



ANNO DECIMO QUARTO

VICTORIÆ REGINÆ.

Cap. xxxvii.

An Act for repairing and managing the Roads from the North End of the Town of *Derby* in the County of *Derby* to *Sheffield* in the County of *York*, and from *Duffield* to *Wirksworth* in the County of *Derby*. [5th June 1851.]

WHEREAS an Act was passed in the Twenty-ninth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for repairing and widening the Road from the White Stoop near the North End of the Town of Derby, through the Towns of Duffield and Chesterfield in the County of Derby, to the Town of Sheffield in the County of York, and from the said Town of Duffield to the Moot Hall in the Town of Wirksworth in the said County of Derby*: And whereas an Act was passed in the Sixteenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for enlarging the Term and Powers of an Act made in the Twenty-ninth Year of the Reign of His Majesty King George the Second, intituled 'An Act for repairing and widening the Road from the White Stoop near the North End of the Town of Derby, through the Towns of Duffield and Chesterfield in the County of Derby, to the Town of Sheffield in the County of York, and from the said Town* [Local.] 29G. 2. c. 82. 16G. 3. c. 73. ' of

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‘ of Duffield to the Moot Hall in the Town of Wirksworth in the said County of Derby:’ And whereas an Act was passed in the Thirty-fifth Year of the Reign of His Majesty King *George* the Third, intituled

35G.3. c.154. *An Act to enlarge the Term and Powers of Two Acts passed in the Twenty-ninth Year of the Reign of His late Majesty King George the Second and in the Sixteenth Year of the Reign of His present Majesty, for repairing and widening the Road from the White Stoop near the North End of the Town of Derby, through the Towns of Duffield and Chesterfield in the County of Derby, to the Town of Sheffield in the County of York, and from the said Town of Duffield to the Moot Hall in the Town of Wirksworth in the said County of Derby:* And whereas an Act was passed in the Fifty-sixth Year of

56G 3. c.69. the Reign of His Majesty King *George* the Third, intituled *An Act for continuing the Term and altering and enlarging the Powers of several Acts of His late and present Majesty, for repairing the Road from the North End of the Town of Derby in the County of Derby to Sheffield in the County of York, and from Duffield to Wirksworth in the County of Derby:* And whereas by virtue of several Public General Acts of Parliament the herein-before recited Acts have from Time to Time been continued; and an Act was passed in the Fourteenth Year of the Reign of Her present Majesty Queen *Victoria*,

13 & 14 Vict. c.79. (Pub.) intituled *An Act to continue certain Turnpike Acts in Great Britain, and to make further Provisions respecting Turnpike Roads in England,* by which it was enacted that the Acts mentioned in the Schedule to that Act annexed should continue in force until the First Day of *November* in the Year One thousand eight hundred and fifty-one, and no longer, unless Parliament should in the meantime continue the same respectively; and the said Act of the Fifty-sixth Year of the Reign of King *George* the Third was mentioned in that Schedule: And whereas great Progress hath been made in the Execution of the said Four first-mentioned Acts of the Twenty-ninth Year of the Reign of King *George* the Second, and the Sixteenth, Thirty-fifth, and Fifty-sixth Years of the Reign of King *George* the Third: And whereas the Powers of the said Acts will expire on the First Day of *November* One thousand eight hundred and fifty-one, unless the same be further continued: And whereas considerable Sums of Money have been borrowed upon the Credit of the Tolls authorized to be taken upon or in respect of the said Roads, which Money still remains due, with an Arrear of Interest thereon, and the same cannot be repaid, or the Interest thereof discharged, nor can the said Roads be effectually amended, improved, and kept in repair, unless the Term of the said Four first-mentioned Acts be further continued: And whereas it is expedient that the said Four first-mentioned Acts should be repealed, and that further Powers should be granted in lieu thereof; but the Purposes aforesaid cannot be effected without the Aid and Authority

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of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows:

I. That upon the Thirty-first Day of *October* One thousand eight hundred and fifty-one the said recited Acts of the Twenty-ninth Year of the Reign of King *George* the Second, the Sixteenth Year of the Reign of King *George* the Third, the Thirty-fifth Year of the Reign of King *George* the Third, and the Fifty-sixth Year of the Reign of King *George* the Third, shall be respectively repealed, and that this Act shall thereafter be put into execution during the Term and for the Purposes herein-after mentioned.

Recited Acts repealed, and this Act to take effect.

II. That all Rents, Arrears of Tolls, and other Monies due to, and all Property, Books, Accounts, Papers, Writings, or other Things, and all Choses in Action, vested in or belonging to the Trustees under the Acts hereby repealed, shall immediately on the Commencement of this Act be vested in and belong to the Trustees for executing this Act; and such last-mentioned Trustees may sue for and recover the same, and act in respect thereof, as fully and effectually as if the same had been vested in and belonged to them under the said Acts hereby repealed; and they shall be liable to all such Debts and Engagements to which the Trustees acting under the said recited Acts were liable at the Time of the Repeal thereof, as are by this Act continued.

Monies, &c. vested in Trustees under recited Act to vest in new Trustees.

III. That all Her Majesty's Justices of the Peace for the Time being respectively acting for the County of *Derby*, together with *Robert Arkwright, John Arkwright, Peter Arkwright, Joseph Arkwright* Clerk, *George Arkwright, William Arkwright, Godfrey Harry Arkwright* Clerk, *Frederic Arkwright, Alfred Arkwright, James Charles Arkwright*, the Honourable *James Butler*, the Honourable *Charles Butler, William John Bagshawe, Thomas Barker, John Balguy, Bryan Thomas Balguy, John Barber, William Briggs, Thomas Bent, Anthony Auriel Barker, Alexander Crawford Bromehead* Clerk, *Francis Bradshaw, Francis Bradshaw* the younger, *John Boyer* Clerk, *Richard Barrow, John Balguy* the younger, *Thomas Osborne Bateman, Henry Bowdon, Alfred Barnes, Edmund Barnes, William Henry Brodhurst, Alexander Crawford Bromehead* the younger, Clerk, *Charles Stanhope Burke Busby*, the Honourable *George Henry Cavendish*, the Honourable *Charles Cavendish, D'Ewes Coke, John Cruso, George Cox, Henry Cox, Edward Calvert, Thomas Cooper, John Chatterton*, the Honourable and Reverend

Appoint-ment of Trustees.

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rend *Frederic Curzon, William Cantrill Clerk, William Thomas Cox, Samuel Walker Cox, George Henry Richardson Cox, John Curzon, Rotherham Cecil, John Henry Cox, Thomas Cox, Henry Salkeld James Collingwood, John Cutts, John Gregory Cottingham, John Cutts the younger, George Crompton, William Claughton, Charles Clarke, Robert Cresswell, Henry Dixon, Vincent Eyre, William Evans, Samuel Evans, John Evans, William Edwards, Edmund Bucknell Estcourt Clerk, Michael Ellison, Walter Evans, Douglas Fox, Robert Forman, Francis Green Goodwin, Henry John Goodwin Clerk, Francis Cornelius Goodwin, Henry Marwood Greaves, Walter Joseph Gisborne, Henry Francis Gisborne, Sir Henry John Joseph Hunloke Baronet, James Hunloke, Thomas Hallows, Robert Holden the younger, William Drury Holden, Francis Hurt, Charles Hurt, Edward Nicholas Hurt, John Harrison, Imanuel Halton Clerk, Moses Harvey, Charles Holbrook, Michael Maugham Humble Clerk, John Hallewell, Francis Hurt the younger, Samuel Harvey, James Haywood, Francis Jessopp, Francis Johnson Jessop, Thomas Jones, Thomas Burton Lucas Clerk, Bernard Maynard Lucas, Samuel Lucas, Thomas Lund Clerk, Josiah Lewis, Bernard Lucas, Edward Walter Lowe Clerk, Robert Moseley, Mansfeldt Forster Mills, Charles Palmer Morewood, William Milnes, Charles Milnes, James Milnes, Henry Walthall Milnes, Henry Mozley, Rosemgrave Macklin Clerk, William Edward Nightingale, Joseph Nodder Clerk, Robert William Mills Nesfield, William Robert Newton, George Nuttall, James Clifford Newbold, Hugh Parker, Charles Palmer, Joseph Paxton, Edward Sackeverel Chandos Pole the younger, Samuel Prince Clerk, Samuel Richardson Radford, John Roberts, Henry Rangeley, William Hatfield de Rodes, Thomas Radford, Henry Bradley Roberts, Sir George Sitwell Baronet, John Sandars, Adam Barker Slater, Alexander Slater, Offley Shore, John Shaw, the Right Honourable Edward Strutt, Anthony Radford Strutt, Jedediah Strutt, John Strutt, Robert William Shirley, Sidney Smithers, Charles Steade, Courtney Smith Clerk, Rearsby Sitwell, Francis William Sharpe Clerk, Robert Edmund Mower Smith, Edmund Smith, William Smith, Joseph Shipton, George Henry Strutt, William Munnings Thomas, William Turner, Gladwin Turbutt, Samuel Travis, George Wade, Thomas Wilcockson, Edward Wright, John Wood, Richard Williams, Frederic Wilkinson, William Waller, Sir Henry Sackeverel Wilmot, John Walker, Thomas Walker, William Walker, Abraham Wheatcroft, James Wall, Hugh Wood Clerk, Thomas Philpot Wood, Daniel Wilson, Joseph Wass, William Waller the younger, Robert Waller, and Edmund Waller, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in *England*, shall be Trustees for putting this Act into execution.*

IV. That

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IV. That it shall be lawful for the said Trustees from Time to Time, at any Meeting under this Act, to elect any Number of Persons, duly qualified to act as Trustees of Turnpike Roads in *England*, not exceeding Three in the whole, to be Trustees for the Purposes of this Act, in addition to the Trustees hereby nominated; and such Trustees so elected shall have the same Powers and Authorities for executing this Act as if they had been hereby appointed.

Power to appoint additional Trustees.

V. That the said Trustees shall hold their First Meeting at the *Angel Inn* in the Town of *Chesterfield* aforesaid, or at some other convenient Place in the Neighbourhood of the said Roads, on the Seventh Day of *November* One thousand eight hundred and fifty-one, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then and from Time to Time thereafter adjourn to and meet at such Times, and at such Places in the Neighbourhood of the said Roads, as they shall think proper.

First Meeting of Trustees.

VI. That the said Trustees may appoint Committees out of their own Number to execute any of the Purposes of this Act, according to such Instructions and Regulations as shall be laid down by the Trustees at any General Meeting; and the said Committees may proceed to act according to such Appointment, but shall always be accountable according to the Instructions and Regulations so to be made,

Power to appoint Committees.

VII. That this Act shall be put into execution for the Purpose of more effectually maintaining, repairing, and improving the Road leading from the *White Stoop* near the North End of the said Town of *Derby*, through the said Towns of *Duffield* and *Chesterfield*, to the said Town of *Sheffield*, and from the said Town of *Duffield* to the Market Place in the said Town of *Wirksworth*.

Roads to which this Act shall be applicable.

VIII. That upon and after the First Day of *November* One thousand eight hundred and fifty-one it shall be lawful for the said Trustees to demand and take, at each and every the Toll Gates now erected or hereafter to be erected on or by the Side of any Part or Parts of the said Roads, from the Owner or Owners or Person or Persons using or attending any Horse, Beast, Cattle, or Carriage, before any such Horse, Beast, Cattle, or Carriage shall be permitted to pass through the same, such Tolls as the said Trustees at any of their Meetings shall direct, not exceeding the Sums following; that is to say,

Tolls to be taken.

On those Parts of the said Roads which lie between *Derby* and *Duffield* and *Duffield* and *Wirksworth* aforesaid,

Tolls between *Derby* and *Duffield* and *Duffield* and *Wirksworth*.

For each Horse, Mule, or other Cattle drawing any Coach, Chariot, Chaise, Hearse, or other such Carriage, the Sum of Threepence;

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For

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- For each Horse, Mule, or other Cattle drawing any Gig, Chair, or Taxed Cart, the Sum of Threepence ;
- For each Horse or Beast of Draught drawing any Waggon, Wain, Cart, or Carriage having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Six Inches or upwards, the Sum of Threepence ;
- For each Horse or Beast of Draught drawing any Waggon, Wain, Cart, or Carriage having the Sole or Bottom of the Fellies of the Wheels of a less Breadth than Six Inches, the Sum of Fourpence Halfpenny ;
- For every Pair of Mill Stones, or single Block of Stone or Timber, drawn by Five or more Horses, the Sum of Sixpence *per* Horse, and drawn by any less Number than Five Horses, the Sum of Threepence *per* Horse ;
- For every Dog drawing any Carriage whatever, the Sum of One Penny ;
- For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny ;
- For every Score of Oxen, Cows, or Neat Cattle, (and so in proportion for a greater or less Number,) the Sum of Tenpence ;
- For every Score of Calves, Hogs, Swine, Goats, Sheep, or Lambs, (and so in proportion for a greater or less Number,) the Sum of Fivepence ; and
- For every Carriage drawn or propelled by Steam or other Power other than Animal Power, the Sum of One Shilling *per* Wheel :

Tolls between Duffield and Sheffield.

And on the Remainder of the said Roads between *Duffield* and *Sheffield* aforesaid,

- For each Horse, Mule, or other Cattle drawing any Coach, Chariot, Chaise, Hearse, or any such Carriage, the Sum of Fourpence Halfpenny ;
- For each Horse, Mule, or other Cattle drawing any Gig, Chair, or Taxed Cart, the Sum of Fourpence Halfpenny ;
- For each Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such Carriage having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Six Inches, the Sum of Fourpence Halfpenny ;
- For each Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such Carriage, (having the Sole or Bottom of the Fellies of the Wheels of a less Breadth than Six Inches,) the Sum of Sixpence ;
- For each Horse or Beast of Draught drawing any Waggon, Wain, Cart, or other such Carriage, (having the Sole or Bottom of the Fellies of the Wheels of the Breadth of Nine Inches or upwards,) the Sum of Three-pence ;

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For every Pair of Mill Stones, or single Block of Stone or Timber, drawn by Four or more Horses, the Sum of Sixpence for each Horse or Beast of Draught drawing the same, but if drawn by any less Number than Four Horses or other Beasts of Draught, the Sum of Fourpence Halfpenny *per* Horse ;

For every Dog drawing any Carriage whatever, the Sum of One Penny ;

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

For every Score of Oxen, Cows, or Neat Cattle, (and so in proportion for a greater or less Number,) the Sum of Tenpence ;

For every Score of Calves, Hogs, Swine, Goats, Sheep, or Lambs, (and so in proportion for a greater or less Number;) the Sum of Fivepence ; and

For every Carriage drawn or propelled by Steam or other Power other than Animal Power, the Sum of One Shilling *per* Wheel :

Which said respective Sums of Money shall be demanded and taken in the Name of or as a Toll or Duty ; and the Monies so to be raised are hereby vested in the said Trustees, and shall be paid, applied, and disposed of for the Use, Benefit, and Advantage of the said Roads, and for the several Purposes and in the Manner directed in this Act.

IX. Provided always, and be it further enacted, That no more than One full Toll shall be demanded or taken in One Day for or in respect of the same Horses, Beasts, Cattle, or Carriages travelling between *Derby* and *Duffield*, or between *Duffield* and *Wirksworth*, or more than Three full Tolls between *Duffield* and *Chesterfield*, or between *Chesterfield* and *Sheffield* : Provided also, that no Person shall on the same Day be permitted to pass through any One Toll Gate between *Chesterfield* and *Sheffield* with any Cart or Carriage more than Four Times, laden or unladen, for One Toll, (that is to say,) Twice when going and Twice returning ; and every Person who shall have paid a Second Toll on the same Day at any One Toll Gate as aforesaid shall and may afterwards pass and repass any Number of Times at the same Gate on the same Day, with the same Horse, Beast, Cattle, and Carriage, Horses, Beasts, Cattle, and Carriages, without paying or being liable to pay any further or additional Toll.

Number of
Tolls to be
taken in One
Day.

X. And be it enacted, That no Tolls shall be demanded or taken between the Twelfth Day of *May* and First Day of *October* in any Year at the present or any other Side Gate within the Hamlet of *Healey*, for any Carts or Carriages, or Horses drawing the same, when solely employed in conveying Coals only to or for the Use of the Inhabitants of *Healey*, *Ecclesall Bierlow*, and *Sheffield*, or any or either of those Places ; nor shall any Tolls be demanded or taken at any Time

Exemptions
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Time of the Year at the said Side Gate for Horses, Mules, or Asses when laden only with Coals, or going to be or returning after having been so laden; nor shall any more than One Fourth Part of the Tolls granted by this Act be demanded or taken at the said Side Gate, or at any other Side Gate which shall at any Time hereafter be erected within the Hamlet of *Healey* aforesaid, for any Carriages, Horses, or Beasts of Burden, or any Horned Cattle, Sheep, or Lambs, belonging to and *bonâ fide* the Property of any Inhabitant of or Occupier of Lands within the said Hamlets of *Healey* and *Ecclesall Bierlow*, or either of them, nor (between the Days and Times aforesaid) for any Horses, Cattle, Cart, or Carriage going empty for and returning only laden with any Stone or Stones intended to be used for the grinding of any Cutlery Goods or Wares within the Liberty of *Hallamshire* in the West Riding of *York*; nor shall any Tolls be demanded or taken between the Days and Times aforesaid at any Toll Gate that may be erected in the Parish of *Norton* or in the Hamlet of *Coleaston* for any Carts, Carriages, or Horses, laden or unladen, when solely employed in conveying Coals only from *Norton* or *Coleaston* aforesaid to the other of those Places, for the private Use and Consumption of its Inhabitants; nor shall any Tolls be demanded or taken at the present or at any future Gate or Side Gate within the Hamlet of *Healey* aforesaid, or within Fifty Yards Southwards of the same, for or in respect of any One-Horse Cart, or other Carriage drawn by One Horse, laden only with Milk for the Use of the Inhabitants of *Healey*, *Ecclesall Bierlow*, and *Sheffield* aforesaid, or any or either of those Places, and returning empty, or with no other Lading than the empty Barrels or Cans which held and conveyed such Milk prior to the Delivery thereof to the Inhabitants aforesaid; nor shall any Toll be demanded or taken at *Holmley Common Gate* for Horses, Mules, or Asses carrying Milk to *Healey*, *Ecclesall Bierlow*, or *Sheffield* aforesaid; nor shall any Tolls at any Time hereafter be demanded or taken at any Toll Bar which now is or hereafter shall be erected on any Part of the said Roads for or in respect of any Horses, Waggon, Carts, or Carriages laden with Lime for Manure, or Draining Pipes or Tiles, or going to be laden therewith, or returning empty after having been so laden,

No Toll Gates to be erected nearer Derby and Sheffield than at present.

XI. That no Toll Gate shall at any Time hereafter be set up or erected upon the said Roads nearer to the said Town of *Derby* than the South Side of the Lane End which leads out of the said Turnpike Road to the Village of *Darley* at or near to the present Toll Bar called *Mileash Bar*, or nearer to the Town of *Sheffield* than the Brook or Rivulet which divides the said Counties of *Derby* and *York*, except only the said Side Gate in *Healey* aforesaid.

XII. That

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XII. That all the Monies which upon and after the First Day of *November* One thousand eight hundred and fifty-one shall be in the Hands of the Trustees, and all Monies which shall be received by them by virtue of this Act, shall be applied as follows; (that is to say,) Application of Monies.

First, in paying and discharging the Expenses of obtaining and passing this Act or incident thereto :

Secondly, in paying the Expenses of erecting, providing, and keeping in repair the several Toll Gates and Toll Houses, with their Appurtenances, and in paying the Officers and Persons to be employed in the Execution of this Act with reference to the same; but the Amount so applied shall not exceed the Sum of One hundred and fifty Pounds *per Annum*, exclusive of the Toll-gate Keepers :

Thirdly, in paying and discharging Interest after the Rate of Three Pounds Ten Shillings *per Centum per Annum* upon or in respect of the Principal Sum of Twelve thousand eight hundred and fifty-one Pounds secured on the Credit of the Tolls authorized to be taken by the said recited Acts hereby repealed on the Roads from the Town of *Derby* to the Town of *Duffield*, and from the Town of *Duffield* to the Town of *Sheffield*, and in paying and discharging Interest after the Rate of Two Pounds *per Centum per Annum* upon or in respect of the Principal Sum of One thousand nine hundred and forty Pounds secured on the Credit of the Tolls authorized to be taken by the said recited Acts hereby repealed on the Road from the Town of *Duffield* to the Town of *Wirksworth* :

Fourthly, in paying the Expenses of improving, maintaining, and keeping in repair the said Roads, and in putting this Act into execution with reference thereto :

Fifthly, in reducing, paying off, and discharging, in manner hereinafter mentioned, any Principal Money which may be owing on the Credit of the Tolls of the said Roads,

XIII. That when and so often as the Surplus of the said Monies applicable to paying off or redeeming of any Part of the said Debts or Principal Sums of Money shall amount to the Sum of Two hundred Pounds, the Trustees at their next Meeting, or other early and convenient Meeting, after the First Day of *January* in each Year thereafter, shall and they are hereby required to apply such Surplus, so far as the same will go, in Payment of such Sum or Sums of Money as shall or may be agreed to be accepted by any Creditor as a Composition on and in satisfaction of his Share; according to the Stipulation after mentioned, (that is to say,) the said Trustees shall, Twenty-one Days at the least previous to the Thirty-first Day of *December* in Repayment of Debts.

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each Year, cause public Notice to be given in some One or more Newspaper or Newspapers circulated in the County of *Derby*, or sent by Post to each Holder of any Security for the said Debts or Sums of Money, or any Part thereof, that a Composition will be paid to such Holder of such Securities as shall be willing to accept the smallest Composition for his Share, and requiring such Holder to transmit such Proposals in Writing, sealed up, to the Trustees at the said Meeting, specifying therein the lowest Rate *per Centum* which such Holder will accept and take for his Share, which said Proposals shall, as soon after the Hour of One of the Clock in the Afternoon of the Day of the said Meeting as convenient, be publicly opened by the Clerk to the Trustees at the said Meeting; and the Holder of such Securities whose Proposal shall specify the lowest Rate *per Centum* which he will accept and take for such Share shall have the Preference, and be paid such Sum of Money as he may be willing to accept for the same by the Treasurer to the said Trustees, at the Expiration of One Calendar Month next after such Meeting, with all Interest due for the same; and if Two or more of the said Holders of such Securities shall deliver in Proposals at the same Meeting for accepting a Composition for any such Share at an equal Rate *per Centum*, then and in such Case it shall forthwith be determined by Lot, to be fairly drawn by the Clerk to the Trustees, to which of the said Holders of such Securities Preference shall be given in Payment of such Composition, and the Holder of such Securities having the casting Lot shall be paid his Composition at the Time and in manner herein-before mentioned; but if there shall not be any Proposals delivered in at any such Meetings by any Holder of such Securities for accepting any such Composition as aforesaid at a less Rate than the full Amount of the Principal Monies due to him, then and in such Case, but not otherwise, the said Trustees shall and may and they are hereby required, in each and every Year in which such Proposal shall not be delivered in as aforesaid, to set apart such Part of the said Surplus as shall be requisite to be applied for and towards Payment of the Principal Monies then forming Part of the said Debts or Sums of Money, and the said Trustees shall then cause the Numbers of the respective Securities for the same to be separately set down in Writing, and put together into a Box or Wheel, and out of such Box or Wheel immediately afterwards cause to be drawn the Numbers of so many of the said Securities as shall be equal in Value or Amount to the Sum so set apart and intended to be paid off; and in One Calendar Month next after such Numbers shall be respectively drawn the Treasurer to the said Trustees shall pay to the Person or Persons who shall be entitled to the respective Securities the Numbers of which shall be drawn as aforesaid, or to the Trustee or Guardian of such of the Persons so entitled as shall be under Age, such

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such Sum of Money as shall be due by virtue thereof, which they are hereby required to accept and take accordingly in Payment of such Securities, or of such Part of the same as shall thereby be satisfied and paid.

XIV. That this Act or anything therein contained shall not exempt the said Roads from the Provisions of any General Act relating to the Consolidation or other improved Management of Turnpike Roads which may pass during the present or any future Session of Parliament.

Roads not exempt from Provisions of future General Acts.

XV. That whenever and so long as the Interest upon all existing Mortgages upon the Tolls of the said Roads under the Powers of the said recited Acts shall be duly paid at the respective Rates hereinbefore mentioned, within One Calendar Month next after the same shall become due, no Holder of any Mortgage of the Tolls collected upon the said Roads shall be entitled to enter into possession of the Toll Gates, Toll Houses, or Buildings upon the said Roads, or into the Receipt of the Tolls arising thereon, or of the Rent payable upon any Letting of such Tolls; and every Mortgagee entering into possession of such Toll Gates, Toll Houses, or Buildings, or into the Receipt of such Tolls or Rent, shall pay the Interest from Time to Time becoming due at the respective Rates hereinbefore mentioned upon all the said existing Mortgages, without any Priority or Preference, and may also reimburse himself any Costs to which he may be entitled; and every such Mortgagee so being in possession or receipt as aforesaid shall, within Twenty-one Days next after each of the half-yearly Days whereon the Interest on such existing Mortgages shall be payable, render to the Clerk to the said Trustees for the Time being a full and true Account of his Receipts and Expenditure while so in possession or receipt as aforesaid, with proper Vouchers for the same; and if it shall appear by any such Account that the Interest due at the respective Rates hereinbefore mentioned on such Mortgages up to the last of such half-yearly Days, and all such Costs as aforesaid, have been fully paid and satisfied, then such Mortgagee shall, when thereunto required by the said Trustees, pay over to their Treasurer the Balance (if any) remaining in his Hands, and deliver Possession of the said Toll Gates, Toll Houses, and Buildings, and the Receipt of the said Tolls and of any such Rent as aforesaid, to the said Trustees, or any Person appointed by them to receive the same, anything in this Act, or in any Statute or Law in force relating to Turnpike Roads in *England*, to the contrary notwithstanding.

Mortgagees not to take possession so long as Interest paid.

XVI. That it shall not be lawful for the said Trustees to borrow any further Sum or Sums of Money on the Credit of the Tolls by this Act authorized to be taken.

No more Money to be borrowed on the Tolls.

XVII. That

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Trustee or Clerk to be competent Witness.

XVII. That no Trustee or Clerk acting under the Authority of this Act, if not otherwise disqualified, shall be deemed incompetent to give Evidence, or shall be disqualified from giving Evidence, in any Action, Suit, or other Proceeding brought by or against him in such his Capacity of Trustee or Clerk, by reason of his being Plaintiff or Defendant in such Action, Suit, or other Proceeding.

No Money to be laid out on Roads in certain Towns.

XVIII. That no Money shall be laid out on the said Roads within the Towns of *Derby, Chesterfield, or Sheffield*, or within the Limits of any Act of Parliament passed for the Improvement of any Town, nor shall any Tolls be collected therein.

Term of Act.

XIX. That this Act shall commence and take effect on the Thirty-first Day of *October* One thousand eight hundred and fifty-one, and shall continue in force for the Term of Twenty-one Years, and from thence to the End of the Session of Parliament which shall then next follow.

Interpretation of Terms.

XX. That in this Act the following Words and Expressions shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Person" shall include Corporation:

The Expression "the Roads" or "the said Roads" shall mean the Roads to which this Act applies:

The Expression "the Trustees" or "the said Trustees" shall mean the Trustees for the Time being acting in the Execution of this Act:

The Expression "Toll Gate" or "Toll Gates" shall include Turnpikes, Bars, Chains, and Side Gates.

Short Title.

XXI. That in citing this Act in other Acts of Parliament, and in legal Instruments and all Proceedings whatsoever, it shall be sufficient to use the Expression "*The Derby, Duffield, Wirksworth, and Sheffield Turnpike Road Act, 1851.*"

LONDON:

Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1851.