



ANNO UNDECIMO

GEORGIIV. REGIS.

Cap. vii.

An Act for repairing and improving the Road from the *Nottingham* and *Mansfield* Turnpike Road, through *Kirkby* and *Pinxton*, to *Carter Lane*, and to the Colliery near *Pinxton Green*, in the Counties of *Nottingham* and *Derby*.

[19th March 1830.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repairing and widening the Road from the Nottingham and Mansfield Turnpike in the Liberty of Blidworth to the Mile Oak in the Parish of Kirkby-in-Ashfield in the County of Nottingham; and from thence, through Pinxton, to Carter Lane in the Parish of South Normanton, and from Pinxton to the Colliery near Pinxton Green in the County of Derby*: And whereas another Act was passed in the Forty-eighth Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Nottingham and Mansfield Turnpike in the Liberty of Blidworth to the Colliery near Pinxton Green in the County of Nottingham*: And whereas the Trustees acting under or by virtue of the said recited Acts have proceeded in the Execution thereof, and have borrowed considerable Sums of Money upon the Credit of the Tolls authorized to be taken on the said Road, which Money still remains due, and cannot be repaid, nor can the said Road be effectually

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repaired, improved, and maintained in repair, unless the Term and Powers of the said Acts be enlarged: And whereas it is expedient that the said recited Acts should be repealed, and that further and other Provisions should be granted instead thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the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 Twenty-eighth and Forty-eighth Years of the Reign of His said late Majesty King *George* the Third shall be and the same are hereby declared to be repealed.

Recited Acts
repealed;

and this Act
to take effect.

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 leading from the *Nottingham* and *Mansfield* Turnpike in the Liberty of *Blidworth*, through *Kirkby-in-Ashfield* in the County of *Nottingham*, and *Pinxton* in the County of *Derby*, to *Carter Lane* in the Parish of *South Normanton* in the said County of *Derby*, and from *Pinxton* to the Colliery near *Pinxton Green* in the said County of *Derby*.

Appointment
of Trustees.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the County of *Nottingham*, and all His Majesty's Justices of the Peace for the Time being acting for the County of *Derby*, together with *William Brodhurst*, *John Edward Brodhurst*, *Abraham Booth*, *Robert Booth*, *William Booth*, *Thomas Hudson Brock*, *Thomas Bilby*, *John Brooks*, *D'Erwes Coke*, *John Coke*, *Francis Lillyman D'Erwes Coke*, *William Sacheverell Coke*, *Edward Thomas Coke*, *John Chambers*, *Thomas Clarke*, *John Clarke*, *William Clarke*, *Benjamin Clarke*, *John Dodsley*, *William Ellis*, *John Ellis*, *Dickenson Ellis*, *John Ellis*, *Edward Smith Godfrey*, *George Hodgkinson*, *Thomas Hodgkinson*, *William Hodgkinson*, *Francis Hall*, *Jeffrey Hall*, *Thomas Hardwick*, *John Heath*, *George Johnson*, *John Jessop*, *William Johnson*, *William Palmer Morewood*, *James Maltby*, *William Maltby Clerk*, *John Musters*, *John Need*, *Samuel Need*, *Samuel William Need*, *Thomas Need*, *Thomas Nixon*, *Charles Neale*, *John Parsons*, *George Robinson*, *Edmund Sykes*, *William Tatley*, the Honourable *John Vernon Clerk*, *Hugh Wood Clerk*, *Williams Clerk*, Lieutenant Colonel *Wildman*, *Henry Walker*, and *Francis Wakefield*, 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.

Power to
appoint
additional
Trustees.

IV. And be it further enacted, That it shall and may 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

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.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the House of *Francis Kinder* in the Town of *Kirkby-in-Ashfield*, or at some other convenient Place in the said Town, or near to the said Road, on the Day of 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 Time and Times, and at the same Place, or at such other Place or Places in the Neighbourhood of the said Road, and as they shall from Time to Time think proper.

First Meeting
of the Trus-
tees.

VI. And be it further enacted, That it shall and may be lawful for the said Trustees, or any Person or Persons continued or to be appointed Collector or Collectors of the Tolls to be taken by virtue of this Act, to demand and take the Tolls or Sums of Money hereinafter mentioned at the several and respective Toll Gates or Turnpikes or Toll Houses, or Side Gates or Side Bars, or Chains, which are or shall be standing and being or continued or erected in, upon, across, or on the Side or Sides of the said Road, or any Part or Parts thereof; (that is to say,)

Power to
take Tolls.

For every Horse, Mule, or other Beast drawing any Coach, Berlin, Landau, Vis-a-vis, Sociable, Chariot, Caravan, Curricule, Calash, Hearse, Chaise Marine, Phaeton, Whiskey, Van, Litter, Break, Gig, Chair, Tax Cart, or other such Carriage, the Sum of Four-pence Halfpenny between the last Day of *April* and the first Day of *November*, and the Sum of Sixpence between the last Day of *October* and the first Day of *May* :

Tolls.

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Dray, Cart, Drag, Bone Mill, Thrashing Machine, or other such like Carriage, having the Fellies of the Wheels thereof of the Breadth of Six Inches or upwards at the Bottom or Soles thereof, the Sum of Three-pence between the last Day of *April* and the first Day of *November*, and the Sum of Four-pence Halfpenny between the last Day of *October* and the first Day of *May* :

For every Horse, Mule, or other Beast drawing any Waggon, Wain, Dray, Cart, Drag, Bone Mill, Thrashing Machine, or other such like Carriage, having the Fellies of the Wheels thereof of a less Breadth than Six Inches at the Bottom or Soles thereof, the Sum of Four-pence Halfpenny between the last Day of *April* and the first Day of *November*, and the Sum of Sixpence Halfpenny between the last Day of *October* and the first Day of *May* :

For every Horse, Mule, or other Beast, laden or unladen, and not drawing, the Sum of One Penny between the last Day of *April* and the first Day of *November*, and the Sum of One Penny Halfpenny between the last Day of *October* and the first Day of *May* :

For every Drove of Oxen or other Neat Cattle, the Sum of One Shilling and Sixpence *per* Score; and so in proportion for any less Number :

For

For every Drove of Calves, Swine, Sheep, or Lambs, the Sum of One Shilling *per* Score; and so in proportion for any less Number:

Which said respective Tolls or Sums of Money shall or may be demanded and taken as aforesaid, for every Time of passing through each and every of such Gates, Bars, and Chains, (subject to the Provisions herein-after contained,) before any Horse, Mule, Ass, or other Beast or Cattle whatsoever shall be permitted to pass through any such Toll Gate or Turnpike, or Side Gate or Side Bar, or Chain; and such several and respective Tolls or Sums of Money shall be and are hereby vested in the said Trustees, and shall be applied for the Purposes of this Act in manner herein-after directed.

Tolls to be paid but once for passing and repassing.

VII. Provided always, and be it further enacted, That when the full Toll shall have been paid for or in respect of any Horse or other Beast passing through any of the Toll Gates or Turnpikes, Side Gates or Side Bars, or Chains, erected or to be erected on the said Roads, such Horse or other Beast (except Horses drawing any Stage Coach, Diligence, Van, or Caravan, or other Stage Carriage herein-after specified,) shall (on a Ticket being produced denoting such Payment) be permitted to go and return once through the same Toll Gates or Turnpikes, Side Gates or Side Bars, or Chains, Toll-free the same Day in respect of each Payment of Toll.

Fraction of a Halfpenny in Tolls.

VIII. And be it further enacted, That in all Cases where there shall be a fractional Part of a Halfpenny in the Calculation or Amount of the Tolls herein mentioned, or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Limiting the Number of Tolls to be paid in One Day.

IX. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls mentioned in this Act, to demand or take more than Three full Tolls in any One Day for or in respect of the same Horse, Beast, or Cattle passing or repassing through all or any of the Turnpikes, Toll Gates, Side Gates, Side Bars, or Chains along the whole Line of the said Road; any thing contained in this Act to the contrary notwithstanding.

Horses drawing different Carriages to pay each Time of passing.

X. Provided always, and be it further enacted, That in case the Toll in this Act mentioned shall have been paid for the passing of any Horse or Horses or other Beast or Beasts drawing any Waggon, Wain, Cart, or other such Carriage of any Description, for passing through any Turnpike, Toll Gate, or Side Gate on the said Road, and any such Horse or other Beast shall afterwards be employed on the same Road during the same Day in drawing a different Waggon, Wain, Cart, or other such Carriage from that which they were employed in drawing when such Payment was made, every such Horse or other Beast so drawing shall be again liable to Toll in respect of being employed in drawing such different Waggon, Wain, Cart, or other such Carriage.

Stage Coaches, &c.

XI. Provided always, and be it further enacted, That the Tolls payable for and in respect of all Horses or other Beasts drawing any Stage

Stage Coach, Diligence, Van, Caravan, Stage Waggon, Cart, or other Stage Carriage carrying Passengers or Goods for Payment, Hire, or Reward, shall be payable and paid for every Time of passing or repassing along the said Road. to pay each Time of passing.

XII. Provided also, and be it further enacted, That the Tolls payable for and in respect of all Horses or Beasts let out to Hire and employed in drawing any Post Chaise or other Carriage, or let out to Hire and used for riding or any other Purpose, shall be payable and paid every Time of passing or repassing along the said Road whenever any new Hiring thereof shall take place. Post Chaises, &c. to pay on each fresh Hiring.

XIII. And be it further enacted, That all the Monies which have been raised and produced by virtue of the said recited Acts hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also the Monies which shall arise and be produced by and from the Tolls in this Act mentioned, together with the Monies which 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 incurred in, about, and relating to the applying for, preparing, obtaining, and passing of this Act; and, in the next place, (after Payment of the necessary Expences from Time to Time for Books, Advertisements, Salaries of Officers, and other necessary current Expences incidental to the Execution of this Act,) in paying and discharging the Interest now due 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 and Duties heretofore payable on the said Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to be payable on the said Road; and, in the next place, in defraying the Expences of altering, widening, improving, repairing, diverting, and keeping in repair the said Road, and of erecting, maintaining, providing, altering, and repairing Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Road, and otherwise in executing the Purposes of this Act; and, lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured on the Credit of the Tolls heretofore arising on the said Road, and also the several Principal Sums of Money which may hereafter be borrowed and secured on the Credit of the Tolls mentioned in 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. Application of Tolls and Money borrowed.

XIV. Provided always, and be it further enacted, That no Money arising from any of the Tolls mentioned in this Act shall be applied in or towards the Repair of any Branch Road comprised in this Act, unless some Toll Gate, Toll Bar, or Turnpike shall be erected and continued upon such Branch Road, nor unless the said Tolls shall be demanded and taken thereat pursuant to the Powers and Pro- No Money to be laid out on the Roads where there is no Turnpike erected, or no Tolls taken.

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visions of this Act: Provided also, that no more Money shall be expended by the said Trustees in or towards the Repair of any such Branch Road than shall be collected thereon; and it shall not be lawful for the said Trustees to lay out or apply any Money borrowed or to be borrowed for the Purposes of this Act in or towards the Repair of any such Branch Road, except such Money as may be borrowed on the Credit of the Tolls to arise on such Branch Road only.

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

Term of Act. XVI. And be it further enacted, That this Act shall commence and take effect on the Second *Monday* next after the passing thereof, and shall from thenceforth 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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