



ANNO TRICESIMO NONO

GEORGI II. REGIS.

Cap. 12.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of Two Acts, made in the Thirty-second Year of the Reign of His late Majesty King *George* the Second, and in the Twentieth Year of the Reign of His present Majesty, for repairing and widening certain Roads leading to and from the Towns of *Nottingham* and *Derby*, so far as relates to the Road leading from *Chappel Bar*, near the West End of the Town of *Nottingham*, to *Saint Mary's Bridge* in the Town of *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*. [21st March 1799.]

WHEREAS by an Act, made in the Thirty-second Year of the Preamble.
Reign of His late Majesty King *George* the Second, intituled,
An Act for repairing and widening the Roads from Grantham, 32 Geo. II.
in the County of Lincoln, through Bottesford and Bingham, to Nottingham Trent Bridge; and from Chappel Bar, near the West End of the Town of Nottingham, to Saint Mary's Bridge in the Town of Derby, and from the Guide Post in the Parish of Lenton to Sawley Ferry, several Tolls and Duties
[*Loc. & Per.*] P p were

20 Geo. III.

Recited Acts
continued.

were granted and made payable, and divers Powers and Authorities given for repairing the said Roads, which were to have Continuance from and after the passing thereof, for and during the Term of Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas by another Act, made in the Twentieth Year of the Reign of His present Majesty, for enlarging the Term and Powers of the said recited Act, so far as relate to the Road leading from *Chappel Bar*, near the West End of the Town of *Nottingham*, to *Saint Mary's Bridge* in the Town of *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*, the Term granted by the said recited Act was further continued for Twenty-one Years, and from thence to the End of the then next Session of Parliament: And whereas the Trustees acting by virtue and in pursuance of the said Acts have made great Progress in repairing the said Road leading from *Chappel Bar*, near the Town of *Nottingham*, to *Saint Mary's Bridge*, in the Town of *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*, and borrowed a considerable Sum of Money on the Credit of the Tolls arising upon that Part of the said Road; which still remains due, and cannot be repaid, and the said Road effectually amended and kept in Repair, unless the Term and Powers granted by the said recited Acts be further continued and enlarged, so far as the same relate to the said Road: 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 Term granted by the said recited Acts shall be repealed; and that the said recited Acts, and all the Clauses, Tolls, Powers, Authorities, Provisions, Exemptions, Penalties, Forfeitures, Matters, and Things, therein contained, so far as the same relate to the said Road from *Chappel Bar* near the West End of the Town of *Nottingham*, to *Saint Mary's Bridge* in the Town of *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*, (except such as are hereby varied, altered, or repealed, and also such as relate to Exemption from Stamp Duties), shall be and continue in full Force and Effect, and, together with this present Act, shall be put in Execution for the several Purposes thereby and hereby intended, for and during the Term herein-after granted, as fully and effectually in all Respects, and to all Intents and Purposes whatsoever, as if the same were expressly repeated and re-enacted in the Body of this present Act; which said additional Term hereby granted shall be, and is hereby declared to be subject and liable to the Payment of all Sums of Money now due and owing on the Credit of the Tolls and Duties arising upon the said Road from *Chappel Bar*, near the West End of the Town of *Nottingham*, to *Saint Mary's Bridge* in the Town of *Derby*, and from the Guide Post in the Parish of *Lenton* to *Sawley Ferry*, and of such other Sum and Sums of Money as shall hereafter be borrowed for the Purposes of the said recited Acts, (so far as relate to the said last-mentioned Road), or of this Act, and all Interest due and to grow due for the same respectively.

Appointing
new Trustees.

II. And be it further enacted, That, from and after the passing of this Act, *Francis Agard, George Almond, Thomas Antile, Henry Browne, Henry Batburst, Thomas Borrow, Robert Battelle, Jonas Bettison, John Burnside, John Cox, the Reverend John Clarke, Edward Coke, James Cade, Benjamin Chambers, John Chamberlin the younger, the Honourable and Reverend*

David Curzon, Thomas Chamberlin, Erasmus Darwin M. D., Erasmus Darwin the younger, John Drewry, William Dams the younger, John De-thick, the Town Clerk of Derby for the Time being, Walter Evans, Edmund Evans, Nathaniel Edwards, William Elliott Elliott, John Elliott, Sir Henry Every Baronet, Samuel Fox, Francis Fox, Richard Forrester Forrester M. D., William Fowler, Edward Fox, Joseph Flewitt, John Gisborne, the Reverend Thomas Gisborne, Philip Gell, James Green, the Reverend Charles Stead Hope, Thomas Haden, Henry Hadley, John Horrocks, John Homfray, Bache Heathcote, Henry Hunter, the Reverend John Hancock Hall, George Hopkinson, Benjamin Harrington, Matthew Hulse, William Hammond, Henry Hunter, John Hawley, Francis Jessopp, Joseph Jackson D. D., Luke Jackson, William Jamson, William Jeffery Lockett, Richard Leaper, Lewis Lattusiere, William Drury Lowe, William Marshall, Francis Mundy, Charles Mundy, John Matchitt, Edward Miller Mundy, Thomas Maltby, Pendock Neale, the Reverend Pendock Neale, Henry Pilkington, the Reverend Henry Peach, Sacheverel Pole, John Port, the Reverend Edward Pole, Thomas Pares, Robert Padley, Henry Richardson, Samuel Richardson, Samuel Rowland, William Ford Rawson, Thomas Rawson, James Robinson, John Radford, Richard Astley Sale, Thomas Saxelbye, James Simpson, William Strutt, William Strutt the younger, Joseph Strutt, George Strutt, Thomas Sale, Edward Spencer, Edward Swann, Christopher Swann, Alexander Straban, William Smith, Robert Sykes, the Reverend Thomas Francis Twigge, John Topott, Thomas Tollinton, James Tebbutt, Edward Whitby, George Wheedon, Sir Robert Wilmot Baronet, Edward Sacheverel Wilmot, Sir Robert Wilmot Baronet, of Osmaston, Samuel White, William Ward, Paul Webster, William Wright, John Smith Wright, Thomas Wright Watson, Richard Webster, William Woodward, John Vickers, and Thomas Yates, shall be added to and joined with the Trustees appointed by or in pursuance of the said recited Acts, so far as relate to the said District of Road from Chappel Bar, near the West End of the Town of Nottingham, to Saint Mary's Bridge in the Town of Derby, and from the Guide Post in the Parish of Lenton to Sawley Ferry; and the Trustees hereby nominated, and their Successors, being qualified according to the Directions of the said first-mentioned Act, are hereby empowered to act in the Execution of so much of the said recited Acts as relates to the said District of Road, and of this present Act, as fully and effectually, to all Intents and Purposes, as if they had been appointed Trustees by the said recited Acts, or either of them.

III. And whereas it is proper that the said Trustees should for the future be empowered to allow a greater Rate of Interest for the Money borrowed, or to be borrowed, than they are authorized to do by the said first recited Act; be it therefore further enacted, That so much of the said first recited Act as limits the Rate of Interest of any Money which shall be borrowed by the said Trustees, shall be and is hereby repealed; and it shall and may be lawful for the said Trustees, or any Five or more of them, to allow and pay, to any Person or Persons who now have, or may hereafter have, any Money secured on the Credit of the Tolls authorized to be collected by virtue of the said recited Acts, or either of them, or this present Act, such Rate of Interest for all such Money as aforesaid, as the said Trustees, or any Five or more of them, shall from Time to Time think proper, not exceeding the Rate of Five Pounds *per Centum per Annum*.

For altering
the Rate of
Interest.

IV. Provided

Inhabitants of
Chaddefden to
pay Half Toll
only.

IV. Provided always, and be it further enacted, That, from and after the Twenty-ninth Day of *September* next, it shall and may be lawful to and for all and every the Inhabitants of the Hamlet or Township of *Chaddefden*, in the County of *Derby*, to pass and repass with their Horses, Beasts, Cattle, and Carriages, through the present Toll Gate, called *Chaddefden Hill Gate*, or any other Toll Gate, Chain, or Bar, which may at any Time hereafter be erected between the said Hamlet or Township of *Chaddefden* and the Town of *Derby*, on Payment of One Half only of the Tolls or Duties payable at such Gate, Chain, or Bar, by virtue of the said recited Acts or this Act.

For repealing
Clause for a
Composition
to be paid by
certain Pa-
rishes.

V. And whereas it is in and by the said first recited Act enacted, That the Inhabitants of the several Townships or Hamlets of *Beefton*, *Chilwell*, and *Bramcote*, shall have free Passage for their Horses, Beasts, Cattle, and Carriages, without Payment of any Toll whatsoever, through the Turnpike or Turnpikes to be erected across or on the Sides of the said Road, between all or any of those Townships or Hamlets respectively, and the said Town of *Nottingham*, for and during such Time as the Surveyors of the Highways, Churchwardens, or Overseers of the Poor for the said respective Townships or Hamlets, should pay the Sum of Ten Shillings yearly for each respective Township or Hamlet, as a Composition for the Tolls payable by the Inhabitants thereof; which Composition was directed to be paid each Year in Advance: And whereas such annual Compositions or Payments are by no Means equal to the Injury the Inhabitants of such Towns do to the said Road in passing thereon; be it therefore enacted, That, from and after the passing of this Act, the said recited Clause shall be, and the same is hereby repealed.

Directing
what Sums
shall be paid
in future by
such Parishes.

VI. Provided always, and be it further enacted, That the Inhabitants of the said several Townships or Hamlets of *Beefton*, *Chilwell*, and *Bramcote*, shall have free Passage for their Horses, Beasts, Cattle, and Carriages, without Payment of any Toll whatsoever, through any Toll Gate or Toll Gates erected, or to be erected, across or on the Sides of the said Road, between all or any of such Townships or Hamlets respectively, and the said Town of *Nottingham*, for and during such Time only as the Surveyors of the Highways, Churchwardens, or Overseers of the Poor for the said respective Townships or Hamlets, shall pay to the Treasurer of the said Road the Sum of Five Pounds yearly, for each respective Township or Hamlet, as a Composition for the Tolls payable by the Inhabitants thereof, which Composition shall be paid each Year in Advance; and the Persons paying such Monies shall and may be re-imbursed out of the Pools Rate of the Township for which the same shall be paid; but no Inhabitant of such Townships or Hamlets shall claim such Exemption when carrying or taking any Goods, Articles, or Things, for Hire, and not for their own private Use and Consumption, or for the Use and Consumption of some Inhabitant of the same Township or Hamlet only.

Exemption
for Houses
South of *Len-
ton* Toll Gate.

VII. Provided also, and be it enacted, That all and every the Inhabitants of Dwelling Houses erected and to be erected in that Part of the Parish of *Lenton* which lies South-west or South of the present Toll Gate set up on the said Road in the said Parish of *Lenton*, called *Lenton Toll Gate*, shall have free Passage for their Horses, Beasts, Cattle, and Carriages, when going from or returning to their said Dwelling Houses through the
said

faid Toll Gate, or any other Toll Gate to be erected on the faid Road, in any Part of the faid Parish of *Lenton*, or between fuch Parish and the Town of *Nottingham*, for and during fuch Time as the faid Inhabitants fhall pay to the Treasurer of the Eastern Diftrict of the faid Road, the Sum of Ten Shillings yearly for each Dwelling Houfe, as a Composition for the Tolls payable at fuch Toll Gate; which Composition fhall be paid each Year in Advance.

VIII. Provided always nevertheless, That no Person fhall be entitled to any Privilege, Composition; or Exemption from Toll at any Toll Gate erected or to be erected on the faid Road, for any Carriage whatsoever which fhall have the Sole or Bottom of the Fellies of the Wheels of lefs Breadth or Gauge than Six Inches; any Thing in the faid recited Acts, or in this Act, contained to the contrary thereof notwithstanding.

Exemptions
not to extend
to narrow
Wheels.

IX. And be it further enacted, That if after any Adjournment of the Trustees, it fhall at any Time be thought neceffary that there fhall be an earlier Day of Meeting than the Day appointed by fuch Adjournment, in that Cafe the Clerk to the faid Trustees, by an Order in Writing, figned by Five or more of the acting Trustees, mentioning the Time, Place, and Purpose of fuch Meeting, fhall forthwith give Notice, by a Writing affixed on all the Toll Gates then erected by virtue of the faid recited Acts and this Act, in the Diftrict for which fuch Meeting fhall be fo called, and alfo by Advertifement in fome Newspaper printed and circulated in the Neighbourhood of the faid Road, of the Time, Place, and Purpose, which fhall be mentioned in the Order of the faid Trustees, (fuch Time being not lefs than Seven Days); and fuch earlier Meeting fhall and may be held accordingly; and all the Proceedings of the Trustees at all fuch Meetings, fhall be as valid and effectual as if fuch Meetings had been held in purfuant of Adjournments.

Meetings on
Emergencies.

X. And be it further enacted, That no Order made by the faid Trustees, at any of their Meetings, fhall be revoked or altered, unlefs at fome Meeting to be held for that Purpose, of which Notice fhall be given by Advertifement in fome Newspaper printed and circulated in the Neighbourhood of the faid Road, Fourteen Days at leaft before fuch Meeting, fignifying the Occafion of fuch Meeting; nor unlefs a greater Number of Trustees fhall attend at fuch Meeting, to revoke and alter the fame, than were prefent when fuch Order was made.

Notice to be
given on re-
voking Or-
ders.

XI. And be it further enacted, That it fhall be lawful for the faid Trustees, or any Five or more of them, to order to be made Cauſeways or Footpaths on the Side of the faid Road, or any Part thereof; and if any Person or Persons fhall ride upon any fuch Cauſeway or Footpath, or any Cauſeway or Footpath already made on the Side of the faid Road, or any Part thereof, or fhall drive any Horfe or Cattle, or any Cart or Carriage thereon, or fhall wilfully caufe any Damage whatsoever to be done thereto, every fuch Person, for every fuch Offence, fhall forfeit any Sum not exceeding Twenty Shillings.

Power to
make Cauſe-
ways.

XII. And be it further enacted, That the faid Trustees may fue and be fued for or concerning any Thing to be done by virtue or in purfuant of the faid recited Acts and this Act, in the Name of their Clerk or Treafurer

Trustees may
fue and be
fued in the
Name of their
Clerk.

urer for the Time being; and that no Action or Suit to be brought or commenced by the Direction of or against the said Trustees, in the Name of their Clerk or Treasurer, shall abate or be discontinued by the Death or Removal of any such Clerk or Treasurer, nor by the Act of such Clerk or Treasurer, without the Consent of the Trustees, or any Five or more of them; but that the Clerk or Treasurer for the Time being to the said Trustees shall be deemed to be Plaintiff or Defendant, as the Case may be, in every such Action.

Clerk to be
reimbursed his
Expences.

XIII. Provided always, That every such Clerk or Treasurer in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully re-imbursed and paid out of the First Money to arise by virtue of the said recited Acts and this Act, after such Action or Suit shall be commenced or discontinued, all such Costs, Charges, Damages, and Expences, as by the Event or in consequence of any such Action or Proceeding he shall bear, pay, expend, or be put unto or become chargeable with, by reason of his being so made Plaintiff or Defendant as aforesaid.

For paying
the Expences
of the Act.

XIV. And be it further enacted, That the Charges and Expences of obtaining and passing this Act shall be paid out of any Money already collected and received, or to be collected and received, by virtue of the said recited Acts, or either of them, or of this Act.

Publick Act.

XV. And be it further enacted, That this Act shall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.

Commence-
ment and
Continuance
of the Act.

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

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