



ANNO UNDECIMO

# GEORGII IV. REGIS.

\*\*\*\*\*

## *Cap. cv.*

An Act for improving and maintaining the Turnpike Roads from the *Wirksworth* Turnpike Road in the Hamlet of *Ideridgehay* to the Town of *Duffield*, and from the Market Place in *Wirksworth* to the Turnpike Road leading from *Derby* to *Brassington*, and from the said Market Place to the Turnpike Road leading from *Wirksworth Moor* to *Matlock Bath*, all in the County of *Derby*. [29th May 1830.]

**W**HEREAS an Act was passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and maintaining a Road from the Wirksworth Turnpike Road in the Hamlet of Ideridgehay to the Town of Duffield in the County of Derby*: And whereas several considerable Sums of Money have been subscribed or advanced for the Purpose of making the said Road, or borrowed on the Credit of the Tolls authorized to be taken on the said Road, which still remain due and owing, and cannot be repaid, nor can the said Road be effectually amended and kept in repair, unless the Term and Powers of the said Act be enlarged and amended: And whereas another Act was passed in the Thirty-third Year of the

[Local.] 30 H Reign

48G.3.c.31.

- 33G.3. c.152. Reign of His said late Majesty, intituled *An Act for repairing and widening the Road from the Moot Hall in Wirksworth to the Turnpike Road leading from Derby to Brassington at or near to a Place called the Cross in the Hand, on Hulland Ward, and also the Road from the said Moot Hall to another Turnpike Road leading from the Cross Post on Wirksworth Moor to Matlock Bath at or near to a Place called the Steeple House, in the Township of Wirksworth aforesaid, all in the County of Derby*: And whereas another Act was passed in the Forty-second Year of the Reign of
- 42G.3. c. 99. His said late Majesty, intituled *An Act for continuing the Term and altering and enlarging the Powers of an Act passed in the Thirty-third Year of the Reign of His present Majesty King George the Third, intituled 'An Act for repairing and widening the Road from ' the Moot Hall in Wirksworth to the Turnpike Road leading from ' Derby to Brassington at or near to a Place called the Cross in ' the Hand, on Hulland Ward, and also the Road from the said ' Moot Hall to another Turnpike Road leading from the Cross Post ' on Wirksworth Moor to Matlock Bath at or near to a Place called ' the Steeple House, in the Township of Wirksworth aforesaid, all ' in the County of Derby :*' And whereas another Act was passed in the First Year of the Reign of His present Majesty King George the Fourth, intituled *An Act for enlarging the Term and Powers of Two Acts of His late Majesty King George the Third, for repairing the Road from the Moot Hall in Wirksworth to the Turnpike Road leading from Derby to Brassington, and from the said Moot Hall to another Turnpike Road leading from Wirksworth Moor to Matlock Bath at or near to the Steeple House in Wirksworth aforesaid, all in the County of Derby*: And whereas the Trustees appointed by or by virtue of the said last Three recited Acts have borrowed several considerable Sums of Money on the Credit of the Tolls thereby granted, which still remain due and owing, and cannot be repaid, nor can the Roads by the said Three recited Acts directed to be kept in repair be properly amended and maintained in repair unless the Term and Powers of the said Acts be enlarged: And whereas it is expedient that the said Road leading from the *Wirksworth* Turnpike Road in the Hamlet of *Ideridgehay* to the Town of *Duffield*, and the said Roads leading from the Market Place in *Wirksworth* (where the Moot Hall formerly stood) to the Turnpike Road leading from *Derby* to *Brassington*, and from the said Market Place to the Turnpike Road leading from *Wirksworth Moor* to *Matlock Bath*, should be put under the Care of the same Trustees, and that all the Four several Acts herein-before recited should be repealed, and further and other Powers and Provisions granted and made 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 Act of the Forty-eighth Year of the Reign of His late Majesty, and also the said recited Acts of the Thirty-third and Forty-second Years of the Reign of His said late Majesty, and of the First Year of the Reign of His present Majesty

Recited Acts  
repealed.

King *George* the Fourth, shall be and the same are hereby declared to be repealed.

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 and out of the present Turnpike Road from the *Cross o' th' Hands* on *Hulland Ward* to *Wirksworth* at or near a Field in the Hamlet of *Ideridgehay* the Property of *William Allsopp*, and from thence through the Townships of *Shottle*, *Postern*, *Hazlewood*, *Windley*, and *Duffield*, to the Town or Village of *Duffield*, all in the County of *Derby*; and also the Roads leading from the Market Place in *Wirksworth* to the Turnpike Road leading from *Derby* to *Brassington* at or near to the said Place on *Hulland Ward* called the *Cross o' th' Hands*, and from the said Market Place to the Turnpike Road leading from *Wirksworth Moor* to *Matlock Bath*, at or near to the *Steeple House* in *Wirksworth* aforesaid, all in the said County of *Derby*.

This Act to take effect for the Purposes herein mentioned.

III. And be it further enacted, That all His Majesty's Justices of the Peace for the Time being acting for the said County of *Derby*, together with Sir *Robert Wilmot* Baronet, Sir *Charles Henry Colville* Knight, *Peter Arkwright*, *Charles Arkwright*, *John Arkwright*, *Frederick Arkwright*, *George Arkwright*, *John Adsetts*, *John Adsetts* the younger, *Robert Allsop*, *William Allsop*, *John Andrew*, *John Alsop*, *Luke Alsop*, *Thomas Bent*, *Robert Eaton Blackwall*, *John Balguy* the younger, *Bryan Thomas Balguy*, *William Barber* Clerk, *John Blackwall*, *Robert Blackwall*, *William Brittlebank*, *Andrew Brittlebank*, *George Bowmer*, *John Barker*, *John Bingham*, *John Brookfield*, *Robert Bromley*, *John Bromley*, *William Beeson*, *Edward Soresby Cox*, *John Cox*, *Thomas Cox*, *Roger Cox*, *John Curzon*, *Robert Cresswell*, *William Cantrell*, *Charles Clark*, *John Chatterton*, *John Chambers*, *Samuel Dean*, *William Dean*, *John Drewry*, *Walter Evans*, *Samuel Evans*, *Robert Earp*, *Richard Eaton*, *Thomas Eyre*, *Robert Frost*, *William Frost*, *Walter Ford*, *Francis Fox* the younger, Doctor of Medicine, *Thomas Gell*, *Francis Cornelius Goodwin*, *Joseph Greatorex*, *Philip Gell* Clerk, *John Gell*, *John Goodall*, *Matthew Gamble*, *Thomas Hallowes*, *Immanuel Halton* Clerk, *Francis Hurt* the younger, *Robert Charles Hurt*, *Charles Hurt* the younger, *Richard Hurt*, *Nathan Hubbersty* Clerk, *Abraham Newham Harrison*, *Philip Hubbersty*, *Charles Stead Hope* Clerk, *Charles Richard Hope* Clerk, *Thomas Hall*, *Stephen Hall*, *Samuel Hall*, *Edmund Hodgkinson*, *Francis Hepworth*, *John Heap*, *Thomas Haden*, *James Northage James*, *Henry James*, *Francis Jessopp*, *Richard Leaper*, *Thomas Lowe*, *Thomas Lomas*, *William Lockett*, *George Malin*, *Joseph Malin*, *George Malin* the younger, *John Matkin*, *Robert Millington*, *James Milnes*, *Vernon Mellor*, *John Morley*, *Robert Leaper Newton*, *William Leaper Newton*, *Thomas Poyser*, *Francis Bradshaw Page*, *George Pickard*, *George Poyser*, *Edward Simeon Remington* Clerk, *Edward Radford*, *Joseph Strutt*, *William Strutt*, *Jedediah Strutt*, *Francis Sanders*, *James Swettenham*, *James Oldham Swettenham*, *William Statham*, *Isaac Statham*, *Francis Smedley*, *Samuel Simpson*, *John Smith*, *Francis Shaw*,

Trustees.

*Shaw, Thomas Spendlove, Robert Spendlove, Robert Spendlove the younger, Richard Spencer, Ralph Toplis, William Toplis, Thomas Tomlinson, Henry Turner, Toplis, John Wolley Clerk, Jasper Wager, William White, Charles Wright, William Walker, John Wright, John Wathey, William Wathey, George Wilson, Daniel Wilson the younger, and William Morledge White, and their Successors, being duly qualified to act as Trustees of Turnpike Roads in England, shall be and they are hereby appointed Trustees for repairing, improving, and maintaining in repair the said Roads, and for otherwise putting this Act into execution.*

Power to  
appoint  
additional  
Trustees.

IV. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time, at any of their Meetings, to elect and appoint any Number of Persons, being duly qualified to act as Trustees of Turnpike Roads in *England*, (not exceeding Three in the whole, in addition to the Number of Trustees herein named and appointed,) to be Trustees for the Purposes of this Act; and such Persons so elected and appointed shall be Trustees for the Purposes of this Act, and are hereby invested with the same Powers and Authorities for executing this Act as if they had been herein named.

First Meeting  
of Trustees.

V. And be it further enacted, That the Trustees for executing this Act shall meet at the House or Inn known by the Name or Sign of the *Red Lion*, in the Town of *Wirksworth* aforesaid, or at some other convenient Place in the said Town or near to the said Roads, 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 Times, and at such Place or Places in the said Town or upon or near to the said Roads, as they shall think proper.

Tolls on the  
Ideridgehay  
and Duffield  
Road.

VI. And be it further enacted, That the respective Sums hereinafter mentioned shall or may be demanded and taken for Tolls at the several and respective Toll Gates, Turnpikes, Side Bars, and Chains on the said Road leading from the *Wirksworth* Turnpike Road in the Hamlet of *Ideridgehay* to the Town of *Duffield*; (that is to say,)

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricule, Calash, Sociable, Car Chair, Gig, Whiskey, Caravan, Van, Hearse, Litter, Taxed Cart or other such like Carriage, the Sum of Sixpence:

For every Horse or other Beast drawing any Waggon, Wain, Cart, 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:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half and less than Six Inches at the Bottom or Soles thereof, the Sum of Four-pence Half-penny:

For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof  
of

of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, the Sum of Sixpence :  
 For every Horse, Mule, or Ass, laden or unladen, and not drawing, the Sum of One Penny Halfpenny :  
 For every Ox, Cow, or Head of Neat Cattle, the Sum of One Halfpenny :  
 For every Calf, Sheep, Lamb, or Swine, the Sum of One Farthing :  
 For every Carriage travelling along the said Road propelled by Steam or otherwise, without Horses or other Beasts, the Sum of One Shilling.

VII. 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 said Tolls or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part. Fractional Part of a Halfpenny in Tolls.

VIII. And be it further enacted, That it shall not be lawful for the said Trustees, or any Person appointed or continued Collector of the Tolls, to demand and take the respective Sums or Tolls aforesaid more than Once in any One Day in respect of the same Horse, Beast, or Cattle passing and repassing any Number of Times in the same Day through all the Toll Gates, Turnpikes, and Side Gates along the whole Line of the said Road leading from the *Wirksworth* Turnpike Road to *Duffield*, unless any such Horse or Beast shall be drawing a different Waggon, Cart, or other such Carriage. Limitation of Tolls on the last-mentioned Road.

IX. Provided always, and be it further enacted and declared, That no Toll shall be demanded or taken for any Horse or Horses or other Beast or Cattle drawing any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the same Day, Lime to be used in manuring any Lands or Grounds, between the Thirtieth Day of *April* and the Thirty-first Day of *October* in every Year. Lime for Manure exempted from Toll.

X. And be it further enacted, That the respective Sums hereinafter mentioned shall or may be demanded and taken for Tolls at the several and respective Toll Gates, Turnpikes, Side Bars, and Chains on the aforesaid Roads leading from the Market Place in *Wirksworth* to the Turnpike Road leading from *Derby* to *Brassington*, and from the said Market Place to the Turnpike Road leading from *Wirksworth Moor* to *Matlock Bath*; (that is to say,) Tolls on the Wirksworth Roads.

For every Horse or other Beast drawing any Coach, Stage Coach, Chariot, Landau, Berlin, Chaise, Curricle, Calash, Sociable, Car, Chair, Gig, Whiskey, Caravan, Van, Hearse, Litter, Taxed Cart, or other such like Carriage, the Sum of Four-pence :  
 For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof of the Breadth of Four Inches and a Half or upwards at the Bottom or Soles thereof, the Sum of Three-pence :  
 For every Horse or other Beast drawing any Waggon, Wain, Cart, or other such like Carriage having the Fellies of the Wheels thereof

of less Breadth than Four Inches and a Half at the Bottom or Soles thereof, the Sum of Four-pence :

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

For every Ox, Cow, or Head of Neat Cattle, the Sum of One Half-penny :

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

For every Carriage travelling along the said Roads or either of them propelled by Steam or otherwise, without Horses or other Beasts, the Sum of One Shilling.

Fractional Part of a Halfpenny in Tolls.

XI. 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 said Tolls or any of them, the Sum of One Halfpenny shall be demanded and taken in lieu of such fractional Part.

Limitation of Tolls on the last-mentioned Roads.

XII. 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, to demand and take the respective Sums or Tolls aforesaid at more than Two Gates in any One Day in respect of the same Horse, Beast, or Cattle passing and repassing in the same Day through all the Toll Gates, Turnpikes, and Side Gates along the whole Line of the said Roads leading from the Market Place in *Wirksworth* to the *Derby* and *Brassington* and *Wirksworth Moor* and *Matlock Bath* Turnpike Roads, unless any such Horse or Beast shall be drawing a different Coach, Chaise, Waggon, Cart, or other such Carriage.

One Payment to clear the same Gate on the same Day.

XIII. Provided always, and be it further enacted, That Payment of Toll at any One of such Gates, in respect of any Horse or Horses or other Beast or Cattle, shall clear the Passage of the same Horse or Horses or other Beast or Cattle all other Times of passing and repassing in the same Day through the same Gate at which the Payment was made, and also through all other Toll Gates, Turnpikes, and Side Gates along the whole Line of the said last-mentioned Roads which the Ticket for such Payment shall free ; subject to the Provisions herein-after contained respecting Stage Coaches and Post Horses, and other Carriages and Horses let out to Hire, or carrying Goods for Pay or Reward.

Lime for Manure exempted from Toll.

XIV. Provided always, and be it further enacted and declared, That no Toll shall be demanded or taken for any Horse or Horses, or other Beast or Cattle drawing any Waggon, Wain, Cart, or other Carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the same Day, Lime to be used in manuring any Lands or Grounds, between the Thirtieth Day of *April* and the Thirty-first Day of *October* in every Year.

Stage Coaches, &c. to pay each Time of passing.

XV. Provided also, and be it further enacted, That the Tolls payable for or in respect of Horses or Beasts drawing any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage conveying Passengers or Goods for Pay or Reward, shall be payable

payable and paid every Time of passing or repassing along the said Roads or any of them: Provided always, that no further or additional Toll shall be payable in respect of any Stage Coach, Diligence, Van, Caravan, Stage Waggon, or other Stage Carriage, on account only of the Horses or Beasts drawing the same having been changed.

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

Post Chaises,  
&c. on every  
new Hiring.

XVII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Act of the Forty-eighth Year of the Reign of His late Majesty hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls in this Act mentioned or authorized to be collected on the said Road leading from the *Wirksworth* Turnpike Road in the Hamlet of *Ideridgehay* to *Duffield*, 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 such Proportion as is hereinafter mentioned of the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; and secondly, (after Payment of such Proportion as is hereinafter mentioned of the necessary Expences for Books, Advertisements, Salaries of Officers, and other such general current Expences,) in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls or Duties heretofore payable on the same Road, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Road; thirdly, in defraying the Expences of erecting and 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 of diverting, altering, widening, improving, repairing, and keeping in repair the said Road, and otherwise in executing the other Powers of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said recited Act of the Forty-eighth Year of the Reign of His late Majesty hereby repealed, and also the several Principal Sums of Money which may hereafter be borrowed by the Trustees for executing this Act on account of the said Road, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Road; provided that the Powers heretofore given by the General Acts to the Mortgagees of the Tolls on the said Road shall not be defeated or lessened.

Application  
of Money  
borrowed  
and Tolls  
on the  
*Ideridgehay*  
and *Duffield*  
Road.

XVIII. And

Application  
of Money  
borrowed  
and Tolls  
on the  
Wirksworth  
Roads.

XVIII. And be it further enacted, That all the Monies which shall have been raised and produced by virtue of the said recited Acts of the Thirty-third and Forty-second Years of the Reign of His late Majesty, and First Year of the Reign of His present Majesty, hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and also all the Monies which shall arise and be produced by and from the Tolls in this Act mentioned and authorized to be collected on the Roads leading from the Market Place in *Wirksworth* to the *Derby* and *Brassington* and *Wirksworth Moor* and *Matlock Bath* Turnpike Roads, 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 such Proportion as is herein-after mentioned of the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively; and secondly, (after Payment of such Proportion as is herein-after mentioned of the necessary Expences for Books, Advertisements, Salaries of Officers, and other such general current Expences,) in paying and discharging the Interest now or hereafter to accrue and become due upon or by virtue of any Mortgages or Securities which have been already made and granted of the Tolls or Duties heretofore payable on the same Roads, and of any Mortgages or Securities which shall hereafter be made and granted of the Tolls or Duties hereafter to become payable on the said Roads; thirdly, in defraying the Expences of erecting and providing, altering and repairing, Turnpikes, Toll Gates, Toll Bars, and Toll Houses, with suitable Outbuildings, upon, across, and by the Sides of the said Roads, and of diverting, altering, widening, improving, repairing, and keeping in repair the said Roads, and otherwise in executing the other Powers of this Act; and lastly, in reducing, paying off, and discharging the several Principal Sums of Money which have been borrowed and secured in pursuance of and for the Purposes of the said recited Acts of the Thirty-third and Forty-second Years of the Reign of His late Majesty, and First Year of the Reign of His present Majesty, hereby repealed, and also the several Principal Sums of Money which may hereafter be borrowed by the Trustees for executing this Act on account of the said Roads, and all other Debts and Sums of Money now owing and which may hereafter become due and owing by or on account of the said Roads; provided that the Powers heretofore given by the General Acts to the Mortgagees of the Tolls on the said Roads shall not be defeated or lessened.

Expences of  
the Act how  
and in what  
Proportions  
to be paid.

XIX. Provided always, and be it further enacted, That the Costs, Charges, and Expences which shall have been incurred in applying for, preparing, obtaining, and passing this Act, and otherwise relative thereto respectively, shall be paid by the said Trustees out of the respective Funds herein-before mentioned in the following Proportions; (that is to say,) Two Third Parts thereof out of the Monies which shall have been raised and produced by virtue of the said recited Act of the Forty-eighth Year of the Reign of His late Majesty hereby repealed,



repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and which shall arise and be produced by and from the Tolls in this Act mentioned or authorized to be collected on the said Road leading from the *Wirksworth* Turnpike Road in the Hamlet of *Ideridgehay* to *Duffield*, and the remaining One Third Part thereof out of the Monies which shall have been raised and produced by virtue of the said recited Acts of the Thirty-third and Forty-second Years of the Reign of His late Majesty and First Year of the Reign of His present Majesty, hereby repealed, and which shall be remaining undisposed of on the Day of the Commencement of this Act, and which shall arise and be produced by and from the Tolls in this Act mentioned or authorized to be collected on the said Roads leading from the Market Place in *Wirksworth* to the *Derby* and *Brassington* and *Wirksworth Moor* and *Matlock Bath* Turnpike Roads.

XX. Provided also, and be it further enacted, That the necessary Expences which shall from Time to Time be incurred for Books, Advertisements, Salaries of Clerks, and other such general and contingent Expences, shall be paid by the said Trustees out of the respective Funds herein-before mentioned in equal Shares and Proportions; and the Salaries of the Surveyor or Surveyors shall be paid by the said Trustees out of the said respective Funds according to the Length or Distance of the said several Roads respectively.

Other general Expences to be paid in equal Proportions.

XXI. 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 Provisions 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.

No Money to be laid out on the Roads where there is no Turnpike erected or no Tolls taken.

XXII. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to empower the said Trustees to lay out or apply any of the Money raised by the Tolls mentioned in this Act, or borrowed on the Credit thereof, in paving or repairing any Highway or Street within the Towns of *Wirksworth* and *Duffield* or either of them, or to collect any Tolls by virtue of this Act therein.

Not to repair Streets, &c. in *Wirksworth* or *Duffield*.

XXIII. And be it further enacted, That Ditches, Drains, or Watercourses, of a sufficient Depth and Breadth for keeping the said Roads dry, and conveying the Water from the same, shall be made by the said Trustees, or their Surveyor or other Officer, on the Sides of the said Roads, and also, where necessary, into or through any Fields, Lands, or Grounds adjoining to or lying near the said

Ditches, Drains, Bridges, &c. by whom to be made and cleansed.

[*Local.*]

30 K

Roads,

Roads, (not being a Yard, Garden, Orchard, Park, Paddock, planted Walk, or Avenue to a House,) at the Expence of the said Trustees, out of the Monies to be received by virtue of this Act; and sufficient Bridges, Arches, Culverts, Trunks, Tunnels, or Plats shall be made by the said Trustees, or their Surveyor or other Officer, where any Carriageways or Footways lead into or out of or cross the said Roads, also at the Expence of the said Trustees, out of the Monies aforesaid, any Law or Statute to the contrary notwithstanding; and all such Ditches, Drains, and Watercourses, Bridges, Arches, Culverts, Trunks, Tunnels, or Plats, when made and completed by the said Trustees, shall for ever afterwards be scoured, cleansed, and kept open, repaired and maintained, by the Occupiers of the adjoining Fields, Lands, or Grounds; but all such new Bridges, Arches, Culverts, Trunks, Tunnels, and Plats as shall cross or pass in or under the said Roads shall be scoured, cleansed, and kept open, repaired and maintained, by the said Trustees, subject to the Provisions of any Law or Statute relating to Turnpike Roads.

Public Act. XXIV. 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. XXV. And be it further enacted, That this Act shall commence upon the Second *Thursday* next after the passing thereof, and shall continue and be in force for Thirty-one Years, and from thence to the End of the then next Session of Parliament.

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