



ANNO QUINQUAGESIMO PRIMO

# GEORGI II. REGIS.

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## Cap. 75.

An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Roads from *Little Sheffield*, in the County of *York*, to *Sparrow Pit Gate*, and several other Places in the County of *Derby*; and for amending and making certain other Roads to communicate therewith.

[14th May 1811.]

**W**HEREAS an Act was passed in the Thirty-fifth Year of the Reign of His present Majesty, intituled, *An Act for continuing the Term, and repealing the Powers of two Acts passed in the Thirty-first Year of the Reign of His late Majesty King George the Second, and the Nineteenth Year of the Reign of His present Majesty, for repairing and widening the Roads from Little Sheffield, in the County of York, through the Towns of Hathersage, Hope, and Castleton, to Sparrow Pit Gate, in the County of Derby, and from the Guide Post near Barber's Fields Cupola, through Grindleford Bridge, Great Hucklow, Tideswell Hardgate Wall, and Fairfield, to a House known by the Sign of the Angel, in Buxton, in the County of Derby, and for granting further and other Powers for that Purpose: And* whereas great Progress has been made in the Execution of the said Act, and a considerable Sum of Money borrowed upon the Credit of the Tolls, now remains due, which cannot be repaid, nor the said Roads effectually amended and kept in repair, unless the Term granted by the said Act be continued, and the Powers and Provisions thereof altered and enlarged, and the present Tolls increased: And whereas it would be a great Accom-

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modation.

modation to the Neighbourhood, and of Publick Utility, if the said Road leading from *Little Sheffield* to *Sparrow Pit Gate* aforesaid, was turned or altered from or nearly from a certain Part thereof at or near a Place called *Burbage Bridges*, through *Mitchel Fields* by *Booth's Gate*, all in the Parish of *Hathersage* aforesaid, to *Hathersage* aforesaid, also from a certain Part of the same Road at or near a Place in the Parish of *Castleton* aforesaid, called *Flatt's Gate*, through certain inclosed Lands on the northerly Side of the said Road, by a Place called *Saddleyard*, to join the same Road again at or near *Oxlow Cross*, all in the said Parish of *Castleton*; and also if Powers were granted for making a new Branch of Road from or nearly from the said Place called *Saddleyard*, to *Chapel-en-le-Frith*, in the said County of *Derby*: And whereas it would also be a great Accommodation to the Neighbourhood, and of Publick Utility, if a new Line of Road were to be made from a certain Bridge at *Little Sheffield* aforesaid, (upon the Turnpike Road leading from *Sheffield* to *Chesterfield*,) up the North Side of *Porter Brook* Valley, and crossing the same Brook at *Hunter Farm*, and thence proceeding up the Highway there, to or near to *Banner Cross* aforesaid, so as to make a Junction there with the said present Road leading from *Little Sheffield* to *Sparrow Pit Gate* aforesaid, (thereby abandoning the said present Road leading from *Little Sheffield* to *Sparrow Pit Gate* aforesaid, from its present Commencement at *Little Sheffield* aforesaid to such Junction at or near to *Banner Cross* aforesaid,) when the said New Line of Road shall have been made complete for travelling upon, and not sooner; and that it would be convenient if such New Branch and Line of Road were to be put under the Care and Management of the Trustees for executing the said recited Act and this Act: but as the same cannot be done without the Authority of Parliament; May it therefore please Your Majesty, That it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and the several Clauses, Powers and Provisions, Matters and Things therein contained, (except such as are by this Act varied, altered, or repealed, and also such as relate to Exemptions from Stamp Duties,) shall be and remain in full Force and Effect, and together with this present Act, shall be put in Execution for and during the Term hereinafter mentioned, as fully and effectually in all Respects, and to all Intents and Purposes, as if the said Act, and the Clauses, Powers and Provisions therein contained were expressly repeated and re-enacted in the Body of this present Act; and as if the said intended Diversions and New Pieces of Road had been Part of and included in the said Act, but subject nevertheless to the Alterations and Amendments herein contained, and which shall commence and take effect upon the Fourteenth Day of *June* One thousand eight hundred and eleven; and that this Act, and the Term and Powers hereby granted, shall be and are hereby declared to be subject and liable to the Payment of all Monies now due and owing, or which may hereafter become due and owing, on the Credit of the said recited Act and of this present Act, or either of them, and all Interest due and to become due for the same respectively.

Former Act renewed, and other Roads put under this Act.

Empowering Trustees to make the New Pieces

II. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, or for such Persons as they, or any Five or more of them, shall employ for that Purpose, and they

of Road and  
Diversions.

they are hereby fully authorised and empowered to enter into and upon the Lands and Grounds of any Person or Persons in or through which the said Diversions and New Pieces of Road are intended to pass, to set out, form, make and complete the same, from or nearly from a certain Part of the said present Road leading from *Little Sheffield* to *Sparrow Pit Gate* aforesaid, at or near a Place called *Burbage Bridges*, through *Mitchel Fields* by *Booth's Gate*, all in the Parish of *Hathersage* aforesaid, to *Hathersage* aforesaid, also from a certain Part of the same Road at or near a Place in the Parish of *Castleton* aforesaid, called *Flatt's Gate*, through certain inclosed Lands on the northerly Side of the said Road by a Place called *Saddleyard*, to join the same Road again at or near to *Oxlow Cross*, both in the Parish of *Castleton* aforesaid, and also from or nearly from a Place called *Saddleyard* in the Parish of *Castleton* to *Chapel-en-le-Frith* in the County of *Derby*, and also from a certain Bridge at *Little Sheffield* aforesaid (upon the Turnpike Road leading from *Sheffield* to *Chesterfield*) up the North Side of *Porter Brook* Valley, and crossing the same Brook at *Hunter Farm*, and thence proceeding up the Highway there to or near to *Banner Cross* aforesaid; so as to make a Junction there with the said present Road leading from *Little Sheffield* to *Sparrow Pit Gate* aforesaid, and thereby abandoning the said Road from its present Commencement at *Little Sheffield* aforesaid, to or near to *Banner Cross* aforesaid at the said Junction, and to cut and make such Drains, Gutters and Tunnels, in or upon the Lands adjoining or near such Roads respectively, as shall be by them thought necessary or proper for draining the Water from such Roads respectively, according to the true Intent and Meaning of this Act, doing as little Damage as may be in the Execution of the Powers to them hereby granted, and making reasonable Satisfaction to the Owners or Proprietors of, and all Persons interested in such Lands, for all Damages which shall be sustained by executing the Powers and Authorities hereby given; and in case any Difference concerning the same shall arise between the said Trustees and such Owners or Proprietors and Persons interested as aforesaid, that then the same shall be ascertained and settled by a Jury, in such Manner as is directed by the said recited Act with respect to the Valuation of Land intended to be made Part of the Roads therein described: Provided always, that nothing herein contained shall authorise or empower the said Trustees, or any Person or Persons acting by or under their Authority, to take, use, injure or damage, for the Purpose of the said respective Roads, or any of the Purposes aforesaid, any House or other Building, or any Land or Ground set apart or used as a Garden, Orchard, Park, or planted Avenue to a House, without the Consent in Writing of the Owner or Owners thereof; and which said New Pieces of Road shall be of the Breadth of Forty Feet.

III. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required to set out, form and complete, and put into repair and fit for travelling, the said intended New Diversion of the said Road lying between *Flatt's Gate* and *Oxlow Cross* aforesaid, and communicating with the said Road from *Castleton* to *Sparrow Pit Gate* aforesaid, before they the said Trustees shall make and complete the said New Branch of Road from or nearly from the said Place called *Saddleyard* to *Chapel-en-le-Frith* aforesaid, or any Part thereof, and before any Toll shall be taken on any Part of the said Diversion of Road from *Flatt's Gate* to *Oxlow Cross* aforesaid, or on any other Part of the said Road between

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Saddleyard  
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Castleton

*Castleton and Sparrow Pit Gate* aforesaid; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Plans and Books of Reference to remain with the Clerks of the Peace.

IV. And whereas Maps or Plans, describing the Lines of the said several New Pieces of Road, and the Lands through which the same are to be respectively carried, together with Books of Reference, containing Lists of the Names of the Owners and Occupiers of such Lands, have been deposited at the Offices of the Clerks of the Peace of the several Counties of *York* and *Derby*; be it therefore enacted, That the several Maps or Plans, and the Books of Reference, shall remain in the Custody of the Clerks of the Peace in whose several Offices the same are respectively deposited, to the End that all Persons may at any reasonable Times have liberty to inspect and peruse the same, and to take Copies or Extracts thereof at their Will and Pleasure, paying the Clerk of the Peace in whose Office the same respectively are deposited, 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 of the said several Maps or Plans, and Books of Reference; and that the said Trustees, in making the said several Roads, shall not deviate more than One hundred Yards of Three Feet each from the Lines described in the said several Maps or Plans, without the Consent and Approbation in Writing of the Person or Persons, Body Politick, Corporate or Collegiate, through whose Lands or Grounds such Deviation shall be made.

Trustees not to deviate beyond a certain Distance from the Line described in the Plan.

Trustees may make the Roads through Grounds and Lands, although the Owners' Names are not in the Book of Reference.

V. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Trustees to make the said New Pieces of Road into, through, across, or over the Lands and Grounds of any Person or Persons who is or are or may be Owner or Owners of Lands over which the same are set out and described in the said Maps or Plans as aforesaid, although the Name or Names of such Person or Persons may happen to be omitted in the said Books of Reference, in case it shall appear to any Two or more Justices of the Peace for either of the said Counties, and be certified by Writing under their Hands, that such Error or Omission proceeded from Mistake.

Trustees may erect Turnpikes on Diversions and New Pieces of Road.

VI. And be it further enacted, That it shall and may be lawful to and for the said Trustees, or any Five or more of them, or such Person or Persons as they, or any Five or more of them shall appoint, when and so soon as the said Diversions and New Pieces of Road shall be respectively made and completed, to erect and set up, or cause to be erected and set up one or more Gate or Gates, Turnpike or Turnpikes, upon or across the said Roads, and also a Toll House or Toll Houses, with suitable Out-buildings thereto, and also to take in and inclose from the said Roads a Garden Spot or Garden Spots, not exceeding in Quantity One Quarter of an Acre of Land, suitable and convenient for such Toll House or Toll Houses; and also to pull down and remove the same, or any of them, as they the said Trustees, or any Five or more of them, shall judge proper.

For repealing the present Tolls, and granting new ones.

VII. And whereas the Tolls granted by the said recited Act have been found insufficient for amending and keeping the said Roads in good Repair, and for executing the several other Purposes of the said Act; be it therefore enacted, That from and after the Fourteenth Day of *June* One

One thousand eight hundred and eleven, all and singular the several Tolls, and all the Exemptions from Payment thereof, and all and every the Restrictions and Regulations in the said recited Act mentioned and declared relating thereto, shall be, and the same are hereby repealed; and that instead thereof the following Tolls shall be demanded and taken, before any Horses, Beasts or Carriages shall be permitted to pass through the several and respective Toll Gates, Bars and Turnpikes already set up and erected, or which may hereafter be set up and erected upon the said Roads, other than at the Bar hereafter to be erected at or near to *Flatt's Gate* aforesaid, subject only to the Exemptions, Restrictions and Regulations in this Act particularly mentioned and set forth; that is to say:

For every Horse or other Beast of Draught drawing any Coach, Berlin, Landau, Chariot, Chaise, Chair, Curricule, Hearse, Calash, Chaise Marine or other such Carriage, the Sum of Sixpence: Tolls

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Nine Inches, the Sum of Sixpence:

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Sixteen Inches, the Sum of Three-pence:

For every Horse or other Beast of Draught drawing any Cart, Wain or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Nine Inches, the Sum of Three-pence:

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Eight-pence:

For every Horse or other Beast of Draught drawing any Cart, Wain or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches, the Sum of Four-pence; except on that Part of the said intended New Branch from *Saddleyard* to *Chapel-en-le-Frith* aforesaid, on which the Tolls hereinafter mentioned only shall be taken for any such Carriage drawn by Three or Four Horses or other Beasts of Draught:

For every Horse or other Beast of Draught drawing any Waggon or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Six Inches, the Sum of One Shilling:

For every Horse or other Beast of Draught drawing any Cart, Wain or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of a less Breadth than Six Inches, the Sum of Sixpence:

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

For every Pair of Mill Stones, if drawn in Pairs; and for every single Mill Stone or Block of Stone, or Piece of Timber, drawn by Five Horses or other Beasts of Draught, 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, in addition to the said Two Shillings and Sixpence:

For every Drove of Oxen or Neat Cattle the Sum of Ten-pence per Score, and so in proportion for any less Number : And,  
For every Drove of Calves, Hogs, Sheep or Lambs, the Sum of Five-pence per Score, and so in proportion for any less Number.

Double Tolls on Sundays.

And that double the said respective Tolls shall be demanded and taken on every *Sunday* during the Continuance of this Act; and which said respective Tolls or Duties shall be and are hereby declared to be vested in the Trustees appointed or to be appointed for the Purposes of the said recited Act and this present Act, and shall be demanded and taken in the Name of and as a Toll, by such Person or Persons as the said Trustees or any Five or more of them, shall from time to time appoint for that Purpose, and shall and may be levied, recovered, applied and disposed of in such and the same Manner as by the said recited Act is directed with regard to the Tolls thereby granted, subject nevertheless to the Alterations herein contained.

Trustees to erect a Bar at Flatt's Gate, and Tolls to be taken thereat.

VIII. Provided always, and be it enacted, That when and so soon as the said intended Diversion from or nearly from *Flatt's Gate* by *Saddleyard* to *Oxlow Cross* aforesaid shall have been made and completed and not sooner, it shall and may be lawful to and for the said Trustees to erect, set and keep up a Turnpike or Toll Gate upon or across the present Road at or near to *Flatt's Gate* aforesaid, and that One Moiety or equal half Part of each and every of the aforesaid Tolls and no more, shall be demanded and taken thereat before any Horse, Beast or Carriage, shall be permitted to pass through the same.

Trustees to fix a Turnpike on the New Branch of Road between *Saddleyard* and *Chapel-en-le-Frith*, and Tolls to be taken thereat.

IX. And be it further enacted, That when and so soon as the said intended new Branch of Road from *Saddleyard* to *Chapel-en-le-Frith* aforesaid, shall have been made and completed, and before there shall be any travelling upon the same, the said Trustees shall erect, set and keep up, on such their said new intended Branch of Road, a Turnpike or Toll Gate on such Part thereof as they shall think proper; and that each and every of the aforesaid Tolls shall be demanded and taken at such Turnpike or Toll Gate before any Horses, Beasts or Carriages shall be permitted to pass through the same; except that for each and every Cart, Wain or other such Carriage, having the Sole or Bottom of the Fellies of the Wheels thereof of the Breadth of Six Inches, passing through any Gate or Gates to be set up and erected on any Part of the said intended new Branch from *Saddleyard* to *Chapel-en-le-Frith* aforesaid, and drawn by Three or Four Horses or other Beasts of Draught, there shall be demanded and taken the Sum of Ten-pence only.

Half-Toll Clause on travelling from *Castleton* by *Barmoor Clough* to *Buxton*, or from *Buxton* the same Road to *Castleton*.

X. Provided always, and be it further enacted, That no more than One Half of the before-mentioned Tolls shall be demanded and taken, either at the Bar intended to be erected at or near to *Flatt's Gate*, or at the Bar at *Stone Bench* aforesaid, on one and the same Day (such Day to be computed from Twelve of the Clock at Night to Twelve o'Clock in the next succeeding Night) for any Horses or other Beasts, or for any Carriages travelling from *Castleton* by *Barmoor Clough* to *Buxton*, or from *Buxton* by the same Road to *Castleton*.

XI. And

XI. And be it further enacted, That no more than Three full Tolls shall be demanded and taken for the passing through all the Toll Gates erected or to be erected on that Part of the said Road leading from the Guide Post at or near *Barber's Fields Cupola* to *Buxton* aforesaid, on the same Day (such Day to be computed as aforesaid); and that all and every Persons and Person producing Tickets of the Day (which Tickets the Collectors are required to give gratis) denoting the Payment of such Tolls at any Three of such Gates as aforesaid, shall pass through all other the Toll Gates erected or to be erected on the same Length of Road free thereat.

Three Tolls only from Guide Post near Barber's Fields Cupola to Buxton.

XII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees or any Five or more of them, and they are hereby authorised and required, between the First Day of *October* and the First Day of *April* in every Year to demand and take, or cause to be demanded and taken (over and above the respective Tolls granted by the said recited Act and this Act) one further Half Toll in addition to such respective Tolls, from all Persons who shall pass with any Horse, Cattle or Carriage between the First Day of *October* and the First Day of *April* in any Year, through any Turnpike erected or to be erected by virtue of the said recited Act and this present Act, which said additional Tolls shall be, and the same are hereby vested in the Trustees for executing the said Act and this Act; and the same shall and may be demanded, levied, recovered, applied and disposed of in the same Manner, and to and for the same Uses, Intents and Purposes, as in and by the said recited Act is mentioned and declared with respect to the Tolls thereby granted or continued.

Winter Toll.

XIII. Provided always, and be it enacted, That no more Toll shall be taken at any Bar than Four-pence for One Horse only, nor more than Five-pence per Horse for Two Horses only, drawing any Cart or other such Carriage, going for the Purpose of carrying or being loaded with Coal, or returning empty having been so loaded; any Thing in the said recited Act or this Act contained to the contrary notwithstanding.

Coal Toll.

XIV. Provided always, and be it also enacted, That no more than Three-pence shall be demanded and taken at *Stone Bench Bar* for each and every Horse or other Beast of Draught drawing any Waggon, Cart or other such Carriage, going empty to fetch Coal, or loaded with Coal, or returning empty having delivered such Loading, and that such Toll shall only be demanded once in the same Day, such Day to be computed as hereinafter mentioned, for or in respect of any Horse or other Beast drawing such Waggon, Cart or other such Carriage as last aforesaid, and passing and repassing through the said Bar more than once in the same Day.

Coal Toll at Stone Bench Gate.

XV. And be it further enacted, That when and so soon as all Interest Money which shall be due at the Time of the passing of this Act to the several Persons who have advanced Money on the Credit of the said recited Act shall have been paid off and discharged, then and not before, the Tolls directed to be taken on the said Roads comprized in the said recited Act and this Act, shall thenceforward be consolidated and form One joint Fund for the Purposes of the said recited Act and this Act, and be paid and applied in Payment and Discharge of future accruing Interest to the old.

Tolls on new and old Roads to be consolidated after, &c.

old and new Mortgagees respectively, the Interest to the new Mortgagees to commence from the Time of advancing their respective Monies, without any Preference or Priority whatsoever.

Tolls to be paid but once a Day, except in certain Cases as a back Toll.

XVI. Provided always, and be it further enacted, That no Person who shall have paid Toll for passing through any Turnpike erected or to be erected upon the said Roads, shall be subject to any Toll for returning through such Turnpike the same Day before Twelve of the Clock at Night, with the same Horses or other Cattle, or with the same Coach, Chaise, Waggon or other Carriage, but shall return Toll-free on delivering a Note or Ticket to the Collector of the Tolls at such respective Turnpikes, which Note or Ticket such Collector is hereby required to give gratis on the Receipt of the Tolls, except such Waggon, Cart, Caravan, Timber Carriage, or such other like Carriages, which shall pass or re-pass through any of the said Turnpikes loaden with any Loading of the Weight of Five hundred Pounds or upwards, of Six Score to the Hundred, and shall return the same Day also loaden with any Loading of the Weight of Five hundred Pounds or upwards as aforesaid; and also except any such Coach, Berlin, Landau, Chariot, Calash, Chaise with Four Wheels or Caravan, or by what Name soever such Carriage or Carriages now is, or are, or hereafter may be called or known, that shall be kept or used by or for any Person or Persons as a publick Stage Coach or Stage Coaches or Stage Carriages, employed in carrying Passengers for Hire to and from different Places, in all which excepted Cases the Tolls aforesaid shall be again paid.

Exemptions from Toll.

XVII. And be it further enacted, That no Toll shall be demanded or taken for any Horses, Cattle, Beasts or Carriages, employed in carrying or conveying, or going to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying on the same Day any Stones, Bricks, Timber, Wood, Gravel or other Materials for repairing the said Roads or any of the Roads in the Townships or Parishes in which any Parts of the said Roads lie, or the next adjoining Townships or Parishes, or Hay, Grass, Fern, Straw, or Corn in the Straw only, Turves, Heath or Furze for Fuel, to be produced from the Lands or Grounds, and not sold or disposed of, but passing to be laid up or placed in the Out-houses or on the Lands of the respective Owners, for the Purpose of thrashing out such Corn, or of using or consuming such Hay, Grass, Fern, Straw, Turves, Heath and Furze; or for any Cart or other Carriage, Horses, Cattle or Beasts, employed in carrying or conveying, or going empty to carry or convey, or returning from carrying or conveying, having been employed only in carrying or conveying any Ploughs, Harrows or Implements of Husbandry, Corn for seeding the Ground, or any Dung, Compost or Manure employed in Husbandry for manuring or improving Lands, or for any other Thing employed in the Management of any Farm or Lands, (Lime excepted,) or for any Horses, Cattle or Beasts, going to or returning from Pasture or watering Places, or going to be or returning from being shod or farried; nor for any Horse, Cattle or Carriage, when employed for the Purpose only of carrying Water or Milk for the Use of the Inhabitants of any of the Parishes through which the said Roads lead; or from any Person going to or returning from his or her proper parochial Church, Chapel or other Place of religious Worship tolerated by Law, on a *Sunday* or upon any other



other Day upon which Divine Service is ordered by Authority to be celebrated, or attending the Funeral of any Person that shall die and be buried in any of the said Townships or Parishes, or from any Clergyman going to or returning from visiting any sick Person, or going to or returning from other his parochial or ministerial Duty within any of the said Townships or Parishes, or from any Surveyor of the said Roads while in the Exercise of his Duty as such Surveyor; or for any Horses or Carriages of whatever Description; employed or to be employed in conveying the Mails of Expresses and Letters under the Authority of His Majesty's Postmaster General, either when employed in carrying, fetching or guarding such Mails or Expresses, or returning back from conveying the same; or for any Horses or Beasts attending any Soldiers upon their March or on Duty, or drawing any Carriage attending them with their Arms or Baggage, nor for any Waggon, Wain, Cart or other Carriage whatsoever, or the Horse or Horses or other Cattle drawing the same, which shall be employed in conveying any Ordnance, Barrack or Commissariat or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces; or for any Horses, Carts or Beasts employed in the Conveyance of Vagrants sent by legal Passes, or returning therefrom; or for any Horses or Carriages carrying or conveying any Person or Persons going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *York* or *Derby* on the Day or Days of such Election, or on the Day before or Day after such Election shall begin or be concluded; and that no Toll shall be demanded or taken for any Horse, Mare or Gelding, furnished by or for any Persons belonging to any Corps of Yeomanry or Volunteer Cavalry, and rode by them in going to or returning from the Place appointed for and on the Days of Exercise, provided that such Persons shall be dressed in the Uniform of their respective Corps, and have their Arms, Furniture and Accoutrements, according to the Regulations provided for such Corps respectively at the Time of claiming such Exemptions as aforesaid; and if any Person or Persons shall in any fraudulent or collusive Manner whatsoever, claim and take the Benefit of any of the Exemptions by this Act granted, not being entitled to the same, every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, One Moiety whereof shall go to the Informer, and the other Moiety shall be applied for the Purposes of this Act.

XVIII. And be it further enacted, That no Person owning or driving, or causing to be driven any Waggon, Wain, Cart or other Carriage, provided for the Service of His Majesty's Forces, or conveying any Ordnance, Barrack or Commissariat or other publick Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, shall be subject to any Penalty or Forfeiture, nor shall any such Waggon, Wain, Cart or other Carriage, be stopped or detained by reason of any Weight in any such Waggon, Wain, Cart or other Carriage, or of being drawn by any Number of Horses or Oxen, but it shall be lawful for any Owner or Driver of any such Waggon, Wain, Cart or other Carriage, to put any Number of Horses or Oxen to such Waggon, Wain, Cart or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary thereof notwithstanding.

Carriages conveying Military Stores not to be subject to Penalties for Overweight, &c.

New Bridges to be made and repaired out of the Tolls to be taken under this Act.

XIX. And whereas there are certain Brooks or Rivulets running across the Line of the said New Pieces of Road over which it may be deemed necessary and expedient to erect One or more Bridge or Bridges; be it therefore further enacted, That all and every such Bridge or Bridges shall at all Times for ever hereafter be made, amended, improved, supported, repaired, and kept in repair, by and out of the Tolls authorized to be taken on the said New Pieces of Road; any Law, Act, Statute, or Custom to the contrary notwithstanding.

The Peak Forest Canal Railways and Wharfs not to be injured.

XX. Provided always, and be it further enacted, That the said Trustees, or any of them, or any other Person or Persons whomsoever, shall not in or by the making of the said New Pieces of Road or any of them, or in or by the repairing, widening, turning or altering the Course or Path thereof, or of any Highway through which such intended New Pieces of Road or any of them may pass, wilfully occasion any Damage or Injury to the *Peak Forest Canal*, or the Towing Path thereto belonging, or to any of the Railways, Wharfs and other Works, of or belonging to the Company of Proprietors of the *Peak Forest Canal*, or obstruct, prejudice, prevent or hinder the full and free Use and Enjoyment of the said Canal, Railways and Wharfs, and the Business thereof.

Road not to cross certain Parts of Peak Forest Railway.

XXI. Provided also, and be it further enacted, That the Line of the said intended New Piece of Road from *Saddleyard* to *Chapel-en-le-Frith* aforesaid, shall not cross the present Railway belonging to the said Company of Proprietors, within the Distance of Forty Yards from the North-easterly Angle of the Wharf at *Chapel-en-le-Frith* aforesaid, of and belonging to the said Company of Proprietors; any Thing in this Act, or in the said Maps or Plans and Books of Reference so deposited as aforesaid, or any of them, contained to the contrary thereof notwithstanding.

No Toll to be taken between Booth's Gate and Hathersage.

XXII. And whereas the Trustees for executing this Act will, in making one of the Improvements herein-before mentioned, that is to say, from *Burbage Bridges* to *Hathersage* aforesaid, come upon and also across and by the Side of Part of the Roads under the Care of the Trustees for executing an Act of the Forty-third Year of the Reign of His present Majesty, intituled, *An Act to continue the Term, and alter and enlarge the Powers of an Act, passed in the Twenty-first Year of the Reign of His present Majesty, for repairing the Roads from the present Turnpike Road upon Greenhill Moor to Hathersage, and from the Chesterfield Turnpike Road near Stoney Middleton to Totley, all in the County of Derby; and also for making Two New Branches from the said Roads to Baslow in the said County, and to Goose Green near Sheffield in the County of York*, at or near a certain Place called *Booth's Gate* to the Town of *Hathersage*; be it therefore enacted, That the Trustees for executing this Act shall, during the Term thereof, at their own Expence, Cost and Charge, well and effectually make, and also repair and amend the Whole of the said Road which is now made or shall hereafter be made between the Junction of the said Roads at or near *Booth's Gate* aforesaid and *Hathersage* aforesaid, and shall on no Account or Pretence whatsoever take any Tolls, or set up or erect any Toll Gate or Chain upon or by the Side of any Part of the said Road between the said Junction and *Hathersage* aforesaid.

XXIII. Pro-

XXIII. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken at any Gate or Gates erected or to be erected on the said Road between the present Highway leading towards *Dore*, at or near *Ecclesball Chapel*, and the Termination of the said Road at *Little Sheffield*.

No more than one full Toll to be taken between Ecclesball Chapel and Sheffield.

XXIV. Provided always, and be it further enacted, That no Toll Bar or Toll Gate shall at any Time be erected on any Part of the said Roads, or on the Sides thereof, nor any Toll taken upon the said Roads, within One Mile of a certain House known by the Name of *Fox House*, nor within One Mile of the Town of *Tideswell* aforesaid, nor nearer to *Buxton* aforesaid than the present Bar at *Stone Bench*, nor on any Part of the said Road between *Flatt's Gate* and *Sparrow Pit Gate* aforesaid.

No Toll Bar to be erected within One Mile of Foxhouse, or Tideswell, &c.

XXV. And be it further enacted, That the said Trustees, or any Five or more of them, shall at their First Meeting to be holden after the passing of this Act, adjourn themselves to some convenient Place upon or near to the said Roads within such of the said Counties of *Derby* and *York*, as shall vary the County wherein such first Meeting may happen to be holden, and shall then adjourn themselves from time to time, and hold their Meetings alternately in the Counties of *Derby* and *York*, except for some good and especial Reason, at the Time of making the Adjournment, it shall be deemed necessary by a Majority of the Trustees then present to adjourn to some convenient Place upon or near to the said Roads, within the same County in which such their Meeting shall be holden, such Majority to consist of Seven Trustees at the least.

Respecting the holding of Meetings.

XXVI. 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 Act and this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatick, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed 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 High Court of Chancery, to be placed to his Account, *ex parte* the Trustees for executing the said recited Act and this Act, 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, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Parts thereof, as the said Court shall authorise 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, Trusts, Intents or 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 to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Hereditaments

Application of Compensation Money when amounting to 200l.

taments, 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 or Settlement shall be existing, undetermined, and capable of taking effect; and in the mean time, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, 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 such 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, or Hereditaments, by the said recited Act or this Act directed to be purchased, in case such Purchase or Settlement were made.

Application when the Compensation Money is less than 200l. and not less than 20l.

XXVII. Provided always, 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 Rents and Profits of the Lands, Tenements or 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 in the Name and with the Privity of the said Accountant General of the High Court of Chancery, 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 Five or more of the said Trustees for executing the said recited Act and this Act, (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 of Chancery.

Application where the Money is less than 20l.

XXVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last 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 or Hereditaments so purchased, taken, or used for the Purposes of the said recited Act and this Act, in such Manner as the said Trustees, or any Five or more of them, 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.

XXIX. And

XXIX. 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 Act or 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 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 and may be lawful to and for the said Trustees, or any Five or more of them, 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 High Court of Chancery, to be placed to his Account, to the Credit of the Parties interested in the said Lands, Tenements or Hereditaments, [*describing them,*] subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making claim to such Sum or 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 Publick Funds, and to order 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 or Receipts 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 as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank, subject to the Order of the Court of Chancery.

XXX. Provided always, 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 Chancery, in pursuance of the said recited Act or 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 recited Act or this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements or 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 of Chancery; and the Dividends or Interest of the 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

Respecting disputed Titles.

entitled to such Lands, Tenements or Hereditaments, or to some Estate or Interest therein.

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

XXXI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements or Hereditaments, to be purchased under the Authority of the said recited Act or this Act, the Purchase Money for the same shall be required to be paid into the said Court of Chancery, 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 said Court of Chancery to order the Expences of all Purchases from time to time to be made in pursuance of the said recited Act or this Act, or so much of such Expences 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, or any Five or more of them, who shall from time to time pay such Sums of Money for such Purposes as the said Court shall direct.

Persons chargeable to Statute Work to continue so. Justices to determine Differences touching Statute Work.

XXXII. Provided always, and be it further enacted, That all Persons who by Law are or shall be liable to do Statute Work, or are or shall be chargeable towards amending and repairing the said Roads, or any Part thereof, shall still remain liable thereto in like Manner as heretofore; and it shall and may be lawful to and for any Two or more Justices of the Peace for the West Riding of the County of *York*, or for the County of *Derby*, within their respective Jurisdictions, and they are hereby empowered and required upon Application made to them by the said Trustees, or by their Clerk or Surveyor by their Order, Yearly to adjudge and determine what Part and Proportion of the Statute Work shall every Year be done upon the said Roads by the Inhabitants of the respective Townships or Places in which the said Roads lie, and also what Proportion of the Money received by the Surveyor or Surveyors of the Highways of every such Township or Place in lieu of or as a Composition for such Statute Work as aforesaid, shall be by him, her or them paid to the said Trustees, or to their Treasurer; and in order thereunto it shall and may be lawful to and for the said Justices from time to time to summon the Surveyor or Surveyors of the Highways for every such Township or Place, to bring in Lists before such Justices at some Place to be expressed in such Summons (within Ten Days after the serving of such Summons) of the Names of the several Persons who within such Parish or Place are by Law subject and liable to do Statute Work for that Year, or to the Payment of any Money in lieu of or as a Composition for such Statute Work, distinguishing the Nature of the Work to be done, whether with Teams or Draughts, or otherwise, and also the Amount of the respective Sums to be paid, which Lists of Names shall be made in such Manner, and under such Regulations and Restrictions, as is, are, or may be directed by any Law or Statute in force and effect for the Repairs of the Publick Highways, and out of such Lists the said Justices shall and may allot, appoint, and order such and so many of the Persons who shall appear to be subject and liable to Statute Work as aforesaid, to do such Number of Days Statute Work in every Year upon the said Roads as the said Justices shall think reasonable, and the same shall be done on such Days and at such Times, (not being  
Hay-

Haytime or Harvest,) and in such Parts of the said Roads as the said Trustees or their Surveyor or Surveyors shall from time to time order, direct and appoint; and the said Justices shall and may also order and direct the Persons who by such Lists shall appear to be subject and liable to the Payment of any Money in lieu of or as a Composition for Statute Work as aforesaid, to pay such Proportion thereof as the said Justices shall think proper, to the said Trustees, or their Treasurer, at such Time or Times as they the said Justices shall direct, and in default of Payment thereof the same shall and may be recovered by Distress and Sale of the Goods and Chattels of the respective Persons liable to the Payment thereof, in like Manner as any Penalty is by the said recited Act authorized or directed to be recovered; and each and every Person who shall neglect or refuse to do such Statute Work as aforesaid, after Notice in Writing given to or left for him, her or them, at his, her or their last or usual Place or Places of Abode for that Purpose, by any Surveyor to the said Trustees, shall for every Day of his, her or their Default, or the Default of any Labourer or Labourers, Team or Teams, Draught or Draughts, Horse or Horses, Beast or Beasts to be provided by him, her or them, be subject and liable to such Pains, Penalties or Forfeitures as such Person or Persons may be subject or liable to by any Law or Statute in Force and Effect for the Repair of the publick Highways; and if any Person who shall come to work as a Labourer, or shall be sent with any Team or Draught to work on the said Roads, shall be found idle or negligent by any Surveyor to the said Trustees, such Surveyor is hereby empowered to remove and turn off the Person who shall be found idle or negligent as aforesaid, and in that Case every such Person shall be subject and liable to the respective Forfeitures and Payments aforesaid, as if he had neglected or refused to come, or such Team or Draught had not been sent to work on any Part of the said Roads, all which Forfeitures shall be paid to the Treasurer to the said Trustees, and applied towards amending the said Roads; and in case the said Surveyor or Surveyors of the Highways for any of the said Townships or Places, shall refuse or wilfully neglect to give in such Lists as aforesaid, or shall knowingly or wilfully give in false or imperfect Lists, every such Surveyor so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Trustees to compound and agree with any Person or Persons, Bodies Politick or Corporate, for the Statute Work to be by them done on the said Roads or any Part thereof; and also with the Inhabitants and Occupiers of Lands, Tenements and Hereditaments, of and in all or any of the Townships or Places in which the said Roads are situate, for a certain Sum of Money, by the Year or otherwise, as the said Trustees shall think reasonable, in lieu of the whole or of any Part of the Statute or other Work to be by all or any of the said Inhabitants and Occupiers done on the said Roads, which Composition Money shall always be paid by the Surveyor or Surveyors of the Highways, or other Officer of the Township, or by the Person or Persons so compounding, to the Treasurer to the said Trustees in advance, on or before the First Day of *December* in each and every Year, or otherwise the Inhabitants and Occupiers of such Township or Place shall not be permitted to compound for that Year.

Trustees  
may com-  
pound for  
Statute  
Work.

XXXIV. And

For compelling Payment of Subscription Money.

XXXIV. And be it further enacted, That the several Persons who have subscribed or shall subscribe to pay Money for or towards amending or repairing the said new Pieces of Road, shall and are hereby required to pay such Money within such Time, in such Parts or Proportions, and to such Persons as the said Trustees shall direct or appoint; and in Default of such Payment such Money shall be recovered by Action at Law to be brought in any of His Majesty's Courts of Record at *Westminster*.

For Payment of the Expences of this Act.

XXXV. And be it further enacted, That all the Charges and Expences incident to and attending the obtaining and passing this Act, together with lawful Interest from the Time of advancing the same, to the Time of Payment, shall be paid and satisfied by the said Trustees; and that it shall be lawful for the said Trustees, or any Five or more of them, and they are hereby required to order and direct the Payment of the said Charges and Expences, with Interest as aforesaid, out of the first Monies that shall be collected, borrowed or received, by virtue of the said recited Act or this Act, in preference to all other Payments and Disbursements whatsoever.

Publick Act.

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

Commencement and Continuance of the Act.

XXXVII. And be it further enacted, That the Term granted by the said recited Act shall, on the passing of this Act, cease and determine; and the said recited Act (subject to the Alterations, Variations and Additions hereinbefore contained) and this Act, shall from thenceforth commence, continue and be in Force, and be executed 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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