



ANNO QUADRAGESIMO PRIMO

GEORGI III. REGIS.

Cap. 96.

An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering and enlarging the Powers of an Act, passed in the Thirty-third Year of the Reign of His present Majesty, intituled, *An Act for repairing, widening, altering, diverting, and turning the Road from Hurdlow House, through Buxton in the County of Derby, and Stockport in the County of Chester, to Manchester in the County of Lancaster, and also the Road from Harnestone Lane Head and from Sparrow Pit Gate, through Chapel-en-le-Frith, all in the said County of Derby, to the last-mentioned Road at Whaley in the said County of Chester; and for making and repairing a new Branch of Road from the said Turnpike Road, at or near Barmoor Clough, near the Town of Chapel-en-le-Frith aforesaid, to Fairfield, near Buxton aforesaid.* [20th June 1801.]

[Loc. & Per.]

19 D

WHEREAS

Preamble.
33 Geo. III,
recited,

WHEREAS an Act was passed in the Thirty-third Year of the
Reign of His present Majesty King George the Third,
intituled *An Act for turning, widening, distorting, and*
turning the road from Barmoor Clough, near the Town of Chapel-en-le-Frith, in the County of
Derby, to the Town of Fairfield, near Buxton, in the County of Chester, and the Road from Fairfield, near Buxton, in the
County of Chester, to the Town of Fairfield, near Buxton, in the County of Chester, all in the said County of
Derby, to the said Town of Fairfield, near Buxton, in the said County of Chester:
And whereas the Trustees appointed in or by virtue of the said Act have
proceeded in the Execution thereof, and have borrowed a very con-
siderable Sum of Money upon the Credit of the Tolls thereby granted,
which, together with the said Tolls, has been applied to the Purposes of
the said Act; and the Money so borrowed still remains due, and cannot
be repaid, nor can the said Roads be properly amended and kept in
Repair, unless the Term and Powers of the said Act are enlarged and
the Tolls increased: And whereas it will be of great Convenience to the
Neighbourhood, and of publick Utility, if a new Branch of Road was
made out of the said Turnpike Road at or near *Barmoor Clough*, near the
Town of *Chapel-en-le-Frith* aforesaid, to *Fairfield*, near *Buxton* aforesaid;
but the same cannot be made, amended, widened, altered, diverted,
turned, and kept in Repair, by the ordinary Provision of the Law; 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 made in the Thirty-third Year of His present
Majesty's Reign, and all the Clauses, Powers, Provisions, Orders, Re-
gulations, Restrictions, Matters and Things therein contained, shall be,
and the same is and are hereby continued for and during the Term
herein after mentioned, in as full and ample a Manner, in all Intents
and Purposes, as if the same were repeated and re-enacted in this Act,
but subject nevertheless to the Amendments, Alterations, Variations,
and Additions herein contained, and which shall commence and take
Effect upon the First Day of *August* after the passing of this Act, and con-
tinue during the Term hereby granted; and this Act, and the additional
Term, and the Tolls hereby granted, shall be subject and liable to the
Payment of all Sums of Money now due and owing upon the Credit or
on Account of the said former Act, and of such other Sum and Sums of
Money as shall be borrowed or become due and owing on the Credit or
on Account of the said Act and of this Act, and of the Interest due and
to grow due upon the same respectively.

and further
continued.

Bankrupts
and insolvent
Persons dis-
qualified
from being
Trustees.

II. Provided always, and be it further enacted, That when and as
often as any Trustee, appointed or to be appointed for executing the said
Act and this Act, shall become, by Bankruptcy or Insolvency, dispossessed
of the Qualification by the said Act required, or shall cease to reside, for
the Space of Two Years together, in any of the said Counties of *Ches-
ter, Lancashire, or Derby*, then and in every such Case it shall be lawful for the
remaining Trustees, or any Five or more of them, to appoint another
Trustee in his Room, in the same Manner as by the said Act is directed
for appointing Trustees on other Vacancies, as in the said Act particularly
mentioned.

III. And

III. And be it further enacted, That the said Trustees, or any Five or more of them, shall and may continue the Turnpike Gates which now stand across the said Roads called *The Longfist Bar*, *The Heaton Norris Bar*, *The Stockport Moor Bar*, *The Whaley Bar*, *The Buxton Bar*, *The Gockyard Bar*, *The Barmoor Clough Bar*, and *The Sparrowpit Bar*, and also may erect and set up, or cause to be erected and set up, One or more Turnpike Gate or Gates in, upon, or across any Part of the said Road between *The Red Lion Inn*, in *Bullock Smithy* aforesaid, and the *Inn in Disley*, in the said County of *Chester*, known by the Sign of *The Bull's Head*; and also One or more Turnpike Gate or Gates in, upon, or across any Part of the said intended Branch of Road between *Barmoor Clough* aforesaid, and near *Chapel-en-le-Frith* aforesaid, and *Fairfield*, near *Buxton* aforesaid, and from Time to Time remove the said Two last mentioned Turnpike Gates, or either of them, and set up in lieu thereof, or in Addition thereto respectively, One or more Turnpike Gate or Gates in, upon, or across any Part of the said last mentioned Roads, and also may erect and set up a Toll House to every such Turnpike Gate, with suitable Outbuildings thereto, and inclose from the said Roads, or the Lands or Grounds adjoining thereto, convenient Garden Plots to the said Toll Houses respectively, as the said Trustees, or any Five or more of them, shall judge proper, and may cause all or any of such Turnpikes, Toll Gates, Toll Houses, and other Buildings, from Time to Time to be taken down, removed, and set up again, or altered in such other Situations, within the respective Limits in the said recited Act mentioned, as they, or any Five or more of them, shall judge proper.

Trustees to continue certain Turnpike Gates.

IV. And be it further enacted, That the Property of all the said Turnpike or Turnpikes, and Toll House or Toll Houses, and other Building or Buildings, and of the Materials for building the same, and for repairing the said Roads, shall be vested in the said Trustees, and they, or any Five or more of them, are hereby empowered to bring Actions in the Name or Names of any One or more of them, or their Clerk or Clerks, Treasurer or Treasurers, and to prefer Bills of Indictment against any Person or Persons who shall disturb them in the Possession thereof.

Vesting Turnpikes and Toll Houses, etc. in the Trustees.

V. And whereas the several Tolls by the said recited Act granted have been found very inadequate to the proper Execution thereof; be it therefore enacted, That all and singular the said several Tolls, and all the Exemptions from Payment thereof, as in the said Act mentioned, shall be, and they and every of them are and is hereby declared to be repealed.

Former Tolls repealed, and others granted.

VI. And be it further enacted, That the respective Tolls following shall be demanded and taken 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, before any Horse or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, shall be permitted to pass through any of the said several Turnpikes or Toll Gates now erected and set up, or hereafter to be erected and set up between *Stockport* aforesaid, and *Hurdlow House* aforesaid, and also between *Whaley* aforesaid and *Hernestone Lane Head*, and between *Chapel-en-le-Frith* and *Buxton* aforesaid, or at such other Turnpike Gate or Turnpike Gates as shall or may

Tolls to be taken at the Gates between *Stockport* and *Hurdlow House*, and between *Whaley* and *Hernestone Lane Head*, and between *Chapel-en-le-Frith* and *Buxton*.

at

at any Time or Times hereafter be erected and set up in lieu of or in Addition to the said last mentioned several Turnpike Gates, or any of them; (that is to say).

Tolls.

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, or Chair upon Four Wheels, drawn by Six or more Horses or Beasts of Draught Two Shillings, and drawn by Four Horses or Beasts of Draught One Shilling and Sixpence, and drawn by less than Four Horses or Beasts of Draught One Shilling:

For every Calash, Chaise, or Chair upon Two Wheels, drawn by Two or more Horses or Beasts of Draught Eight-pence, and drawn by One Horse or Beast of Draught Sixpence:

For every Waggon or other such Four-wheeled Carriage, with Wheels of the Breadth of Nine Inches on the Bottom or Sole thereof Four Shillings, with Wheels of the Surface of Sixteen Inches Two Shillings, upon Rollers of the Breadth of Sixteen Inches Two Shillings, and for every Cart, Wain, or other such Carriage, with Wheels of the Breadth of Nine Inches on the Sole thereof, drawn by Four or more than Four Horses or Beasts of Draught Ten-pence, and drawn by Three Horses or Beasts of Draught Nine-pence, and drawn by Two Horses or Beasts of Draught Sixpence, and drawn by One Horse or Beast of Draught Three-pence; and for every Cart, Wain, or Carriage upon Rollers of the Breadth of Sixteen Inches Sixpence, and for every Waggon or other such Four-wheeled Carriage with Wheels of the Breadth of Six Inches as aforesaid Four Shillings, and for every Waggon upon Wheels rolling a Surface of Eleven Inches on each Side Two Shillings:

For every Cart, Wain, or other such Carriage with Wheels of the Breadth of Six Inches as aforesaid, drawn by Three or Four Horses One Shilling, and drawn by Two Horses Eight-pence, and drawn by One Horse Four-pence:

For every Waggon or other such Four-wheeled Carriage, with Wheels of less Breadth than Six Inches, and drawn by any Horse or Horses, or Beasts of Draught Six Shillings, and for every Cart, Wain, or other such Carriage, with Wheels of less Breadth than Six Inches, and drawn by Three or more Horses or Beasts of Draught One Shilling and Sixpence, and drawn by Two Horses or Beasts of Draught One Shilling, and drawn by One Horse or Beast of Draught Sixpence, and for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing One Penny:

For every Drove of Oxen or Neat Cattle Ten-pence *per* Score, and so in proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs Five pence *per* Score, and so in proportion for any greater or less Number.

VII. And be it further enacted, That instead of the Tolls by the said recited Act granted in respect of any Horse or other Cattle, Coach, Waggon, Cart, or other Carriage, passing through either of the said Turnpike Gates, called the *Long sight Bar* and the *Heaton Norris Bar*, the respective Tolls following shall be demanded and taken 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, before any Horse or other Cattle, Coach, Waggon, Cart, or other Carriage shall be permitted to pass through either of the said Two Turnpike Gates called the *Long sight Bar* and the *Heaton Norris Bar*, or at such other Turnpike Gate or Turnpike Gates as shall

Tolls to be taken at the Bars between Manchester and Stockport.

shall by virtue of this Act be erected and set up in lieu thereof, or in Addition thereto; (that is to say),

For every Coach, Berlin, Landau, Chariot, Calash, Chaise, or Chair upon Four Wheels, drawn by Six or more Horses or Beasts of Draught, One Shilling, and drawn by Four Horses or Beasts of Draught, Nine-pence, and drawn by less than Four Horses or Beasts of Draught, Six-pence: Tolls.

For every Calash, Chaise, or Chair upon Two Wheels, drawn by Two or more Horses or Beasts of Draught, Four-pence, and drawn by One Horse or Beast of Draught, Three-pence:

For every Waggon, or other such Four-wheeled Carriage, with Wheels of the Breadth of Nine Inches on the Bottom or Sole thereof, Two Shillings; with Wheels of a Surface of Sixteen Inches One Shilling, upon Rollers of the Breadth of Sixteen Inches One Shilling, and for every Cart, Wain, or other such Carriage, with Wheels of the Breadth of Nine Inches on the Bottom or Sole thereof, drawn by Four or more than Four Horses or Beasts of Draught, Five-pence, and drawn by Three Horses or Beasts of Draught Four-pence Halfpenny, and drawn by Two Horses or Beasts of Draught Three-pence, and drawn by One Horse or Beast of Draught One Penny Halfpenny; and for every Cart, Wain, or other such Carriage, upon Rollers of the Breadth of Sixteen Inches, Three-pence, and for every Waggon or other such Four-wheeled Carriage, with Wheels of the Breadth of Six Inches as aforesaid, Two Shillings, and for every Waggon or other such Four-wheeled Carriage, upon Wheels rolling a Surface of Eleven Inches on each Side, One Shilling:

For every Cart, Wain, or other such Carriage, with Wheels of the Breadth of Six Inches as aforesaid, drawn by Three or Four Horses, Six-pence, and drawn by Two Horses Four-pence, and drawn by One Horse One Penny Halfpenny:

For every Waggon or other such Four-wheeled Carriage, with Wheels of less Breadth than Six Inches, and drawn by any Horse or Horses or Beasts of Draught, Three Shillings; and for every Cart, Wain, or other such Carriage, with Wheels of less Breadth than Six Inches, and drawn by Three or more Horses or Beasts of Draught, Nine-pence, and drawn by Two Horses or Beasts of Draught Sixpence, and drawn by One Horse or Beast of Draught Three-pence, and for every Horse, Mare, Gelding, Mule, or Ass, laden or unladen, and not drawing, One Half-penny:

For every Drove of Oxen or Neat Cattle Five-pence *per* Score, and so in Proportion for any greater or less Number:

For every Drove of Calves, Hogs, Sheep, or Lambs, Two-pence Halfpenny *per* Score, and so in Proportion for any greater or less Number.

VIII. And be it further enacted, That on each and every *Sunday* after the Commencement of this Act, there shall be demanded and taken at the several Turnpike Gates now erected and set up, or hereafter to be erected and set up upon the said Turnpike Road in lieu thereof, or in Addition thereto, by virtue of the said recited Act or of this Act, 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, double the Tolls by this Act mentioned to be respectively demanded and taken, for Double Toll
on Sundays,

[*Loc. & Per.*] 19 E. every

except for
Milk.

every Horse, Beast, or other Cattle, Coach, Waggon, Cart, or other Carriage (except such Horses or other Beasts, and Carts or Carriages, as shall be used and employed in carrying or conveying Milk only, the same being hereby declared liable to the Payment of the same Tolls as are due and payable on any other Day of the Week, and no more).

New Tolls
vested in the
Trustees.

IX. And be it further enacted, That all the said several and respective Tolls shall be, and the same are hereby vested in the Trustees for putting this said Act and this Act in Execution, and the same and every Part thereof shall be collected, recovered, levied, paid, applied, assigned, varied, and disposed of in such and the same Manner, and by such Ways and Means, and with such Remedies for Non-payment or Evasion thereof, and with such Powers, Provisions, Exemptions, and Restrictions as are contained in the said recited Act with respect to the Tolls thereby granted, but subject nevertheless to this Act, and the Provisions, Regulations, and Restrictions herein contained.

Power to erect
Side Bars.

X. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, to cause to be erected, set up, and provided, One or more Turnpike Gate or Turnpike Gates, Toll House or Toll Houses, on the Side or Sides of any of the said Roads across any Highway leading into the same, save and except between the said Towns of *Stockport* and *Manchester*, between which Towns no Side Bar shall be erected, any Thing in the said recited Act to the contrary notwithstanding; and to cause such Tolls to be collected and levied at such respective Turnpikes as by this Act made payable upon the same respective Roads, so that the same do not extend to a double Charge, or subject any Person to the Payment of a larger Toll than is by this Act appointed to be paid for passing through any of the Turnpike Gates, by the said recited Act or this Act authorized to be erected across the said respective Roads thereby or hereby directed to be made and repaired.

Horses, etc.
passing
through *The
Whaley Bar*, or
*The Stockport
Moor Bar*, and
for which the
Toll has been
paid at either
of those Bars,
not to pay at
any Turnpike
Gate which
may by virtue
of this Act be
erected be-
tween *Stock-
port Moor* and
the Cock at
Whaley.

XI. And be it further enacted, That no Person or Persons shall be liable to pay any Toll or Duty at any Turnpike Gate, which shall or may be erected and set up by virtue of this Act between the *Red Lion Inn* at *Bullcock Smithy*, and the *Ram's Head Inn* in *Disley*, for any Horse or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, which shall have passed through, and shall have paid any Toll or Duty at the said Turnpike Gate at *Whaley* aforesaid, or such other Turnpike or Turnpikes as shall or may at any Time hereafter be erected by virtue of this Act in lieu of such last-mentioned Turnpikes, or in Addition thereto, or which shall have passed through, and shall have paid any Toll or Duty at the said Turnpike Gate called the *Stockport Moor Bar*, in One and the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, and producing a Note or Ticket that the said Toll or Duty has been paid; which Notes or Tickets the Collector and Collectors in and are hereby respectively required to give gratis.

No more than
Half Toll to
be taken at
the intended
How Lane or
Disley Bar.

XII. Provided always, That no more than One Half of the Tolls granted by this Act, and authorized to be taken at any One of the said Gates now standing across the said Roads, shall be demanded or taken for the passing of any Horse or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, through all or any of the said Turnpike Gate or Gates which

which shall or may be erected and set up by virtue of this Act, betwixt the *Red Lion Inn* in *Bullock Smithy* aforesaid, and the *Ram's Head Inn* in *Disley* aforesaid; and also, that no more than One Half of the Tolls granted by this Act, and authorized to be taken at any One of the said Gates now standing across the said Roads, shall be demanded and taken for the passing of any Horse or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, through either of the said Turnpike Gates called *The Whaley Bar*, and *Stockport Moor Bar*, which shall on the same Day, to be computed as aforesaid, have previously passed through and paid the One Half Toll as aforesaid, at any of the Turnpike Gates to be erected and set up betwixt the *Red Lion Inn* in *Bullock Smithy* aforesaid, and the *Ram's Head Inn* in *Disley* aforesaid, on producing a Note or Ticket that such last mentioned Half Toll has been paid at any of the said last mentioned Turnpike Gates; which Note or Ticket the Collector or Collectors of the Tolls of the said last mentioned Turnpike Gate or Gates is and are hereby required to deliver gratis on Payment of such Toll: Provided always, that no Person who shall have paid the Toll hereby granted for the passing of any Horse or other Cattle, Coach, Chaise, Waggon, Cart, or other Carriage, through any of the said Turnpikes now erected across the said Road between *Horridge End* and *Hernestone Lane Head*, and called *The Cock Yard Bar*, *The Barmoor Clough Bar*, and *The Sparrow Pit Bar*, or at any other Turnpike or Turnpikes to be erected and set up in lieu thereof, or in Addition thereto, shall be subject or liable the same Day to the Payment of any Tolls at the other or others of the said Three last mentioned Turnpikes, or at any other Turnpike or Turnpikes to be erected and set up in lieu thereof, or in Addition thereto, upon producing a Note or Ticket, denoting such Payment at the other of the said Three last-mentioned Turnpikes; which Note or Ticket the Collectors of the Tolls of the said Three last-mentioned respective Turnpikes are hereby required to deliver gratis.

XIII. 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 Tickets 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 repass through any of the said Turnpikes laden with any Loading of the Weight of Five hundred Pounds or upwards, or Six Score to the Hundred, and shall return the same Day also laden with any Loading of the Weight of Five hundred Pounds or upwards as aforesaid; and also except any such Coach, Berlin, Landau, Chariot, Calash 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.

Tolls to be paid but once a Day except as herein mentioned.

XIV. Provided

Tolls to be reduced or raised equally at each Bar.

XIV. Provided always, That nothing in the said recited Act or in this Act contained shall authorize or empower the said Trustees, or any of them, to lessen or reduce all or any of the Tolls to be demanded or taken at any One of the Turnpike Gate or Gates now erected, or hereafter to be erected by virtue of the said recited Act or this Act, without at the same Time, and in like Manner and Proportion, also lessening or reducing the like Tolls to be demanded and taken at all the other Turnpike Gates now erected, or hereafter to be erected as aforesaid, or afterwards to raise or advance any of the Tolls to be demanded and taken as aforesaid, at any such Turnpike Gate or Gates, without at the same Time, and in like Manner and Proportion, also raising or advancing the like Tolls, to be demanded and taken at all the other Turnpike Gate or Gates aforesaid.

Half Toll only to be taken for Carriages laden with Coal from Poynton and Worth Collieries at Stockport Moor Bar, or any other Bar between the Cock at Whaley and Rowcroft Smithy.

XV. Provided always, and be it also enacted, That no more than One Moiety of the Tolls herein appointed to be collected and levied for Carts, Waggons, or other Carriages passing through the said *Stockport Moor Bar*, or any other Turnpike Gate or Turnpike Gates to be erected between the *Red Lion Inn* in *Bullock Smithy* aforesaid, and the *Ram's Head Inn* in *Disley* aforesaid, shall be paid for Carts, Waggons, or other Carriages going empty for and returning laden with Coals or Cannel only through such Turnpikes, or either or any of them, and which Coals or Cannel shall have been bought at or brought from any of the Collieries belonging to Sir George Warren Knight of the Bath, or to his Tenants or Lessees thereof, in *Poynton and Worth*, or either of them, in the said County of *Chester*, but not otherwise.

To exempt Inhabitants of *Wormhill* from Toll.

XVI. Provided also, and be it further enacted, That no Tolls shall be demanded or taken for any Horse, Cattle, or Carriage belonging to any Inhabitant of the Hamlet of *Wormhill* in the said County of *Derby*, or to any Occupier of Lands or Tenements situated within the said Hamlet of *Wormhill*, at any Turnpike Gate or Turnpike Gates to be erected on the said intended Branch, or on the Side or Sides thereof, in travelling upon or across the same Branch, except the same shall travel above Four hundred Yards thereon.

Exemptions from Tolls.

XVII. Provided also, and be it further enacted, That no Tolls shall be demanded or taken for any Horse, Cattle, or Carriage, passing laden with, or passing empty or unladen for, or returning the same Day empty or unladen after having been laden with Stone, Brick, Lime, Gravel, or other Materials for making and repairing the said Roads, or for repairing the Highways in any Township through which any of the Roads by the said recited Act or by this Act directed to be made and repaired lead, or in any of the adjoining Townships; nor for any Carriage laden with, or passing empty or unladen for, or returning the same Day empty or unladen after having been laden with Grass, Hay, Straw, Corn in the Straw only, or Marl, Muck, Dung, Compost, or other Manure (Lime excepted) for the improving and manuring of Land, not bought, sold, or disposed of, or carried for the Purpose of being sold or disposed of, but passing to be laid up or placed in the Outhouses or on the Lands of the Owner thereof who shall not have bought the same; nor for any Ploughs, Harrows, or other Implements of Husbandry taking to and from the Lands occupied with the Farms in any Township near or adjoining to the said Roads, or any of them; nor for any Horse, or any other Cattle
or

or Sheep going to or from Water, Pasture, or Plough, or other Tillage or Work in Husbandry, upon or within any of the Lands in any such Township; nor shall any Toll be demanded or taken of or from any Rector, Vicar, or Curate, going to officiate or returning from officiating at any Church or other Place of Divine Worship, or visiting his sick Parishioners; nor of or from any Person or Persons going to or returning from his, her, or their Parochial Church, Chapel, or other Place of Religious Worship on *Sundays*, or any other Day on which Divine Worship is ordered by Authority to be celebrated; or who shall be attending, or going to attend, or returning from attending the Funeral of any Person or Persons who shall die or be buried in any Township, Hamlet, or Place through which any of the said Roads pass; nor from any Person or Persons going to or returning from any Election of a Member or Members to serve in Parliament for any of the said Counties of *Chester, Lancaster, or Derby*, during the Time of, or on the Day before or Day after such Election shall begin or be concluded; nor for any Horses or Carriages, of whatsoever Description, employed or to be employed in conveying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in conveying, fetching, or guarding such Mails or Expresses, or in returning back therefrom; nor for the Horses of Soldiers passing who are upon their March or on Duty, or for Waggon, Wains, Carts, or other Carriages attending them; nor for Horses or Carriages travelling with Vagrants sent by legal Passes, or Prisoners sent to Gaol or House of Correction, or returning after having been so employed; and if any Person or Persons shall claim or take the Benefit of any of the Exemptions aforesaid, not being entitled to the same, such Person or Persons shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds, nor less than Forty Shillings, any Thing in the said recited Act or in this Act contained to the contrary thereof in anywise notwithstanding.

XIX. And be it further enacted, That in case any Dispute, Suit, or Litigation shall happen to arise, touching or in anywise relating to the said Tolls, or the Recovery thereof, the Person or Persons appointed to collect the same, or any other Person or Persons acting by or under the Authority of the said Trustees, shall be, and they and every of them are and is hereby declared to be competent to give Evidence in any Dispute, Suit, or Litigation.

Bar keepers
competent
Witnesses.

XX. And whereas by a Clause in the said recited Act, it is enacted, That no Person or Persons shall be liable to pay any Toll or Duty at the said Turnpike or Toll Gate then intended to be erected by virtue of that Act, between *Rowcroft Smithy and How Lane*, with any Coach, Berlin, Landau, Chariot, Calash, Chaise, or Chair, or with any Waggon, or other Four-wheeled Carriage, which shall have passed, or shall afterwards pass through, and should have paid or should pay any Toll or Duty at the said Turnpike or Toll Gate at *Whaley*, or such other Turnpike or Turnpikes, Toll Gate or Toll Gates, as should or might thereafter be erected by virtue of that Act, in lieu of such therein last mentioned Turnpike or Toll Gate, or in Addition thereto, or which should have passed, or should afterwards pass through, or should have paid or should pay any Toll or Duty at both the said Turnpikes or Toll Gates thereby directed

Repealing an
Exemption in
the former
Act.

to be fixed and set up between *Manchester* and *Stockport* aforesaid, in lieu and instead of the then Turnpike Gate called *The Midway Bar*, in One and the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, and producing a Note or Ticket that the said Toll or Duty had been paid; and every such Person who should have paid any Toll or Duty at the said Turnpike or Toll Gate between *Rowcroft Smithy* and *How Lane*, in passing through the same, should upon his returning back and producing a Note or Ticket that such Toll or Duty had been paid the same Day, to be computed as aforesaid, at the said Turnpike or Toll Gate at *Whaley*, or such other Turnpike or Turnpikes, Toll Gate or Toll Gates, as should or might thereafter be erected by virtue of that Act in lieu of such last therein mentioned Turnpike or Toll Gate, or in Addition thereto, or at both the said Turnpikes or Toll Gates thereby directed to be fixed and set up between *Manchester* and *Stockport* aforesaid, in lieu and instead of the then Turnpike called *The Midway Bar* (which Notes or Tickets respectively, the Collector or Collectors was and were thereby required to give gratis) should be entitled to receive, and the Collector of the said Tolls or Duties at the said Turnpike or Toll Gate between *Rowcroft Smithy* and *How Lane* was thereby required to pay him back such Toll or Duty: And whereas the Effect of the said Clause is detrimental to the said Roads; be it therefore enacted, That the said recited Clause shall be, and the same is hereby declared to be repealed.

Repealing
another
Exemption in
the former
Act.

XXI. And whereas by another Clause in the said recited Act, it is further enacted, That no Person or Persons shall be liable to pay any Toll or Duty at the said Turnpikes or Toll Gates then intended to be erected by virtue of that Act between *Buxton* and *Hurdlow House*, and between *Horridge End* and *Hernestone Lane Head*, or any of them, with any Waggon or other Four-wheeled Carriage, which shall have passed, or shall afterwards pass through, and shall have paid or should pay any Toll or Duty at the said Turnpike or Toll Gate at *Whaley*, or such other Turnpike or Toll Gate as should or might thereafter be erected by virtue of that Act in lieu of such last mentioned Turnpike or Toll Gate, or in Addition thereto, or which should have passed, or should afterwards pass through, and should have paid or should pay any Toll or Duty at both the said Turnpikes or Toll Gates thereby directed to be fixed and set up between *Manchester* and *Stockport* aforesaid, in lieu and instead of the then Turnpike Gate called *The Midway Bar*, in One and the same Day, to be computed from Twelve of the Clock at Night to Twelve of the Clock in the succeeding Night, and producing a Note or Ticket that the said Toll or Duty had been paid; and every such Person who shall have paid any Toll or Duty at the said Turnpike or Toll Gate between *Buxton* and *Hurdlow House*, and between *Horridge End* and *Hernestone Lane Head*, in passing through the same, or any of them, shall upon his returning back, and producing a Note or Ticket that such Toll or Duty has been paid the same Day, to be computed as aforesaid, at the said Turnpike or Toll Gate at *Whaley*, or such other Turnpike or Turnpikes, Toll Gate or Toll Gates, as should or might thereafter be erected by virtue of that Act in lieu of such last mentioned Turnpike or Toll Gate, or in Addition thereto, or at both the said Turnpikes or Toll Gates thereby directed to be fixed and set up between *Manchester* and *Stockport* aforesaid, in lieu and instead of the then Turnpike Gate called

The

The Midway Bar (which Notes or Tickets respectively the several Collectors were thereby required to give *gratis*) should be entitled to receive, and the said several Collectors of the said Tolls or Duties at the said Turnpikes or Toll Gates between *Buxton* and *Hurdlow House*, and between *Horridge End* and *Hernestone Lane Head* respectively, was and were thereby required to pay him back such Toll or Duty: And whereas the Effect of the said last mentioned Clause is detrimental to the said Roads; be it therefore enacted, That the said last recited Clause shall be, and the same is hereby declared to be repealed.

XXII. And be it further enacted, That it shall be lawful for the said Trustees, or any Five or more of them, at any Time during the Continuance of this Act, and they, or any Five or more of them, are hereby authorized and empowered to make the new Branch of Road from and out of the said Turnpike Road at or near *Barmoor Clough*, near *Chapellen-le-Frith* aforesaid, to *Fairfield* near *Buxton* aforesaid, as herein-after mentioned, and to amend, widen, turn, or alter the Course or Path of any Highway or Road through which such intended new Branch of Road is intended to pass, not exceeding Sixty Feet in Width, and that without making any Satisfaction for such Commons or Waste Grounds through which such new Branch of Road shall be made; and also, that it shall be lawful for the said Trustees, or any Five or more of them, and for their Surveyor or Surveyors, and Workmen, with or without Carriages and Cattle, from Time to Time to enter upon any private Lands, Grounds, and Hereditaments, through which or whereupon the said new Branch of Road hereby authorized to be made is intended to pass, and to stake out and make the same in such Manner as the said Trustees, or any Five or more of them, shall think necessary or proper, without being liable or subject to be deemed a Trespasser or Trespassers, or to any Fine, Punishment, or Penalty for entering or continuing upon any Part or Parts of such last-mentioned Lands, Grounds, or Hereditaments respectively, for any the Purposes of this Act, first making or tendering Satisfaction to the Owners thereof and Persons interested therein for the Damages they may thereby sustain; and also that the said new Branch of Road shall be and be deemed to be, to all Intents and Purposes, Part of the Roads included in the said recited Act and this Act, and thereby and hereby intended to be repaired, and from and after the making thereof be deemed and taken to be, and shall be a publick Highway for ever to all Intents and Purposes whatsoever; and that the Inhabitants of the several Townships through which the said last-mentioned Road shall lead and extend, shall from the Time of passing this Act be and for ever continue subject and liable to the Repair thereof, in like Manner and in every Respect as they are by Law liable to the Repair of any Common Highway in the said Townships.

Power to
make Road
from *Barmoor*
Clough to
Buxton.

XXIII. And whereas by a Clause in the said recited Act it is amongst other Things enacted, That it shall be lawful for the Surveyor or Surveyors of the said Roads, or such Person or Persons as he or they shall appoint, having an Order as therein mentioned, to widen any Part of the said Roads, so as to make such Part thereof not exceeding Forty Feet, which is not sufficient; be it therefore further enacted, That it shall be lawful for such Surveyor or Surveyors, or other Person or Persons, having an Order as in the said Act is particularly mentioned, to

For widening
the Road to
any Width not
exceeding
Sixty Feet.

widen

widen any Part or Parts of the Roads, under the Powers, Provisions, Regulations, and Directions in the said recited Act and in this Act contained, so as to make such Part or Parts of the said Roads not to exceed Sixty Feet in Width; any Thing in the said Act contained to the contrary notwithstanding.

Extending Provisions of the former Act to the new Branch.

XXIV. And be it further enacted, That all the Powers, Authorities, Provisions, Penalties, Compositions, Forfeitures, and Clauses in the said recited Act contained, and now in force for the repairing, widening, altering, diverting, turning, and keeping in Repair the Roads therein or thereby directed to be repaired, widened, altered, diverted, turned, and kept in Repair, except such as are hereby varied or altered, shall be and the same are hereby extended to, and shall take place in respect of the making, turning, repairing, amending, widening, and keeping in Repair the said Branch of Road hereby authorized to be made from or near *Barmoor Clough* and *Chapel-en-le-Frith* aforesaid, to *Fairfield* near *Buxton* aforesaid, and also to any other Part or Parts of any other of the Roads to be repaired, widened, and kept in Repair by the said recited Act or by this Act, which the said Trustees, or any Five or more of them, shall think proper to be turned or altered for the Accommodation of Travellers.

For fixing the Line of Road from *Bar Moor Clough* to *Fairfield*.

XXV. And be it further enacted, That the said new Branch of Road from and out of the Turnpike Road at or near *Barmoor Clough*, near *Chapel-en-le-Frith* aforesaid, to *Fairfield*, near *Buxton* aforesaid, shall not, without the Consent of the Company of Proprietors of the *Peak Forest Canal*, be made or pass further to the Westward, between *Barmoor Clough* and the Place where the same shall cross the Railways of the *Peak Forest Canal*, than Twenty Yards from the Eastwardly Side of the said Railways, and shall be made or pass over or across the said Railways, nearer than One hundred and Sixty Yards, or further than One hundred and seventy-five Yards from the Southwardly Gable End of the most Southwardly of several Cottages lately erected by *Henry Kirk*, upon his Lands called *Hallsteads*, in the Parish of *Chapel-en-le-Frith* aforesaid, and now occupied by the Servants and Workmen of the Company of Proprietors of the *Peak Forest Canal*, and from thence shall be made and pass South Westwardly for the Length of One hundred and fifty Yards, and then shall be made and pass to and on the Westwardly Side of the Boundary Line, or Extent of the Lime Stone Rocks, there and from thence to and on the Westwardly Side of the said Boundary Line, or Extent of the said Lime Stone Rocks there, to a Barn standing on the Lands belonging to the Reverend *Thomas Gisborne*, called *Dove Holes*, in the Parish of *Chapel-en-le-Frith* aforesaid, and in the Occupation of *Edmund Potts*, and that the said new Branch of Road shall from thence be made to pass to the present Turnpike Road leading from the Guide Post, near *Barber's Fields Capola* in the County of *York*, to the *Angel Inn* in *Buxton* aforesaid, and join such last-mentioned Road, on the North Easterly Side of *Stone Bench Toll Bar*, erected and now standing upon the same Road, where the said new Branch of Road shall terminate.

A Bridge to be made over the Railway and the Level

XXVI. And be it further enacted, That the said Trustees shall, before the said new Branch of Road shall be made across the said Railways, erect and build or cause to be erected and built a good and substantial

Stone

Bridge over the said Railways, of not less Width than Sixteen Feet, and of not less Height than Nine Feet from the Level of the said Railways, to the under Side of the Arch Stones of such Bridge in the Centre of the Arch; and that the said new Branch of Road from a Place called *Loadswell*, to the Place where the same shall cross the said Railway, over such Bridge at the Place aforesaid, shall be made of the same Level as the said Railways opposite thereto, or not more than Eleven Feet above such Level.

of the Road near the Railway.

XXVII. Provided also, 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 Branch of Road, or in or by the repairing, widening, turning, or altering the Course or Path thereof, or of any Highway through which such intended new Branch of Road may pass, wilfully occasion any Damage or Injury to the *Peak Forest Canal*, or the Railways of or belonging to the said Canal, or to any of the Works or Quarries of 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, Works, and Quarries, and the Business thereof.

Trustees not to injure the Canal and Railways.

XXVIII. Provided always, and be it further enacted, That nothing contained or expressed in the said recited Act or this Act shall extend, or be construed to extend, to authorize or empower the said Trustees to alter, turn, or divert the Course or Path of the said Roads to be repaired by the said recited Act or this Act in, upon, over, or through any Part of the Lands within the present Paling of *Lyme Park*.

Not to alter the Roads within the present Paling of *Lyme Park*.

XXIX. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands or Hereditaments purchased, taken, or used by virtue of the Powers of the said recited Act or 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, as in the said recited Act particularly mentioned, such Money shall, in case the same shall amount to 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 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 Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands or Hereditaments, or affecting other Lands or Hereditaments standing settled therewith to the same or the like Uses, 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 or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands and Hereditaments which shall be so purchased,

Directing the Application of Money paid Compensation for Lands, etc. when exceeding 200*l*.

chased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and 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 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 mean Time, and until the said 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 said Lands and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Where exceeding 200*l.*
and not less
than 20*l.*

XXX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands 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 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 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 to 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 (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 any Manner herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where less
than 20*l.*

XXXI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 Hereditaments so purchased, taken, or used for the Purposes of the said 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.

To oblige the
Subscribers to
pay their Sub-
scriptions.

XXXII. And be it further enacted, That the several and respective Persons who have subscribed Money for and towards the making and repairing the said new Branch of Road hereby authorized to be made, shall

and they are hereby required to pay the Sum or Sums of Money so subscribed, within such Time and Times and in such Parts and Proportions as the said Trustees, or any Five or more of them, shall order and direct; and the same shall be paid to such Person or Persons as the said Trustees, or any Five or more of them, shall by any Writing under their Hands authorize to receive the same; and if any Person or Persons shall neglect or refuse to pay the same, or any Part thereof as aforesaid, it shall and may be lawful for the said Trustees, or any Five or more of them, to sue for and recover the same in the Name of the said Trustees, or any Five or more of them, or in the Name of their Clerk or Treasurer, in any of His Majesty's Courts of Record, by Action of Debt, or on the Case, Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, or more than One Impar lance shall be allowed.

XXXIII. And be it further enacted, That all Monies and other Effects which the said Trustees, or any of them, or any Treasurer or other Person on their Behalf, are or is possessed of or entitled unto by virtue of the said recited Act, shall be by the said Trustees applied for the Purposes of this Act; and that out of the Money arising, or to arise by virtue of the said recited Act or this present Act, the Expences of procuring and passing this Act, or in anywise relating thereto, shall be first paid and discharged; and that out of the Tolls already collected or to be collected at the several and respective Turnpike Gates, Cranes, Machines, or Engines, already erected or set up, or hereafter to be erected and set up by virtue of the said recited Act or this Act as aforesaid, and out of the Money to be borrowed on the Credit thereof, the Expence of erecting, setting up, and providing Turnpikes and Toll Houses, Cranes, Machines, and Engines by virtue of the said recited Act or this Act shall be defrayed; and afterwards the Tolls already collected or hereafter to be collected at the said several Turnpikes, Cranes, Machines, or Engines respectively, shall be applied in paying off and discharging all such Sum and Sums of Money as are now due and owing, or to be borrowed on the Credit of the Tolls of the said several Turnpikes by virtue of the said recited Act; and all such Sum and Sums of Money as hath or have been, or hereafter shall be borrowed under the Authority of this Act, upon the Credit of the Tolls by this Act granted, and all Interest due or to grow due thereon, and the Tolls granted by this Act shall be and remain a Security for the Money now due or hereafter to become due thereon, and the Interest thereof, in like Manner in every Respect as the Tolls granted by the said recited Act were; and from and after Payment thereof, and in the mean Time subject thereto, the Tolls and Duties to be collected at the several Turnpikes, Cranes, Machines, and Engines now or hereafter to be set up by virtue of the said recited Act or of this Act, and of all Monies to be borrowed on the Credit thereof, shall be applied in the making, repairing, widening, altering, turning, amending, and keeping in Repair the said Road hereby empowered to be made from or near *Barmoor Clough*, and near *Chapel-en-le-Frith*, to *Fairfield*, near *Buxton* aforesaid, and in the widening, turning, altering, repairing, and keeping in Repair the said several Roads in the said recited Act mentioned, in such Manner as in the said recited Act is mentioned and set forth.

Application of
the Tolls.

Paying Ex-
pences of this
Act.

XXXV. And be it further enacted, That if any Person or Persons driving any Pigs or Swine upon the same Roads, or any Part thereof,

shall

Penalties for
Nuisances and
Obstructions
upon the
Road.

shall suffer the same to stop upon the said Roads, or any Part thereof, or to root up and damage the same, or any Part thereof, or the Fences, Hedges, Backings, or Cops on either Side thereof; or if any Person driving or riding upon any Horse, Mare, or Gelding, carrying Milk Cans, Crates, or Panniers, shall not keep the said Horse, Mare, or Gelding on the Left Hand Side of the said Road, or shall permit or suffer the same to go abreast of any other Horse, Mare, or Gelding; or if any Person shall make or assist in making any Fire or Fires commonly called Bonfires, or shall set fire to, or let off or throw any Squib, Rocket, or Fireworks whatsoever on any Part or Parts of the said Roads, or within Forty Yards from the same; or shall wheel any Wheelbarrow or Wheelbarrows upon any Footway adjoining the said Roads, or any Part thereof; or shall lay any Hay, Straw, or other Matter or Thing upon any Part or Parts of the said Roads, to be made into Manure; or shall scrape off the same any Mud, Soil, Matter, or Thing, which shall be or lie upon any Part of the said Roads, with an Iron Rake or other Instrument with sharp Points; or shall pull or force up any Stones, or other Parts of the Pavements on the said Roads, or any of them, to the Damage thereof; or shall lay down any Timber, Hay, Straw, Dung, or any other Matter or Thing whatsoever upon the said Roads, or any Part thereof, or shall otherwise obstruct or impede the Passage upon the said Roads, or any Part thereof; or shall turn out any Horses, Cows, or other Cattle or Swine, upon the Roads hereby to be repaired and made, or any Part thereof, or in the Ditches adjoining the same, every Person shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings nor less than Ten Shillings, to be recovered, levied, and applied in such Manner as other Penalties, Forfeitures, and Fines are by the said recited Act directed to be recovered, levied, and applied.

Publick Act.

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

Continuance
of Act.

XXXVI. And be it further enacted, That the Term granted by the said recited Act shall, upon the said First Day of *August* next, cease and determine; and that the said Act (subject as herein-before is mentioned) and this Act, shall from thenceforth 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1801.