



ANNO DECIMO

GEORGIIV. REGIS.

Cap. lxxx.

An Act for more effectually repairing the Road leading from *Chesterfield* in the County of *Derby* to *Worksop* in the County of *Nottingham*.

[22d May 1829.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for repairing the Roads from Bakewell to Chesterfield in the County of Derby, and from Chesterfield to Worksop in the County of Nottingham, and from Chesterfield to the Place where the Northern Road meets the Chesterfield Road, which leads to Mansfield in the said County of Nottingham*: And whereas another Act was passed in the Thirty-first Year of the Reign of His said late Majesty King *George* the Second, intituled *An Act to enlarge, alter, and render more effectual the Term and Powers of an Act of the Twelfth Year of His present Majesty, for repairing the Roads from Bakewell to Chesterfield in the County of Derby, and from Chesterfield to Worksop in the County of Nottingham, and other Roads therein mentioned*: And whereas another Act was passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of Two Acts, made in the Twelfth and Thirty-first Years of King George the Second, for repairing the Road from Chesterfield in the County of Derby to Worksop in the County of Nottingham, and other Roads therein mentioned*,

[Local.] 22 R mentioned,

12 G.2. c. 12.
31 G.2. c. 60.
26G.3. c.152.

48 G. 3. c. 56. mentioned, so far as the same relate to the Road from Chesterfield to Worksop: And whereas another Act was passed in the Forty-eighth Year of His late Majesty King George the Third, intituled *An Act to continue the Term and alter and enlarge the Powers of Three Acts of His late and present Majesty, for repairing the Road from Chesterfield in the County of Derby to Worksop in the County of Nottingham, and other Roads in the said Acts mentioned, so far as the same relate to the Road from Chesterfield to Worksop*: And whereas several large Sums of Money, advanced or borrowed upon the Credit of the Tolls arising upon the Road from *Chesterfield to Worksop*, still remain due, with a long Arrear of Interest, and cannot be paid off, nor can the said Road be properly amended, improved, and kept in sufficient Repair, unless the Term and Powers of the said Acts, so far as the same relate to the Road from *Chesterfield to Worksop*, be enlarged: And whereas it is expedient that the said recited Acts should be repealed, so far as the same relate to the said Road from *Chesterfield to Worksop*, and that further and other Provisions should be granted instead 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 Twelfth and Thirty-first Years of King George the Second, and in the Twenty-sixth and Forty-eighth Years of the Reign of His late Majesty King George the Third, shall be and the same are hereby declared to be repealed, so far as the same relate to the Road leading from *Chesterfield to Worksop*.

Recited Acts repealed, so far as they relate to the Road from Chesterfield to Worksop.

This Act to be put in execution for repairing the Road.

II. And be it further enacted, That this Act shall be put in execution, for and during the Term herein-after mentioned, for the Purpose of repairing, improving, and keeping in repair the Road from *Chesterfield* in the County of *Derby* to *Worksop* in the County of *Nottingham*.

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 *Derby*, and all His Majesty's Justices of the Peace acting for the said County of *Nottingham*, together with *Shukburgh Ashby, Frederick Arkwright, John Carver Athorpe, Christopher Alderson, Peter Pegge Burnell, William Brodhurst, William Bagshaw Clerk, John Gorell Barnes, Henry Bowdon, John Bruno Bowdon, Alexander Crawford Bromehead Clerk, Joseph Bromehead, Henry Bulkley, William Bright, William Booth, D'Ewes Coke, Francis Lillyman D'Ewes Coke, John Charge, Marmaduke Middleton Carver, John Clark Clerk, John Tatton Cartledge, John Clark, Josiah Claughton, William Claughton, John Coller, Joseph Dixon Clerk, Henry Dixon, Samuel Dixon, Samuel Dethick, William Drabble, John Dutton, the Honourable Erskine Clerk, Vincent Henry Eyre, Francis Eyre, Michael Ellison, Benjamin Eddison, John Eddison, George Saville Foljambe, George Fletcher Doctor of Physic, Francis Foxlowe Clerk, John Froggatt, Richard Froggatt, Charles Dakeyne Gladwin, Edward Smith Godfrey, Thomas Spragging Godfrey, Joseph Gratton (Chesterfield), Joseph Gratton,*

Gratton (Newbold), Richard Girdler, William Grafton, Thomas Garthwayte, Richard Gillett, the Right Honourable Charles Henry Howard commonly called Earl of Surrey, Sir Henry John Joseph Hunloke Baronet, James Hunloke, Thomas Hallows, Thomas Hill Clerk, Edward Heathcote Clerk, Godfrey Heathcote, Ralph Heathcote Clerk, Rowland Hacker, Richard Hannam, Immanuel Halton Clerk, Gervase Holmes, Richard Roundel Hurwood, Edward Humble, John Heywood, Anthony Heywood, William Hewitt, Joshua Jebb, William Johnson, Thomas Knowlton, Thomas Lowndes, Bernard Lucas, Thomas Burton Lucas Clerk, John Lingard, Robert Malkin, Henry Malkin, George Mower, Charles Hughes May, William Milnes, William Edward Nightingale, Charles Neale, Joseph Nodder Clerk, John Norborn, Henry Owen, Joseph Wilton Pawsey Clerk, John Parkin of High Ground, Robert Parker, Cornelius Heathcote Reaston Rodes Clerk, Frederick Ricketts Clerk, George Yeldham Ricketts, James Robinson, William Robinson, Josiah Bradbury Robinson, John Rooth, Samuel Rooth, Benjamin Rooth, John Rodgers, Robert Rodgers, Sidney Shore, Jonathan Stokes Doctor of Medicine, John Robert Sharpe, William Francis Sharpe Clerk, Adam Barker Slater, Thomas Stacye Clerk, Richard Smith Clerk, M Stapleton Clerk, Courtnay Smith, Thomas Milnes Smith, Lawrence Short Clerk, William Smith Clerk, Edmund Smith, Ebenezer Smith, William Stubbing, Charles Stubbing, Broughton Steade, Edward Steade, John Slagg, Joseph Slagg, the Most Honourable the Marquis of Titchfield, William Thornhill, William Turbutt, Richard Burrow Turbutt Clerk, Wotton Byrchinshaw Thomas, William Munnings Thomas, Benjamin Blaydes Thompson, William Thompson, Sir Thomas Woolaston White Baronet, Isaac Wilkinson, Charles Wake, John Wood Clerk, William Wright, Peter Wright, Robert Wood, Hugh Wood Clerk, Peter Walthall, Joseph Wilson, and William Waller, and their Successors, being duly qualified to act as Trustees of Turnpike Roads, shall be and they are hereby appointed Trustees for repairing, improving, and maintaining in repair the said Road, and for otherwise putting this Act into execution.

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 (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.

Power to appoint additional Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the House known by the Name or Sign of the *Angel* in the Town of *Chesterfield* aforesaid, or at some other convenient Place in the said Town, on the Day of the Commencement of this Act, or on the First *Monday* next after the Commencement of this Act, or as soon after as conveniently may be, and proceed in the Execution of this Act, and shall and may then, and from Time to Time after, adjourn to and meet at such Times and at such Place or Places

First Meeting of Trustees.

in

in the said Town, or upon or near to the said Road, as they shall think proper.

Tolls.

VI. And be it further enacted, That the respective Sums hereinafter mentioned shall or may be demanded and taken for Tolls; (that is to say),

For each and every Horse or other Beast drawing any Coach, Landau, Sociable, Chariot, Curricule, Calash, Berlin, Chaise, Phaeton, Hearse, Stage Coach, Diligence, Van, Caravan, Whiskey, Gig, Chair, or Taxed Cart, or any other such like Carriage, any Sum not exceeding Sixpence :

For each and every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, Tumbrel, or other such like Carriage upon Wheels, the Fellies of which are of the Breadth of Six Inches or upwards, any Sum not exceeding Nine-pence if such Waggon, Wain, Cart, Tumbrel, or other Carriage shall be drawn by Four or more Horses, Mules, or Beasts; but if drawn by less than Four Horses, Mules, or Beasts, then any Sum not exceeding Sixpence for each and every such Horse, Mule, or other Beast :

For each and every Horse or other Beast drawing any Cart upon Two Wheels, the Fellies of which are of the Breadth of Four and a Half Inches or upwards, any Sum not exceeding Sixpence if such Cart shall be drawn by Two or more Horses or other Beasts; but if any such Cart shall be drawn by only One Horse or other Beast, then any Sum not exceeding Four-pence :

For each and every Horse, Mule, or other Beast drawing any Waggon, Wain, Cart, Tumbrel, or other such like Carriage upon Two or more Wheels, the Fellies of which are of less Breadth than Four and a Half Inches, any Sum not exceeding One Shilling if any such Waggon, Wain, Cart, Tumbrel, or Carriage shall be drawn by Three or more Horses, Mules, or Beasts; but if drawn by less than Three Horses, Mules, or Beasts, then any Sum not exceeding Nine-pence for each and every such Horse, Mule, or Beast :

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

For every Ox, Cow, or Head of Neat Cattle, the Sum of One Penny :

For every Calf, Sheep, Lamb, Hog, or Swine, the Sum of One Halfpenny :

For each and every Horse or other Beast drawing any Carriage with Wheels of the Breadth of Six Inches or upwards, loaded with any Millstones, Block or Blocks of Stone, Piece or Pieces of Timber, and drawn by Five Horses or other Beasts, the Sum of Two Shillings and Sixpence; and if drawn by more than Five Horses or other Beasts, the further Sum of One Shilling for each such Horse or Beast exceeding that Number :

For each and every Horse or other Beast drawing any Carriage with Wheels of less Breadth than Six Inches, loaded as aforesaid, and drawn by Five Horses or other Beasts, the Sum of Three Shillings and Nine-pence; and if drawn by more than Five Horses or other Beasts, the further Sum of One Shilling for each such Horse or Beast exceeding that Number :

VII. And

VII. And be it further enacted, That it shall be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand and take the respective Sums or Tolls aforesaid Twice in any One Day, at each and every of the Toll Gates or Turnpikes or Side Gates on the said Road, in respect of the same Horses, Beasts, or Cattle employed in drawing any Waggon, Wain, Tumbrel, Cart, or other such like Carriage laden with any Goods, Wares or Merchandize, Millstones, Stone, Timber, or other Matter or Thing; and in case such Tolls shall have been so paid, then such Horses, Beasts, or Cattle employed in drawing any such loaded Carriage shall, upon the Production of a Ticket or Tickets denoting that Two Tolls have been paid on that Day at such Gate, be permitted to pass Toll-free through the same Toll Gate, Turnpike, or Side Gate, and also through such other Gate and Gates (if any) upon, across, or on the Sides of the said Road as the Ticket for such Payment shall free, at any Time and Times during the same Day; any Law or Statute to the contrary thereof in anywise notwithstanding: Provided always nevertheless, that all Horses, Beasts, and Cattle employed in drawing any such loaded Carriage, in respect whereof One Toll shall have been paid in any One Day, shall be allowed to pass and repass Twice in the same Day for such Payment before the Second Payment shall be demanded or made.

Tolls to be paid Twice a Day only at the same Gate.

VIII. 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 and take the respective Sums or Tolls aforesaid at more than Four Gates in any one Day in respect of the same Horses, Beasts, or Cattle passing once (and repassing) in the same Day through all the Toll Gates, Turnpikes, and Side Gates along the whole Line of the said Road; that is to say, not more than a full Toll and One Half Toll between *Chesterfield* and *Barlborough*, nor more than a full Toll and a Half Toll between *Barlborough* and *Worksop* aforesaid; such full Toll being paid at the first Gate on each of such respective Parts of the said Road through which such Horses, Beasts, or Cattle shall pass.

Limiting the Number of Gates at which Payments shall be enforced.

IX. Provided always, and be it further enacted, That the Tolls payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying any Passengers or Goods for Pay or Reward, shall be payable and paid every Time of passing along the said Road.

Stage Coaches to pay every Time of passing.

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

Post Chaises on every new Hiring.

XI. And be it further enacted, That, notwithstanding any Law or Statute to the contrary, all Carts and other Carriages drawn by One Horse or other Beast shall be liable to be weighed at any Weighing Machine or Weighing Machines now erected or which hereafter may be erected upon or for the Benefit of the said Road, in the same

One Horse Carts to be weighed.

Additional
Tolls for
Overweight.

Manner as Carts and other Carriages drawn by any greater Number of Horses or other Beasts are now liable to be weighed by Law ; and the Owners and Drivers thereof shall be liable to the same Penalties for refusing to suffer such Carts and other Carriages to be weighed, or for obstructing the Wheels being measured or gauged, as the Owners or Drivers of Carts or other Carriages drawn by Two or more Horses are now liable by Law ; and every such Cart or other Carriage drawn by One Horse or other Beast, with Wheels of less Breadth at the Bottom or Soles thereof than Four and a Half Inches, which, together with the Loading thereof, shall weigh more than One Ton Five Hundred Weight in Summer (to be computed from the First Day of *May* to the Thirty-first Day of *October*), or than One Ton in Winter (to be computed from the Thirty-first Day of *October* to the First Day of *May*), and every such Cart or other Carriage drawn by One Horse or other Beast, with Wheels of the Breadth at the Bottom or Soles thereof of Four and a Half Inches or upwards, which, together with the Loading thereof, shall weigh more than One Ton Ten Hundred Weight in Summer (to be computed as aforesaid), or more than One Ton Five Hundred Weight in Winter (to be computed as aforesaid), shall pay, and it shall be lawful for the said Trustees (or any Person or Persons empowered by them to receive the Tolls mentioned in this Act) to receive and take, such and the same additional Tolls for Overweight as Carts or other Carriages drawn by Two or more Horses or other Beasts are liable to pay by Law.

Application
of Tolls and
Money bor-
rowed.

XII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Acts in respect of the said Road from *Chesterfield* to *Worksop*, and which shall be remaining 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 in this Act mentioned, together with the Monies which 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 relative thereto ; secondly, (after Payment of all necessary Expences to be from Time to Time incurred in erecting or repairing Toll Gates, Toll Houses, Milestones or Posts, and Fences, and for Books, Stationery, Advertisements, Salaries of Officers, and other such current Expences,) in defraying the Expences of repairing, widening, improving, and amending the said Road, and in 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 Mortgages or Securities which have been already made and granted of the Tolls heretofore payable on the same Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls hereafter to become payable on the said Road ; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been heretofore borrowed for the Purposes of the said recited Acts, in respect of the said Road, and also the several Principal Sums of Money which may hereafter be

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 Road, provided that the Powers heretofore given by the general Acts to the Mortgagees of the Road shall not be defeated or lessened.

XIII. 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 of the Money raised by the Tolls mentioned in this Act, or borrowed on the Credit thereof, in paving or repairing any Highway or Street in the Towns of *Chesterfield* or *Worksop*, or either of them. Tolls not to be applied in repairing Streets, &c.

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

XV. And be it further enacted, That this Act shall commence Term of Act. upon the First Day of *June* next, and shall continue and be in force 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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