhouses and Conveniences suitable thereto, at or near each Gate, Bar, Chain, or Weighing Machine, and to take in and enclose, on the Sides of the said Road, suitable Garden Spots for the same respectively, not exceeding One-eighth Part of a Statute Acre to each, as they shall think necessary.

Tolls to be taken.

XIII. And be it further enacted, That the Tolls granted by the said recited Acts hereby repealed shall be demanded and taken at the several Turnpikes, Toll Gates, and Side Gates now erected and continued upon, across, and on the Sides of the said Road, until the Second Day of *January* next; and that upon, from, and after the Second Day of *January* next, the respective Tolls following shall be demanded and taken by such Person or Persons as the said Trustees shall from Time to Time appoint for that Purpose, before any Horse, Mule, Ass, or other Beast or Cattle shall be permitted to pass through any of the Turnpikes, Toll Gates, Side Bars, or Chains now or hereafter to be erected or set up on or by the Sides of the said Roads; (that is to say),

For every Horse or other Beast drawing any Coach, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Calash, Gig, Chair, Phaeton, Caravan, Whiskey, Hearse, Litter, Curricle, or any Carriage on Springs, drawn by more than One Horse, or for any Taxed Cart, the Sum of Fourpence Halfpenny:

For any single Horse drawing any such Coach, Barouche, Sociable, Berlin, Chariot, Landau, Chaise, Calash, Gig, Chair, Phaeton, Caravan, Whiskey,

Whiskey, Hearse, Litter, Curricle, or any Carriage on Springs, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of less Breadth than Four Inches and a Half, the Sum of Seven-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half, and under Five Inches and a Half, the Sum of Sixpence;

But if the Axletree, Bushes, and Wheels of any such last-mentioned Waggon, Wain, Cart, or Carriage are made perfectly cylindrical, the Sum of Five-pence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Five Inches and a Half and upwards, and so as the Tire or the Surface of such Wheels shall not deviate more than Half an Inch from a flat and level Surface, and the Nails of the Tire of such Wheels shall be countersunk, so as not to project beyond One Quarter of an Inch above the Surface of such Tire, the Sum of Four-pence Halfpenny;

But if the Axletree, Bushes, and Wheels of any such last-mentioned Waggon, Wain, Cart, or Carriage are made perfectly cylindrical, the Sum of Three-pence Halfpenny:

And for every Horse or other Beast drawing any such last-mentioned Waggon, Wain, Cart, or Carriage, the Wheels whereof shall not be constructed in either of the Two Modes last above mentioned, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a Breadth of not less than Four and a Half Inches, and so constructed that the Wheels run in a Track, the Breadth of which shall be either under Four Feet Five Inches, or above Five Feet Eight Inches, and having the Axletree, Bushes, and Wheels made perfectly cylindrical, the Sum of Two-pence Halfpenny:

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

For every Drove of Oxen or other Neat Cattle the Sum of Fifteen-pence *per* Score, and so in proportion for any less Number:

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

Which said respective Sums of Money shall be demanded and taken of or as a Toll, and shall be and are hereby vested in the said Trustees, and shall be applied as herein-after is directed.

Exemption from Tolls.

XIV. And be it further enacted, That no Toll shall be demanded or taken by virtue of this Act of or from any Person or Persons, for any Horse or Horses, or other Beast or Cattle, or for any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the same Day, any Lime to be employed in the manuring of any Farm or Lands

Lands situate and lying in any of the said Parishes, Townships, or Places on the Line of the said Turnpike Road, provided that the Fellies of the Wheels of any such Waggon, Wain, Cart, or Carriage shall not be of less Breadth than Four Inches and a Half.

Tolls to be paid but Once a Day.

XV. Provided always, and be it further enacted, That upon Payment of the Toll hereby authorized to be taken for the passing of any Horse, Beast, Cattle, or Carriage through any Toll Gate or Turnpike, or Side Gate, on the Line of the said Road, such Horse, Beast, Cattle, or Carriage shall, upon a Ticket denoting the Payment thereof on that Day being produced, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate or Gates (if any) as the Ticket for such Payment shall free, at any Time or Times during the same Day, (to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night.)

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

XVI. Provided also, and be it further enacted, That the said Toll shall be payable for or in respect of all Horses or other Beasts drawing any Stage Coach, Diligence, Van, Caravan, or Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, licensed or not licensed, for every Time of passing and repassing on the same Day, (the Day to be computed as aforesaid); and that the said Tolls shall be payable for or in respect of all Horses drawing any Post Chaise, or other Carriage travelling for Hire, for every Time of passing and repassing on the same Day (the Day to be computed as aforesaid), as often as a new Hiring thereof shall take place.

Application of Tolls.

XVII. And be it further enacted, That all the Tolls and other Monies which the said Trustees or any of them, or any Treasurer or other Person on their Behalf, are or is or shall or may be possessed of or entitled to by virtue of the said first Three recited Acts or this Act, shall be by the said Trustees applied, in the first Place, in paying the Expences of procuring and passing this Act, and then in paying off the Interest of the Money which is or shall or may be due and owing on the Credit of the Acts hereby repealed, or which may be hereafter secured under or by virtue of this Act, and afterwards for and towards the Purposes of defraying the Expences attending the Execution of this Act and the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty.

Trustees empowered to pay off Mortgages, and to cancel existing Securities.

XVIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the Trustees of the said Road, at any Meeting to be holden on or before the Fifth Day of *March* One thousand eight hundred and twenty-six, of the Time and Place of which Meeting Notice shall be given by the Clerk to such Trustees, by affixing the same in Writing upon all the Toll Gates or Turnpikes erected upon the said Road, and by inserting such Notice in the *Doncaster Gazette* and *Sheffield Independent*, (or in such of those Two Newspapers as shall then be published), Fourteen Days at least before such Meeting, to pay or tender to the several Mortgagees of the Tolls of the said Road the respective Sums mentioned and specified in the Fifth Column of the Schedule to this Act annexed, in full Discharge of all Principal Monies and Interest due or owing to them respectively, for or in respect of their several Mortgages, up to the First

First Day of *May* One thousand eight hundred and twenty-four, and also such further Interest as shall have accrued due on the several Principal Sums secured on the said Tolls, and mentioned in the Second Column of the said Schedule, from the said First Day of *May* One thousand eight hundred and twenty-four, down to the Time of the actual Payment or Tender thereof, and which same respective Sums the said several Mortgagees, or their several Executors, Administrators, or Assigns, shall and they are hereby directed and required to accept, in full Discharge and Satisfaction of all such Principal and Interest Monies so due to them as aforesaid; and from and after such Payment or Tender shall have been so made by the said Trustees, all further Interest upon or for the several Sums of Money now due and owing, or which shall be then due and owing to the said several Mortgagees as aforesaid, shall cease; and thereupon it shall and may be lawful to and for the said Trustees to call in, receive, and cancel all or any of the Mortgages or other Securities granted of the Tolls of the said Road, and now outstanding, or by any Order in Writing to direct and declare that the same Mortgages and Securities shall thenceforth be and become null and void, and the same shall from and after the making and Signature of any such Order be and become null and void to all Intents and Purposes whatsoever.

Trustees empowered to grant new Mortgages to such Mortgagees as shall fail to produce their present Securities.

XIX. Provided also, and be it further enacted, That in case any of the Mortgagees of the said Road shall, when required by the said Trustees, agreeably to the Directions of this Act, refuse, fail, or neglect to produce and deliver to the said Trustees the several Mortgages or Securities granted to them, and to receive the several Sums of Money specified in the Fifth Column of the said Schedule to this Act annexed, and such further Interest as shall have accrued due on the said Principal Sums from the said First Day of *May* One thousand eight hundred and twenty-four, to the Time of the Payment or Tender thereof, and herein directed to be paid or tendered to such Mortgagees in full Discharge and Satisfaction of the Principal Money and Interest due on such Securities; or in case any of such Mortgagees, when so required as aforesaid, shall be prevented by any Cause whatsoever producing and delivering to the said Trustees their said several Mortgages and Securities, or from receiving the several Sums of Money herein directed to be paid or tendered to them as aforesaid, then and in every such Case it shall and may be lawful to and for the said Trustees, and they are hereby required to give and grant unto such Mortgagee or Mortgagees so refusing, failing, or neglecting to produce and deliver his, her, or their Security or Securities, and to receive the Sum or Sums of Money herein directed to be paid or tendered to him, her, or them, or who shall or may be prevented producing and delivering his, her, or their Security or Securities, or from receiving such Sum or Sums of Money, a new Mortgage or Mortgages of the Tolls of the said Road, for the Sum or respective Sums mentioned and specified in the Fifth Column of the Schedule to this Act annexed, and such further Interest as shall have accrued due on the said Principal Sums from the said First Day of *May* One thousand eight hundred and twenty-four as aforesaid, and herein directed to be paid or tendered to such Mortgagee or Mortgagees, in full Satisfaction and Discharge of the Principal Money and Interest due and owing upon his, her, or their present Mortgage or Mortgages as aforesaid; such new Mortgage or Mortgages nevertheless to carry or bear such and the like Rate of Interest as the Trustees shall then have stipulated

and agreed to pay any other Person or Persons who may be willing, and who may have agreed to lend or advance Money on the Credit of the Tolls of the said Road, for the Purpose of enabling the Trustees to pay off the present Mortgagees, in Manner aforesaid.

Trustees not to borrow more than 13,000*l.* without Consent of Three-fourths in Value of the Creditors on the Tolls.

XX. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to borrow and take up at Interest, on Mortgage of the Tolls arising by virtue of this Act, and of the Toll Gates and Toll Houses for collecting the same, more than the Sum of Thirteen thousand Pounds, without the Consent in Writing of Three-fourths in Value of the Creditors on the said Tolls; any thing in this Act or in the said recited Acts of the Third and Fourth Years of the Reign of His present Majesty contained to the contrary thereof in anywise notwithstanding.

Application of Compensation Money, when exceeding 200*l.*

XXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchased, taken, or used by virtue of the Powers of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, for the Purposes thereof respectively, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, Person or Persons under any other Disability or Incapacity, as in the said Acts of the Third and Fourth Years of the Reign of His said present Majesty particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account *ex parte* the Trustees for executing this Act, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled 1 G. 4. c. 35. *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes,* and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the Court of Exchequer, upon Application thereto, be invested by the said Accountant General in

his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is less than 200*l.* but not less than 20*l.*

XXII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rent and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application where the Money is less than 20*l.*

XXIII. And be it further enacted, That where such Money so agreed or awarded to be paid as before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the Trustees shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty and this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or

or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account to the Credit of the Persons interested in the said Lands, Tenements, or Hereditaments (describing them), subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any Person or Persons making claim to such Sum and Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order the Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons who shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any Question shall arise touching the Title to Money.

XXV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, in pursuance of the said recited Acts of the Third and Fourth Years of the Reign of His said present Majesty, and this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of the said Acts and this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, and Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Dividends or Interest of the said Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Exchequer may order reasonable Expences of Purchases to be paid by Trustees.

XXVI. And be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporations entitled to any Lands, Tenements, Hereditaments, and Premises to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the

the said Court to order the Expences of such last-mentioned Purchases from Time to Time to be made in pursuance of this Act, or so much thereof as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

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

XXVII. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Road dry, and conveying the Water from the same, shall be made by the said Trustees or their Surveyor or other Officer, on the Sides of the said Road, and also where necessary into or through any Lands, Fields, or Grounds adjoining to or lying near the said Road, not being a Yard, Garden, Orchard, Park, Paddock, Planted Walk, or Avenue to a House, at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act, and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees or their Surveyor or other Officer where any Carriageways or Footways lead into or out of or cross the said Road, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; such Trustees nevertheless making Satisfaction to the Owners or Occupiers of such Lands so to be used, cut through, or built upon, for the Damages which they or any of them may sustain thereby, in Manner directed in the said Act of the Fourth Year of the Reign of His said present Majesty, and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured and cleansed, and kept open, repaired, and maintained by the Occupiers of the adjoining Lands, Fields, or Gardens, but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Road shall be scoured, cleansed, and kept open, repaired, and maintained by the said Trustees, subject to the Provisions of the said Act of the Third Year of the Reign of His present Majesty.

No Flood Gates or Obstructions in the Watercourses to be made so as to injure the Road.

XXVIII. And be it further enacted, That if any Person shall after the passing of this Act erect or place any Sluice, Dam, Flood Gate, or other Obstruction in any Brook or Watercourse, whereby or by means whereof the said Road or any Part thereof shall be flooded, damaged, or injured, or rendered unsafe, or shall make, lay, or open any new Ditch, Drain, Pipe, or Watercourse into the said Road, or any Part thereof, or shall deepen or widen any Ditch, Drain, or Watercourse already made into or on the Sides of the said Road, or any Part thereof, or shall inclose or take in any Ditch, Drain, Pipe, or Watercourse lying on the Outside of his, her, or their Paling, Hedges, or other Fences, then and in every such Case it shall be lawful for the Surveyor to the said Trustees and the several Workmen to be employed by him, to take down and remove every such Sluice, Dam, Flood Gate, or other Obstruction, and to convert the Materials thereof for the Benefit of the said Road, and also to stop, fill up, and destroy all and every such Ditches, Drains, Pipes, and Watercourses, and to pull down and remove the Buildings, Walls, Paling, or other Fences so inclosing such Ditches, Drains, Pipes, or Watercourses; and the Person erecting or placing such Sluice, Dam, Flood Gate, or other Obstruc-

Obstruction, or making, opening, deepening, widening, or inclosing such Ditch, Drain, Pipe, or Watercourse, shall for every such Offence forfeit and pay to the said Trustees any Sum not exceeding Five Pounds, over and above the Costs and Charges of taking up and removing such Sluice, Dam, Flood Gate, or other Obstruction, or filling up such Ditch, Drain, Pipe, or Watercourse, or pulling down or removing such Buildings, Walls, or other Fences as aforesaid.

Public Act.

XXIX. 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.

Commencement and Continuance of this Act.

XXX. And be it further enacted, That this Act shall commence and take Effect upon the Second Day of *January* next, 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 this Act refers.

First Column.	Second Column.	Third Column.	Fourth Column.	Fifth Column.
NAMES OF MORTGAGEES.	Principal Sums secured.	Arrears of Interest due to 1st May 1824.	Amount agreed to be accepted in lieu of Arrears of Interest to 1st May 1824.	Total Sums to be paid or tendered by the Trustees to the Mortgagees in full Discharge of Principal and Interest, to 1st May 1824.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Thomas Athorpe, Executors of -	135 0 0	70 17 6	59 4 6	194 4 6
Reverend Joseph Bromehead -	83 14 0	43 18 8½	36 14 2	120 8 2
Robert Taylor - -	100 0 0	52 10 0	43 17 5	143 17 5
John Champion - -	151 7 0	79 9 0	66 7 8	217 14 8
John Morton - - -	513 0 0	269 6 6	225 2 4	738 2 4
Honorable John Simpson -	270 0 0	141 15 0	118 9 10	388 9 10
Henrietta Griffith - -	169 0 0	88 14 6	74 3 0	243 3 0
Elizabeth Clarke - -	84 9 0	44 6 7½	37 0 11	121 9 11
Reverend John Kirkby - -	84 9 0	44 6 7½	37 0 11	121 9 11
George Beardsall - -	135 0 0	70 17 6	59 4 6	194 4 6
Duke of Leeds - -	270 0 0	141 15 0	118 9 10	388 9 10
Christopher Nevile - -	169 0 0	88 14 6	74 3 0	243 3 0
Rector and Churchwardens of Aston	167 14 0	88 0 8½	73 11 5	241 5 5
William Mellish and Edward Mellish - - -	695 10 0	365 2 9	305 3 9	1,000 13 9
Robert Hartshorn Barber -	67 10 0	35 8 9	29 12 2	97 2 2
Mary Rogers and Elizabeth Rogers	135 0 0	70 17 6	59 4 6	194 4 6
Cornelius Heathcote Rodes, Executor of - - -	167 8 0	87 17 5½	73 8 11	240 16 11
Arthur Stanhope - -	135 0 0	70 17 6	59 4 6	194 4 6
Reverend Thomas Stacye - -	167 14 0	88 0 8½	73 11 5	241 5 5
Thomas Staniforth - -	167 14 0	88 0 8½	73 11 5	241 5 5
Francis Ashbey - -	167 8 0	87 17 6	73 8 11	240 16 11
Thomas Staniforth and William Wragg, as Executors of Joseph Broadbent - -	135 0 0	70 17 6	59 4 6	194 4 6
Bernard John Wake - -	1,049 17 0	551 3 1	460 13 2	1,510 10 2
Robert Clarke, Samuel Clarke, Henry Clarke, and John Staniforth - - -	136 0 0	71 8 0	59 11 2	195 11 2
Mary Vessey and Henry Machin -	251 19 0	132 5 7½	110 10 9	362 9 9
William Wragg - -	234 18 0	123 6 5	103 1 4	337 19 4
Joseph Wheatley - - -	135 0 0	70 17 6	59 4 6	194 4 6
Hannah Bromhead and Henry Bromhead - -	135 0 0	70 17 6	59 4 6	194 4 6
Anne Verelst - -	523 16 0	274 19 9½	229 17 11	753 13 11
£	6,637 7 0	3,484 10 5½	2,912 2 11	9,549 9 11

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